

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, 29 NOVEMBER 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
	A B HALL	South Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	G A MAJOR to 2100 hrs	South-West Ward
	G W CURTIS	South-West Ward
	M E LYNN, JP	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER
Acting City Environmental Health Manager:	M AUSTIN
City 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

Apologies for absence were tendered by Crs Wood and Moloney.

There were 59 members of the Public and 1 member of the Press in attendance.

The Mayor declared the meeting open at 1932 hrs.

## Correction

Page 120, "12.45 pm" be amended to read "12.45 am".

**MOVED** Cr O'Grady, **SECONDED** Cr Curtis that the Minutes of Council Meeting, held 25 October 1995, amended as above, be confirmed as a true and correct record.

**CARRIED**

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

Nil

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

Nil

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

## **INDUSTRIAL GARDEN AWARDS**

Since 1987, the City of Wanneroo has conducted annual awards for the improvement and maintenance of business premises in the five industrial zones of Wangara, Landsdale, Canham Way, Joondalup and Flynn Drive.

The award scheme was introduced as an incentive to encourage business proprietors to upgrade the outside appearance of their premises.

On 1 August and again on 3 October, the Industrial Evaluation Committee comprising representatives of council, Wanneroo Times and Joondalup Weekender newspapers, inspected the areas.

The winners of this year's Best Maintained Premises are:

Wangara Centre, 34 Prindiville Drive  
Food Development Group, 62 Attwell Street, Landsdale  
Hooley Auto Electrics, 14 Lincoln Lane, Joondalup  
Readymix Concrete, 28 Avery Street, Neerabup

The winners of Most Improved are:

Formula Cars, 24 Lindsay Road, Wangara  
Crazy Post Garden Centre, 28 Canham Way, Greenwood  
M & B Sales Pty Ltd, 9 Franklin Lane, Joondalup

## **COMMUNITY SERVICES AWARDS**

Congratulations are in order for Cr Andrew Hall, who was one of the three finalists in the Community Services Industry Award presentation last week in the Individual Leaders category.

Employed in the youth work field for around 13 years, Andrew has made a significant contribution to improving the quality of life for young people in Wanneroo.

His individual efforts and outstanding leadership qualities have resulted in many innovative and positive outcomes.

I am sure all my fellow Councillors agree when I say, well done Andrew, your recognition is highly deserved.

The City of Wanneroo also achieved finalist status in the community development category for its Building Community in East Neerabup project.

This project was set up to overcome the isolation which many young families experience when moving into raw new housing developments.

It was a co-operative effort by many community agencies and government departments and driven by the City of Wanneroo's former Human Services Planning Co-ordinator, Tim Muirhead.

While on Award presentations, yesterday I received on behalf of the City of Wanneroo, the Wellness Day, Local Government Achievement Award - Metropolitan, for Council's Wellness Day Expo at Whitford City Shopping Centre.

### **CITIZENSHIP**

The last City of Wanneroo's Citizenship Ceremony for 1995 was held in this chamber last night.

Since January, the City has conferred citizenship on more than 1,800 people at 26 ceremonies, making Wanneroo one of the nation's leaders in the naturalisation stakes.

The next Citizenship Ceremony for about 150 people will be held on Australia Day at a breakfast in Neil Hawkins park.

### **AUSTRALIA REMEMBERS**

The last of the City's Australia Remembers events was held on Sunday, 5 November.

It was a tree planting ceremony in Central Park to honour the men and women who have served their country during the 50 years since the end of World War II.

## REGIONAL CABINET MEETING

On Monday, 6 November this Chamber was the venue for the weekly State cabinet meeting.

Council Department heads and I had the pleasure of breakfasting with the cabinet members at the Joondalup Country Club and lunching with them later at the Arena.

## **PETITIONS, MEMORIALS AND DEPUTATIONS**

### **C523-11/95      PETITION TO SAVE MINDARIE DUNES AND NEERABUP NATIONAL PARK - [765-21, 727-8-2]**

Cr O'Grady submitted a 790-signature petition on behalf of concerned members of the public in relation to proposed development of Mindarie Dunes, Neerabup National Park and important bushland areas in Wanneroo.

The petitioners request action be taken to implement the long proposed additions to Neerabup National Park, including land to the south-east and the south-west link to the coast. In addition to this, the petitioners feel that the Mindarie Dunes (north of Burns Beach Road, west of Marmion Avenue) should be protected from development because of the conservation significance of this area of coastal bushland.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition presented by Quinns Rock Environmental Group on behalf of concerned members of the public in relation to proposed development of Mindarie Dunes, Neerabup National Park and important bushland areas in Wanneroo be received and referred to Town Planning Department for a report to Council.

**CARRIED**

### **C524-11/95      LETTER EXPRESSING CONCERN AT TRAFFIC CONGESTION - INTERSECTION KINGSLEY DRIVE AND HEPBURN AVENUE - [510-1334, 510-1900]**

Cr Curtis tabled a letter together with photographs from a resident of Blight Court, Kingsley expressing concern at heavy traffic flows which build up at the intersection of Kingsley Drive and Hepburn Avenue.

The resident states that with the narrowing of the traffic lane and the resultant continual traffic congestion, considerable damage is being caused to his verge.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the letter from a resident of Blight Court, Kingsley expressing concern at heavy traffic flows at the intersection of Kingsley Drive and Hepburn Avenue be received and referred to Engineering Department for a report to Council.

**CARRIED**

**C525-11/95      LETTER OBJECTING TO PROPOSED BOTTLE SHOP,  
SHEPPARD WAY SHOPPING CENTRE, MARMION - [30/0853]**

Cr Curtis tabled a letter from a local resident objecting to the establishment of a bottle shop at Sheppard Way shopping centre, Marmion.

The resident states that Marmion is a quiet residential area, not conducive to the establishment of a bottle store and the associated undesirable problems a facility such as this may create.

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 a local Marmion resident objecting to the establishment of a bottle shop at Sheppard Way shopping centre, Marmion be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**C526-11/95      LETTER OF COMPLAINT RELATING TO DAMAGED FOOTPATH,  
DORCHESTER AVENUE, WARWICK - [510-138, 510-126]**

Cr Curtis tabled a letter from a resident in relation to the damaged section of footpath in Dorchester Avenue between Dugdale Street and Ballentine Road.

The letter states the section of footpath in question is not only unsightly, but may also cause injury to a member of the public due to its damaged condition and state of disrepair.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the letter from a Warwick resident in relation to the damaged section of footpath in Dorchester Avenue between Dugdale Street and Ballentine Road be received and referred to Engineering Department for a report to Council.

**CARRIED**

#### **ACLGS ELECTED MEMBERS COURSE**

Cr Wight thanked Council for being given the opportunity of attending the ACLGS Elected Members Course at the University of Canberra from 24 - 29 September 1995.

He stated that from his viewpoint as a newly elected Councillor, he found the course to be both well presented and informative.

#### **C527-11/95      LETTER OBJECTING TO PROPOSED BOTTLE SHOP, SHEPPARD WAY SHOPPING CENTRE, MARMION - [30/0853]**

Cr Freame referred to the Minutes of the Duncraig Sorrento Ratepayers Association and a letter from Mr N Gannon also objecting to the establishment of a bottle shop at Sheppard Way shopping centre, Marmion.

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 a local resident objecting to the establishment of a bottle shop at Sheppard Way shopping centre, Marmion be received and referred to Town Planning Department for a report to Council.

**CARRIED**

#### **ETHNIC YOUTH GROUP - [305-2]**

Cr Lynn tabled two flyer leaflets titled "Ethnic Youth Group" which were presented to the Multicultural Advisory Committee Meeting of 28 November 1995.

The aim of this group is to bring together youth from different cultural backgrounds, who have common life experiences.

Cr Lynn asked that these flyer leaflets be passed on to the Chairman of the Youth Advisory Committee.

#### **ACLGS ELECTED MEMBERS COURSE**

Cr Taylor reiterated the comments made by Cr Wight in this regard and thanked Council for being given the opportunity of

attending the ACLGS Elected Members Course at the University of Canberra from 24 - 29 September 1995.

**C528-11/95      DAMAGE TO MONUMENT PARK OVAL, CORNER PACIFIC WAY  
AND MONUMENT DRIVE, BELDON - [061-244]**

Cr Magyar tabled a letter from a Beldon resident in relation to damage caused to the Oval on the corner of Pacific Way and Monument Drive, Beldon.

The resident states that young trees are continually being broken and the grass torn up by teenagers driving on the Oval and seek Council's assistance to rectify this by installing wooden stakes or similar around the perimeter of the Oval to alleviate this problem.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the letter from a Beldon resident in relation to damage caused to the Oval on the corner of Pacific Way and Monument Drive, Beldon be received and referred to Parks Department for a report to Council.

**CARRIED**

**C529-11/95      LETTER EXPRESSING CONCERN IN RELATION TO  
PRESCRIBED BURN-OFFS IN YELLAGONGA REGIONAL PARK  
- [061-408]**

Cr Magyar tabled a letter from Friends of Yellagonga Regional Park (Inc) expressing their concern in relation to prescribed burn-offs in Yellagonga National Park.

The Friends of Yellagonga Park feel possible damage to the environment, flora and fauna, as well as potential health hazards to members of the public need to be addressed.

This letter will be referred to Municipal Law and Fire Services Department for a report to Council.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the letter from Friends of Yellagonga Regional Park (Inc) expressing their concern in relation to prescribed burn-offs in Yellagonga National Park be received and referred to Municipal Law and Fire Services Department for a report to Council.

**CARRIED**

**C530-11/95      PETITION OPPOSING DEVELOPMENT OF OLDHAM RESERVE,  
YANCHEP - [061-272]**

A 28-signature petition has been received from residents of Yanchep opposing any proposed changes to Oldham Reserve, including those of a carpark, toilet block and/or change rooms and kiosk facilities.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Yanchep opposing any proposed changes to Oldham Reserve, including those of a carpark, toilet block and/or change rooms and kiosk facilities be received and referred to Parks Department for a report to Council.

**CARRIED**

**C531-11/95      PETITION RELATING TO EXCESSIVE NOISE - HILLSIDE CLOSE, EDGEWATER - [1219/219/3]**

A 6-signature petition has been received from residents of Edgewater in relation to excessive noise emanating from a property in Hillside Close.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Edgewater in relation to excessive noise emanating from a property in Hillside Close, Edgewater be received and referred to Environmental Health Department for action.

**CARRIED**

**C532-11/95      PETITION OBJECTING TO GRANTING OF LIQUOR LICENCE - MARMION VILLAGE SHOPPING CENTRE, SHEPPARD WAY, MARMION - [30/0853]**

A 207-signature petition has been received from residents of Marmion objecting to the granting of a liquor licence to operate a liquor outlet in the Marmion Village Shopping Centre, Sheppard Way, Marmion.

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 Marmion objecting to the granting of a liquor licence to operate a liquor outlet in the Marmion Village Shopping Centre, Sheppard Way, Marmion be received and referred to Town Planning Department for a report to Council.

**CARRIED**



C533-11/95

PETITION REQUESTING NOISE ABATEMENT NOTICE -  
BLUEGUM CLOSE, WOODVALE - [2389/ /7]

A 12-signature petition has been received from residents of Woodvale in relation to excessive noise, damage to neighbouring properties and antisocial behaviour emanating from a property in Bluegum Close and requesting Council to issue a noise abatement notice in this regard.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Woodvale in relation to excessive noise, damage to neighbouring properties and antisocial behaviour emanating from a property in Bluegum Close be received and referred to Environment Health Department for action.

**CARRIED**

C534-11/95

LETTERS OF OBJECTION RELATING TO EXCESSIVE NOISE  
- DARDANUS WAY, HEATHRIDGE - [1613/512/5]

Six letters have been received from residents of Heathridge in relation to excessive noise emanating from a property in Dardanus Way.

These letters will be referred to Environmental Health Department for action.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the letters from residents of Heathridge in relation to excessive noise emanating from a property in Dardanus Way be received and referred to Environmental Health Department for action.

**CARRIED**

C535-11/95

PETITION SUPPORTING THE APPLICATION FOR APPROVAL  
FOR AN ADDITIONAL PRACTITIONER AT LOT 658 (87)  
EDDYSTONE AVENUE, CRAIGIE - [30/3306]

A 158-signature petition has been received in support of the application by Dr Tye for an additional practitioner at Lot 658 (87) Eddystone Avenue, Craigie.

This petition will be considered in conjunction with Item TP378-11/95.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition in support of the application by Dr Tye for an additional practitioner at Lot 658 (87) Eddystone Avenue, Craigie be received and considered in conjunction with Item TP378-11/95.

CARRIED

C536-11/95      PETITION REQUESTING INSTALLATION OF TIMBER POST  
FENCING - WARRANDYTE DRIVE/AMEER WAY, BELDON -  
[510-1385]

A 42-signature petition has been received from local residents requesting the supply and erection of timber post fencing to Warrandyte Drive/Ameer Way, Beldon.

The petitioners request this fencing in order to restrict cars from driving onto the area of public open space, tearing up the grass and endangering pedestrians.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from local residents requesting the supply and erection of timber post fencing to Warrandyte Drive/Ameer Way, Beldon be received and referred to Parks Department for a report to Council.

CARRIED

C537-11/95      PETITION OBJECTING TO THE CLOSURE OF THE  
PEDESTRIAN ACCESSWAY BETWEEN SAPLING WAY AND  
WOODLANDS GROVE, HOCKING - [510-2636]

An 85-signature petition has been received from residents objecting to the closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking.

The petitioners state the accessway provides a much used and highly desirable direct path to local amenities.

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 objecting to the closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking be received and referred to Town Planning Department for a report to Council.

CARRIED

C538-11/95      PETITION EXPRESSING CONCERN - ILLEGAL PRINTING  
BUSINESS - CLARKSON HEIGHTS - [30/4121]

A 7-signature petition has been received expressing concern in relation to an illegal printing business being conducted from a property in Clarkson Heights.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition expressing concern in relation to an illegal printing business being conducted from a property in Clarkson Heights be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**C539-11/95      PETITION REQUESTING DISCOUNTED ADMISSION CHARGES  
- CRAIGIE LEISURE CENTRE NEW IMAGE AQUAROBIICS  
CLASSES - [680-1]**

A 40-signature petition has been received from patrons of the New Image Aquarobics Classes at the Craigie Leisure Centre requesting discounted admission for this class for persons in possession of a Health Care Card and/or Seniors Card.

The petitioners state most persons attend this class for medical reasons and, whilst benefit is received from this treatment for their ailments, they are concerned at the increasing costs particularly as no financial relief is available through medicare or social service benefits.

This petition will be considered at Item CS220-11/95

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from patrons of the New Image Aquarobics Classes at Craigie Leisure Centre requesting discounted admission for this class by persons in possession of a Health Care card and/or Seniors card be received and considered in conjunction with Item CS220-11/95.

**CARRIED**

**C540-11/95      PETITIONS OPPOSING REDEVELOPMENT OF SHELL SERVICE  
STATION/CONVENIENCE STORE - CORNER MARMION  
AVENUE/MARINA BOULEVARD, OCEAN REEF - [30/2355]**

Three petitions (of 108-signatures, 18-signatures and 20-signatures) have been received opposing the redevelopment of the Shell Service Station and 24-hour convenience store on the corner of Marmion Avenue and Marina Boulevard, Ocean Reef.

The petitioners believe this redevelopment will adversely affect the amenity of local residents and cause increased traffic and crime in the area.

These petitions will be referred to Town Planning Department for a report to Council.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the three petitions opposing the redevelopment of the Shell Service Station and 24-hour convenience store on the corner of Marmion Avenue and Marina Boulevard, Ocean Reef be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**C541-11/95      PETITION REQUESTING PROVISION OF SKATEBOARD BOWL**  
**- HEPBURN HEIGHTS - [468-2]**

A 38-signature petition has been received from students resident in the Duncraig area, requesting the provision of a skateboard bowl at Hepburn Heights.

This petition will be referred to Parks Department for action.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from students resident in the Duncraig area, requesting the provision of a skateboard bowl at Hepburn Heights be received and referred to Parks Department for action.

**CARRIED**

**C542-11/95      PETITION EXPRESSING CONCERN AT PROPOSED**  
**EXTENSIONS TO CHICHESTER PARK, WOODVALE -**  
**[061-396-1]**

A 30-signature petition has been received from residents of Woodvale expressing concern at the proposed extensions to the Chichester Park changerooms and clubrooms.

The petitioners state they are concerned at the potential increase of noise, vandalism and parking problems.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Woodvale expressing concern at the proposed extensions to the Chichester Park changerooms and clubrooms be received and referred to Building Department for a report to Council.

**CARRIED**

**C543-11/95      PETITION RELATING TO EXCESSIVE NOISE PRODUCED BY**  
**A MOTOR VEHICLE - BARNDIE WAY, WANNEROO**  
**- [0897/279/25]**

A 9-signature petition has been received from residents of Wanneroo in relation to excessive noise produced by a motor vehicle owned by a resident of Barndie Way.

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

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Wanneroo in relation to excessive noise produced by a motor vehicle owned by a resident of Barndie Way, Wanneroo 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 COMMITTEES  
Meeting held on 4 October 1995
- B        YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE  
Meeting held on 12 October 1995
- C        SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)  
Meeting held on 26 October 1995
- D        YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE  
Meeting held on 9 November 1995
- E        MILDENHALL SENIOR CITIZEN'S CENTRE MANAGEMENT COMMITTEE  
Meeting held on 14 November 1995
- F        GIRRAWHEEN/KOONDOOLA SENIOR CITIZEN'S CENTRE MANAGEMENT  
COMMITTEE - Meeting held on 16 November 1995
- G        WANNEROO SENIOR'S COMMUNITY CENTRE MANAGEMENT COMMITTEE  
SPECIAL MEETING - Meeting held on 16 November 1995

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

**CARRIED**

##### ADVISORY COMMITTEES

- A        HISTORICAL SITES ADVISORY COMMITTEE  
Meeting held on 18 October 1995
- B        MULTICULTURAL ADVISORY COMMITTEE  
Meeting held on 23 October 1995
- C        YOUTH ADVISORY COMMITTEE  
Meeting held on 23 October 1995

- D CULTURAL DEVELOPMENT ADVISORY COMMITTEE  
Meeting held on 23 October 1995
- E PLANNING MEETING OF THE CHILDREN'S SERVICES ADVISORY  
COMMITTEE  
Meeting held on 23 October 1995
- F DISABILITY ACCESS ADVISORY COMMITTEE  
Meetings held on 3 and 27 October 1995
- G ART COLLECTION ADVISORY COMMITTEE  
Meeting held on 9 November 1995

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

**CARRIED**

#### OTHER COMMITTEES

- A BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION  
Meeting held on 16 August 1995
- B KINGSLEY WOODVALE COMMUNITY AND RECREATION ASSOCIATION  
Meeting held on 16 September 1995
- C WHITFORD RECREATION ASSOCIATION (INC)  
Meeting held on 18 September 1995
- D GIRRAWHEEN/KOONDOOLA RECREATION ASSOCIATION (INC)  
Meeting held on 19 September 1995
- E BURNS RATEPAYERS & RESIDENTS ASSOCIATION (INC)  
Meeting held on 12 October 1995
- F YANCHEP/TWO ROCKS RECREATION ASSOCIATION SPECIAL MEETING  
Meeting held on 17 October 1995
- G OUTSIDE SITE SAFETY COMMITTEE MEETING  
Meeting held on 18 October 1995
- H JUNIOR COUNCIL  
Meetings held on 19 October and 2 November 1995

Cr Cooper queried Item E - Burns Beach Ratepayers and Residents  
Association Minutes under Section 6, General Business where it  
was stated in response to a question raised regarding Council  
Budget outcomes that no North Ward items were included. He  
stated money had in actual fact been spent in the North Ward and  
asked that this matter be investigated.

The City Recreation and Cultural Services Manager took this question on notice.

**MOVED** Cr Freame, **SECONDED** Cr Waters that the Minutes listed at Items A to H 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.

Mr Denis and Mrs Barbera Sarich

Mr Denis and Mrs Barbara Sarich of Wanneroo Road, Neerabup have requested permission to address Council at its meeting of 29 November 1995 in relation to the proposed rezoning of Lot 36 (1964) Wanneroo Road, Neerabup to Accommodate a Bird Farm - Item TP384-11/95 refers.

Mrs Sarich stated that this application was initially presented in April 1995.

It is the intention of Mr and Mrs Sarich to establish a bird dealership, which is different from a pet shop in that a dealership breeds birds that would not be available from a pet shop. They also anticipate selling seed and other requirements from their establishment. Currently they have 14 bird cages covering one eighth of the area of the property.

Mr and Mrs Sarich are concerned that they are being asked to amend their rezoning. She stated there are 13 commercial businesses in this particular area and that only one other business had been asked to amend their zoning.

Mrs Sarich thanked Town Clerk for his assistance in liaising with Council Departments.

Mr Ernie Bell

Mr Ernie Bell of Seacrest Drive, Sorrento has requested permission to address Council at its meeting of 29 November 1995 in relation to the Proposed Change in Conditions of Operation and Approval for a Second Practitioner at Lot 504 (34) Seacrest Drive, Sorrento - Item TP367-11/95 refers.

Mr Bell indicated Seacrest Physiotherapy Centre had operated with more than one practitioner for over 12 months and felt Mrs Szeto failed to abide by the specific condition that required her to reside on the premises.

He stated residents in the immediate vicinity of this centre should be protected from further commercial growth in what is a residential area.

Mr Robin Wright

Mr Robin Wright of Wright Development and Property Consulting has requested permission to address Council at its meeting of 29 November 1995 in relation to Proposed Subdivision of Lots 1 and 2 Wanneroo Road, Wangara - Item TP374-11/95 refers.

Mr Wright, on behalf of his clients, Gaza Nominees, stated that the matter of the proposed subdivision of Lots 1 and 2 Wanneroo Road, Wangara had been under consideration for over three years.

He stated that Gaza Nominees were responsible for instigating the structure plan for the South Wangara area in accordance with the wishes of the State Government and Council and to this end, his clients had expended a great deal of money in doing so.

Mr Wright reiterated that the structure plan provides a workable basis around which development could take place and that any modifications to the structure plan that are being proposed in his client's submission have also been complied with. He pointed out that this issue was concerned with direct access to Wanneroo Road from the lots in question.

In conclusion, Mr Wright asked Councillors to look at this application and grant his client, Gaza Nominees, the approval they have been awaiting.

Mr David Caddy

Mr David Caddy, on behalf of a number of business clients in the South Wangara area, addressed Council at its meeting of 29 November 1995 in relation to Proposed Subdivision of Lots 1 and 2 Wanneroo Road, Wangara - Item TP374-11/95 refers.

He stated that his clients were angered by the resolution that was taken by the Committee and the resolution that is now before this Council meeting, bearing in mind the support this group of people have given to Council in the development of the South Wangara area. Mr Caddy also pointed out that his clients had invested millions of dollars over the last 17 years in the Wangara area.

He reiterated that his clients would welcome the competition that the proposed subdivision would generate, provided there was no unfair advantage gained by any one particular group from the subdivision.



Mr Caddy stated his clients have no objection to the proposed subdivision being approved, provided it was in accordance with the structure plan.

Mr John Chmielewski

Mr John Chmielewski of 36 Seacrest Drive, Sorrento addressed Council at its meeting of 29 November 1995 in relation to the Proposed Change in Conditions of Operation and Approval for a Second Practitioner at Lot 504 (34) Seacrest Drive, Sorrento - Item TP367-11/95 refers.

Mr Chmielewski stated Mrs Szeto approached him on 9 July 1995 seeking his signature to a petition supporting her application for proposed change in conditions and operation and approval for a second practitioner at Seacrest Physiotherapy Centre.

He pointed out to Mrs Szeto his unwillingness to sign the petition and his reasons for this decision.

Mr Chmielewski made it clear to Mrs Szeto that he was well aware she was operating a physiotherapy practice contrary to the conditions set down by Council.

He stated that he purchased his land in the early 1980's in a residential area, with the expectation that the area would remain residential, not expanding into the commercial enterprise it has today. With the continual growth of the medical centre, has come the associated problems of increased traffic volumes and parking on street verges.

Ms P Rakela of 17 Clarkside Court, Wanneroo submitted the following questions for the Council meeting of 29 November 1995.

Q1 Is Council aware that bushland between Edgewater Drive and Lake Joondalup was burnt on Friday 17 November 1995?

A1 Yes.

Q2 Was this fire the result of a prescribed burn?

A2 Yes.

Q3 If so, who authorised the prescribed burn?

A3 City of Wanneroo.

Q4 Who carried out the prescribed burn?

- A4 A very experienced contractor on behalf of DOLA (Department of Land Administration).
- Q5 Was the total area burnt greater than the area originally authorised to be burnt?
- A5 No.
- Q6 Considering that the area is part of Yellagonga Regional Park, was any consideration given to the effect of fire on the conservation value of the area burnt?
- A6 Yes.
- Q7 Was any consideration given to the death or injury caused to wildlife, including the kangaroo which was seen by a group of people to be trapped by the fire on the 17th?
- A7 Yes. The fire is burnt in control conditions against the wind which allows ample time for the fauna to take their natural escape routes; compared to a wild fire which burns with the wind at a devastating speed.
- Q8 Is Council aware of any studies on the effect of smoke from prescribed burns affecting the health of people, especially those with respiratory problems?
- A8 No.
- Q9 Is Council aware that on the 17th November 1995, many residents of the Wanneroo townsite suffered irritation and in some cases respiratory distress due to the smoke from the Edgewater fire?
- A9 No. There were no reports to the City of Wanneroo.
- Q10 Is Council aware of any alternative methods of managing bushland without prescribed burning, which are environmentally sound and do not adversely affect public health?
- A10 No, not at this point in time. Controlled fire is generally accepted as being the most economic and beneficial way of reducing fire hazards. Due care is taken prior to lighting of prescribed burns and in this case there is a considerable distance from the fire area across Lake Joondalup.

#### DECLARATIONS OF PECUNIARY INTEREST

Cr Wight declared an interest in Item C545-11/95

Cr Taylor declared an interest in Items C545-11/95 and C561-11/95

Cr Hall declared an interest in Items FA142-11/95 and B215-11/95

Cr Waters declared an interest in Item C566-11/95

City Building Surveyor declared an interest in Item C575-11/95

#### **BUSINESS REQUIRING ACTION**

B - Business for Information  
C - Council  
CS - Community Services  
FA - Finance & Admin Resources  
SC - Special Council

OC - Occasional Committee  
P - Policy  
TP - Town Planning  
TS - Technical Services

**C544-11/95 TOWN PLANNING COMMITTEE**

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that the Report of the Town Planning Committee Meeting, held on 6 November 1995 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	B A COOPER - Chairman	Central Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North Ward
	A W WIGHT	South Ward
	M E LYNN, JP	South-West Ward
	G W CURTIS	South-West Ward
	A B HALL - Observer to 8.14 pm;	
	Deputising for Cr Wood	
	to 6.23 pm	South Ward
	B J MOLONEY - From 6.23 pm,	
	Deputising for Cr Wood	South Ward
	H M WATERS - Observer	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	S P MAGYAR - Observer	Central Ward
	A G TAYLOR - Observer from 6.07 pm	South Ward
	F D FREAME - Observer	South-West Ward
	G A MAJOR - Observer	South-West Ward

Town Clerk:	R F COFFEY
City Planner:	O G DRESCHER
Senior Planning Officer:	R ZAGWOCKI to 7.07 pm
Committee Clerk:	J HARRISON
Minute Clerk:	S BRUYN

**APOLOGIES**

An apology for absence was tendered by Cr Wood; Crs Hall and Moloney deputised.

**PUBLIC/PRESS ATTENDANCE**

There were 26 members of the Public and 1 member of the Press in attendance.

## CONFIRMATION OF MINUTES

### MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 9 OCTOBER 1995

The Minutes of Town Planning Committee Meeting held 9 October 1995 were confirmed as a true and correct record.

## PETITIONS AND DEPUTATIONS

### DEPUTATION - LOTS 262, 263, 264, 1 AND 2 BERRIMAN DRIVE AND WANNEROO ROAD, WANGARA - [30/532]

Messrs Langer, Caddy and Bowyer addressed the Committee in relation to Lots 262, 263, 264, 1 and 2 Berriman Drive and Wanneroo Road, Wangara - Item TP374-11/95 refers.

The deputation spoke on behalf of a group of land owners who had concerns in relation to the South Wangara Structure Plan and the accompanying amendment to that Plan. Their major concerns are:

- 1        The first subdivision to be proposed in the area is in contravention to the Structure Plan;
- 2        Unfair commercial advantage sought by other business interests who are new to the area;
- 3        Automotive Holdings will have a major advantage as they will have direct access to Wanneroo Road;
- 4        Direct access to Wanneroo Road has been denied for 19 years for other businesses in the Wanneroo area;
- 5        Re-direction of traffic from Prendiville Drive to Berriman Drive will give unfair advantage to commercial interests in the area;
- 6        Lot 1 has not been shown as being directly subdivided by this application and while it remains unsubdivided that right of carriageway is not going to be exchanged;
- 7        Access to Berriman Drive will not be complete until Council develops that land;
- 8        They were specifically told 15 years ago there would be no access given to any new businesses on Wanneroo Road;
- 9        Dealers believe Automotive Holdings would be given an advantage if given access through the rear of the tavern or if a road was created on the southern border;

- 10        The new intersection that is being proposed with this subdivision application is a major change to the Structure Plan;
- 11        Concern regarding the design and safety aspect of the proposed road as it increases the number of conflict points from 1 to 4;
- 12        This proposal is extremely costly and more than twice the expense of the previous design;
- 13        Earthworks on the site will be extensive.

In conclusion the deputation stated that they strongly oppose this application as they believe it to be a substantial change to the Structure Plan.

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

DEPUTATION - LOT 1 WANNEROO ROAD - GAZA NOMINEES - [790-657]

Mr R Wright of Wright Development & Property Consultants, Dan McKinnon of Gaza Nominees, Mr Patterson and Mr Peter Webb addressed the Committee in relation to Lot 1 and 2 Wanneroo Road.

Mr Wright stated that they believed that the objectors were putting undue pressure on Council and responded to the comments of the objectors as follows:

- 1        They object to the delay with the due process of subdivision as the objectors were given ample opportunity to voice their concerns;
- 2        As mentioned by the Town Planner, the original Structure Plan gave a slip road and no objections were received;
- 3        Regarding costs, they believe the new plan to be more cost effective and pointed out that businesses in the area would not be required to pay anything. The actual difference in cost of the construction of the road is \$10,000 in benefit of the proposed plan;
- 4        The proposed plan is acceptable to Council, Main Roads Department of Western Australia and all service authorities and there are no planning impediments to it;

- 5       What they are proposing is basically no different to the Lancaster Road intersection and the objectors only concern is the competitor on Lot 1;
- 6       Reasonable consideration should be given to the subdivision proposal even if the competition is unhappy;
- 7       If the current plan is not approved, there will be an appeal;
- 8       Council should reject the objectors as they have no planning basis and should not have been considered in the first place;
- 9       Advised that there is a sale contract on Lot 1 and that you cannot subdivide unless you build the road and get a clearance from Council;
- 10      Other business groups in the area seek to prevent this plan for their own commercial interests;
- 11      If Berriman Drive were to go through as proposed by the other petitioners, it would add significant costs and earthworks to Lot;
- 12      The proposed plan has been investigated by professional staff regarding safety and design issues and should be retained.

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

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

Cr Moloney declared an interest in Item TP374-11/95.

Crs Wight and Taylor declared an interest in the Item on Municipal Training Services Seminar.

#### **MEETING TIMES**

Commenced:       6.05 pm  
Closed:           8.34 pm

REPORT NO:

TP357-11/95      CLOSE OF ADVERTISING: MODIFICATION TO AMENDMENT  
NO 694 TO RELOCATE PUBLIC OPEN SPACE, MEADOWLANDS  
SPECIAL RURAL ZONE (NO 15) NEAVES ROAD,  
MARIGINIUP - [790-694]

CITY PLANNER'S REPORT

Amendment No 694 was supported by Council in July 1992 (Item G20739 refers) and subsequently modified at the request of the W A Planning Commission in July 1995 (Item TP251-07/95 refers) to exclude reference to changes to the Special Provisions for the Meadowlands Special Rural Zone in order to obtain approval to advertise the amendment for public comment.

The City Planner provides background details of the subject matter and reports that after advertising closed on 29 September 1995 one objection was received from the Water Authority of Western Australia.

He advises that as this Special Rural Zone was approved and developed with lots of this size and Council has consistently supported the amendment demonstrating two extra lots, final approval of Amendment No 694 is recommended.

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

- 1            finally adopts Amendment No 694 to Town Planning Scheme No 1 submitted by W D Duffy to modify the Meadowlands Special Rural Zone Development Guide Plan by relocating the public open space from Lot 67 Zest Court to Part Lot 24 Timely Hostess Mews, Mariginiup;
- 2            authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents.

**CARRIED**

TP358-11/95      PROPOSED AMENDMENT NO 743 - REZONING OF PORTION  
OF LOCATIONS 412 AND 11264 AND PT LOT 6 LAKESIDE  
DRIVE, JOONDALUP TO COMPLY WITH METROPOLITAN  
REGION SCHEME OMNIBUS AMENDMENT - [790-743]

CITY PLANNER'S REPORT

An application has been received by Council from Taylor and Burrell to rezone portions of Pt Lot 6 and Swan Locations 11264 and 412 to Central City Zone.



The City Planner reports that this request for rezoning is consistent with the Metropolitan Region Scheme Omnibus Amendment which proposes to rezone portions of the subject lots to Central City Zone and others to Parks and Recreation Reservation.

The City Planner provides background details of the subject site and supports the request to rezone. He advises that Council's final adoption of the amendment would however need to be subject to the finalisation of the MRS Omnibus Amendment.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended), supports Amendment No 743 as requested by Taylor and Burrell to rezone portions of Pt Lot 6 and Swan Locations 11264 and 412 to "Joondalup City Centre" zone and "Parks and Recreation" reservation to conform with the Metropolitan Region Scheme Omnibus Amendment outlined in Attachment No 3 to Report TP358-11/95.

**CARRIED**

Appendix I refers.

**TP359-11/95      APPEAL DETERMINATION: EIGHTEEN SINGLE DWELLINGS**  
**ON SMALL LOT SUBDIVISION - LOTS 48, 49 AND 50**  
**TOULON CIRCLE, MINDARIE - [30/4674]**

**CITY PLANNER'S REPORT**

Condition No 1 of Council's approval which required the developer to construct all dwellings was the subject of appeal.

The City Planner reports on the condition and the appeal by the Minister for Planning.

He advises that as the Minister determined the appeal without the knowledge that the subdivisional clearances had already been issued and the survey documents endorsed, that this renders the appeal ineffective and unenforceable.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council advises the Hon Minister for Planning that an approved Diagram of Survey was dated 4 September 1995 for the 18 lot development, rendering the appeal on condition 1 of Council's development approval ineffective and unenforceable.

**CARRIED**

**TP360-11/95      MODIFICATION TO AMENDMENT NO 671 - MINDARIE**  
**CENTRAL NEIGHBOURHOOD CENTRE - [790-671]**

**CITY PLANNER'S REPORT**

Amendment No 671 was forwarded to the Minister for final approval on 29 September 1995. It has been noted that an error exists in the documents relating to the listing of the proposed Special Zone.

The City Planner provides background details of the Amendment and reports that the error is now corrected for the return of the endorsed amending documents for the Minister's final approval.

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

- 1 modifies Amendment No 671 to Town Planning Scheme No 1 in so far as it relates to the Special Zone (Restricted Use) Fast Food, by replacing reference to "Part 2 of Schedule 2" with reference to "Section 2 of Schedule 1";
- 2 finally adopts the modified form of Amendment No 671 to Town Planning Scheme No 1.

**CARRIED**

**TP361-11/95      ALKIMOS- EGLINTON - AMENDMENT NO 739 TO REZONE**  
**LAND UNDER COUNCIL'S TOWN PLANNING SCHEME NO 1 TO**  
**URBAN DEVELOPMENT ZONE - [790-739, 319-7-1]**

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

Feilman Planning Consultants submitted an application in August 1995 on behalf of Landcorp and Eglinton Estates, for the rezoning of substantial areas of land at Alkimos and Eglinton for urban development (Amendment No 739). The land in question is located west of Wanneroo Road, north of Lot 9 Jindalee and Lots 8 and 32 Butler, and south of the Tokyu landholdings at Yanchep.

The City Planner provides background details to the application.

He also reports on current zonings and applications, previous consideration of this application, Amendment 731, resolution of environmental issues, other district-level issues and affected landowners and adjacent sites.

He proposes procedures and a recommendation to initiate Amendment No 739, while ensuring that Council's planning concerns are satisfied.

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

- 1 initiates Amendment No 739 to rezone Part Location M1503, Part Lot 11, Part Location M1482, Part Lot 102,

Part Lot 6 and Part Lot 3 to Urban Development Zone; Part Lot 102 to Centre Zone, Part Lot 102 to Private Recreation Zone, and retain Part Location M1482 and Pt Lot 102 in Rural Zone as per Attachment No 3 to Report TP361-11/95;

2 advises Feilman Planning Consultants that:

- (a) the issues which require addressing and resolution at the District level include the following:
  - (i) groundwater and wetlands issues, relating in particular to Pipidiny and Beonaddy Swamps, Yanchep and Neerabup National Parks and Karli Spring; which require the preparation of a regional management plan for maintaining water quality and water balance for the area as specified in EPA Bulletin No 729;
  - (ii) assessment of the conservation status and significance of native vegetation as a basis for setting aside and protecting representative areas of significant vegetation and integrating such areas into the development pattern (including their linkage with other areas of remnant native vegetation such as the Neerabup and Yanchep National Parks and Public Open Space Reserves);
  - (iii) further information/documentation detail-ing the criteria for, and justifying the specific location of, the Coastal Parks and Recreation reserve alignment; in particular:
    - . in areas where the foreshore reserve is less than 200m in width, particularly where the coastline is receding;
    - . around Karli Spring;
    - . on Lot 11 in the event that the proposed golf course on this land does not proceed.
  - (iv) the adequacy of the WAWA buffer should be established by more fully describing

the computer modelling that determined the size of the revised buffer. Permitted landuses within the WAWA buffer and limitations on landuses or development should be specified. Staging of urban development within 1km of the proposed WWTP should be specified, and any urban development occurring in this area in advance of WWTP construction should be justified;

- (v) agreement of provision for regional reserves and physical and social infrastructure, ie major roads, foreshore reserves, district level community facilities etc;
  - (vi) treatment of the dunal ridge traversing the Alkimos City Centre and its vesting;
  - (vii) further justification for the proposed location of the Eglinton District Centre;
  - (viii) the location for the 125ha of industrial land required as part of the North West Corridor Structure Plan; either as part of, or in addition to proposed Mixed Business zonings.
  - (ix) the provision of district and local level social and community infrastructure in relation to staging (particularly for the early stages) of development.
- (b) the issues which require addressing at the Local Structure Plan level are those identified in the Ministry for Planning's "Guidelines for the preparation of Local Structure Plans for Urban Release Areas". In this regard, Section 1.4 of the Guidelines is of particular note: "The structure plan is only part of the planning process and may be influenced by higher or lower levels of plan-making. LSPs have been traditionally used to give physical form to neighbourhoods and help in the determination of land use functions. They rely upon broader scale regional and district planning already being in place and the major environmental, engineering,

health and safety questions having been resolved"  
(emphasis added).

- (c) the issues identified in (a) above should be addressed as part of the process of preparation and approval of the District Structure Plan and in this regard, Council will not consider approving a District Structure Plan for the area pursuant to the provisions proposed under Amendment No 731 until these issues have been addressed and resolved to Councils' satisfaction;
- (d) the addressing and resolution of the above district issues may indicate that changes to the proposed extent of urban development are appropriate; in which case amendments to the current Urban/Urban Deferred zone boundaries may be sought. The extent of the Urban Development zone boundaries should therefore not be construed as confirming the suitability of all of the subject land for urban purposes;
- (e) the consent of the owners of Pt Lot 6 and M1482 to the rezoning is still required;

3 requires that Council's position as set out in 2 above be included in the amendment report for Amendment No 739.

**CARRIED**

Appendix II refers.

**TP362-11/95      PROPOSED AMENDMENTS NO 611 AND 742 TO TOWN  
PLANNING SCHEME NO 1 TO REZONE AND CODE PORTION  
OF LOT 7 MARMION AVENUE, BUTLER - [790-611, 790-  
742]**

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

Mitchell Goff and Associates, on behalf of Bankwest have submitted a draft local structure plan and report in support of two separate amendments to the City's Town Planning Scheme No 1 for Lot 7 Marmion Avenue, Butler. Amendment No 611 proposes the rezoning and recoding of 156 hectares of Lot 7 from 'Rural' to 'Residential Development R20 and R40'. Amendment No 742 refers to the proposed rezoning of a 3.35 hectare site in the north western corner of the landholding from 'Rural' to 'Centre' zone to accommodate a proposed Major Neighbourhood Centre (including a large supermarket).

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

He advises that changes are required to the draft Local Structure Plan and Report and comments that after these changes are addressed Amendment 611 can be forwarded to the Minister.

He reports that Amendment 742 needs to be delayed pending the adequate resolution of an acceptable size and location of the Centre as part of the Review of the Retail Strategy for the Clarkson/Butler District.

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

- 1 supports the application submitted by Mitchell Goff and Associates on the behalf of Bankwest to initiate Amendment 611 and 742 to Town Planning Scheme No 1 to rezone and recode a 156 hectare portion of Lot 7 Marmion Avenue, Butler from 'Rural' to 'Residential Development R20 and R40' and rezone a further 3.35 hectare portion in the north western corner of the landholding from 'Rural' to 'Centre' zone respectively;
- 2 advises the applicant that in the interest of facilitating the development of the subject land, it has resolved to seek the above amendments but that before forwarding the Amendment No 611 documents to the Hon Minister for Planning for approval to advertise, it seeks modifications, to the satisfaction of the City Planner, to the draft Local Structure Plan and Report in general accordance with the comments outlined in Report TP362-11/95;
- 3 further advises the applicant that for Town Planning Scheme Amendment No 742, the forwarding of the documents to the Hon Minister for Planning is to be delayed pending the adequate resolution of the accepted size and location of the Major Neighbourhood Centre as part of the Review of the Retail Strategy for the Clarkson/Butler District and that final adoption of the amendment is subject to the Gazettal of Amendment No 731 to Town Planning Scheme No 1.

**CARRIED**

Appendix III refers.

TP363-11/95      RENEWAL OF LEASE: LOT 40 JASON PLACE, PADBURY -  
PADBURY PLAYGROUP HOUSE INC - [1706/40/11]

**CITY PLANNER'S REPORT**

The Padbury Playgroup House Inc's lease over Lot 40 Jason Place, Padbury expired on 31 December 1994. The Playgroup has advised that it wishes to renew the lease for a further term of five years.

The City Planner provides details of the current lease and advises that the lease to the group should be renewed on the same terms and conditions as the previous lease.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council renews the lease over Lot 40 Jason Place, Padbury to the Padbury Playgroup House Inc for a term of five years at an annual rental of \$1.00.

**CARRIED**

**TP364-11/95** **PERMANENT OBSTRUCTION TO VEHICULAR TRAFFIC BURNS BEACH ROAD, JOONDALUP - [510-1665, 510-239]**

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

The City Planner reports that a number of road changes will occur as a result of the realignment of Burns Beach Road and Joondalup Drive and culs de sac will be created in the existing alignment of Burns Beach Road.

He provides details of the proposed culs de sac and reports that the Minister for Local Government's approval will need to be obtained to construct the culs de sac.

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

- 1 advertises the proposal to obstruct vehicular traffic along the existing section of Burns Beach Road, Joondalup by constructing culs de sac;
- 2 subject to no objections being received during the advertising period, seeks the Hon Minister for Local Government's approval in accordance with Section 331(b) of the Local Government Act to place permanent obstructions to vehicular traffic in the existing section of Burns Beach Road, Joondalup.

**CARRIED**

**TP365-11/95** **DEDICATION OF A PORTION OF TAPPING WAY, QUINNS ROCKS - [30/2882]**

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

The City Planner reports that the construction of a roundabout in Tapping Way, Quinns Rocks has necessitated the road reserve to be widened.

He provides details of the subject site and advises that the Department of Land Administration seeks a resolution from Council to dedicate the 652m<sup>2</sup> of land being excised.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council requests the Hon Minister for Lands to dedicate the 652m<sup>2</sup> of land being excised from Reserve 35890 Quinns Rocks as a public road in accordance with Section 288 of the Local Government Act.

**CARRIED**

**TP366-11/95      LOCAL CONSERVATION STRATEGY - [305-6]**

**CITY PLANNER'S REPORT**

The City of Wanneroo's Environmental Advisory Committee has completed the initial phase of the process of preparing a Local Conservation Strategy for the City. The Committee has produced a report consolidating the outcomes from the process so far, and identifying the principles, directions and priorities for the next phase of the process (ie preparation of detailed strategies and action plans for key issues to receive priority attention through the Local Conservation Strategy).

The City Planner provides background details of the Committee and comments on the report submitted by the Committee.

He advises that the Committee's report culminates in a series of recommendations, and Council's endorsement of these is advocated.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council, as recommended by the Environmental Advisory Committee:

- 1       acknowledges the importance of the principles of environmental sustainability and of pursuing these principles as practicable;
- 2       acknowledges the need for change in the way the City's environmental resources are used and managed;
- 3       endorses the overall goal of the Local Conservation Strategy as stated in the document City of Wanneroo Local Conservation Strategy, Working Report 1 Background, Principles and Priorities;
- 4       endorses the priority issues and the goals and objectives for those issues, as stated in the document City of Wanneroo Local Conservation Strategy Working Report 1 Background, Principles and Priorities;



- 5 confirms its recognition that ongoing commitment and action by the City is needed to effectively address environmental issues and problems within the City of Wanneroo;
- 6 recognises the need for sufficient resourcing for Local Conservation Strategy related initiatives (initially during its preparation and ultimately its implementation);
- 7 confirms its recognition of the need for effective integration of the Local Conservation Strategy and the City's other functions and programmes;
- 8 confirms its acceptance of the need for effective community consultation and involvement during all phases of the Local Conservation Strategy preparation and implementation processes;
- 9 confirms its acceptance of an ongoing role for the Environmental Advisory Committee in progressing the Local Conservation Strategy (including its implementation);
- 10 accepts the document City of Wanneroo Local Conservation Strategy Working Report 1 Background, Principles and Priorities as the framework for progressing the City's Local Conservation Strategy.

**CARRIED**

**TP367-11/95      PROPOSED CHANGE IN CONDITIONS OF OPERATION AND  
APPROVAL FOR A SECOND PRACTITIONER AT LOT 504  
(34) SEACREST DRIVE, SORRENTO - [30/3543]**

**CITY PLANNER'S REPORT**

An application has been submitted by Corrs Chambers Westgarth on behalf of Grace Szeto and Hon Sun Lai for a change in approval conditions as imposed by the then Minister and approval for a second practitioner on Lot 504 (34) Seacrest Drive, Sorrento. The application has been advertised for 30 days on site and 188 submissions have been received.

The City Planner provides background details of the subject matter, gives an assessment of the proposal and reports on advertising.

He advises that the application has been assessed in accordance with Council's Scheme and Policy requirements and refusal of the application is recommended.

## RECOMMENDATION

That Council:

- 1 refuses the application submitted by Corrs Chambers Westgarth on behalf of Grace Szeto and Hon Sun Lai for a change in conditions of operation and an additional practitioner on Lot 504 (34) Seacrest Drive as:
  - (a) the application does not comply with Town Planning Scheme No 1, nor the Medical Consulting Rooms Policy requirements in regard to:
    - (i) car parking provision;
    - (ii) minimum lot size;
    - (iii) side and rear setbacks;
    - (iv) provision of landscaping strips to road frontage;
    - (v) maximum number of practitioner operating at any one time;
  - (b) significant local objection exists against the proposal;
  - (c) the proposal exacerbates the non-residential uses which proliferate in the residential area;
- 2 reminds the applicant of the terms of the Minister's appeal decision which enable the development of the subject consulting room and advise that Council will instigate legal action if such terms are not complied with.

The City Planner advised of correspondence received from the applicant which states this application had been misinterpreted by Council and that the application was for a dual practitioner, not a second practitioner. He suggests that consideration of this matter be deferred to enable the situation to be clarified.

**MOVED** Cr Cooper, **SECONDED** Cr Magyar that consideration of the application submitted by Corrs Chamber Westgarth on behalf of Grace Szeto and Hon Sun Lai for a change in conditions of operation and an additional practitioner on Lot 504 (34) Seacrest Drive be deferred and a further report submitted to Town Planning Committee at its meeting on 4 December 1995.

**CARRIED**

TP368-11/95

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

## CITY PLANNER'S REPORT

Council, at its meeting on 23 August 1995 (Item TP290-08/95 refers) resolved to initiate preliminary closure procedures in respect of the pedestrian accessway between Mousehole Crescent and Lagoon Drive, Yanchep by advertising the proposed closure of the accessway. At the close of the advertising period a petition and several letters objecting to the closure were received.

The City Planner provides details of the application, reports on advertising and gives an assessment of the proposal.

He advises that the accessway will provide a convenient pedestrian route for residents in Mousehole Crescent and Redruth Court to the recreation reserve and closure of the accessway should not be supported.

### RECOMMENDATION

That Council does not agree to the closure of the pedestrian accessway between Mousehole Crescent and Lagoon Drive, Yanchep.

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

- 1 does not agree to the closure of the pedestrian accessway between Mousehole Crescent and Lagoon Drive, Yanchep;
- 2 lists the construction of the pedestrian accessway for urgent consideration within the 1996/97 Draft Budget.

**CARRIED**

**TP369-11/95**      **PROPOSED PROHIBITED DOG EXERCISE AREAS - BLUE LAKE PARK, JOONDALUP AND PERCY DOYLE RESERVE, DUNCRAIG - CONSIDERATION OF OBJECTIONS - [325-30]**

Council, at its meeting of 23 August 1995 (Item TP298-08/95 refers) resolved to amend Item (1) of the Fifth Schedule - Prohibited Dog Exercise Areas of Council's By-laws D3 - Relating to Dogs, to include reserves at Blue Lake Park, Joondalup and Percy Doyle Reserve, Duncraig (Reserve No 41893 and Reserve No 33894 respectively).

The City Planner provides background details of the proposal. He reports that at the close of the 21 day advertising period no objections were received in respect of Blue Lake Park and only one letter of objection was received in respect of Percy Doyle Reserve.

He provides an assessment of the amendment and recommends finalisation.

**CITY PLANNER'S REPORT** recommended that Council:

- 1 finally adopts the proposal to amend Item (1) of the Fifth Schedule - Prohibited Dog Exercise Area of Council's By-laws D3 - Relating to Dogs to include the following Reserves:
  - (a) Blue Lake Park, Joondalup, being Reserve No 41893;
  - (b) Percy Doyle Reserve, Duncraig, being Reserve No 33894;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the document;
- 3 dismisses the letter of objection received and advises the objectors accordingly.

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

- 1 finally adopts the proposal to amend Item (1) of the Fifth Schedule - Prohibited Dog Exercise Area of Council's By-laws D3 - Relating to Dogs to include the following Reserves:
  - (a) Blue Lake Park, Joondalup, being Reserve No 41893;
  - (b) Percy Doyle Reserve, Duncraig, being Reserve No 33894;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the document;
- 3 dismisses the letter of objection received and advises the objectors accordingly;
- 4 erects adequate signage at Blue Lake Park, Joondalup and Percy Doyle Reserve informing members of the public of the prohibited dog area.

**CARRIED**

**TP370-11/95      APPLICATION TO UTILISE LOT 23 GIBSON AVENUE,  
PADBURY FOR A SCOUT HALL - [793/23/77]**

**CITY PLANNER'S REPORT - WITHDRAWN**

Cr Freame advised that the 1st Padbury Scout Group had requested to have this matter withdrawn as they now wish to consider the use of Padbury Hall.

**TP371-11/95      UNAUTHORISED COMMERCIAL ACTIVITIES AND DETRACTION  
FROM VISUAL AMENITY: LOT 90 (481) WANNEROO ROAD,  
WOODVALE - [3000/90/481]**

In August 1995, it was brought to the City's attention that a soil blending business was operating from a rural area, Lot 90 (481) Wanneroo Road, Woodvale. Attention was also drawn to the fact that the type of business operating on the site was a detraction from the visual amenity of the area.

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

He advises that as no approvals of Council have been granted for any business to operate from the site and the current use of the rural property for soil blending/landscape supply is not a permitted use under the Scheme, the owners/occupiers of the property should be requested to cease the unlawful use of the site.

**CITY PLANNER'S REPORT** recommended that Council:

- 1        requests the owners/occupiers of Lot 90 (481) Wanneroo Road, Woodvale to cease the use of the property for industrial/commercial purposes (namely soil blending/landscape supply business/storage) on a permanent basis and remove all within 28 days notification;
- 2        refers the matter to its solicitors for legal action if the use has not ceased within the time specified.

Cr Taylor submitted various Statutory Declarations and other correspondence to the Town Planning Committee Meeting and requested this matter be deferred for one month, pending consideration of this information.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that consideration of this matter be deferred for one month, pending consideration of the information submitted by Cr Taylor.

**CARRIED**

**TP372-11/95      PROPOSED MOBILE TELEPHONE RADIO BASE - RESERVE  
43415 HIGHVIEW STREET, ALEXANDER HEIGHTS -  
[30/4512]**

## CITY PLANNER'S REPORT

Telstra Corporation Limited has applied to lease a portion of Highview Park, Alexander Heights (Reserve 43415) for a Mobile Telephone Radio Base. Support for the construction of the tower was given to Telstra Corporation Ltd by delegated authority and it has now approached Council to formalise a lease agreement.

The City Planner provides details of the proposed tower and the proposed site and comments on the proposed lease.

He advises that Council is required by the Local Government Act to obtain the approval of the Minister for Local Government to lease by private treaty to a Lessee that is not a State Government agency or a sporting association.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Lynn that Council, subject to the approval of the Minister for Local Government:

- 1 agrees to lease an area of 120 square metres being excised from Public Recreation Reserve 43415 Highview Street, Alexander Heights to Telstra Corporation Limited;
- 2 grants an initial term of five years with an option for two further terms of five years each;
- 3 sets a rental of \$5000.00 for the first year of the term, to be increased by Consumer Price Index annually for each succeeding year.

**CARRIED**

Cr Curtis dissented.

**TP373-11/95      APPLICATION TO PURCHASE A PORTION OF PUBLIC  
RECREATION RESERVE 38260 COMPASS CIRCLE, YANCHEP  
- [755-38260]**

## CITY PLANNER'S REPORT

Greg Rowe & Associates on behalf of the owner of Lot 579 and 603 Compass Circle, Yanchep has applied to purchase the Public Recreation Reserve between Lots 579 and 603.

The City Planner provides background details of the reserve. He also reports on the application and disposal of Section 20A reserves and gives an assessment of the proposal.

He advises that the recreation reserve has limited recreational use and the cancellation and subsequent disposal of the reserve could be supported.

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

- 1 approves in principal to the cancellation and subsequent disposal of the portion of Reserve 38260 on Compass Circle, Yanchep to the adjoining landowner;
- 2 authorises advertising of the proposed cancellation of a portion of Reserve 38260 to ascertain the level of public support.

**CARRIED**

**TP374-11/95      PROPOSED SUBDIVISION OF LOTS 1 AND 2 WANNEROO ROAD WANGARA - [740-09481]**

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

An application has been received from Gaza Nominees Pty Ltd for the subdivision of Lots 1 and 2 Wanneroo Road, Wangara.

The City Planner provides background details of the subject matter and reports on the South Wangara Local Structure Plan, proposed development of Lot 1 Wanneroo Road and Lot 264 Berriman Drive, Wangara and the proposed subdivisions of Lots 1 and 2 Wanneroo Road, Wangara.

He advises that the proposed subdivision application is consistent with the general development intentions of the area.

It is clearly consistent with the Council's key objectives in regard to the rationalisation of access in the area and providing alternative future access arrangements for lots fronting Wanneroo Road. He believes that Council should support this application as proposed.

#### **RECOMMENDATION**

That Council supports the application submitted by Gaza Nominees Pty Ltd for the proposed subdivision of Lots 1 and 2 Wanneroo Road, Wangara subject to:

- 1 the proposed junction of the new east-west road and Wanneroo Road being designed and constructed to the satisfaction of the City Engineer and MRWA;
- 2 the subdivider paying a contribution towards the provision of various developer infrastructure

within the subject  
planning cell;

- 3 the applicant closing the existing access points and  
median opening to Lot 1 from Wanneroo Road to the  
satisfaction of the Council and MRWA;
- 4 the provision of a 10 metre wide landscape buffer strip  
along the boundary of the  
application area where it abuts  
Wanneroo Road;
- 5 the provision of a 0.1 metre pedestrian accessway along  
the boundary of  
the lots abutting  
Wanneroo Road and  
to a minimum  
distance of 30  
metres around the  
junction of the  
proposed  
east-west road to  
the satisfaction  
of the City  
Engineer;
- 6 standard and appropriate conditions of subdivision.

#### **ADDITIONAL INFORMATION**

The City Planner submitted a letter received on Monday 27  
November 1995 from The Planning Group (Appendix XXVIII refers).

**MOVED** Cr Waters, **SECONDED** Cr Taylor that Council does not  
support the application submitted by Gaza Nominees Pty Ltd for  
the proposed subdivision of Lots 1 and 2 Wanneroo Road, Wangara.

**CARRIED**

A Division was called with the following result:

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

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

The Mayor declared the MOTION

**CARRIED BY DIVISION**

Appendix XXVIII refers



**PROPOSED MCDONALDS RESTAURANT WITH DRIVE-THROUGH  
TAKE-AWAY ON LOT 526 (14) BURRAGAH WAY, DUNCRAIG  
- [30/5160]**

This application on behalf of Tokyo City Pty Ltd and Denkey Pty Ltd seeks Council's approval to the establishment of a McDonalds drive-through take-away restaurant within the approved yet unconstructed Duncraig Local Centre.

Advertising of the proposal attracted 615 letters of objection and 4 letters of support and an Electors' Meeting has resulted in a unanimous resolution for Council to reject the proposal.

The City Planner provides background details of the subject matter and reports on the proposal. He gives an assessment of the site and of the proposal.

He advises that following an assessment of the proposal, paying particular regard to traffic and noise issues, it is considered that the proposal could however be supported if the drive-through facility was deleted.

**CITY PLANNER'S REPORT** recommended that Council approves the proposed McDonalds take-away restaurant, excluding the drive-through facility, submitted by Saracen Properties on behalf of Tokyo City Pty Ltd and Denkey Pty Ltd for Lot 526 (14) Burrarah Way, Duncraig, subject to:

- 1 the submission of an acoustic and consultant's report demonstrating that the proposed development is capable of containing all noise and odour emissions to the satisfaction of the City Planner and City Environmental Health Manager;
- 2 all signage not integrated with the shopping centre building to be subject to a separate development application;
- 3 standard and appropriate conditions of development.

**COMMITTEE RECOMMENDATION**

That Council refuses the proposed McDonalds take-away restaurant with drive-through facility submitted by Saracen Properties on behalf of Tokyo City Pty Ltd and Denkey Pty Ltd for Lot 526 (14) Burrarah Way, Duncraig for the following reasons:-

- 1 the proposal would adversely impact upon the amenity of the surrounding residential area in terms of traffic, noise, odours and headlight glare;

- 2 the proposal has attracted substantial public opposition;
- 3 the application to rezone Lot 526 to Commercial was supported by Council on the basis of a concept plan indicating a low key shopping centre incorporating a supermarket, delicatessen and a range of speciality stores and on this basis purchasers of adjacent residential lots were not aware that the centre would contain such a facility;
- 4 the proposal represents a regional land use relying on a broad catchment population and therefore is considered inappropriate in a small local shopping centre designed to serve the local community;
- 5 the additional traffic volumes that would result from the proposal are considered excessive.

#### **ADDITIONAL INFORMATION**

The City Planner advised that as a result of statements made by the applicant's solicitor, claiming that as the proposed development involves a "P" (permitted) use or uses there is no further issue to be determined by Council, and the development should be approved, advice was sought from Council's solicitor, McLeod and Co.

In summary, McLeod & Co do not agree with the applicant's solicitor and advise that Council may refuse a "P" use by reason of matters relevant to amenity and orderly and proper planning ie the scale of the proposed development could be a relevant consideration with respect to amenity, particularly if the scale of development impacted on noise and traffic.

Therefore it is appropriate for Council to have regard to the impact of the proposed development on amenity, having regard to the scale of operation involved in a McDonald's Restaurant, the number of persons and vehicles who would be attracted, and the noise that is likely to be generated.

Further, Council, when considering the issue of amenity, may have regard to the incorporation of the proposed drive-through facility which could impact on the scale of the development from the point of view of the number of persons and vehicles attracted and in particular the movement of vehicles on the site.

McLeods have advised that when considering amenity, it is appropriate for Council to have regard to submissions made by persons who live in the locality in order to ascertain what the

residents of the area consider as being pleasant and desirable about that area. However, regard must only be given to those views if reasonably based.

The Town Planning Committee in recommending refusal of the proposal took into consideration those issues mentioned above, vis:

- (a) the proposal would adversely impact upon the amenity of the surrounding residential area in terms of traffic, noise, odours and headlight glare;
- (b) the proposal has attracted substantial public opposition;
- (c) the application to rezone Lot 526 to Commercial was supported by Council on the basis of a concept plan indicating a low key shopping centre incorporating a supermarket, delicatessen and a range of speciality stores and on this basis purchasers of adjacent residential lots were not aware that the centre would contain such a facility;
- (d) the proposal represents a regional land use relying on a broad catchment population and therefore is considered inappropriate in a small local shopping centre designed to serve the local community;
- (e) the additional traffic volumes that would result from the proposal are considered excessive.

The City Engineer advises that revised traffic projections provided by the applicant show that the overall predicted traffic generation will be substantially higher than previously anticipated and would have a significant impact upon existing local traffic flow. The City Engineer questions the appropriateness of a middle access point virtually opposite the Beddi Road/Burrarah Way junction if the McDonalds facility proceeds.

McLeod & Co have also suggested that any resolution to refuse the application should be worded in a particular way. Thus, it is recommended that the Town Planning Committee recommendation for Report TP375-11/95 be substituted with the following.

**MOVED** Cr Freame, **SECONDED** Cr Curtis that Council, having regard to the interests of orderly and proper planning and the preservation of the amenity of the locality, refuses the application received on 7 August 1995 for a McDonalds Restaurant and drive-through facility on Lot 526 (14) Burrarah Way,

Duncraig, submitted by Saracen Properties on behalf of Tokyo City Pty Ltd and Denkey Pty Ltd.

CARRIED

**TP376-11/95      PROPOSED SERVICE STATION/CONVENIENCE STORE AND  
EXTENSION TO SERVICE STATION WORKSHOP AT LOT 674  
(107) EDDYSTONE AVENUE, CRAIGIE - [30/747]**

Ms C Choate on behalf of the Shell Company of Australia Ltd has requested development approval in respect of a proposed extension to the existing workshop and inclusion of a convenience store component at the existing Shell Service Station at Lot 674 (107) Eddystone Avenue, Craigie.

The City Planner provides details of the location, the proposal, current approval status and advertising undertaken. He gives an assessment of the proposal and reports that after advertising, two letters from adjacent residents and a 1006-signature petition from Craigie Plaza Shopping Centre were received, all objecting to the proposal.

He advises that in regard to the letters of objection and petition received, the issues raised are not considered of sufficient justification to reject the proposal. The proposal is in compliance with the provisions of the City's Town Planning Scheme No 1 and as such is supportable.

**CITY PLANNER'S REPORT** recommended that Council approves the application submitted by Ms Choate on behalf of Shell Company of Australia Ltd in respect to the proposed extension to the Service Station and inclusion of a convenience store component at Lot 674 (107) Eddystone Avenue, Craigie subject to:

- 1            a maximum of 10m<sup>2</sup> being 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            the design being modified to the satisfaction of the City Planner to provide a minimum of 21 on-site carbays;
- 3            standard and appropriate conditions.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council defers consideration of the proposed extension to the Service Station and inclusion of a convenience store component at Lot 674 (107) Eddystone Avenue, Craigie pending a deputation from Shell Company of Australia Ltd addressing the next Town Planning Committee meeting.

CARRIED

**CITY PLANNER'S REPORT**

Smith Corporation has submitted a request for a modification to the Merriwa North Local Centre Concept Plan and Planning Policy.

The proposed modification is to include a service station as a permitted use. The service station would be located at the western end of the Concept Plan area.

The City Planner provides background details of the subject matter, reports on advertising carried out and gives an assessment of the proposal.

He advises that at the conclusion of advertising no submissions were received in relation to the Merriwa Service Station Site. There is therefore no objection to processing approvals to accommodate a service station at the Merriwa North Local Centre ahead of the general service station distribution policies.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council pursuant to Clause 5.11 of the City of Wanneroo Town Planning Scheme No 1:

- 1 finally adopts the modifications to the Merriwa North Local Centre Policy such that "Service Station" is inserted into Guideline No 4 as a permitted use;
- 2 finally adopts the Merriwa North Local Centre Concept Plan being Plan No 94/9012 dated 4 August 1995 prepared by Russell Taylor & William Burrell.

**CARRIED**

**CITY PLANNER'S REPORT**

An application has been submitted by Dr T N Tye for a change in approval conditions as imposed by the then Minister and approval for a second practitioner on Lot 658 (87) Eddystone Avenue, Craigie.

The application has been advertised for 30 days on site and a 157 signature petition in support has been submitted by the owner.

The City Planner provides background details of the subject matter, reports on advertising and gives an assessment of the proposal.

He advises that on the basis that there is no community opposition to an additional practitioner and the facility already exists, approval for two practitioners is recommended.

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

- 1 approves the application submitted by Dr T N Tye for an additional practitioner on Lot 658 (87) Eddystone Avenue, Craigie subject to the following:
  - (a) that a practitioner resides in the dwelling concerned in accordance with the decision of the Minister for Planning dated 26 June 1990;
  - (b) that 12 car bays are provided on site as part of this approval;
  - (c) that only two practitioners operate from the premises at any one time;
  - (d) standard and appropriate conditions;
- 2 advises the applicant that his request for the removal of the Hon Minister's condition requiring a practitioner to reside on the premises must be made directly to the Hon Minister.

**CARRIED**

**TP379-11/95      WANNEROO TOWN SITE STRUCTURE PLANNING - [290-7]**

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

The City Planner reports that it is proposed that a Study Brief be prepared for a consultant study of the Wanneroo Town Centre to prepare a Structure Plan incorporating Development Guidelines and recommending Townscape works for consideration by Council.

The City Planner provides background details of the subject matter and reports on constraints, opportunities, extent and format, and consultants.

He advises that in order to make reasonable progress on this matter, it is suggested that a Sub-Committee consisting of the Mayor, the Chairman of the Town Planning Committee and the Town Clerk be formed to appoint consultants following response to an invitation to register interest in carrying out the study.

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

- 1           authorises the preparation of a Study Brief for a study of the Wanneroo Town Centre, to investigate issues relating to land use and zoning, traffic and parking, pedestrian facilities, townscape and urban design and proposing a Structure Plan for the Town Centre incorporating Development Guidelines and recommendations for townscape works;
- 2           invites expressions of interest from consultants in conducting a study of the Wanneroo Town Centre in accordance with Council's Study Brief;
- 3           forms a Wanneroo Town Centre Study Sub-Committee consisting of the Mayor, the Chairman of the Town Planning Committee and the Town Clerk to oversee the preparation of the Study Brief, appoint consultants and oversee the conduct of the Study in accordance with the Study Brief;
- 4           authorises the expenditure of up to \$30,000.00 from Account No. 27753.

**CARRIED**

**TP380-11/95      BOUNDARY FENCE : LOT 10 (PREVIOUSLY LOT 3)**  
**JOONDALUP DRIVE, EDGEWATER - [30/4943]**

The City Planner reports that construction of an unauthorised boundary fence has commenced at the Bunnings site, Lot 10 Joondalup Drive, Edgewater. The fence has not received approval and Council has concern over the impact that the fence will have on the visual amenity of the locality. Given the prominent location on the primary entry to the City Centre (corner of Ocean Reef Road, Freeway Reserve), the types of materials

proposed, which include wire mesh and barbed wire, are not considered appropriate.

The City Planner provides details of the proposal, background information on the subject matter and also gives an assessment of the proposal.

He advises that the applicant has been advised on several occasions to submit amended plans for approval and to cease construction. At the time of this report the construction of the fence was continuing and as such it is recommended that Council initiate prosecution proceedings.

**CITY PLANNER'S REPORT** recommended that Council initiates prosecution proceedings against Bunnings Buildings Supplies for the construction of unauthorised fencing on Lot 10, Joondalup Drive, Edgewater.

#### **COMMITTEE RECOMMENDATION**

That Council:

- 1 initiates prosecution proceedings against Bunnings Buildings Supplies for the construction of unauthorised fencing on Lot 10, Joondalup Drive, Edgewater:
- 2 (a) issues a stop work order to halt any further works on the fence, or;  
(b) looks at the possibility of an injunction to halt any further works on the fence.

#### **ADDITIONAL INFORMATION**

The City Planner advised that a meeting has been held with Bunnings on Wednesday 16 August 1995.

As a result of the discussions, plans have now been received indicating that the barbed wire capping be replaced by security spikes with diamond shaped tips, as outlined on Appendix XXIX hereto.

Council will recall that at its August meeting it resolved to not support the fencing and the barbed wire capping because of the effect of this fence on the visual amenity of the locality, being at the entry to the Joondalup City Centre.

Council will recall that the applicants proceeded with the erection of the fence, the link mesh infill and the barbed wire capping and the recommendation before Council tonight is to



initiate prosecution action for the construction of the unauthorised fence:

The plans now submitted replace the barbed wire capping with security spikes and thereby has removed the rural or industrial style of security fencing. Although the concrete tilt-up panels and the mesh infills still exist, it could be said that the spike replacements on the Ocean Reef Road frontage are preferable to the strands of barbed wire.

The plans only indicate the spikes to the truncation of Ocean Reef Road however the arrangement was that the alternative fencing be installed to the fenceline running parallel to the Freeway Reserve.

As the applicants have negotiated an alternative security cap which they are prepared to install, Council may wish not to proceed with the prosecution or the stop work action.

**MOVED** Cr Cooper, **SECONDED** Cr Waters that Council approves the security spike capping fence for Bunnings Building Supplies on Lot 10 Joondalup Drive, Edgewater, along the Ocean Reef Road frontage, as well as the truncation to that part of the fence which runs parallel to the Freeway Reserve.

**CARRIED**

Appendix XXIX refers.

**TP381-11/95      DEVELOPMENT ASSESSMENT UNIT AND DELEGATED**  
**AUTHORITY COMMITTEE - 28 SEPTEMBER 1995 TO 25**  
**OCTOBER 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 28 September to 25 October 1995.

#### **ADDITIONAL INFORMATION**

The City Planner advised that at the November Town Planning Committee meeting, Council's ability to determine applications affected by planning control areas was questioned with particular reference to the approval of a storage shed at Loc 1970 (571) Perry Road, Pinjar, which is within Planning Control Area No 29 (Item TP381-11/95 refers).

All development requires approval under both the Metropolitan Region Scheme (MRS) and the Local Authority Town Planning Scheme.

In instances where applications are not affected by regional issues, the Western Australian Planning Commission (WAPC) has given local authorities delegated power to determine applications under the MRS.

In the Lake Pinjar area, this delegation has been withdrawn by virtue of the Planning Control Area 29. The City is therefore required to refer the application along with its recommendation to the WAPC for determination.

The City of Wanneroo Town Planning Scheme remains fully in force over Planning Control areas and as such planning approval can be granted by Council under that scheme.

Council's decision is forwarded to the W A Planning Commission following determination.

It is confirmed that the correct procedure was followed in the determination of the abovementioned application within Lake Pinjar Planning Control Area No 29.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP381-11/95.

**CARRIED**

Appendix IV refers.

**TP382-11/95      SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY**  
**COMMITTEE - 28 SEPTEMBER 1995 TO 25 OCTOBER 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 28 September to 25 October 1995.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP382-11/95.

**CARRIED**

Appendix V refers.

**CITY PLANNER'S REPORT**

Council did not support an application to subdivide Lot 118 (52) Canna Place, Wanneroo and formally expressed its concern about the apparent ultra vires approval of the application by the Western Australian Planning Commission (WAPC). It was subsequently resolved not to clear the relevant conditions of that approval, and the position has now been addressed by WAPC, who will clear the conditions itself once the requirements are met.

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

He advises that if Council wishes to further contest the validity of this subdivision, it would need to take action in the Supreme Court. The most appropriate form of action would be a Writ of Injunction against the WAPC's endorsement of the Survey Diagram.

**RECOMMENDATION**

That Council advises the Western Australian Planning Commission that it is of the opinion that the Commission's decision to approve the subdivision of Lot 118 (52) Canna Place, Wanneroo remains ultra vires in terms of the City of Wanneroo Town Planning Scheme No 1, and that the Commission's endorsement of the subject Survey Diagram is therefore unlawful.

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

- 1        advises the Western Australian Planning Commission that it is of the opinion that the Commission's decision to approve the subdivision of Lot 118 (52) Canna Place, Wanneroo remains ultra vires in terms of the City of Wanneroo Town Planning Scheme No 1, and that the Commission's endorsement of the subject Survey Diagram is therefore unlawful;
- 2        provided the survey has not been signed, issues a Writ of Injunction against the Western Australian Planning Commission's endorsement of the Survey Diagram;
- 3        in this instance sets aside its policy in respect of "Communication of Council Resolutions" to allow for immediate action on this matter.

**CARRIED**

**CITY PLANNER'S REPORT**

An application on behalf of Mr D Sarich has been received seeking approval to develop and use Lot 36 (1964) Wanneroo Road, Neerabup for the sale of birds, bird seed and associated accessories. The site is predominantly zoned rural and the sale of birds not bred on the property, the sale of seed not grown/processed on the property or the sale of associated accessories is not permitted within that zone under the terms of Town Planning Scheme No 1. The applicant wishes to pursue a rezoning of Lot 36 to accommodate his proposal.

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

He advises that in planning terms the proposed use would most appropriately be located in a mixed business or industrial area. However, some merit exists for the proposal and it is therefore supported.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council supports Amendment No 748 to Town Planning Scheme No 1 in accordance with the provision of Section 7 of the Town Planning and Development Act to:

- 1 rezone that portion of Lot 36 (1964) Wanneroo Road, Neerabup, currently zoned Rural to Rural, Special Zone (additional use) sale of birds, bird seed and associated bird accessories as approved by Council;
- 2 include an appropriate reference to the above Special Zone in Section 1 of Schedule 1 of Town Planning Scheme No 1 text.

**CARRIED****CITY PLANNER'S REPORT**

An application has been submitted by Mr S T K Oh to rezone a portion of the Kinross Medical Centre to enable the establishment of a pharmacy.

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

He advises that the application is not supported as there are available premises on suitably zoned (Commercial) land adjacent to the centre.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council does not support the request for rezoning of portion of Lot 1256 Edinburgh Avenue, Kinross to enable the establishment of a pharmacy submitted by Mr S T K Oh on the grounds that there are available premises on appropriately zoned land adjacent to the centre and a further relaxation of the parking provisions for this local centre is inappropriate and would set an undesirable precedent.

**CARRIED**

**TP386-11/95      PROPOSED REZONING : CURRAMBINE DISTRICT CENTRE**  
**PART LOT M1722 CNR MARMION & SHENTON AVENUES,**  
**CURRAMBINE - [790-747]**

**CITY PLANNER'S REPORT**

A request has been received on behalf of Beaumaris Land Sales seeking a number of modifications to the existing zones and zone boundaries of the Currambine District Centre.

The City Planner provides background information to the subject matter and an assessment of the proposal. He also reports on the northerly expansion of the District Centre, Special Zone (additional use) Take-away Food outlet, Service Station and Convenience Store, restaurant site, commercial site and residential development site.

He advises that as the proposed zoning changes are of a minor nature and do not change the character or intent of the proposed Currambine District Centre, the applicant has asked that the City requests the Hon Minister for Planning to grant a reduced period of advertising. An appropriate reduced period of advertising in this case would be 28 days as opposed to the normal 42 day advertising period.

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

1        supports Amendment No 747 to Town Planning Scheme No 1 in accordance with the provisions of Section 7 of the Town Planning and Development Act to:

- (a)        rezone portion of the Currambine District Centre land, being portion of Part Lot M1722 Shenton Avenue, Currambine, from Commercial, Mixed Business, Residential Development and Service Station to Commercial, Mixed Business - Special

Zone (Additional Use) Take-away Food Outlet and Service Station, Mixed Business and Residential Development, generally in accordance with the Currumbine District Shopping Centre Conceptual Layout Plan prepared by Feilman Planning Consultants and dated 26 September 1995, noting that the Commercial Zone is to be reconfigured so that it does not cover the potential Civic zoned land identified in the legal agreement between the landowner and the City;

- (b) amend the Residential Density Code Map by coding the land to be zoned Residential Development, R40 and deleting all reference to R coding over the remaining portion of the Currumbine District Centre site;
- (c) include appropriate reference to the abovementioned Special Zone in Section 1 of Schedule 1 of the Scheme Text;

2 advises the applicant that prior to finally executing the amending documents it will require:

- (a) the submission of a satisfactorily revised concept plan for the Currumbine District Centre;
- (b) the receipt of satisfactorily revised subdivision approval for the residential land immediately north of the Currumbine District Centre;

3 advises the applicant that it has no objection to the development of an integrated service station/convenience store within the proposed Special Zone precinct of the District Centre, however it has decided to delete reference to a convenience store from the wording of the Special Zone in order that such a proposal is treated in a manner consistent with other service stations/convenience stores throughout the City, particularly in terms of design and floorspace controls;

4 delegates authority to the City Planner to determine the precise zone boundaries;

5 requests the Hon Minister for Planning to grant a revised period of advertising from 42 days to 28 days in this instance.

**CARRIED**

Cr O'Grady requested that Council obtains copies of the two reports published in relation to conservation carried out by Peet & Co in the Burns Beach area.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council obtains copies of the two reports published in relation to conservation carried out by Peet & Co in the Burns Beach area.

**CARRIED**

**TP388-11/95      PATIO ADDITIONS - SEACREST RETIREMENT VILLAGE - [30/221]**

Cr Lynn commented on correspondence received from the City Planner in relation to Seacrest Village.

She asked whether a meeting could be arranged with the five people concerned so that Council could explain to them what action is being taking.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council contacts the Secretary of the Residents Association to arrange a meeting in relation to patio additions to Seacrest Village.

**CARRIED**

**TP389-11/95      CONSTRUCTION WORK - WOODVALE - [2498/35/6]**

Cr Taylor submitted a letter from Mr M Swain of Swain Engineering Co in relation to noise generated from a neighbouring property in Woodvale.

This matter will be referred to the Environmental Health Department for action.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that the letter from Mr M Swain in connection with noise generated from a neighbouring property in Woodvale be received and referred to the Environmental Health Department for action.

**CARRIED**

**CHICHESTER RESERVE CHANGEROOMS - [061-396-1]**

Cr Taylor believed there was a discrepancy in the plans in relation to changerooms at Chichester Reserve.

He advised that there seem to be two conflicting plans in relation to this proposal and requested that information be made available to the Technical Services meeting to be held on 8th November 1995 to clarify this matter.

**C545-11/95      MUNICIPAL TRAINING SERVICES SEMINAR - [202-1]**

The Town Clerk advised that he had circulated to all Councillors information regarding a seminar on Municipal Training Services.

He advised that Cr Taylor and Cr Wight would like to attend and asked whether Councillors were agreeable to the attendance of these Councillors. The Councillors present gave their approval to this.

Crs Wight and Taylor declared an interest in this item.

**MOVED** Cr O'Grady, **SECONDED** Cr Waters that Council endorses the attendance of Crs Taylor and Wight at the Municipal Training Services Seminar - Introduction to Town Planning Principles held on 15 November 1995.

**CARRIED**

Crs Wight and Taylor did not vote.

#### **WANGARA OUTFALL - SPILLWAY STRUCTURE - [730-3-1]**

Cr Taylor referred to Cr Magyar's request at the October meeting of the Technical Services Committee for the City Engineer to investigate the feasibility of a boom being incorporated on drainage sumps.

In this regard, he submitted a copy of two photographs he had been given by a resident of an alleged oil spillage into Yellagonga.

#### **GOVERNMENT SEWERAGE POLICY - [506-4]**

The City Planner reported that, regarding the Government's revised Sewerage Policy, advice has now been received from the Health Department of Western Australia stating that the Hon Minister has put back the date for implementation of the Sewerage Policy to 1 July 1996.

As such, all applications received up to that date will be dealt with in the usual manner.

#### **C546-11/95      TECHNICAL SERVICES COMMITTEE**

**MOVED** Cr Hall, **SECONDED** Cr Curtis that the Report of the Technical Services Committee Meeting, held on 8 November 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
	A G TAYLOR	South Ward
	G A MAJOR	South-West Ward
	G W CURTIS	South-West
	Ward	
H M WATERS - Observer to 7.18 pm	North Ward	
B A COOPER - Observer	Central Ward	
L A EWEN-CHAPPELL - Observer	Central Ward	A B HALL -
Observer	South Ward	
A W WIGHT - Observer	South Ward	
F D FREAME - Observer	South-West Ward	
M E LYNN, JP - Observer	South-West Ward	

Town Clerk:	R F COFFEY
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 Wood.

#### **PUBLIC/PRESS ATTENDANCE**

There was 1 member of the Public in attendance.

#### **CONFIRMATION OF MINUTES**

#### MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 11 OCTOBER 1995

The Minutes of the Technical Services Committee Meeting held on 11 October 1995, were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

Nil

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

Nil

#### **MEETING TIMES**

Commenced: 6.00 pm  
Closed: 7.50 pm

**REPORT NO:**

**TS334-11/95      VEHICLE ADDITIONAL PURCHASES - TENDER NOS 084 AND 091-95/96 - [208-084-95/96, 208-091-95/96]**

**CITY ENGINEER'S REPORT**

Tenders were advertised on 7 and 10 October 1995 for the supply and delivery of additional vehicles.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council accepts the following tenders as outlined in Attachment 1 to Report No TS334-11/95:

<u>Tender No</u>	<u>Description</u>	<u>Changeover</u>
084-95/96	Total Nissan, Subaru, Daihatsu	\$30,300.00
091-95/96	Titan Ford	\$ 4,881.00
CR		

**CARRIED**

Appendix VI refers.

**TS335-11/95      PLANT REPLACEMENT RESERVE - TENDER NO 089-95/96 - [208-089-95/96]**

**CITY ENGINEER'S REPORT**

Tenders were advised on 7 and 10 October 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 Wight, **SECONDED** Cr Curtis that Council ratifies the action of the Technical Services Committee, as empowered by the August 1995 meeting of Council, to accept Tender No 089-95/96 from Wacker Australia to supply and deliver four (4) Wacker RSS 800A Pedestrian Rollers for the changeover price of \$29,200.00 as outlined in Attachment 1 to Report No TS335-11/95.

**CARRIED**

Appendix VII refers.

**TS336-11/95      JOONDALUP DRIVE/BURNS BEACH ROAD REALIGNMENT - TENDER NO 62-95/96 - [510-1665, 510-239]**

**CITY ENGINEER'S REPORT**

Consultant Engineers, Wood and Grieve Pty Ltd, were commissioned to undertake the design of the realignment of Burns Beach Road and Joondalup Drive extension to Wanneroo Road. As part of the project brief, the Consultant called tenders for this project which closed on Friday, 15 September 1995.

The City Engineer reports on the tender submissions received.

#### **RECOMMENDATION**

That, as empowered by the October meeting of Council, the Technical Services Committee accepts Tender No 62-95/96 from Soils Ain't Soils Pty Ltd for the Joondalup Drive/Burns Beach Road Realignment for the amended lump sum price of \$1,180,941, subject to:

- 1 the nominated subcontractors of R J Vincent and Wolfe Constructions being confirmed;
- 2 the Construction Manager nominated in the tender documents being fully responsible for contractual matters or appointment of a Construction Manager being acceptable to the City Engineer.

#### **ADDITIONAL INFORMATION**

That the Technical Services Committee awarded Contract No 62-95/96 at its November meeting to Soils Ain't Soils Pty Ltd for the Joondalup Drive/Burns Beach Road Realignment for the lump sum price of \$1,180,941, subject to two conditions. (Item TS335-11/95 refers).

The City Engineer advised that the contractor has agreed to the conditions imposed by Council and the survey phase of the project has commenced. The clearing phase of the project is programmed to start during the week commencing 4 December.

The clearing specification for the project prepared by consultant engineers, Wood & Grieve Pty Ltd was based on the standard clauses for clearing works on subdivisional works and allowed for stockpiling and burning of cleared material. It is considered more appropriate to mulch and chip the cleared vegetation for spreading on the earthwork batters. This process would greatly enhance the rehabilitation and revegetation of the site.

The approximate area of clearing required is 6.4 hectares and the vegetation varies from densely wooded near the roundabout, to sparse growth on previously earthworked areas and moderate shrubs with small trees along the widened reserve towards

Wanneroo Road. The stockpile operation differs from that used for burning in that cleared vegetation needs to be separated and stockpiled separately for the mulching and chipping works.

Soils Ain't Soils Pty Ltd has supplied a price of \$53,000 as a variation to the contract to undertake the mulching and chipping of all cleared material from this project. A review of other mulching/chipping works in the Joondalup area indicates that this price is a competitive figure. Sufficient funds are available in the budget for these additional works and Council could approve a variation to the contract to include mulching/chipping of cleared vegetation and an increase to the lump sum tender price by \$53,000.

Alternatively Council could approve a variation to the contract to require the cleared material to be sorted and stockpiled on selected sites for mulching/chipping as part of a separate tender. Tender documents would need to be prepared, tenders advertised and approved by Council. The extent of clearing on this project is to be kept to a minimum and there are no obvious sites for stockpiling of material. There are likely to be difficulties with access through the construction site for the mulching/chipping contract. In addition, there is no guarantee that a lower price can be achieved by this alternative.

It is therefore recommended that Council approves a variation to the contract to include mulching/chipping of cleared vegetation and an increase to the lump sum tender price by \$53,000.

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

- 1 ratifies the action of the Technical Services Committee as empowered by the October meeting of Council to accept Tender No 62-95/96 from Soils Ain't Soils Pty Ltd for the Joondalup Drive/Burns Beach Road Realignment for the amended lump sum price of \$1,180,941, subject to:
  - (a) the nominated subcontractors of R J Vincent and Wolfe Constructions being confirmed;
  - (b) the Construction Manager nominated in the tender documents being fully responsible for contractual matters or appointment of a Construction Manager being acceptable to the City Engineer;
- 2 approves a variation to Contract No 62-95/96 - Joondalup Drive - Burns Beach Road Realignment to require mulching and chipping of all cleared vegetation;
- 3 approves an increase of \$53,000 to the lump sum price of \$1,180,941 at Contract No 62-95/96 - Joondalup Drive -

Burns Beach Road Realignment to accommodate the mulching and chipping of all cleared vegetation.

**CARRIED**

**TS337-11/95      VEHICLE TENDERS - VEHICLE REPLACEMENT RESERVE -**  
**TENDER NOS 069, 085-087-95/96 - [208-069, 085-**  
**087-95/96]**

**CITY ENGINEER'S REPORT**

Tenders were advertised on 2 and 5 September and 7 and 10 October respectively for the supply and delivery of vehicles as part of the Vehicle Replacement Reserve.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council ratifies the action of the Technical Services Committee, as empowered by the August 1995 (Item TS251-08/95) and October 1995 (Item TS300-10/95) meetings of Council, to accept the following tenders:

069-95/96	Scania Australia Ltd	\$377,772.00
069-95/96	Raytone Motors	\$160,741.00 CR
	-(outright purchase)	
085-95/96	Midway Ford	\$ 1,567.00
086-95/96	Skipper Trucks	\$158,132.00
086-95/96	Shire of Waroona	\$ 55,221.00 CR
	-(outright purchase)	
087-95/96	Skipper Trucks	\$ 78,868.00
087-95/96	Raytone Motors	\$ 37,378.00 CR
	-(outright purchase)	

**CARRIED**

**TS338-11/95      TENDER NO 79-95/96 - ACRYLIC RESURFACING OF**  
**TENNIS COURTS - [208-79-95/96]**

**CITY ENGINEER'S REPORT**

Tender No 79-95/96 was advertised in early October 1995 for acrylic resurfacing of existing tennis courts in various locations.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council accepts the tenders listed below as detailed on Attachment 1 to Report No TS338-11/95:

Tender No 79-95/96 - Acrylic Resurfacing of Tennis Courts

Sportcoat	- Gumblossom Park Tennis Court	\$ 8,600.00
Sport Surfaces	- Glengarry Park Tennis Court	\$ 8,020.00
	Timberlane Park Tennis Court	\$14,950.00
	Camberwarra Park Tennis Court	
	(Option 1)	<u>\$15,580.00</u>
	TOTAL	<u>\$47,150.00</u>
		<b>CARRIED</b>

Appendix VIII refers.

**TS339-11/95      RURAL CROSSOVERS - [502-0, 502-1]**

**CITY ENGINEER'S REPORT**

Council is currently faced with the problem of encouraging rural and semi rural land owners to install crossovers in accordance with Council's current standards. This is due to the costs associated with not only providing a concrete or asphalt crossover but also the concrete drainage pipe and headwalls, e.g. rural roads are not kerbed or drained and rely on soakage to dispose stormwater runoff in table drains.

The City Engineer provides details on the current construction and cost of crossovers and gives an assessment of an alternative method of construction trialled for a twelve month period and which has proven to be satisfactory. He advises that this alternative method utilises a standard 300mm diameter aluminium helcore pipe along with limestone grouted headwalls and can bring the cost down from approximately \$1,000 per crossover to \$270.00 per crossover.

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

- 1       amends the current standard for rural crossovers to permit the use of aluminium helcore pipe and limestone headwalls;
- 2       at the request of the applicant, installs the aluminium pipe and aluminium headwalls free of charge on the provision that the applicant relinquishes the \$230 subsidy;
- 3       at the request of the applicant, should the applicant choose to carry out works by private contractor, then Council provides the maximum subsidy of \$230 on the provision that the crossover complies with Council's amended standards.

**CARRIED**

**TS340-11/95      PETITION - CONDITION OF FOOTPATH AND VERGES IN  
MULLALOO DRIVE AND MARMION AVENUE - [510-0005]**

Council, on 15 August 1995, received a 25-signature petition from residents in the vicinity of the intersection of Mullaloo Drive and Marmion Avenue requesting some form of landscaping and/or paving to be undertaken to the footpath and verge areas.

The City Engineer reports that the intersection is mowed regularly and is kept tidy by Council's Parks Department.

He advises that it would be pertinent to continue the current standard of maintenance and advise the petitioners that the question of verge maintenance standards is under review.

**CITY ENGINEER'S REPORT** recommended that Council advises the petitioners that the verge area will be kept in its current state with maintenance of the footpath and mowing of the verge pending a review of verge treatment standards.

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

- 1            advises the petitioners that the verge area will be kept in its current state with maintenance of the footpath and mowing of the verge pending a review of verge treatment standards;
- 2            advises the petitioners that additional planting in the verge area will be carried out next winter.

**CARRIED**

**TS341-11/95      INSTALLATION OF BOLLARDS ON VERGES WITHIN  
INDUSTRIAL ESTATES - [512-0]**

**CITY ENGINEER'S REPORT**

In order to prevent vehicles from being parked on verges adjoining their premises and subsequently damaging landscaping and/or reticulation, many property owners within the Wangara Industrial Centre are resorting to the illegal placement of obstructions in the road reserve.

The City Engineer provides details of these obstructions and reports on the situation within the Wangara Industrial Centre.

He advises that in order to assist these property owners in protecting the verge, it is proposed that Council enables the City Engineer to allow pine bollards to be installed on



individual verges. Each site would be individually assessed and a decision made based on road safety implications.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council authorises the City Engineer to approve the installation of bollard treatments on verges in the City's industrial centres located in the following districts:

Greenwood  
Landsdale  
Wangara  
Joondalup  
Neerabup  
Yanchep

in accordance with Council's current specifications for the installation of such treatments.

**CARRIED**

**TS342-11/95      INSTALLATION OF SPEED HUMPS - CLUBHOUSE LANE,  
GNANGARA - [510-3017]**

Clubhouse Lane, Gnangara is a gazetted public road leading from Lakelands Drive to the Lakelands Country Club. As the road only leads to the Country Club, it generally operates as a private access road. For a number of years the Club has obtained a permit from Council to operate an unlocked swing gate across the start of Clubhouse Lane.

A complaint has been received from a ratepayer regarding the use of speed humps and verge bollards along Clubhouse Lane.

The City Engineer advises that the speed humps do not conform to accepted standards for a public road and reports on alternative options suggested by the Country Club.

He comments that due to the function of Clubhouse Lane operating as a private access road, the installation of industry accepted standard "Watts" Profile Speed Humps would be a suitable treatment. It is considered that installation of the speed humps should be deferred however pending the Minister for Transport's determination of the Task Force's recommendation on use of speed humps.

**CITY ENGINEER'S REPORT** recommended that Council defers consideration of the installation of Watts Profile Speed Humps on Clubhouse Lane, Gnangara pending the Minister for Transport's determination of the Traffic Calming Task Force's recommendation on the use of speed humps.

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

1 initiates road closure proceedings under Section 288A of the Local Government Act for the closure of Clubhouse Lane, Gngangara;

2 advises the Department of Land Administration that as the section of Clubhouse Lane proposed for closure has only ever been a private road to serve members of the Lakelands Golf Club special consideration should be given to the disposal of the land to the Club.

**CARRIED**

**TS343-11/95      PROVISION OF "DOG POO" BAGS IN PARKS AND RECREATION AREAS - [508-9]**

Council has requested a report on the feasibility of "dog poo" bags being provided in parks and recreation areas.

The City Engineer provides details of "dog poo" bags currently being provided at the dog beaches and gives an assessment of suggested options for the removal of dog droppings.

He comments that a lower cost alternative would be to require dog owners to remove any excreta deposited by their animal in a public place and Council will need to amend its By-laws accordingly.

**CITY ENGINEER'S REPORT** recommended that Council resolves to proceed with amending the appropriate By-laws so as to require dog owners to remove their animals excreta from public places.

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

1 proceeds to amend the appropriate By-laws so as to:

- (a) require dog owners to be equipped to, and to remove their animal's excreta from public places;
- (b) enforce appropriate on-the-spot fine penalties for any person who exercises their animal without being properly equipped to remove its excreta;

2 initiates a public education programme.

**CARRIED**

Cr Major left the Chamber at this point, the time being 2100 hrs.

**TS344-11/95      PRESERVATION OF THE BEACH AT QUINNS ROCKS - [765-1]**

## **CITY ENGINEER'S REPORT**

At the July 1995 meeting of Council (Item C376-07/95 refers), Councillor Waters requested a report be submitted on what action can be taken to preserve the beach at Quinns Rocks and prevent further erosion.

The City Engineer provides details of erosion during the 1995 winter period and advises that Council is awaiting a response to letters sent to the Department of Transport seeking its assistance with respect to the beach at Quinns Rocks.

He also advises that during September, Council received a request from the Quinns Rocks Sailing Club for the reinstatement of the boat ramp for the sailing season which commenced Sunday, 22 October 1995.

The City Engineer provides details of the ramp and suggests that this facility be taken into account when considering any investigation for preserving the beach and that the Quinns Rocks Sailing Club and residents of Quinns Rocks be consulted during the process.

### **ADDITIONAL INFORMATION**

The City Engineer confirms that the beach conditions have stabilised sufficiently to allow the boat ramp to be re-established to its normal standard to cater for boat launching. These works have commenced and are programmed for completion by 29 November 1995.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council awaits the response from the Department of Transport and includes, as part of its investigation, the necessity for the Quinns Rocks boat ramp.

**CARRIED**

**TS345-11/95      UPGRADE TO TWO-WAY RADIO EQUIPMENT - REALLOCATION OF FUNDING - [010-4]**

## **CITY ENGINEER'S REPORT**

At the adoption of the 1995/96 Budget, the allocation of \$15,000.00 was approved for the purchase of a MSR5000 base station for Council's site at High Road, Wanneroo. Council currently holds a licence for the operation of five base site repeaters at this location. Only four base site repeaters were installed at the commissioning of the new two-way radio system

and this inclusion was intended to bring the system to full capacity.

The City Engineer reports on an increase of \$8,416.00 above the Budget allocation due to the MSR5000 base site repeater being superseded.

As a result of this increase, it is proposed that the purchase of a base site repeater for the High Road site be deferred and replaced by lesser cost items recently identified to be of a higher priority. Council is requested to approve a change in the use of funds in account number 48472 provided for the purchase of a base site repeater at High Road, Wanneroo to the provision of these higher priority items and defer the purchase of a fifth base site repeater for consideration in the 1996/97 Draft Budget.

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

- 1 authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of funds provided in Account Number 48472 for the purchase of a fifth base site repeater at its High Road, Wanneroo base station for the purchase of a Data Logger and two (2) Power Conditioners to enhance maintenance and control of both the High Road and Yanchep base stations;
- 2 includes for consideration, the purchase of a fifth base site repeater at High Road in the 1996/97 Draft Budget.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**TS346-11/95      SALE OF OLD COMMERCIAL BINS - [508-2]**

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

When the 240 litre mobile garbage bin carts were first introduced, Council also purchased a number of 700 litre and 1100 litre mobile garbage bin units to service commercial properties in the rural areas of Yanchep and Two Rocks. This service has now been fully superseded by the front load system and the surviving 75 bins are surplus to Council's needs.

The City Engineer provides details of the bins and advises that the best return will be achieved by having the bins available for sale over an extended period, with the price being negotiated in each instance.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council authorises the City Engineer to sell by negotiation on an item by item basis, the surplus bins from the Commercial Rubbish Collection Service.

**TS347-11/95      COMMUNITY RECYCLING CENTRE AT YANCHEP - [508-4]****CITY ENGINEER'S REPORT**

The Yanchep/Two Rocks Ratepayers' Association has been asking for additional recycling facilities for some time. Discussions with the community identified the small but successful drop off centre operated in Lagoon Drive, Yanchep by Yanchep Community Centre.

The City Engineer reports that the Yanchep Community Centre has secured use of a small area of adjoining land to expand the recycling drop off centre and seeks Council assistance to provide vehicular access for the site.

He advises that the facility is on private land and it is necessary to obtain approval of the Minister for Local Government for the expenditure.

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

- 1        approves the construction of a limestone hardstand area and concrete crossover for the community recycling area being established by the Yanchep Community Centre with the cost of \$2,065 being charged to Account No 26849 - Recycling Promotions;
- 2        refers the expenditure of \$2,065 for the construction of a limestone hardstand area and concrete crossover for the community recycling area being established by the Yanchep Community Centre to the Minister for Local Government for approval in accordance with Section 529(e) of the Local Government Act.

CARRIED

**TS348-11/95      BUILDING INFRINGEMENTS - [210-0]****CITY BUILDING SURVEYOR'S REPORT**

A registered builder in constructing seven dwellings has not provided compaction certificates or termite treatment certificates as required under the conditions of approval of the building licences. Two dwellings have been substantially constructed without the certificates and the building licences have not been validated or collected.

The City Building Surveyor provides background details of the projects requiring attention and gives an assessment of communication with the Builder.

He advises that prosecution proceedings should be instigated against the builder under Section 374 (1) (b) for constructing two dwellings without the issue of a building licence and for failing to provide the certification requested under the conditions of approval on seven dwellings.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council instigates prosecution proceedings against Mr A Todoro, Registered Builder No 8486, under Section 374 (1)(b) of the Local Government Act, for failing to collect two building licences and failure to provide certification on seven building projects.

**CARRIED**

**TS349-11/95      AIR CONDITIONING TO ELLIOT PARK CLUBROOMS -  
PLAYGROUP ANNEXE - [061-113-2]**

#### **CITY BUILDING SURVEYOR'S REPORT**

Council, at its meeting of 27 September 1995, requested a further report on the matter of responsibility for the payment of electricity costs for the proposed air conditioning at the Playgroup Annexe to the Elliot Park Clubrooms (Item TS276-09/95 refers).

The City Building Surveyor provides details of anticipated usage and additional cost of electricity per year.

He advises that in the light of the expected 92% escalation of energy costs due to the use of reverse cycle air conditioning, it would be unreasonable for those clubs paying for energy under Council Policy J1-03(d) for the costs of running reverse cycle air conditioning at the Elliot Park Clubrooms Playgroup Annexe to be borne by Council.

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

- 1            accepts that the energy costs for running the three reverse cycle air conditioning units at the Elliot Park Clubrooms Playgroup Annexe should be the responsibility of the Wanneroo Playgroup Association Inc;
- 2            directs the City Building Surveyor to arrange for the sub-meter required to be installed to the power circuit supplying the three reverse cycle air conditioners under TS276-09/95 Item 1(b), be read by Council staff and an invoice issued to the Wanneroo Playgroup Association Inc

immediately after the receipt of each bill from Western Power.

**CARRIED**

**TS350-11/95      PERMISSION TO ERECT SHELTER OVER SANDPIT:  
KALLAROO PRE-SCHOOL - [895-12]**

**CITY BUILDING SURVEYOR'S REPORT**

The Teacher at the Kallaroo Pre-school has applied to Council for permission to erect a shelter over the sandpit at Kallaroo Pre-school. The purpose of the proposed shelter is to protect pre-school children from sun and rain while playing in the sand.

The City Building Surveyor reports on advice received from solicitors in relation to the construction of facilities such as play centres and advises that permission to erect the shelter must be forthcoming.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council approves in principle the Kallaroo Pre-school Committee erecting a shelter over the sandpit at Kallaroo Pre-school, subject to:

- 1            the Kallaroo Pre-school Committee paying all costs associated with the erection of the shelter;
- 2            the Kallaroo Pre-school Committee or its nominated builder applying for and gaining a building licence for the work;
- 3            all work in the erection of the sandpit shelter shall be to the satisfaction of the City Building Surveyor;
- 4            the Kallaroo Pre-school Committee acknowledging in writing that on completion the shelter will become the property of the City of Wanneroo.

**CARRIED**

**TS351-11/95      QUINNS ROCKS SOUTH BEACH TOILET/CHANGEROOM -  
[765-12-2]**

During the past winter months, the Quinns Rocks South Beach Toilet/Changeroom suffered some damage from heavy weather eroding the rock sea wall. While the visible building fabric is intact, one of the septic tanks in the eroded bank has collapsed.

The City Building Surveyor advises that due to the collapse of the septic tank, the Quinns Rocks South Beach Toilet/Changeroom was closed pending further investigation.

He provides details of the toilet block and disposal of sewage and comments that although the Quinns Rocks South Beach Toilet/Changeroom is not a heavily used beach facility, demand is increasing as summer approaches.

**CITY BUILDING SURVEYOR'S REPORT** recommended that Council:

- 1 agrees to keep the Quinns Rocks South Beach Toilet/Changeroom closed until a complying sewage disposal system can be installed;
- 2 lists the sum of \$35,000 for the installation of a complying sewage disposal system for consideration in the 1996/97 Draft Budget.

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

- 1 agrees to keep the Quinns Rocks South Beach Toilet/Changeroom closed until a complying sewage disposal system can be installed;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act, the unbudgeted expenditure of \$35,000 for the relocation of the septic tank system for the Quinns Rocks South Beach Toilet/Changeroom.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**TS352-11/95**      **FAILURE TO PROVIDE CERTIFICATION AND COMPLY WITH  
COUNCIL'S BY-LAWS: LOT 80 (10) MAGENTA RISE,  
CLARKSON - [3514/80/10]**

**CITY BUILDING SURVEYOR'S REPORT**

The owner of the property at Lot 80 (10) Magenta Rise, Clarkson, has refused to provide engineer's certification for a retaining wall and has refused to relocate a boundary fence on the higher level.

The City Building Surveyor provides background details of the subject site and an assessment of the retaining wall.

He advises that it is considered that prosecution proceedings should be instigated.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council instigates prosecution proceedings against the owner of Lot 80 (10) Magenta Rise, Clarkson for failing to provide engineers certification in accordance with the Building Code of Australia and for failure



to relocate the boundary fence in accordance with Council's By-laws relating to Fencing and Private Tennis Court Floodlighting.

**CARRIED**

**TS353-11/95**

**STORAGE SHED FOR MARMION/WARWICK PLAYGROUP AT THE  
SORRENTO/DUNCRAIG RECREATION CENTRE - [330-1-1]**

**CITY BUILDING SURVEYOR'S REPORT**

The Marmion/Warwick Playgroup has written to Council requesting permission to erect a "small garden-type" storage shed in the fenced playground area to the south and east of the Sorrento/Duncraig Recreation Centres playgroup room at the southern end of the building. The shed would be placed against the east (un-windowed) wall of the playgroup room.

The City Building Surveyor reports on existing precedents for approving the proposed storage shed.

He advises that the area proposed for the storage shed is unobtrusive and relatively secure, however vandalism must be expected.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council approves in principle the application from the Marmion Warwick Playgroup for permission to erect a small "garden" storage shed against the eastern wall of the Playgroup room at the Sorrento/Duncraig Recreation Centre subject to:

- 1 the shed being deemed "temporary" and the Marmion/Warwick Playgroup acknowledging in writing that as the storage shed is temporary it will be removed from the site by the Marmion/Warwick Playgroup within two weeks of any direction to remove the shed from the Town Clerk, City Building Surveyor or Recreation Facilities Manager of the Sorrento/Duncraig Centre;
- 2 the Marmion/Warwick Playgroup bearing all costs, responsibility and liability for maintenance and repair of the shed;
- 3 the Marmion/Warwick Playgroup keeping the shed in good repair at all times;
- 4 the Marmion/Warwick Playgroup acknowledging in writing that the City of Wanneroo will not be liable for any loss or damage caused to the shed or its contents resulting from any act of vandalism or any loss, damage or destruction caused by any person known or unknown;

5 the shed being "colorbond" to match the building fascia.  
**CARRIED**

**TS354-11/95** **CHILD HEALTH CLINIC, MERRIWA - [625-18]**

**CITY BUILDING SURVEYOR'S REPORT**

Council, in response to Report TS243-08/95, authorised investigations to determine if suitable rental properties are available for Child Health Clinic purposes in the Merriwa area.

Investigations for suitable rental properties to accommodate a Child Health Clinic have resulted in overtures to Smith Corporation for the use of its sales office located on the north east corner of Greyhound and Marmion Avenue, Merriwa for such temporary premises.

The City Building Surveyor reports that Smith Corporation has confirmed it is prepared to allow the use of its sales office for temporary premises as a Child Health Clinic.

He provides details of the proposed agreement and expenditure involved and advises that it would be necessary to obtain approval from the Minister for Local Government for expenditure not in the care, control and management of Council.

**MOVED** Cr O'Grady, **SECONDED** Cr Hall that Council authorises, under Section 547(12) of the Local Government Act:

- 1 the expenditure of \$4,200.00 for the establishment of a temporary Child Health Clinic in sales office premises owned by Smith Corporation on the corner of Marmion Avenue and Greyhound Drive, Merriwa;
- 2 subject to approval from the Hon Minister for Local Government under Section 529(e) of the said Act to expend these funds on land not controlled by Council;
- 3 subject to exchange of letters of agreement giving the City of Wanneroo access and use of the premises on an on-going arrangement until a permanent Child Health Clinic is established north of the premises.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**TS355-11/95** **TELECOMMUNICATIONS DISCOUNT - [727-13-1, 208-64-95/96]**

**CITY BUILDING SURVEYOR'S REPORT**

Council at its May 1995 meeting endorsed the calling of tenders for the provision of Telecommunications services and discounts (Item TS153-05/95 refers).

Consultel Australia Pty Ltd were engaged to prepare tender documents following which tenders were called.

The City Building Surveyor reports on the tender submissions received.

#### **RECOMMENDATION**

That Council:

- 1 subject to confirmation, that Pahth will not "on sell" the service, accepts the submission from Pahth for the provision of telecommunications services discounts as per Attachment A to Report TS355-11/95;
- 2 agrees to the signing of the Agreement.

#### **ADDITIONAL INFORMATION**

The City Building Surveyor advised that the Technical Services Committee at its meeting on 8 November 1995 considered tender results for telecommunications discounts for services employed by Council. The discounts related to local, std, isd, cellular calls, etc.

Circumstances in the telecommunications discounting industry are volatile and highly competitive. This is to the extent that the proposals currently received are now deemed unsatisfactory. This is because Council could expect to obtain a better result if it were to re-tender at some future time. Accordingly, it is proposed that Council maintains its current position, that is, participation in the WAMA scheme, and reviews the position as part of its budget consideration.

**MOVED** Cr Curtis, **SECONDED** Cr Magyar that Council deems the tender results for Tender 208-64-95/96 to be unsatisfactory.

**CARRIED**

Appendix IX refers.

TS356-11/95 **WHITFORDS PARK, HILLARYS - TURF WICKET PROPOSAL - [061-482]**

**CITY PARKS MANAGER'S REPORT**

Parks Department has received a proposal from the Whitfords and Districts Senior Cricket Club to establish a turf wicket on Whitfords Park, Hillarys.

The City Parks Manager provides details of the park and the proposed establishment of a building and carpark.

He advises that the Club has recently accepted responsibility for MacDonald Park turf maintenance with Council's financial contribution. This proposal must be regarded as the final opportunity for the Club to achieve its desired expansion.

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

- 1        advises the Whitfords and Districts Senior Cricket Club that the proposal will be investigated;
- 2        requests the Recreation Department to identify the impact of installation of turf wickets on other park users;
- 3        requests the Whitfords and Districts Senior Cricket Club to submit cash flow statements and budget assessment to substantiate its ability to undertake total funding of development and maintenance without Council contributions.

**CARRIED**

**TS357-11/95        SURPLUS SKATEBOARD RAMP - [250-7]**

**CITY PARKS MANAGER'S REPORT**

Council has two metal skateboard ramp structures located in the depot previously removed from public open space for safety and insurance reasons.

The City Parks Manager provides details of requests received for the ramps and seeks Council approval to dispose of the ramps.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council authorises disposal of the two metal skateboard ramps by public tender.

**CARRIED**

**TS358-11/95        SUBMISSION - MITCHELL FREEWAY EXTENSION TO HODGES DRIVE - [510-3203]**

**CITY ENGINEER'S REPORT**

LandCorp is proposing a joint submission with the City to the State Government for the Mitchell Freeway extension to Hodges Drive.

LandCorp has prepared a draft proposal for Council's consideration prior to making a formal submission.

The City Engineer provides details of the draft proposal and reports on project funding and traffic impact.

He advises that the Consultants Traffic Impact Report demonstrates the immediate need for the Mitchell Freeway to be extended to Hodges Drive. Without this extension there will be an adverse impact on the capacities of the existing dual carriageways of Joondalup Drive, Ocean Reef Road and Marmion Avenue.

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

- 1 concurs in principle to a joint submission with LandCorp to the State Government on extending the Mitchell Freeway extension to Hodges Drive;
- 2 advises LandCorp that it requests the dualling of Hodges Drive, between Joondalup Drive and Marmion Avenue and the Eddystone Avenue bridge to be included, as part of the Mitchell Freeway extension project works;
- 3 initiates discussions with the State government on funding contributions to the Mitchell Freeway extension to Hodges Drive.

**CARRIED**

**TS359-11/95      DEVELOPMENT APPLICATION - SHENTON AVENUE ACCESS**  
**TO CURRAMBINE SHOPPING CENTRE STAGE 1 - [770-22,**  
**510-2]**

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

At its July meeting Council was advised that a development application has been submitted for Stage 1 of the Currambine Shopping Centre at the corner of Marmion Avenue and Shenton Avenue.

It was also indicated that while the development is proposed to be staged, the preferred strategy is for the access points on the major roads to be established for the total District Centre.

The City Engineer reports on discussions held with the Project Managers and gives an assessment of various access options.

He advises that the new access points from the Joondalup Business Park onto Shenton Avenue and Hodges Drive have been restricted to left turn in - left turn out only and supports a similar access arrangement to the Shopping Centre from Shenton Avenue.

#### **RECOMMENDATION**

That Council approves access from the Currambine Shopping Centre to Shenton Avenue as a left turn in - left turn out only, approximately 130 metres west of Delamere Avenue with a central median island in Shenton Avenue to control this restricted access movements with all the required works at the applicants costs.

Cr Ewen-Chappell requested this matter be deferred to enable the applicants to request a deputation to the Technical Services Committee.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Hall that consideration of access from Currambine Shopping Centre to Shenton Avenue be deferred to enable the applicants to request a deputation to the Technical Services Committee.

**CARRIED**

**TS360-11/95      PROPOSED EXTENSIONS TO DWELLING : LOT 517 (6)**  
**CAPE COURT, SORRENTO - [1944/517/6]**

#### **CITY BUILDING SURVEYOR'S REPORT**

At its meeting on 24 October, 1995, a report was placed before Council for approval in principle to construct extensions to the dwelling at Lot 517 (6) Cape Court, Sorrento (Item TS316-10/95 refers). The report recommended refusal because a garage which is part of the extensions was located on the front boundary and therefore did not comply with Council's Policy or the requirements of the Residential Planning Codes.

The City Building Surveyor advises that the owners have submitted an amended application which complies with the Residential Planning Codes and have requested that Council consider this matter as soon as possible.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council approves the proposed garage at Lot 517 (6) Cape Court, Sorrento subject to it being located 1.5m from the front boundary.

**CARRIED**

**TS361-11/95      CAR PARK ACCESS CALEDONIA PARK, CURRAMBINE -**  
**[061-434]**

## CITY ENGINEER'S REPORT

Council, at its meeting in March 1995, resolved to construct a car park on Caledonia Park with access from Caledonia Avenue. Accordingly, the detailed design of the car park has been undertaken with the residents advised on 27 September 1995 of the proposed construction programme.

The City Engineer advises that three letters of objection to the proposal have been received and consequently the car park construction has been deferred pending resolution of this matter.

He provides details of the history of Caledonia Park and comments on the three options proposed.

The City Engineer reports that the detailed design of the car park can be modified to centrally locate the access with the common boundary of 93/95 Caledonia Drive.

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

- 1        reiterates its decision to construct a car park on Caledonia Park with access from Caledonia Avenue in accordance with Option 2 as shown on Attachment 1 to Report No TS361-11/95;
- 2        authorises the City Engineer to centrally locate the access road with the common boundary of 93/95 Caledonia Avenue;
- 3        advises the residents accordingly.

**CARRIED**

Appendix X refers.

**TS362-11/95        TIMBERLANE PARK TENNIS COURTS, WOODVALE STAGE 5 -**  
**CONSTRUCTION OF TWO ADDITIONAL COURTS -**  
**[061-390-3]**

## CITY ENGINEER'S REPORT

At its meeting of 11 October 1995, the Technical Services Committee considered a report (Item TS318-10/95 refers) regarding two options for locating the two new tennis courts to be constructed at Timberlane Park, Woodvale.

At this meeting Cr Taylor submitted a plan showing a revised proposal. In order to give proper consideration to this plan it was resolved to defer consideration of two new tennis courts at

Timberlane Park, Woodvale for one month and a further report be submitted to the Technical Services Committee in this regard.

The City Engineer provides details of an on-site meeting held at Timberlane Park on 18 October 1995 involving representatives from the Kingsley Tennis Club, the Woodvale Family Playgroup and Council's Recreation, Parks, Building and Engineering Departments.

He advises of the option agreed on by the user groups and supports this option as it meets the user group's function requirements and can be accommodated within the budget.

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

- 1 approves the construction of two new tennis courts at Timberlane Park, Woodvale in accordance with the locations shown as Option C on the plan at Attachment 1 to Report No TS362-11/95;
- 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 C shown on Attachment 1 to Report No TS362-11/95;
- 3 authorises the Engineering Department to include in the detail design and documentation:
  - (a) relocation of the play area to minimise levelling works to suit the Playgroup;
  - (b) installation of security pool type fencing around the play area;
  - (c) terraced retaining walls on the northwest corner of the proposed tennis courts, as shown on Option C at Attachment 3 to Report No TS362-11/95.

**CARRIED**

Appendix XI refers.

**TS363-11/95      CHICHESTER RESERVE TOILET AND CHANGEROOM**  
**FACILITIES: EXTENSIONS - [061-396, C 472-1-4]**

#### **CITY BUILDING SURVEYOR'S REPORT**

Council, at its meeting of 27 September 1995 authorised:

- 1 the placing of a sign on Chichester Reserve advising of the proposed changeroom/canteen facility as proposed by the Kingsley Soccer Club;



- 2           the preparation of a sketch plan; and
- 3           the submission of a further report with respect to  
          results from on-site advertising (Item TS275-09/95  
          refers).

Based on an original sketch that re-worked ideas in a sketch submitted by the Kingsley Soccer Club, consultation with the Kingsley Soccer Club led to the preparation of a design plan.

The City Building Surveyor provides background details of the subject matter and reports on advertising and the budget allocation for this project.

He also comments on concerns raised at the Town Planning Committee meeting on 6 November 1995 in relation to two plans being circulated for the proposed facilities.

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

- 1           endorses the design plan for the proposed extensions to  
          the existing toilets/changerooms at Chichester Reserve  
          for the Kingsley Soccer Club;
- 2           authorises the preparation of contract documents and the  
          calling of tenders for the proposed extensions to the  
          existing toilets/changerooms at Chichester Reserve;
- 3           advises the petitioners accordingly.

**CARRIED**

**TS364-11/95        INSTALLATION OF TRAFFIC SIGNALS: MARMION AVENUE**  
**- BURNS BEACH ROAD INTERSECTION - [510-0007]**

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

At the October Council meeting, Cr Waters requested an update on the installation of traffic signals at the Marmion Avenue/Burns Beach Road intersection.

The City Engineer reports that the installation of conduits for this project commenced on Monday, 6 November 1995 and it is planned for the traffic signals to be operational by the end of November.

He advises that symbolic "SIGNALS AHEAD" signs will be installed on all four approaches and temporary, non-flashing "BE PREPARED TO STOP" signs will be installed on the Marmion Avenue approaches.

## **RECOMMENDATION**

That Council arranges a deputation to the Minister for Transport regarding installation of advance warning flashing amber lights for the traffic signals at the junction of Burns Beach Road and Marmion Avenue.

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

- 1           arranges a deputation to the Minister for Transport regarding installation of advance warning flashing amber lights for the traffic signals at the junction of Burns Beach Road and Marmion Avenue;
- 2           in this instance sets aside its policy in respect of "Communication of Council Resolutions" to allow for immediate action on this matter.

**CARRIED**

## **TS365-11/95      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 for the month of October 1995, building control activity, swimming pool inspections and Council's building works programme.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS365-11/95.

**CARRIED**

Appendix XII refers.

## **TS366-11/95      TENDER NUMBER 81-95/96 - UPGRADE OF LIGHTING FOR ELLIOT PARK TENNIS COURTS, WANNEROO - [061-113-1]**

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

The Wanneroo Tennis Club approached Council in September 1994 to have the lighting levels at Elliot Park Tennis Courts upgraded to the "current City standards".

A number of meetings have been held in the past twelve months and a consultant's report submitted on various upgrading standards.

The City Engineer reports that Council approved funds for the upgrade of lighting standard and pole replacement, where

required, at the Elliot Park Tennis Courts and comments on tenders received to carry out this work.

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

- 1 awards Tender No 81-95/95, Upgrading of Lighting, Elliot Park Tennis Courts, Wanneroo to Stork Electrical Pty Limited for the revised total tender price of \$74,123 to upgrade the lighting to Council's recreation standard;
- 2 authorises expenditure for Tender No 81-95/95 from Account No 29242 - Upgrade Lighting at Elliot Park Tennis Courts, Wanneroo;
- 3 advises Wanneroo Tennis Club that Council has accepted a tender from Stork Electrical Pty Limited to upgrade the tennis courts to Recreation Standard and that any future upgrading of the lighting will be at the Club's cost.

**CARRIED**

**TS367-11/95      FREE BEACH - [765-1]**

Cr Freame submitted a letter from Mr H Gunter in relation to the declaration of a free beach.

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

**MOVED** Cr Wight, **SECONDED** Cr Curtis that the letter from Mr H Gunter in relation to the declaration of a free beach be received and referred to Town Planning Department for action.

**CARRIED**

**TS368-11/95      WHITFORDS PARK - MAINTENANCE - [250-1]**

Cr Lynn submitted a letter from Whitfords Beach Pty Ltd together with an 83-signature petition from residents in Whitfords Beach.

The petitioners state that they are concerned regarding the neglected condition of local parklands and gardens which have been established for a little under two years. They comment that the park is lacking in regular maintenance as weeds, including 'Bindi-eye' have taken over the lawn, the ground is uneven, particularly near the pond and the eastern side gardens bordering the walkways are full of weeds and building rubble.

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

**MOVED** Cr Wight, **SECONDED** Cr Curtis that the petition from residents in Whitfords Beach regarding the neglected condition

of local parklands and gardens be received and referred to Parks Department for a report to Council.

**CARRIED**

**TS369-11/95      HEATHERTON MEWS, HILLARYS - SPEED TRAPS -**  
**[502-16]**

Cr Lynn submitted a letter from Bishop Philip Huggins in connection with the possible provision of 'speed traps' in Heatherton Mews, Hillarys.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that the letter from Bishop Philip Huggins in connection with the possible provision of 'speed traps' in Heatherton Mews, Hillarys be received and referred to Engineering Department for a report to Council.

**CARRIED**

**MOBILE PHONES - [320-5]**

Cr Ewen-Chappell enquired as to what was happening regarding the previous request for mobile phones for North Ward Councillors.

The Town Clerk advised that negotiations were being undertaken with Optus and he will be advising Councillors of the outcome in due course.

**ROADWORKS - CORNER WARWICK AND DAVALLIA ROADS, DUNCRAIG -**  
**[510-0]**

Cr Curtis referred to the intersection at Warwick and Davallia Roads, Duncraig and asked why this was being excavated and what were the works being undertaken.

The City Engineer advised he would investigate this matter.

**SIGNIFICANT TREES - JOONDALUP CIVIC AND CULTURAL FACILITIES**  
**STAGE 1 - [730-8-8-1]**

Cr Curtis asked whether a survey could be done of the Joondalup Civic and Cultural Facilities Stage 1 area to see whether it contained any significant trees.

The Town Clerk advised he would investigate this matter.

**WANGARA OUTFALL - SPILLWAY STRUCTURE - [730-3-1]**

Cr Magyar referred to the photographs submitted by Cr Taylor to the Town Planning meeting on 6 November in relation to an oil spillage into the sump at Wangara.

He enquired as to what was happening in relation to his request for a boom to be incorporated in the project.

The City Engineer advised that when tenders are called for this project, a boom will be incorporated in the brief.

**ILLUSTRATED HISTORY OF THE JOONDALUP CIVIC AND CULTURAL FACILITIES PROJECT - [730-8-8-1]**

Cr O'Grady referred to the illustrated history of the Joondalup Civic and Cultural Facilities project which was raised at the Occasional Committee meeting on 27 October 1995 (Item OC57-10/95 refers) and said she would like this extended to include a video.

The City Building Surveyor advised that he would attend to this.

**TS370-11/95      BACKYARD MOTOR REPAIR BUSINESS - [0510/37/88]**

Cr Moloney submitted a letter regarding concerns about a backyard motor repair business operating in Civic Drive, Wanneroo.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that the letter regarding concerns about a backyard motor repair business operating in Civic Drive, Wanneroo be received and referred to Town Planning Department for action.

**CARRIED**

**FERTILISER CONTRACT - [250-1]**

The Town Clerk referred to the question raised by Cr Cooper at the September Council meeting in relation to the application of fertiliser in parks.

The Town Clerk now advised that, contrary to the information given at that Council meeting, it was not in fact feasible to insert locks on the calibration disk of the spreader as the fertiliser would continue to trickle all over the road while the machine is travelling to the next park.

Town Clerk reported that an on-site meeting had been held and recommended that random checks be carried out to see if the calibration is right.

**TS371-11/95      WANNEROO TOWN SITE IMPROVEMENTS - [290-7]**

The City Engineer advised that there will be a need for pole type selection and colour choices in connection with Wanneroo town site improvements and suggested the formation of a committee of Central Ward Councillors to deal with this.

## **RECOMMENDATION**

That Council forms a committee of Central Ward Councillors to deal with pole type selection and colour choices in connection with Wanneroo town site improvements.

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

- 1 forms a committee of Central Ward Councillors to deal with pole type selection and colour choices in connection with Wanneroo town site improvements;
- 2 writes to Landcorp requesting a contribution towards the completion of the landscaping within the Wanneroo town site.

**CARRIED**

## **C547-11/95 FINANCE & COMMUNITY SERVICES COMMITTEE**

**MOVED** Cr Waters, **SECONDED** Cr Magyar that the Report of the Finance and Community Services Committee Meeting, held on 20 November 1995 be received.

**CARRIED**

## **ATTENDANCES**

Councillors:	H M WATERS - Chairman	North Ward
	B C COOPER - Deputising for Cr Ewen-Chappell	Central Ward
	A B HALL - From 6.10 pm Ward	South
	B J MOLONEY	South Ward
	F D FREAME	South-West Ward
	M E LYNN, JP	South-West Ward
	A G TAYLOR - Observer, Deputising for Cr Hall to 6.10 pm	South Ward
	S P MAGYAR - Observer	Central Ward
	A W WIGHT - Observer	South Ward
	G A MAJOR - Observer	South-West Ward

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
Minute Clerk:	S BRUYN

### **APOLOGIES**

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

Apologies for absence were tendered by Crs Dammers and 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 16 OCTOBER 1995

The Minutes of the Finance and Community Services Committee Meeting held on 16 October 1995, were confirmed as a true and correct record.

### **PETITIONS AND DEPUTATIONS**

Nil

### **DECLARATIONS OF PECUNIARY INTEREST**

Cr Hall declared an interest in Items FA142-11/95 and B215-11/95.

### **CONFIDENTIAL BUSINESS**

The following Items were considered Behind Closed Doors.

CS228-11/95 - HOME CARE SERVICES TENDER - 82-95/96 - [880-8-7]

CS229-11/95 - APPOINTMENT OF CONSULTANT - HOME CARE EVALUATION - [880-8-6]

CS230-11/95 - APPOINTMENT OF HONORARY PARKING INSPECTORS FOR WARWICK GROVE SHOPPING CENTRE, WARWICK - [910-1, 30/0272]

CS231-11/95 - CANCELLATION OF DOG REGISTRATIONS - MRS S BATTY, 1 OAKMONT TURN, CONNOLLY - [2338/340/1]

## MEETING TIMES

Commenced: 6.01 pm

Closed: 8.10 pm



## FINANCE & ADMINISTRATIVE SECTION

### REPORT NO:

FA133-11/95      OUTSTANDING GENERAL DEBTORS - OCTOBER 1995 -  
[020-0]

#### CITY TREASURER'S REPORT

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

He makes comments on the action being taken with long outstanding accounts and recommends the write-offs of debts totalling \$17,747.56 which are considered to be irrecoverable.

Cr Taylor wished to record his congratulations to the City Treasurer for the efforts of the Treasury Department in pursuing outstanding debts associated with commercial refuse.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council writes out of its general debtors ledger an amount of \$17,747.56, representing debts considered irrecoverable, as detailed in Attachment B to Report FA133-11/95.

**CARRIED**

Appendix XIII refers.

FA134-11/95      WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31  
OCTOBER 1995 - [021-1]

#### CITY TREASURER'S REPORT

The City Treasurer submits the Warrant of Payments for the period ending 31 October 1995, the total sum expended being \$18,349,437.64.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council passes for payment the following vouchers, as represented in the Warrant of Payments to 31 October 1995, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$18,349,437.64:

<u>Funds</u>	<u>Vouchers</u>	<u>Amount - \$</u>
Advance Account No 1	020349 - 021723	6,303,669.26
Municipal	000168 - 000177B	12,045,768.38
Trust		-
		<hr/>
		\$18,349,437.64

Appendix XIV refers.

**FA135-11/95      ORDERS FOR GOODS AND SERVICES -**  
**APPROVING/REQUISITIONING OFFICERS - [010-0-1]**

**CITY TREASURER'S REPORT**

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

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

The City Parks Manager has requested that the requisitioning authority for the Maintenance Supervisor, Technical Officer - Horticultural, Landscape Architect and Technical Officer - Conservation Control be increased to \$2,000.

The City Treasurer, in order to streamline the overall Treasury effectiveness, has requested the Revenue Accountant's requisitioning authority be increased to \$2,000 and the Purchasing Clerk's approving authority be extended to \$2,000.

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

- 1            increases to a limit of \$2,000, the requisitioning authority for the Maintenance Supervisor; Technical Officer - Horticultural; Landscape Architect; Technical Officer - Conservation Control in the Parks Department and the Revenue Accountant in the Treasury Department;
- 2            increases to \$2,000 the Purchasing Clerk's approval limit.

**CARRIED**

**FA136-11/95      AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

**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 deficit of \$767,875.

**MOVED** Cr Waters, **SECONDED** Cr Hall 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 - 20 November 1995.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XV refers.

**FA137-11/95      LOCAL GOVERNMENT SUPERANNUATION PLAN - [017-1]**

**CITY TREASURER'S REPORT**

Over the years Council has received requests from temporary employees seeking to become full contributory members to the Local Government Superannuation Plan. These requests have been declined as full contributory membership is only open to those employees who are permanently employed, either in a full or part-time capacity and have completed 30 days service. The Trustees of the Scheme, however, are anxious to ensure a higher participation rate in the scheme and are offering added incentives to achieve membership.

The City Treasurer advises that the Local Government Scheme is a contributory one and provides details of the Superannuation Guarantee Contribution and the Superannuation Plan.

He comments that Council needs to ensure that any contract of employment for temporary employees specifically excludes any entitlement to join the Local Government Superannuation Plan as a full member.

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

- 1            does not permit temporary employees to join the WA Local Government Superannuation Plan as full members;
- 2            ensures that temporary employees are apprised of this requirement as an integral component of the staff induction process.

**CARRIED**

**FA138-11/95      TENDERS - PERSONAL COMPUTERS - [208-92-95/96]**

**DEPUTY TOWN CLERK'S REPORT**

Tenders were called for the supply and installation of approximately 70 personal computers.

The Deputy Town Clerk reports on the tender submissions received.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council awards the tender for the supply of personal computers for 1995/96 to Todaytech Computers Australia Pty Ltd.

**CARRIED**

**FA139-11/95      DISPOSAL OF SURPLUS RETICULATION CONTROLLERS AND  
SURPLUS TYPEWRITERS - [250-6]**

**CITY TREASURER'S REPORT**

The City Treasurer reports on secondhand reticulation controllers from the Marangaroo Golf Course which are no longer suitable for the Parks Department's requirements and three typewriters which are surplus to Council requirements.

He advises that not all of the reticulation units are operational and may not be repairable, however, it is recommended that the units be offered for sale to interested parties.

He comments that consideration should be given to donating the three typewriters to voluntary service organisations throughout the municipality.

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

- 1        offers for sale the secondhand reticulation controllers detailed in Report FA139-11/95;
- 2        seeks expressions of interest from voluntary service organisations through the municipality for the three typewriters detailed in Report FA139-11/95;
- 3        makes the necessary amendments to its Fixed Asset Register to effect these disposals.

**CARRIED**

Appendix XVI refers.

**FA140-11/95      DONATIONS - [009-1]**

**CITY TREASURER'S REPORT**

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

- National Junior Chess Tournament, Sydney;
- Under 14 Baseball Team, Sydney;
- National Open Ladies Softball Tournament, Brisbane;
- Men's Open Softball Tournament, Mirrabooka;
- 1995 Supreme Gymnastics Annual Invitational Championships, Jakarta;
- National Baseball Championships, Tamworth;
- AFS student exchange programme, Costa Rica;
- Junior World Artistic Rollerskating Championships, Colombia;
- 4th Junior Karate World Cup, Hungary;
- Cultural and exchange programme, New York;
- Level six gymnastics competition, Jakarta;

Disability in the Arts, Disadvantage in the Arts, Australia is seeking financial support for its fundraising endeavours to help artists with disabilities or at a disadvantage.

CARE Australia is seeking financial assistance for support of starving people in Somalia.

Ms A Gorski and Ms A Gontaszewska are seeking financial assistance for the Polish Youth Camp which is organised to familiarise the children with a scenic, non-urban environment and the natural habits of the South-West.

Heart Cancer Arthritis Doorknock Appeal is seeking financial support for its fundraising endeavours to help towards medical research, health education and patient care services.

St John of God Hospital is seeking financial assistance to launch the Joondalup Spirit of Christmas Festival to help people less fortunate to have a happier Christmas.

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

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

Mr Christopher McKay  
Mr Andrew McKay  
Mr Joel Miller  
Mr Peter Richardson  
Miss Rebecca Bender  
Mr Ben Hobbs  
Miss Victoria Hargrave

Miss Shermain Winsor  
Miss Jessica Bratich  
Mr Paul Long  
Miss Tameira McLean

- 2        donates \$100.00 to Mrs Julie Richardson as she will be officiating as a State Softball Umpire at two separate tournaments;

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

- 3        donates \$200.00 to CARE Australia in support of its fundraising activities for the starving people in Somalia;

- 4        donates \$50.00 to the Polish Community School towards the Youth Camp to be held at "Camp Mornington";

- 5        donates \$200.00 to the Heart Cancer Arthritis Doorknock Appeal in support of medical research, health education and patient care services;

- 6        donates \$200.00 to the Joondalup Spirit of Christmas Festival to help people less fortunate to have a happier Christmas;

Donations 3 to 6 inclusive to be from Budget Item No 26531 - Sundry Donations - Other Welfare Services.

**CARRIED**

**FA141-11/95        INCREASED CASH FLOATS - MOBILE DAY CARE AND  
ADMINISTRATION CENTRE CASHIERS - [880-7, 280-3]**

#### **CITY TREASURER'S REPORT**

Requests have been received from Welfare Services and Treasury departments for cash float increases as follows:

- 1        Mobile Day Care Service - increase in petty cash from \$150.00 to \$200.00;
- 2        Administration Centre Cashiers - increase in cash floats from 2 x \$100.00 to 2 x \$300.00.

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

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

- 1 increases the following cash floats:
- (a) Mobile Day Care Service petty cash by \$50.00 to \$200.00;
  - (b) Administration Centre's two cashiers' cash floats by \$200.00 each to \$300.00;
- 2 ensures the cash floats are operated in accordance with accepted accounting principles.

**CARRIED**

**FA142-11/95      DISPOSAL OF SURPLUS TRAILERS - [010-0-2]**

**CITY TREASURER'S REPORT**

Council, at its October 1995 meeting, approved the disposal of five old surplus trailers by calling expressions of interest from voluntary service organisations throughout the municipality.

The City Treasurer reports on the surplus trailers and the five requests received for the trailers. He recommends that the five old trailers be donated to the five voluntary organisations on an "as is where is" basis.

Cr Hall declared an interest in this item.

**MOVED** Cr Waters, **SECONDED** Cr O'Grady that Council donates the five trailers to the five voluntary organisations listed in Report FA142-11/95.

**CARRIED**

Cr Hall did not vote.

Appendix XVII refers.

## COMMUNITY SERVICES SECTION

**CS208-11/95      RURAL FLY CONTROL - [0208/23/244]**

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

An inspection of a market garden on 26 October 1995 at Lot 23 (244) Badgerup Road, Gngangara revealed severe fly breeding in chicken manure between the furrows.

The City Environmental Health Manager reports that the property lessee was issued a Notice on 4 April 1995 to effectively prevent fly breeding at this garden for a period of twelve months. The property lessee was prosecuted for a breach of the Fly Eradication Regulations on 18 October 1995.

The City Environmental Health Manager advises that the extent of fly larvae present in the garden on 26 October 1995 suggests this matter has yet to be managed responsibly.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council initiates legal action against Mr Van Phat Lam of 95A Marangaroo Drive, Marangaroo for a breach of the Fly Eradication Regulations at Lot 23 (244) Badgerup Road, Gngangara on 26 October 1995.

**CARRIED**

**CS209-11/95      REDUCTION IN LICENCE FEE - JENOLAN WAY PLAYGROUP (INC) - [880-16]**

### **MANAGER, WELFARE SERVICES' REPORT**

A request has been received from the Jenolan Way Playgroup Inc for Council to reduce the licence fee for use of the Jenolan Way Centre for the October to December 1995 quarter. The reason given is that the group commenced operations in August 1995 and has had difficulty in achieving full enrolment of 100 children for this school year. It is anticipated that full enrolment will be achieved in February 1996.

The Manager Welfare Services provides background details to this request and considers it would be appropriate to reduce the fees as requested for the fourth term.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council approves a reduction in licence fee from \$1,898.00 to \$1,404.52 for the Jenolan Way Playgroup Inc for use of the Jenolan Way community Centre for the October to December 1995 school term.

**CARRIED**



The City Recreation and Cultural Services Manager reports on matters arising from meetings of the Historical Sites and Art Collection Advisory Committee and the Perry's Paddock Picnic Organising Committee.

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

- 1           (a)       nominates a Councillor and appropriate officers from the Departments involved in planning and management of the Luisini Winery to represent Council on a Steering Committee to administer the Luisini Winery Conservation Plan;
- (b)       advises the Ministry for Planning of its recommendation;
- 2           (a)       authorises the City Planner, City Treasurer and Town Clerk to negotiate the lease and financial matters pertaining to Mr V Garmson's proposal for an "Olde English Restaurant/Inn" and Model Village at Perry's Paddock;
- (b)       establishes a working party to include representatives from Wanneroo and Districts Historical Society, Historical Sites Advisory Committee and Council officers to address the historical aspects of Mr Garmson's proposal;
- 3           purchases Patrizia Tonello's art work entitled "Edge of the World", for the sum of \$3,000;
- 4           endorses the recommendation to hold next year's Perry's Paddock Picnic on 20 October 1996.

Cr Waters nominated Cr Lynn.

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

- 1           (a)       nominates Cr Margaret Lynn JP and appropriate officers from the Departments involved in planning and management of the Luisini Winery to represent Council on a Steering Committee to administer the Luisini Winery Conservation Plan;
- (b)       advises the Ministry for Planning of its recommendation;

- 2 (a) authorises the City Planner, City Treasurer and Town Clerk to negotiate the lease and financial matters pertaining to Mr V Garmson's proposal for an "Olde English Restaurant/Inn" and Model Village at Perry's Paddock;
- (b) establishes a working party to include representatives from Wanneroo and Districts Historical Society, Historical Sites Advisory Committee, the Chairman of the Finance Committee, Cr Freame, Cr Magyar and Council officers to address the historical aspects of Mr Garmson's proposal;
- 3 purchases Patrizia Tonello's art work entitled "Edge of the World", for the sum of \$3,000;
- 4 endorses the recommendation to hold next year's Perry's Paddock Picnic on 20 October 1996.

**CARRIED**

**CS211-11/95 PERRY'S PADDOCK BUILDING BY 1860 PERTH VOLUNTEER RIFLE AND ARTILLERY REGIMENT - [057-4-1]**

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

The City Recreation and Cultural Services Manager reports on correspondence received from the *1860 Perth Volunteer Rifle and Artillery Regiment* requesting approval to use the old barn at Perry's Paddock as a backdrop to produce a staged-photographic re-enactment some time in August 1996.

He provides details of the request and advises that as the use of this venue should have no adverse effect on the facility, approval should be granted.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council approves the use of the old barn at Perry's Paddock by the 1860 Perth Volunteer Rifle and Artillery Regiment to produce a staged-photographic re-enactment in 1996, subject to the following conditions:

- 1 approval from the Ministry for Planning being obtained;
- 2 the applicant providing an indemnification to the City Planner's satisfaction, upon advice from Council's solicitors, such that the City will not be liable for any claims of damages or other actions should any accident or similar incident occur on the land;

- 3 the environment being safeguarded and fire rules being complied with;
- 4 the group providing its own toilets (if required);
- 5 all rubbish being removed from the site following the re-enactment proceedings.

**CARRIED**

**CS212-11/95      USE OF PERRY'S PADDOCK FOR BLANKET AND FOOD  
HAMPER COLLECTION FOR ANGLICARE - [057-4-1]**

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

The City Recreation and Cultural Services Manager reports on correspondence received from the Western 4x4 Club Inc requesting approval to use Perry's Paddock for a Blanket and Food Hamper collection for Anglicare on 5 May 1996.

Several four wheel drive clubs will be invited to participate and it is expected a hundred vehicles would be involved.

The City Recreation and Cultural Services Manager provides details of the request and advises that approval could be given on the basis that a specific site is designated by the City Parks Manager and it is made clear that Council would not permit the movement of vehicles outside the confines of that area. He also provides details of other conditions that would have to be complied with.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council approves the use of Perry's Paddock by the Western 4x4 Club Inc for the purpose of conducting a Blanket and Food Hamper collection for Anglicare on 5 May 1996, subject to the following conditions:

- 1 approval from the Ministry for Planning being obtained;
- 2 the applicant providing an indemnification to the City Planner's satisfaction, upon advice from Council's solicitors, such that the City will not be liable for any claims of damages or other actions should any accident or similar incident occur on the land;
- 3 a specific site being allocated by the City Parks Manager and all vehicles being confined to that area;
- 4 the organisers providing adequate toilet facilities, rubbish bins and drinking water;

- 5 fires shall not be lit unless approval is received in writing from the Manager - Municipal Law and Fire Services;
- 6 due care being taken with respect to the surrounding environment and the area being left in a clean and tidy condition at the conclusion of the event.

**CARRIED**

**CS213-11/95      USE OF PERRY'S PADDOCK FOR A SCOUT FIELD DAY -  
[057-4-1]**

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

The City Recreation and Cultural Services Manager reports on correspondence received from the Wanneroo District Scout Association WA Branch, to use Perry's Paddock for a Scout Field Day on Sunday, 18 February 1996.

The Day, which will be open to the public, is planned to show examples of what scouts can do.

The City Recreation and Cultural Services Manager provides details of the request and advises that approval could be given on the basis that a specific site is designated by the City Parks Manager and, as this date is within the total prohibited burning period, a responsible person from the group liaises with the Chief Bush Fire Control Officer concerning fire matters. He also reports on other conditions that would have to be complied with.

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

- 1 approves the use of Perry's Paddock by the Wanneroo District Scout Association for the purpose of conducting a Scout Field Day on Sunday, 18 February 1996, subject to the following conditions:
- (a) approval from the Ministry for Planning being obtained;
  - (b) a specific site being allocated by the City Parks Manager and all vehicles and activities confined to that area;
  - (c) a responsible person from the organisers liaising with the Chief Bush Fire Control Officer in all matters relating to fires, as this date is within the total prohibited burning period;

- (d) the organisers providing adequate toilet facilities, rubbish bins and drinking water;
- (e) liaison being undertaken with Police Traffic Authority re traffic flow entering and exiting the Paddock;
- (f) due care being taken with respect to the surrounding environment and the area being left in a clean and tidy condition at the conclusion of the event;
- (g) the applicant providing an indemnification, to the City Planner's satisfaction, upon advice from Council's solicitors, such that the City will not be liable for any claims of damages or other actions should any accident or similar incident occur on the land;

2 formulates a policy for the hire/use of Perry's Paddock.

**CARRIED**

**CS214-11/95      WHITFORD RECREATION ASSOCIATION - MACDONALD**  
**PAVILION CRECHE - [260-9]**

A request has been received from the Whitford Recreation Association seeking reimbursement of a premium of \$77.25 for workers compensation insurance for the creche conducted at the MacDonald Pavilion. This request has been prompted by Council's decision to cover the cost of workers compensation insurance at Sorrento Duncraig Recreation Centre and Aquamotion Wanneroo (Items CS174-09/95 and CS175-09/95 refer).

The City Recreation and Cultural Services Manager provides background details to this request and advises that it is not considered that it is Council's role to be supporting a creche operated by a community group by paying the workers compensation coverage.

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

- 1 does not reimburse the Whitford Recreation Association the premium of \$77.25 for workers compensation coverage at MacDonald Pavilion for the operation of the creche;
  - 2 advises the Whitford Recreation Association that the workers compensation premiums paid at Sorrento Duncraig Recreation Centre and Aquamotion was a one off donation.
- MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council:

- 1 authorises under the provisions of Section 547(12) of the Local Government Act the reimbursement to the Whitford Recreation Association of \$77.25 for workers compensation coverage at MacDonald Pavilion for the operation of the creche;
- 2 includes a subsidy for the operation of the creche at MacDonald Pavilion for consideration within the 1996/97 Draft Budget.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**CS215-11/95      KINGSLEY TENNIS CLUB INC - APPLICATION FOR CLUB  
RESTRICTED LIQUOR LICENCE - [930-17, 061-390-2]**

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

A request has been received from the Kingsley Tennis Club Inc seeking approval for its application to the Office of Racing and Gaming for a Club Restricted Liquor Licence. The Club occupies Timberlane Park Clubrooms, Althea Way, Woodvale.

The City Recreation and Cultural Services Manager provides background details to this request.

He advises that the granting of a Club Restricted Liquor Licence means that no persons, other than the authorised club, may utilise the premises on the dates or at the times approved on the licence. As a result, the Kingsley Tennis Club cannot be granted a Club Restricted Liquor Licence for the times requested.

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

- 1 endorses the Kingsley Tennis Club's application for a Club Restricted Liquor Licence for Timberlane Park Clubrooms on Wednesdays (5.00 pm to 11.00 pm) Saturdays (2.00 pm to 6.00 pm) and Sundays (2.00 pm to 6.00 pm) throughout the year;
- 2 informs the applicant that:
- (a) as the Club does not have the clubrooms booked after 6.00 pm on weekends it cannot be granted a licence to operate in those hours;
  - (b) no structural alterations are to be made to the building without Council approval;

- (c) in the event of any non-compliance with Council's policy relating to the storage of alcohol on Council owned premises, permission to hold a Club Restricted Liquor Licence may be withdrawn.

**CARRIED**

**CS216-11/95      COUNCIL BY-LAWS RELATING TO SWIMMING POOLS -  
[920-26, 680-1]**

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

The City Recreation and Cultural Services Manager reports on Bylaw Number 15 of "Bylaws Relating to Swimming Pools" and advises that a common practice at Craigie Leisure Centre and Aquamotion, where the Centres promote joint purchase of concession books of tickets, contravenes this bylaw.

He provides background details of the sale of concession ticket books by both Centres.

He advises that, in consultation with the Department for Local Government, it is suggested that Bylaw 15 is amended accordingly to allow the sale of concession tickets.

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

- 1        adopts the proposed amendment to the "Bylaws Relating to Swimming Pools", as attached to Report CS216-11/95;
- 2        authorises the affixation of the Common Seal to, and endorses the signing of, the documents;
- 3        authorises administrative action in accordance with Section 190 of the Local Government Act 1960, to have the proposed Bylaws promulgated.

**CARRIED**

Appendix XVIII refers.

**CS217-11/95      TASK FORCE ON DRUG ABUSE - [485-2]**

Correspondence has been received from the Premier, the Hon. Richard Court, MLA, regarding the release of the "Report of the Task Force on Drug Abuse".

The Premier has requested comments from the community in relation to the recommendations made by the Task Force on combating drug and alcohol abuse in Western Australia, especially by young people.

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

He advises that as there are significant gaps in the report relating to the implementation of drug related services, it is therefore difficult to make precise comments on the impact the recommendations will have on service delivery for young people in Wanneroo. In view of this, it would seem appropriate for Council to write to the Task Force Chairman seeking clarification on this particular matter.

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT** recommended that Council writes to the Chairman of the Task Force on Drug Abuse in Western Australia, seeking clarification on the implementation of recommendations in connection with drug related services for youth in the Wanneroo area.

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

- 1 writes to the Chairman of the Task Force on Drug Abuse in Western Australia, seeking clarification on the implementation of recommendations in connection with drug related services for youth in the Wanneroo area;
- 2 requests the Town Clerk or his Deputy to review the report's recommendations and report to Council on the implications and impact the implementation of the recommendations would have on the community of the City of Wanneroo.

**CARRIED**

**CS218-11/95      NOISE COMPLAINTS - COMMUNITY HALLS - [635-2]**

Several complaints have recently been received from local residents concerning noise emanating from casual social functions at Dorchester Hall, Warwick, and Ocean Reef Community Hall.

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

He advises that despite controls being in place to minimise noise problems, people hiring Council facilities sometimes abuse the privilege, causing inconvenience to residents.

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



- 1 does not permit casual or regular evening social functions involving alcohol or amplified music at Dorchester Hall, Warwick;
- 2 undertakes a review of all Council facilities used for casual social functions to:
  - (a) assess the impact of noise from social functions;
  - (b) determine options to control noise problems;
- 3 does not permit social functions involving amplified music at Ocean Reef Community Hall until the review of Council facilities is concluded.

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

- 1 Council:
  - (a) does not permit casual or regular evening social functions involving alcohol or amplified music at Dorchester Hall, Warwick;
  - (b) undertakes a review of all Council facilities used for casual social functions to:
    - (i) assess the impact of noise from social functions;
    - (ii) determine options to control noise problems;
  - (c) does not permit social functions involving amplified music at Ocean Reef Community Hall until the review of Council facilities is concluded;
- 2 a report be submitted to Policy Committee reviewing the terms and conditions associated with the social use of community facilities.

**CARRIED**

**CS219-11/95      USE OF CRAIGIE LEISURE CENTRE BY THE WEST COAST JUNIOR AEROBIC TEAM - [680-10]**

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

Craigie Leisure Centre has been approached by the West Coast Junior Aerobic Team regarding training space. It would be advantageous for Craigie Leisure Centre to accommodate this

group but the team is unable to meet the fee listed in the current schedule of hire charges.

The City Recreation and Cultural Services Manager provides details of the West Coast Junior Aerobic Team and lists the benefits of exposure from the Aerobic Team for Craigie Leisure Centre.

He advises that sponsorship of the team would involve no financial assistance from the City of Wanneroo as the group would act independently of Craigie Leisure Centre.

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

- 1 offers the West Coast Junior Aerobic Team a reduced hire fee of \$20.00 per member for the use of the Aerobics Room at Craigie Leisure Centre between 4.00 pm and 5.30 pm, Monday to Friday each term;
- 2 reviews this arrangement at the conclusion of the second school term in 1996.

**CARRIED**

**CS220-11/95      REQUEST FOR A REDUCTION IN FEES AT CRAIGIE LEISURE CENTRE - NEW IMAGE AQUAROBIKS - [680-1]**

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

A 40-signature petition has been forwarded to Council by the participants of Craigie Leisure Centre's New Image (over 50's) Aquarobic programme. The petition states the majority of the group are regular participants of the aquarobic programme and attend for health and medical reasons. A recent price rise has prompted the group to request Council consider fee relief for Health Care Card and/or Seniors Card holders.

The City Recreation and Cultural Services Manager provides details of fees for aquarobic classes and aerobic/aquarobic memberships.

He advises that the range of discount and concession options available to the 'New Image' participants is extensive and it appears unnecessary to consider a broader range of discounts.

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

- 1 does not support the petitioners' request to offer a discounted admission price for New Image Aquarobics at Craigie Leisure Centre for those persons in possession of a Health Care Card and/or Seniors Card;

2           authorises the Recreation Facilities Manager-Craigie Zone to invite the signatories to the petition to an information session to explain the full range of discount, concession and membership options available at Craigie Leisure Centre.

**CARRIED**

**CS221-11/95       REQUEST FOR WAIVER OF HIRE FEES - KINGSLEY BAPTIST CHURCH - [261-2]**

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

A request has been received from Kingsley Baptist Seniors Group for a waiver of the hire fee for its intended use of Kingsley Sports Hall for regularly fortnightly bible study meetings.

The City Recreation and Cultural Services Manager provides background details to this request. He advises that as this group is not a recognised Senior Citizens group, it does not come within the recognised criteria of Council's policy.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council charges the Kingsley Baptist Seniors Group the normal hire fee of \$13 per hour for use of Kingsley Sports Hall.

**CARRIED**

**CS222-11/95       REQUEST FOR WAIVER OF HIRE FEES - JOONDALUP CITY CHURCH - [261-2]**

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

A request has been received from the Joondalup City Church for a waiver of hire fees for the use of Wanneroo Civic Centre for a series of local youth forums.

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

He advises that recognised churches are regarded as charitable institutions by the Advisory Committee and the Joondalup City Church would therefore be eligible for a concession.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council agrees to refund \$126.00 to Joondalup City Church, being 50% of fees paid to hire the Wanneroo Civic Centre on 24 November, 1 December and 22 December 1995.

**CARRIED**

CS223-11/95      REQUEST FOR WAIVER OF HIRE FEES - SOROPTIMIST  
INTERNATIONAL OF JOONDALUP - [635-11]

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

A request has been received from Soroptimist International of Joondalup to refund the hire fee for its use of the Civic Centre on 17 September 1995 for a senior citizens concert and afternoon tea.

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

He advises that Soroptimist International of Joondalup is a service club and would therefore be eligible for a refund.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council agrees to refund \$65.45 to Soroptimist International of Joondalup, being 50% of fees paid to hire the Community Hall at the Wanneroo Civic Centre on 17 September 1995.

**CARRIED**

CS224-11/95      ANNUAL REPORT - CITY OF WANNEROO PUBLIC LIBRARY  
AND INFORMATION SERVICE, 1994-1995 - [240-2]

**CITY LIBRARIAN'S REPORT**

The City Librarian reports on the operations of the City of Wanneroo Libraries during the period 1 July 1994 to 30 June 1995.

She provides details of the library service and advises that 1994/95 saw the library service heavily committed to forward planning both for the new Joondalup Library and the library service as a whole.

She comments that the annual report is comprehensive as it is intended for wide distribution. This year there is an increase in statistical information due to the increasing need for performance measurement information.

**MOVED** Cr Waters, **SECONDED** Cr Wight that CITY LIBRARIAN'S REPORT CS224-11/95 be received.

**CARRIED**

CS225-11/95      REVISED MOBILE LIBRARY SERVICE LOCATIONS - [240-  
8]

## CITY LIBRARIAN'S REPORT

The City Librarian reports that the replacement Mobile Library is currently under construction in Victoria, with an anticipated delivery date early in the new year. The new mode of service requires a complete review of the library schedule and service locations.

The new Mobile Library will provide Council with a larger facility, expanding the level of service and opening hours, particularly to the northernmost suburbs.

Each static library has a defined service area. It is proposed that as far as practical, the Mobile Library will act as a semi-static library for the service areas of proposed libraries until population size warrants construction of a permanent facility.

The City Librarian provides a site evaluation and schedule for the proposed library service and details the Mobile Library service points to be withdrawn.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council, upon commissioning the new Mobile Library:

- 1        withdraws the existing Mobile Library schedule;
- 2        approves the revised Mobile Library service locations at:
  - (a)      Wilkie Reserve
  - (b)      Gumblossom Reserve
  - (c)      Currambine Railway Station.

**CARRIED**

**CS226-11/95      DOG ACT APPEAL - MR AND MRS LLEWELLYN, 70**  
**CARIDEAN STREET, HEATHRIDGE - [1591/519/70]**

## **MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT**

On 1 September 1995 Council refused an application by Mr & Mrs Llewellyn of 70 Caridean Street, Heathridge to keep three dogs at their residence. All applications to keep more than two dogs on residential properties are refused by Council (Item G50713 refers).

Mr & Mrs Llewellyn have since lodged an appeal with the Minister for Local Government under Section 26(5) of the Dog Act against Council's decision.

The Manager Municipal Law & Fire Services reports that the Minister for Local Government has upheld the appeal and details the conditions of approval.

The Finance and Community Services Committee requested that, in future applications to keep more than two dogs at residential properties, the Minister be advised of the length of time the applicant had been resident at the property. In this regard, Cr Cooper requested information on the length of time Mr and Mrs Llewellyn had been resident in Caridean Street.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council advises the applicant and adjoining neighbours of the Minister's decision and of the conditions specified.

**CARRIED**

**CS227-11/95      CREATIVE HORIZONS LEISURE COURSES - [260-0]**

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

The City Recreation and Cultural Services Manager reports that there has been a decrease in the number of enrolments in Leisure Courses at the Recreation Centres in fourth term this year, as a comparison to previous years.

He advises that in budgeting income from leisure courses in the 1995/96 financial year, an increase of 12.5% in fees was planned for February 1996. This follows on from a 12.5% increase in February 1995.

The City Recreation and Cultural Services Manager provides details of enrolments in Leisure Courses at the Recreation Centres and reports on discussions held at a meeting of the Recreation Services Team.

He comments that he will, in conjunction with the City Treasurer, consider appropriate action after monitoring the level of retail activity over Christmas.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council notes the income from Leisure Courses at the Recreation Centres may not meet the 1995/96 budgeted provision.

**CARRIED**

**CS228-11/95      HOME CARE SERVICES TENDER - 82-95/96 - [880-8-7]**

**MANAGER, WELFARE SERVICES' REPORT**

Council, at its meeting of 27 September 1995 approved the advertising of tenders for the provision of home care services for frail aged and disabled clients living in the City of Wanneroo.

The Manager Welfare Services reports on the tenders received.

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

- 1 accepts the tender from St Louis Home Care as detailed in the summary contained in Report CS228-11/95 for a period of two years;
- 2 accepts the tender from Perth All Care Nursing Services Pty Ltd as detailed in the summary in Report CS228-11/95 for a period of two years;
- 3 authorise the signing of the contract documents (Attachment 2 and 3 to Report CS228-11/95 refers).

**CARRIED**

Appendix XIX refers.

**CS229-11/95      APPOINTMENT OF CONSULTANT - HOME CARE EVALUATION**  
**- [880-8-6]**

**MANAGER, WELFARE SERVICES' REPORT**

Council, at its September meeting (Item CS160-09/95 refers) authorised the advertising of Expressions of Interest from individuals or agencies to carry out an evaluation of its home care services for aged and disabled residents.

The Manager Welfare Services reports on the proposals received.

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

- 1 approves the appointment of Compass International Pty Ltd to carry out an evaluation of its Home Care Services for a sum of \$14,850;
- 2 authorises the signing of the contract document (Attachment 1 to Report CS229-11/95 refers).

**CARRIED**

Appendix XX refers.

**CS230-11/95      APPOINTMENT OF HONORARY PARKING INSPECTORS FOR**  
**WARWICK GROVE SHOPPING CENTRE, WARWICK - [910-1,**  
**30/0272]**

## **MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT**

The Manager Municipal Law and Fire Services nominates Glen Alan Hill and Philip Frederick Rice as Honorary Parking Inspectors for the Warwick Grove 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 669DA.

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

- 1 in accordance with Section 669DA of the Local Government Act 1960 re-appoints Glen Alan Hill and Philip Frederick Rice as Honorary Parking Inspectors for the Warwick Grove Shopping Centre, Warwick for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 re-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 Warwick City Shopping Centre, Warwick as detailed hereunder:
  - (a) Parking Facilities By-laws No 19;
  - (b) Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

**CARRIED**

### **CS231-11/95      CANCELLATION OF DOG REGISTRATIONS - MRS S BATTY, 1 OAKMONT TURN, CONNOLLY - [2338/340/1]**

Mrs Shirley Isobel Batty of 1 Oakmont Turn, Connolly is the registered owner of a female Blue Heeler X and a sterilised Staffordshire Bull Terrier which are habitually kept at the above address.

Both dogs were currently licenced with the City until 31 October 1995 and are subject to renewal. For a period of approximately twelve months the dogs have been subject of thirteen serious



complaints which have been investigated by the department over the past 12 months.

The Manager Municipal Law and Fire Services reports on some of the complaints received and advises that as a result of these complaints four infringement notices have been served on Mrs Batty.

He comments that subsequent to Council resolving to cancel the dog licences of Mrs Batty a notice pursuant to Section 16(4) must forthwith be served on her of the cancellation and must be accompanied by a Statement in writing giving the grounds upon which the decision of the Council was made.

**MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT** recommended that Council:

- 1 in accordance with Section 16(3) of the Dog Act 1976 directs that the registrations held by Mrs Shirley Isobel Batty of 1 Oakmont Turn, Connolly namely Licence No 10541 of 1995 relating to a female Blue Heeler cross dog and Licence No 10596 of 1995 and renewal licences thereto relating to a sterilised Staffordshire Bull Terrier dog be cancelled;
- 2 gives effect to the cancellation of the dog licences by serving a notice on Mrs Batty under the provisions of Section 16(4) of the Dog Act with an accompanying statement setting out council's grounds for its decision to cancel the licences;
- 3 failing an appeal by Mrs Batty against Council's decision within the prescribed 14 day period, seeks an order from a Justice of the Peace under Section 17(4) of the Dog Act for the seizure and humane destruction of Mrs Batty's dogs;
- 4 gives notice in writing to Mrs Batty of the seizure and subsequent destruction of her dogs in accordance with the order given by a Justice of the Peace.

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

- 1 in accordance with Section 16(3) of the Dog Act 1976 directs that the registrations held by Mrs Shirley Isobel Batty of 1 Oakmont Turn, Connolly namely Licence No 10541 of 1995 relating to a female Blue Heeler cross dog and Licence No 10596 of 1995 and renewal licences thereto relating to a sterilised Staffordshire Bull Terrier dog be cancelled;

- 2 gives effect to the cancellation of the dog licences by serving a notice on Mrs Batty under the provisions of Section 16(4) of the Dog Act with an accompanying statement setting out council's grounds for its decision to cancel the licences;
- 3 failing an appeal by Mrs Batty against Council's decision within the prescribed 14 day period, seeks an order from a Justice of the Peace under Section 17(4) of the Dog Act for the seizure and humane destruction of Mrs Batty's dogs;
- 4 gives notice in writing to Mrs Batty of the seizure and subsequent destruction of her dogs in accordance with the order given by a Justice of the Peace;
- 5 submits a copy of Report CS231-11/95 to the Minister for Local Government.

**CARRIED**

**CS232-11/95      METROPOLITAN FLY CONTROL - [855-3]**

Cr Freame raised her concerns regarding the use of fertilisers in the metropolitan area and asked the City Environmental Health Manager if there were any by-laws concerning fly eradication in the metropolitan area.

The City Environmental Health Manager replied that under the Fly Eradication Regulation it is an offence to attract flies.

Cr Freame requested that advertising be carried out to inform members of the public in relation to fly control.

**MOVED** Cr Waters, **SECONDED** Cr Wight that the City Environmental Health Manager arranges advertising to inform members of the public in relation to fly control.

**CARRIED**

**CS233-11/95      TRAFFIC MOVEMENTS - MONTESSORI PLACE, KINGSLEY - [510-1915]**

Cr Hall requested a report on the traffic movements and known complaints in Montessori Place, Kingsley.

**MOVED** Cr Waters, **SECONDED** Cr Wight that a report be submitted to Council on the traffic movements and known complaints in Montessori Place, Kingsley.

**CARRIED**

**COMMUNITY ART PROJECT - DALMAIN PRIMARY SCHOOL - [429-1-11]**

Cr Hall reported that he had attended a community art project presentation at Dalmain Primary School and had been presented with compilation publications from the school on behalf of Council.

The school acknowledged the financial support and assistance by way of an arts grant from the City of Wanneroo.

#### **WANGARA OUTFALL - SPILLWAY STRUCTURE - [730-3-1]**

Cr Magyar stated he had visited the sump at Wangara on Saturday, 18th November 1995 and reported that oil was separating and rising to the surface.

He requested that the City Environmental Health Manager carry out testing for hydro carbons and heavy metals in the vicinity of the sump.

#### **QUARANTINE INSPECTIONS - AIRPORTS - [301-2]**

Cr Major raised his concerns regarding the problem of fruit being brought from other States into Western Australia and felt there was a definite lack of signage at airports regarding quarantine regulations.

He requested Council approach the Agricultural Protection Board to formulate a resolution to implement improved quarantine inspections at airports in the wake of privatisation of airports.

#### **RABBIT VIRUS - [901-1]**

Cr Major shared with the Committee a report on the rabbit virus which stated that rabbits below the age of 10 weeks exposed to the virus develop lifetime immunity.

He commented that it is planned that the virus will be released in the autumn in Western Australia, when most rabbits are over 10 weeks old.

#### **C548-11/95 BUSINESS FOR INFORMATION**

**MOVED** Cr Waters, **SECONDED** Cr Lynn that the Business for Information Reports be received.

**CARRIED**

#### **REPORTS**

## TOWN PLANNING COMMITTEE

**B192-11/95      APPEAL DETERMINATION - PROPOSED SUBDIVISION OF  
LOT 9 (27) STONEY ROAD, GNANGARA - [740-97373]**

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

Council's Rural Policy stipulates that a minimum lot size of 4ha is required for rural lots in this location. The proposed lot sizes of 2ha do not comply with this requirement.

The City Planner advises that this application was not supported by the Minister for Planning as the subdivision of this property would not be consistent with the planning controls of the area and would set an undesirable precedent for further subdivision.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT B192-11/95 be received.

**CARRIED**

**B193-11/95      APPEAL DETERMINATION - PROPOSED SUBDIVISION OF  
LOT 28 (100) MARIGINIUP ROAD, MARIGINIUP - [740-  
97125]**

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

This application proposed to subdivide Lot 28 (100) Mariginiup Road, Mariginiup into two lots. The proposed lot sizes do not comply with Council's Rural Subdivision Policy.

The City Planner advises that this application was not supported by the Minister for Planning, as the further fragmentation of rural lots may be viewed by other landholders as a precedent and bias the future planning of the area.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT B193-11/95 be received.

**CARRIED**

**B194-11/95      APPEAL DETERMINATION - PROPOSED SUBDIVISION OF  
LOT 10 (44) GREENLEES WAY, CARABOODA - [740-  
97328]**

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

This application proposed to subdivide Lot 10 (44) Greenlees Way, Carabooda into two lots. The applicant submitted three

options for subdivision, none of which complied with the minimum lot requirements of Council's Rural Subdivision Policy.

The City Planner advises that this application was not supported by the Minister for Planning, as the existing holding is among the smallest in the area and that to divide this land into two smaller lots would be regarded as a precedent for further subdivision in the locality.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT B194-11/95 be received.

**CARRIED**

**B195-11/95**      **APPEAL DETERMINATION - PROPOSED SUBDIVISION OF LOT 53 (296) OLD YANCHEP ROAD, CARABOODA - [740-97180]**

**CITY PLANNER'S REPORT**

Council received an application on behalf of Glendale Nominees Pty Ltd for the subdivision of Lot 53 (296) Old Yanchep Road, Carabooda to subdivide one lot of 20.4138 hectares to create three lots of approximately 5.62ha, 8.24ha and 6.56ha.

The City Planner advises that this application was not supported by the Minister for Planning, in light of Council's Rural Strategy and in the best interests of overall planning for the locality.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT B195-11/95 be received.

**CARRIED**

**B196-11/95**      **DEVELOPMENT ENQUIRIES - SEPTEMBER 1995 - [290-0]**

**CITY PLANNER'S REPORT**

The City Planner submits a Schedule of Development Enquiries received during September 1995, together with a resumé of advice given by the Town Planning Department.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT B196-11/95 be received.

**CARRIED**

**B197-11/95**      **RECENTLY RELEASED REPORTS ON NATIONAL POPULATION GROWTH RANKING AND NATIONAL ECONOMIC ACTIVITY - [319-7]**

## **CITY PLANNER'S REPORT**

Two reports have recently been released that assess relative levels of growth of Local Government areas across Australia.

In September Coopers and Lybrand released their national report on Population Growth Ranking in Australia and New Zealand. This is the seventh annual release of this data and relates to the year July 1993 to June 1994. It ranks Wanneroo as the third fastest growing municipality in Australia.

In October PW Property, a division of Price Waterhouse and MapInfo released a report of the most economically active areas in Australia. This report used a number of economic indicators to identify growth "hot spots". Wanneroo was ranked first by this study as Australia's most dynamic economic location.

The City Planner summarises the findings of these two studies.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT B197-11/95 be received.

**CARRIED**

## **TECHNICAL SERVICES COMMITTEE**

**B198-11/95**      **ENGINEERING DEPARTMENT CURRENT WORKS - [202-2]**

### **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 Lynn that CITY ENGINEER'S REPORT B198-11/95 be received.

**CARRIED**

**B199-11/95**      **TIDY TOWNS - RESIDENTIAL VERGE IMPROVEMENTS - [508-1]**

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

At its March 1995 meeting, Council requested a report on the feasibility of introducing an incentive or award system to encourage residents to take pride in their suburb. The resolution included reference to ways of maintaining the verge area between the footpath and kerblane (Item C121-03/95 refers).

The City Engineer provides background details of the inception of the scheme and comments on the Tidy Towns Competition and current policy for maintaining verges.

He advises that Council has resolved that the whole question of verge standards and maintenance be addressed and a report will be presented in due course.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY ENGINEER'S REPORT B199-11/95 be received.

**CARRIED**

**B200-11/95**      **MONTHLY REPORT FOR OCTOBER 1995 - PARKS  
DEPARTMENT - [201-5]**

**CITY PARKS MANAGER'S REPORT**

The City Parks Manager reports on parks maintenance, play equipment, mowing, tree pruning, construction, reticulation, servicing of bores and pumps and general maintenance carried out during the month of October 1995.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PARKS MANAGER'S REPORT B200-11/95 be received.

**CARRIED**

**B201-11/95**      **DALVIK PARK, MERRIWA - DEVELOPMENT - [061-453]**

**CITY PARKS MANAGER'S REPORT**

Council at its Budget meeting in July authorised funding of \$177,630 for the development of Dalvik Park, Merriwa.

Ministerial approval was received on 21 September, 1995 and work commenced.

The City Parks Manager reports on discussions undertaken with Smith Corporation regarding its drainage component located within the public open space.

He also reports on the various stages proposed for the total development of Dalvik Park.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PARKS MANAGER'S REPORT B201-11/95 be received.

**CARRIED**

**B202-11/95**      **PLAY EQUIPMENT - HILTON PARK, DUNCRAIG - [061-171]**

**CITY PARKS MANAGER'S REPORT**

Council at its meeting of 27 September 1995 requested Parks Department to submit a report regarding upgrading of play equipment at Hilton Park, Duncraig.

The City Parks Manager reports on the play equipment at present in the park and advises that as these pieces of equipment are approximately 14 years old, the request for play equipment is justified.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY PARKS MANAGER'S REPORT B202-11/95 be received.

**CARRIED**

#### **FINANCE AND COMMUNITY SERVICES COMMITTEE**

**B203-11/95      FINANCIAL REPORT FOR THE PERIOD ENDED 31 OCTOBER 1995 - [002-3]**

##### **CITY TREASURER'S REPORT**

The City Treasurer submits the financial statements for the period ended 31 October 1995.

He advises that early trends indicate Council's interest earnings will outstrip budget estimates by a considerable sum.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT B203-11/95 be received.

**CARRIED**

**B204-11/95      SUPERANNUATION GUARANTEE CHARGE - [017-1]**

##### **CITY TREASURER'S REPORT**

Council, at its September 1995 meeting, considered a report in relation to the Superannuation Guarantee Charge (Item FA105-09/95 refers).

The City Treasurer provides details of the resolution passed at that meeting and advises that the Australian Taxation Office has recently advised Council that its objection has been allowed and the \$1,440.95, being the late payment penalty, will be refunded.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT B204-11/95 be received.

**CARRIED**

**B205-11/95      AUDIT - 1994/95 FINANCIAL REPORT - [002-1]**

##### **CITY TREASURER'S REPORT**



The City Treasurer reports that Council's Auditor, Mr Graham McHarrie of Deloitte Touche Tohmatsu, Chartered Accountants, has completed the audit of Council's records for the 1994/95 financial year.

He advises that the Audit Report, together with the Annual Financial Report, will form an integral part of Council's Annual Report to the ratepayers of the municipality at the Annual General Meeting, to be held at 7.30 pm, 18 December 1995.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT B205-11/95 be received.

**CARRIED**

**B206-11/95      MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [006-1]**

**CITY TREASURER'S REPORT**

The City Treasurer reports on a comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT B206-11/95 be received.

**CARRIED**

**B207-11/95      STAFF AND OUTSIDE WORKERS' OVERTIME - OCTOBER 1995 - [404-10]**

**CITY TREASURER'S REPORT**

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

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT B207-11/95 be received.

**CARRIED**

**B208-11/95      RURAL FLY CONTROL - EX H40908 - [0208/23/244]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

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

On 18 October 1995 Mr Van Phat Lam was found guilty of breeding flies and the Magistrate imposed a fine of \$200.00 and costs of \$223.75.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT B208-11/95 be received.

**CARRIED**

**B209-11/95**      **COURT CASE - CARINE SWIM & HEALTH CENTRE - EX  
CS58-03/95, CS59-03/95 - [115/200/8]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

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

On 31 October 1995 Nanson Nominees Pty Ltd (trading as Carine Swim & Health Centre) was found guilty on four of seven charges relating to maintenance of its premises. The Magistrate imposed fines totalling \$400.00 with costs of \$574.00.

**MOVED** Cr Waters, **SECONDED** Cr O'Grady that Council consults its solicitors as to whether an appeal may be successful in this regard.

**CARRIED**

**B210-11/95**      **ANNUAL REPORT - WELFARE SERVICES DEPARTMENT -  
[880-1]**

**MANAGER, WELFARE SERVICES' REPORT**

The Manager Welfare Services submits the annual report for the City of Wanneroo's Welfare Services Department.

She advises that as well as providing an overview of each programme, the report provides a client statistical analysis and a budget breakdown of the various service areas.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that MANAGER, WELFARE SERVICES' REPORT B210-11/95 be received.

**CARRIED**

**B211-11/95**      **LIBRARY SERVICE INTERRUPTION - [240-2]**

**CITY LIBRARIAN'S REPORT**

During April 1995, Fujitsu took the opportunity offered by the Easter holiday break to expand the library files. Service was

reduced to lending on the back-up system. The computer system could not be accessed for enquiry or to process returned loans.

The City Librarian provides details of the file expansion attempt, which was unsuccessful.

She advises that the file expansion is now scheduled to be repeated from Saturday afternoon 16 December to Tuesday 27 December 1995. The level of service will again be reduced during this period.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY LIBRARIAN'S REPORT B211-11/95 be received.

**CARRIED**

**B212-11/95      MONTHLY ACTIVITIES REPORT - RECREATION AND**  
**CULTURAL SERVICES DEPARTMENT - [260-0]**

**CITY RECREATION & 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 the month of October 1995. These included:

- leadlight mural project commenced at Hainsworth Leisure Centre;
- Perry's Paddock Picnic held, with an estimated 5500-6000 people attending;
- "Australia Remembers 1945-1995 - Remember and Rejoice" at the Gloucester Lodge Museum, Yanchep;
- sculpture project initiated by Parks Department at Jenolan Way Community Centre, Merriwa;
- official launch of Be Active On Your Bike held on Sunday, 12 November 1995 at Sorrento Quay;
- Wellness Day Expo held on Wednesday, 25 October 1995, at Whitfords City Shopping Centre;
- other projects included Vacation Swimming, Spring/Summer programmes in both aerobics and aquarobics, Aboriginal Seniors Community Group mural presentation, Circus Royale, Vacation Care Programme, youth adventure program, junior basketball programme, school holiday programme, City of Wanneroo Senior Citizens Bowls Tournament, ballroom dancing State Championships, Term 4

Leisure Experiences Programme and a Craft Show at Warwick Leisure Centre.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT B212-11/95 be received.

**CARRIED**

**B213-11/95                    WANNEROO REGIONAL YOUTH SERVICES CO-ORDINATING COMMITTEE - [485-2]**

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

The Wanneroo Regional Youth Services Co-ordinating Committee conducted a planning workshop to identify the Committee's direction for the coming year.

The workshop was attended by many local youth agencies including Family and Children's Services, Department of Employment Education and Training, Education Department, Ministry of Justice, Wanneroo Youth Activities Centre and Wanneroo Accommodation and Support Services.

The City Recreation and Cultural Services Manager provides details of the committee and reports on some of the tasks the committee would work on during the coming year to address youth needs in the region.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT B213-11/95 be received.

**CARRIED**

**B214-11/95                    PROGRESS REPORT - TRANSFER OF SPONSORSHIP - OUT OF SCHOOL CHILD CARE SERVICES - [262-1]**

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

At its meeting on 25 October 1995, Council requested a progress report on the current situation in relation to the transfer of Council's Out of School Care programmes to other parties.

The City Recreation and Cultural Services Manager provides background details of the Wanneroo After School Care programme and details the action being taken in relation to after school and vacation care programmes.

He advises that, following correspondence with the YMCA, a further report will be presented to the Finance and Community

Services Committee on this issue and the outcomes of discussions with current staff on their entitlements, in December 1995.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT B214-11/95 be received.

**CARRIED**

**B215-11/95      ARREST EXPRESS - MEDIA STATEMENT - [485-8]**

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

The City Recreation and Cultural Services Manager reports on correspondence received from the Premier, the Hon. Richard Court, MLA, acknowledging receipt of Council's letter of support for the continued funding of Arrest Express, a youth legal/advocacy service operating in the Girrawheen-Koondoola area.

He comments that the Premier has advised that Arrest Express will not continue to be funded for a number of reasons, including a change in the client group being contacted by the service.

Cr Hall declared an interest in this item.

**MOVED** Cr Cooper, **SECONDED** Cr Curtis that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT B215-11/95 be received.

**CARRIED**

Cr Hall did not vote.

**B216-11/95      WANNEROO FOOTBALL CLUB - [322-9, 003-9]**

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

The City Recreation and Cultural Services Manager reports that there have been several meetings in the last few months with the Wanneroo Football and Sporting Club to discuss its outstanding account (currently \$42,461.19) and the available options to resolve the situation.

He provides details of Council's attempts to resolve this matter.

He advises that the most beneficial solution to the Wanneroo Football and Sporting Club's outstanding debt is to continue to seek additional senior sporting clubs interested in relocating

to Kingsway. Further enquiries have been made with the Ministry of Sport and Recreation and the West Australian Federation of Sport. Several potentially promising leads have emerged and will be pursued.

**MOVED** Cr Cooper, **SECONDED** Cr Wight that Council writes to the Kingsley Senior Football Club informing them of the results of negotiations between their club and the Wanneroo Football and Sporting Club held at a meeting on 17 October 1995 and indicating that it was unlikely that Council would be able to find alternative accommodation for their club in the foreseeable future.

**CARRIED**

**B217-11/95      MUNICIPAL LAW & FIRE SERVICES DEPARTMENT -  
ACTIVITIES FROM 1 JULY 1995 TO 30 SEPTEMBER 1995  
- [905-1]**

**MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT**

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

The Committee requested that future reports of Municipal Law and Fire Services Department activities show comparison figures, together with seasonal adjustments.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT B217-11/95 be received.

**CARRIED**

**C549-11/95      POLICY COMMITTEE**

**MOVED** Cr Hall, **SECONDED** Cr Wight that the Report of the Policy Committee Meeting, held on 22 November 1995 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	H M WATERS	North Ward
	B A COOPER	Central Ward
	B J MOLONEY	South Ward
	G A MAJOR	South-West Ward
	G W CURTIS	South-West Ward
	A W WIGHT Deputising for Cr Wood	South Ward

L O'GRADY - Observer	North Ward
L A EWEN-CHAPPELL - Observer	Central Ward
S P MAGYAR - Observer	Central Ward
A B HALL - Observer to 7.00 pm	South Ward
A G TAYLOR - Observer	South Ward
F D FREAME - Observer	South-West Ward
M E LYNN, JP - Observer	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER
City Environmental Health Manager:	M AUSTIN
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
Committee Clerk:	J HARRISON
Minute Clerk:	L TAYLOR

#### **IN ATTENDANCE**

Mr Tony Lightman - Deakin Consulting Pty Ltd  
Mr Ken Holzman - Deakin Consulting Pty Ltd

#### **APOLOGIES**

An apology for absence was tendered by Cr Wood; Cr Wight deputised.

#### **CONFIRMATION OF MINUTES**

The Minutes of Policy Committee Meeting held on 20 September 1995, were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

Nil

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

Nil

#### **MEETING TIMES**

Commenced: 6.08 pm  
Closed: 8.05 pm



REPORT NO:

P34-11/95

PRESENTATION-WORKSHOP IN RELATION TO THE ADOPTION  
OF THE INFORMATION SYSTEMS TECHNOLOGY PLAN -  
[206-13]

**DEPUTY TOWN CLERK'S MEMORANDUM**

Deputy Town Clerk, Robert Dymock, introduced Messrs Tony Lightman and Ken Holzman of Deakin Consulting Pty Ltd, who have been commissioned by Council to develop a five year Information Technology (IT) Strategy Plan that supports the City's current and future business goals and objectives.

Mr Lightman outlined the details of the Plan and the necessary course of action that needed to be taken to ensure that the requirements of Council are catered for over the next five year period.

The Information Technology (IT) Strategy Plan is a major undertaking by Council which will require the expenditure of \$4.5 million over the next four years.

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

- 1       adopts in principle the concepts outlined in the Information Technology Systems Plan;
- 2       continues with the Information Technology (IT) Committee.

**CARRIED**

P35-11/95

DELETION OF TWO PUBLIC HOLIDAYS - [404-0]

**DEPUTY TOWN CLERK'S REPORT**

In January 1994 the WA State Cabinet reviewed Public Service holidays in Western Australia and decided that there was no justification for Public Service Departments, authorities and educational establishments to be closed on Easter Tuesday and the day following New Year's Day.

Consequently the State Government took action to delete these two days as public sector holidays but provided two days off in lieu.

The Deputy Town Clerk provides details of a review of Public Service Holidays with regard to the Local Government Officers' (WA) Award and the Municipal Employees Award.

He recommends that the City of Wanneroo follows the action of the State Government and take appropriate steps to remain open on the two days in question, whilst still providing for staff to be given two days off in lieu.

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

- 1 agrees to follow the action of the State Government and take appropriate steps to remain open in future on the day following New Year's Day and Easter Tuesday;
- 2 undertakes an immediate survey of staff to ensure there are sufficient "volunteers" within each Department on the two days in question so that Council operations are effectively manned;
- 3 negotiate with the two Unions, the ASU and MEU, to have the two days officially deleted as Public Holidays for staff with Council providing two days in lieu at ordinary time rates or some other quid pro quo in exchange for the deletion of the two holidays.

**CARRIED**

**P36-11/95**      **EMERGENCY ACCOMMODATION SERVICE - 57 NANOVICH WAY, GIRRAWHEEN - [880-2]**

#### **MANAGER WELFARE SERVICES' REPORT**

Following a recent complaint from a resident in Girrawheen, the Council's emergency accommodation service at 57 Nanovich Way, Girrawheen has been reviewed in terms of its value and future use.

The Manager Welfare Services provides details of the history of the service and gives a review of the service.

She reports that it is felt that the service should be discontinued and the property listed for sale by public tender or auction. She comments that the proceeds of the sale of the property should be directed to a welfare service or facility which has difficulty in attracting funding.

Manager, Welfare Services advised that it would also be necessary to dispose of the chattels of the property.

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

- 1 discontinues its emergency accommodation service at 57 Nanovich Way, Girrawheen;

- 2        instructs the Land Office to organise the sale of the property by public tender or auction and to dispose of the chattels of the property;
- 3        establishes in accordance with Section 528 of the Local Government Act a welfare facility specific reserve account for the construction of a future general welfare facility;
- 4        deposits proceeds of the sale of the property at 57 Nanovich Way, Girrawheen to the welfare facility specific reserve account.

**CARRIED**

**P37-11/95        WAIVER OF HIRE FEES FOR THE USE OF RECREATIONAL AMENITIES - [260-0]**

At its meeting on 25 October 1995, Council resolved to consider an amendment to its policy on the waiver of hire fees for the use of recreational amenities within the municipality.

The City Recreation and Cultural Services Manager provides details of the present policy and of the change required to the wording of the final sentence of the policy.

He advises that the intent of the amended wording is to differentiate between functions promoted by charitable organisations and those that are promoted by commercial interests.

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT** recommended that Council alters the final sentence of Council policy H5-06 Clause C to read: "The reduced rate will not apply to commercially sponsored fund raising programmes/events".

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council deletes the final sentence of Council policy H5-06 Clause C which reads:

"The reduced rate will not apply to commercial or fund raising programmes/events".

**CARRIED**

**P38-11/95        OFFICIAL OPENINGS - NEW BUILDINGS - [210-2]**

**DEPUTY TOWN CLERK'S REPORT**

Council's Policy outlines information which must be included on plaques dedicating new Council buildings.

The Deputy Town Clerk gives details of the current policy and suggests that, when Council buildings are funded by more than one sphere of Government, it may be appropriate to amend the policy to adequately reflect the various contributions made to the project.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that Council amends Section A2-07 in the Policy Manual, by inserting the following after paragraph 3:

"where Council receives substantial funding from other spheres of Government for the development of facilities, the plaque dedicating the facility shall include the name of the Mayor and the name of the Minister or Ministers representing the Department or Government providing the funding".

**CARRIED**

**P39-11/95      REINTRODUCTION OF STUDENT CITIZENSHIP AWARDS -**  
**[701-0]**

**DEPUTY TOWN CLERK'S REPORT**

Council at its meeting of 31 May 1995 requested a report on the cost and feasibility of reintroducing Student Citizenship Awards (Item C292-05/95 refers).

The Deputy Town Clerk gives background details to previous Awards, together with associated costs, and advises that if the scheme is to be maintained on an ongoing basis, costs must be budgeted for and weighed up against the benefits received by the school children.

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

- 1            reintroduce Student Citizenship Awards after the school term commences in 1996;
- 2            conducts an annual ceremony to hand out the awards to winning students.

**CARRIED**

**C550-11/95      CONDUCT OF COUNCIL MEETINGS - [702-0]**

Cr Dammers asked Councillors for their opinion in relation to the way in which he had been conducting Council meetings since his election as Mayor. He stated that he had followed the practice of previous Mayors in conducting meetings, and believed that the less formal approach used allowed Councillors more flexibility and freedom of discussion. However, he requested Councillors to give their view in this regard and to state whether they would prefer the meetings to be conducted

strictly by Standing Orders, as he would be guided by their opinion.

Discussion ensued. Cr Major said he would like a review undertaken of the Standing Orders, to which it was stated that Standing Orders would be addressed in conjunction with the new Local Government Act.

All Councillors present responded that they were happy that the Mayor continue conducting meetings as in the past. Cr Taylor made the comment that rules should apply to everyone, and also that all motions, or amendments to motions, needed to be clearly worded to avoid confusion.

Discussion ensued (at the Council meeting held on 29 November 1995) in relation to the item "Conduct of Council Meetings" raised at the Policy Meeting held on 22 November 1995. Cr Taylor requested a correction be made to the third paragraph thereto to reflect that "the majority" and not "all" Councillors were happy that the Mayor continue conducting meetings as in the past.

Cr Hall left the Chamber at this point, the time being 2124 hrs.

**MOVED** Cr Taylor, **SECONDED** Cr Curtis that the third paragraph of item "Conduct of Council Meetings" - Policy Meeting of 22 November 1995, be amended as follows:

"The majority of Councillors present responded that they were happy that the Mayor continue conducting meetings as in the past. Cr Taylor made the comment that rules should apply to everyone, and also that all motions, or amendments to motions, needed to be clearly worded to avoid confusion."

**CARRIED**

Cr Hall entered the Chamber at this point, the time being 2127 hrs.

As a result of a request for further consideration of the wording of this item, Cr Dammers requested it be recorded in the Minutes that he believed the first sentence of the third paragraph should read "All Councillors, with the exception of Cr Taylor, were happy that the Mayor continue conducting meetings as in the past". Several Councillors indicated agreement to this wording.

**P40-11/95**

**COUNCIL SERVICES/FUNCTIONS PERFORMED BY PRIVATE  
TENDER - [208-0]**

Cr Cooper raised the matter of identifying which Council services/functions are currently performed by private tender.

He also felt Council should establish other Council services/functions that may be suitable for private tender at a future date.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that a report be submitted to Council on the current services/functions performed by private tender and those suitable for private tender in the future.

**CARRIED**

**P41-11/95                    BURNING-OFF VEGETATION IN BUILT UP AREAS -**  
**[251-1]**

Cr Curtis stated he had received a complaint from a resident of Castlecrag Drive, Kallaroo in relation to the burning-off of vegetation on the corner of Endeavour Road. He suggested other methods of disposing of vegetation debris in built up areas as opposed to burning-off need to be addressed.

Manager, Law & Fire Services reported that provided the applicant of a Permit to Burn Licence met all the specified criteria under the Bush Fires Act, they could not be refused a Licence.

**MOVED** Cr Wight, **SECONDED** Cr Curtis that a report be submitted to Council on ways of disposing of vegetation debris in built up areas other than burning-off.

**CARRIED**

**C551-11/95                    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 27 October 1995 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	A V DAMMERS, JP - Mayor, Chairman	Central Ward
	L O'GRADY	North Ward
	G A MAJOR from 8.04 am	South-West Ward
	M E LYNN, JP	South-West Ward
City Building Surveyor:	R FISCHER	
City Librarian:	N CLIFFORD	
Special Projects Manager:	J SOBON	
City Recreation & Cultural Services Manager:	R BANHAM	

## **IN ATTENDANCE**

Anne Neil  
Michael Michelides

Consultant Artist  
James Christou and Partners

## **APOLOGIES**

An apology for absence was tendered by Cr Moloney.

Apologies for absence were tendered by the Town Clerk, City Treasurer and Mr James Christou.

## **CONFIRMATION OF MINUTES**

The Minutes of the Joondalup Civic and Cultural Facilities Occasional Committee Meeting held on 29 September 1995 were confirmed as a true and correct record.

## **DECLARATIONS OF PECUNIARY INTEREST**

Nil

## **MEETING TIMES**

Commenced:	8.03 am
Closed:	8.56 am

## REPORTS

### OC55-10/95      **LIBRARY STOCK SELF-SERVE ISSUE AND SECURITY SYSTEMS - [730-8-8-1]**

#### **CITY BUILDING SURVEYOR'S AND CITY LIBRARIAN'S REPORT**

The 1994 Library Study Tour to examine the latest developments in library building and technology design provided the opportunity to observe stock self-serve issue and security systems in operation. Provision has been made in the Joondalup Library for the installation of such systems.

The City Building Surveyor and the City Librarian report on the availability of two major systems in the market place and comment that the selection of the system will also have an impact on the current designs for library upgrade.

They advise that tenders will be sought in the near future so that Council could award tender for the provision of a stock self-serve issue and security system for the Joondalup library towards early next year.

**MOVED** Cr O'Grady, **SECONDED** Cr Waters that CITY BUILDING SURVEYOR'S AND CITY LIBRARIAN'S REPORT OC55-10/95 be received.

**CARRIED**

### OC56-10/95      **PUBLIC ART COMMISSIONS - SELECTION OF ARTISTS - [730-8-8-1]**

#### **CITY BUILDING SURVEYOR'S REPORT**

At the August 1995 meeting of the Joondalup Civic and Cultural Facilities Occasional Committee it was resolved to seek preliminary design concepts for the various art commissions associated with the Joondalup Civic and Cultural facilities project (Item OC43-08/95 refers). The selection committee met on 11 and 12 October 1995 to consider the submissions.

The City Building Surveyor reports on the selection committee's recommendations.

**MOVED** Cr O'Grady, **SECONDED** Cr Waters that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council, subject to consideration of the tenders for Stage One of the Civic and Cultural Facilities Project:

1            accepts the preliminary design concepts as follows:



- (a) facade banding by Brian McKay for the tender sum of \$49,000.00;
- (b) circular glass window by Michael Iwanoff for the tender sum of \$20,000.00;
- (c) lobby entry floor for civic centre by Malcolm McGregor for the tender sum of \$23,500.00;
- (d) pillar embellishments to the library all by Steve Tepper for the tender sum of \$23,500.00;
- (d) floor treatment to extend entrance to the library by Mark Cox for the tender sum of \$16,750.00;

2 authorises the signing of the contract documents.

**CARRIED**

### **PROGRESS REPORT**

The architect made a verbal report on the progress of the project, indicating:

- . working drawings and specifications had been issued to the shortlisted contractors;
- . the feedback from sub-contractors was positive, which indicated the results would be competitive.

### **OC57-10/95      ILLUSTRATED HISTORY OF THE JOONDALUP CIVIC AND CULTURAL FACILITIES PROJECT - [730-8-8-1]**

The Mayor suggested leather bound photographic albums be available in the Civic Building which could be turned on a daily basis that illustrated the history of the project and the City of Wanneroo.

**MOVED** Cr O'Grady, **SECONDED** Cr Waters that a history of the project be made available in the Civic Building, using photographic material and videos where appropriate.

**CARRIED**

### **C552-11/95      TOWN CLERK'S REPORT**

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the Town Clerk's Report be received.

**CARRIED**

C553-11/95

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

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and Mobilia  
Description: Lot 254 Badgerup Road, Wanneroo  
Date: 27.10.95

Document: Agreement  
Parties: City of Wanneroo and CSR Ltd T/A The Readymix Group  
Description: Road Maintenance Agreement - Lot 22 Flynn Drive, Neerabup  
Date: 30.10.95

Document: Deed  
Parties: City of Wanneroo & Y, M M & P P Bebiich  
Description: Badgerup Lakes Special Rural Zone  
Date: 30.10.95

Document: Deed  
Parties: Ardorn Holdings Pty Ltd and City of Wanneroo  
Description: Lot 21 Badgerup Road, Wanneroo  
Date: 30.10.95

Document: Transfer of Land (2)  
Parties: City of Wanneroo and S Barin and H C Wynaden and Straits R/E P/L  
Description: Lots 2, 10, 11 & 50 Aylesford Drive, Lots 34 & 52 Wrotham St, Marangaroo  
Date: 30.10.95

Document: Deed of Release  
Parties: City of Wanneroo and S Barin and H C Wynaden & Straits R/E P/L  
Description: Lots 2, 10, 11 & 50 Aylesford Drive, Lots 34 & 52 Wrotham St, Marangaroo  
Date: 30.10.95

Document: Withdrawal of Caveat (2)  
Parties: City of Wanneroo and Y Bebiich  
Description: Lots 129, 148, 135 Benmuni Road, Wanneroo  
Date: 1.11.95

Document: Easement  
Parties: City of Wanneroo and H M Queen Elizabeth II and Ministry for Lands  
Description: Closed pedestrian accessway - Redfern Crescent/Sailfish Close, Beldon  
Date: 1.11.95

Document: Withdrawal of Caveat (2)  
Parties: City of Wanneroo and Yatala Nominees Pty Ltd  
Description: Portion Swan Location 2579, Neerabup  
Date: 3.11.95

Document: Deed  
Parties: B A Mainstone and City of Wanneroo  
Description: To provide retaining wall at 23 Lisford Avenue,  
Two Rocks  
Date: 3.11.95

Document: Deed  
Parties: J S and R A Gradisen and City of Wanneroo  
Description: Lot 254 Badgerup Road, Wanneroo  
Date: 3.11.95

Document: Agreement  
Parties: City of Wanneroo and Dress Circle Farm Pty Ltd  
Description: Road Maintenance Agreement - Pt Lot 6 Wesco Road,  
Nowergup  
Date: 10.11.95

Document: Agreement  
Parties: City of Wanneroo and City Constructions Pty Ltd  
Description: Contract No 33 95/96 - Construction of toilet  
buildings, Hillarys  
Date: 10.11.95

Document: Sub-Lease  
Parties: City of Wanneroo and F T and R J Price  
Description: Reserve 43792 - Yanchep Lagoon Kiosk  
Date: 14.11.95

Document: Deed  
Parties: City of Wanneroo and Violet Kapinkoff  
Description: Copyright Agreement - Oral History  
Date: 14.11.95

Document: Deed  
Parties: City of Wanneroo and Ron Chandler  
Description: Copyright Agreement - Oral History  
Date: 14.11.95

Document: Deed  
Parties: City of Wanneroo and Gilbert M Handcock  
Description: Copyright Agreement - Oral History  
Date: 14.11.95

Document: Deed  
Parties: City of Wanneroo and Andrew Trajanovich  
Description: Copyright Agreement - Oral History

Date: 14.11.95

Document: Deed

Parties: City of Wanneroo and Sheryl Grace Milentis

Description: Copyright Agreement - Oral History

Date: 14.11.95

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

**CARRIED**

**C554-11/95      HUMAN RESOURCES MATTERS - [404-0]**

This report gives details of staff appointments and resignations; seeks authorisation of an officer within the Municipal Law & Fire Services Department; in accordance with the provisions of Section 160A of the Local Government Act, seeks approval of two secondary employment applications and also seeks approval in accordance with adopted Council policy for reimbursement of telephone rental.

**STAFF APPOINTMENTS**

<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
Administration Officer - Rec	Barbara DANIELS	06.11.95
Accounts Clerk - Treasury	Ellen WILSON	13.11.95
Planning Officer - T/Planning	Jason TAYLOR	23.10.95
Cult Development Officer - Rec	Elizabeth LEDGER	25.10.95
Health Promotion Off - Health	Leanne LUNDY	06.11.95
Computer Operator (Temp) - Administration	Larry NOLAN	06.11.95
Youth Activities Officer - Rec	Deborah WILKES	23.10.95
Sen Purchasing Officer - Treas	John SANDERSON	09.10.95
Relieving Officer - Treasury	Conchita GRBIC	09.10.95
Cadet Administrator - Bldg	Jody HENSON	25.09.95

**RESIGNATIONS**

Sen Purchasing Officer - Treas	Laurie LUSH	22.09.95
Administration Officer - Rec	Claire EVANS	13.10.95
Engineer - Engineering	Graham LANTZKE	27.10.95
Cleaner - Building	David HELLEND	09.10.95
Cadet Administrator - ML&FS	Craig FISHER	06.10.95
Clerical Assist - Engineering	Lorna PEDERSEN	06.10.95

**AUTHORISATION OF OFFICER - JUSTICES ACT 1902**

The Manager - Municipal Law and Fire Services Department has requested that Ranger T Heinze be authorised to act under,

enforce and make complaints in accordance with the provisions of the Justice Act 1902 for several Acts, Regulations and By-laws. Council is also requested to list him as an Authorised Officer in the next available issue of the Government Gazette.

#### REQUESTS FOR SECONDARY EMPLOYMENT

Terry Clarke, Graphic Designer within the Administration Department, seeks Council approval under the provisions of Section 160A of the Local Government Act, to undertake secondary employment by privately producing graphic artwork from his home.

The Deputy Town Clerk has confirmed that this employment will not conflict with Mr Clarke's Council duties.

Jane Hesterman, Landscape Architect in the Parks Department, seeks approval under the provisions of Section 160A of the Local Government Act to undertake secondary employment by undertaking part-time landscape design works out of office hours.

The City Parks Manager has confirmed that this employment will not conflict with Ms Hesterman's Council duties.

#### AUTHORISATION OF TELEPHONE REIMBURSEMENT

Approval is sought to make telephone rental reimbursements to R Cramp of the Engineering Department in accordance with adopted Council policy.

The City Engineer has confirmed that this officer is required to make and receive after hours calls relating directly to his position.

#### AUTHORISATION OF AN OFFICER - DOG REGISTRATION

In accordance with the provisions of Section 16 of the Dog Act 1976, Council is requested to appoint Margaret Ruth Phillipson as an Registration Officer.

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

- 1 in accordance with the provisions of Section 157A of the Local Government Act, approves the appointment of all officers as detailed in this report;
- 2 in accordance with the provisions of the Justices Act 1902, authorises the T Heinze to make complaints, act under and enforce the following Acts, Regulations and

By-laws for the Municipality of the City of Wanneroo as detailed hereunder -

Local Government Act 1960

Control of Vehicles (Off Road Areas) Act 1978  
and regulations thereunder

Bush Fires Act 1954, Regulations and By-laws  
thereunder

Dog Act 1976, Regulations and By-laws thereunder

Litter Act 1979 and Regulations thereunder

Spearguns Control Act 1955 and Regulations thereunder

By-laws Relating to the Parking of Vehicles on Street  
Verges

Local Government By-laws (Parking Facilities) No 19

Local Government Uniform General (Parking for Disabled  
Persons) By-laws 1988

Local Government By-laws Relating to Safety, Decency,  
Convenience and Comfort of Persons in respect of  
Bathing No 14

Local Government By-laws Relating to Removal and  
Disposal of Obstructing Animals or Vehicles No 7

By-laws (D1) Relating to Disused Motor Vehicles and  
Machinery

By-laws (H1) Relating to the Control and Management of  
Halls, Community Recreation Centres, Multi-Purpose  
Centres, Equipment and Property

By-laws Relating to Reserves and Foreshores

Local Government By-laws (Street Lawns and Gardens)  
No 11;

- 3 in accordance with the provisions of Section 160A of the  
Local Government Act, approves secondary employment for  
Mr T Clarke and Ms J Hesterman;
- 4 in accordance with adopted Council policy, approves  
telephone reimbursement for R Cramp;
- 5 in accordance with the provisions of Section 16 of the  
Dog Act 1976, approves the appointment of Margaret Ruth  
Phillipson as an Authorised Registration Officer.

**CARRIED**

**C555-11/95      CIVIC RECEPTIONS AND FUNCTIONS - [703-3]**

Council approval is sought for the following functions to be  
included in the 1995/96 calendar of events.

<u>DATE</u>	<u>FUNCTION</u>	<u>GUESTS</u>	<u>HOST</u>
30 Nov 95	Appreciation Dinner	80-90	Council

- Historical Sites  
Advisory Committee
- Perry's Paddock Picnic  
Organising Committee  
(requested by Recreation  
Dept)

7 Dec 95	Appreciation Dinner Cultural Development Advisory Committee (requested by Recreation Dept)	30	Council
8 Dec 95	Annual Volleyball Competition - Trophy Presentation Neil Hawkins Park	100	Council
12 Dec 95	Appreciation Dinner Kingsway Sports Complex Management Committee	44	Council
Feb 96	Festival of Perth Post Performance Cocktail Party - Neil Hawkins Park	50	Council
14 Mar 96	City of Wanneroo Art Award	400	Council
May 96	Classical Concert - Edith Cowan University	200	Council
12 Jun 96	City of Wanneroo Craft Award	300	Council
Jun 96	City of Wanneroo Cultural Development Fund City of Wanneroo Recreation Development Fund	TBA	Council
Aug 96	City of Wanneroo Book Week Official Opening	TBA	Council

Due to time constraints permission was sought and granted by the Mayor for the following functions to be held and ratified at the next full meeting of Council.

16/11/95	Appreciation Dinner : - Gloucester Lodge Museum Management Committee - Buckingham House	75-80	Council
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Management Committee  
- Cockman House Volunteers

24 Nov 95	Youth Advisory Committee (requested by Recreation Dept)	16	Council
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**ADDITIONAL INFORMATION**

The Libraries Department is currently developing services for the new Joondalup Library in particular seeking opportunity for government bodies etc, to assist in providing computer resources.

The City Librarian has arranged for the Office of Seniors Interests "Freedom File" touch screen computer to be available to the public at the Whitford Library for 4 weeks from 28 November 1995.

Approval is sought to host a morning tea for a group of 20-30 senior citizens on Tuesday 5 December 1995. The purpose of the function would be community consultation on current and future services. Most importantly to gauge reaction to new technologies to ensure any new facilities are appropriate and so avoid potential expensive mistakes.

The proposed morning tea would be totally catered for by library staff with an estimated \$40 expenditure which could be accommodated through Whitford Library Sundries budget. Tuesday is a normal closed day for the library.

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

1 approves the inclusion of the following functions in the 1995/96 Calendar of Events:

<u>DATE</u> <u>1995</u>	<u>FUNCTION</u>	<u>GUESTS</u>	<u>HOST</u>
16/11/95	Appreciation Dinner : - Gloucester Lodge Museum Management Committee - Buckingham House Management Committee - Cockman House Volunteers	75-80	Council
24 Nov 95	Youth Advisory Committee (requested by Recreation Dept)	16	Council
30 Nov 95	Appreciation Dinner	80-90	Council



- Historical Sites  
Advisory Committee
- Perry's Paddock Picnic  
Organising Committee  
(requested by Recreation  
Dept)

7 Dec 95	Appreciation Dinner Cultural Development Advisory Committee (requested by Recreation Dept)	30	Council
8 Dec 95	Annual Volleyball Competition - Trophy Presentation Neil Hawkins Park	100	Council
12 Dec 95	Appreciation Dinner Kingsway Sports Complex Management Committee	44	Council
Feb 96	Festival of Perth Post Performance Cocktail Party - Neil Hawkins Park	50	Council
14 Mar 96	City of Wanneroo Art Award	400	Council
May 96	Classical Concert - Edith Cowan University	200	Council
12 Jun 96	City of Wanneroo Craft Award	300	Council
Jun 96	City of Wanneroo Cultural Development Fund City of Wanneroo Recreation Development Fund	TBA	Council
Aug 96	City of Wanneroo Book Week Official Opening;	TBA	Council

2 ratifies the action of the Mayor in approving the  
following functions:

16/11/95	Appreciation Dinner : - Gloucester Lodge Museum Management Committee - Buckingham House Management Committee	75-80	Council
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- Cockman House Volunteers

24 Nov 95      Youth Advisory Committee      16      Council  
(requested by Recreation  
Dept);

- 3      approves the morning tea for 20-30 persons to be held at Whitford Library on Tuesday 5 December 1995, with estimated expenditure of \$40 to be funded from Whitford Library Sundries budget.

**CARRIED**

**C556-11/95      RESUMPTION OF FRENCH NUCLEAR TESTING - [702-0]**

Council recently sent a letter to the Western Australian Municipal Association requesting that it complete a Declaration of Public Conscience, on behalf of the people of Western Australia. The declaration states that the signatory supports the request to seek "... an advisory opinion from the World Court on the legality of nuclear weapons".

WAMA has advised Council that they fully support the stance that nuclear weapons are morally wrong and at its Annual General Meeting resolved to oppose the French Government's decision. WAMA resolved to take the following actions in regards to French nuclear testing:

- Recommend that Councils not knowingly purchase products of French owned companies.
- Write to the International Union of Local Authorities, and French Sister Cities advising them of the concerns of the Australian community to the recommencement of nuclear testing at Muraroa Atoll emphasising the insensitivity of the French Government's decision coinciding with the tenth anniversary of the sinking by the French Government agents of the Greenpeace ship, the Rainbow Warrior, and the fiftieth anniversary of the end of the Second World War and the liberation of the allied forces, including Australians.
- Have Local Government in Western Australia request the French people to support the cessation of nuclear testing immediately and to lobby the French Government accordingly.

WAMA's position on the matter of French nuclear testing is particularly clear and it has as a result of Council's request agreed to support the Declaration of Public Conscience.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the advice from WAMA on their position regarding French nuclear testing and their agreement to support a Declaration of Public Conscience be received.

**CARRIED**

**C557-11/95**      **SPECIAL MEETING OF ELECTORS TO DISCUSS THE PROPOSAL FOR THE ESTABLISHMENT OF A MCDONALDS RESTAURANT/TAKEAWAY - BURRAGAH WAY, DUNCRAIG - [30/5160, 802-2]**

A Special Meeting of Electors was held on Wednesday 1 November 1995 to discuss the proposal for the establishment of a McDonalds Restaurant/Takeaway facility in the proposed shopping centre, Burrarah Way, Duncraig.

There were 172 members of the public in attendance.

At the conclusion of the meeting the following Motion was put:

"**MOVED** Mr David Taylor, **SECONDED** Mr Noel Gannon that Council rejects the application for a fast food outlet at the shopping centre proposed for Burrarah Way, Duncraig.

**CARRIED**

**UNANIMOUSLY"**

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the information regarding the Special Meeting of Electors to discuss the proposal for the establishment of a McDonalds Restaurant/Takeaway facility in the proposed shopping centre, Burrarah Way, Duncraig be received.

**CARRIED**

**C558-11/95**      **GROUPED DWELLINGS: LOT 342 (9) EARLSFERRY GREEN, KINROSS - [3490/342/9]**

#### **SUMMARY**

Amended plans submitted for alterations to garages on Lot 342 (9) Earlsferry Green, Kinross, were approved but a non-complying high mailbox/meterbox structure was overlooked. Because of this omission it is considered that Council should meet the expenses of demolishing and rebuilding of the structure in a complying location.

#### **BACKGROUND**

An inspection of the property required for the issue of the Certificate of Local Authority for Strata Title revealed that

the mailbox/meterbox structure had been constructed partly within the 1.5 metre truncation of the front boundary and the driveway required under Council's Bylaws relating to Fencing and Private Tennis Court Floodlighting.

The owner of the property believes that as amended plans showing the structure were approved, Council should be responsible for the expense of demolishing the structure and relocating it in a complying location.

#### ASSESSMENT

In this instance, the omission is apparent and it is considered that Council should meet these expenses. A quotation to carry out the required work has been submitted by the builders for the amount of \$2,550. This sum is below the excess that operates under Council's Professional Indemnity Policy (\$5,000) set by Council's insurers. Council will need to seek Ministerial approval under Section 529(e) of the Local Government Act to meet the costs from the Municipal Fund.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that Council seeks approval from the Minister of Local Government to meet the costs ie \$2,550 of removal and reconstruction of the mailbox/meterbox structure at Lot 342 (9) Earlsferry Green, Kinross from the Municipal Fund under Section 529(e) of the Local Government Act.

**CARRIED**

#### **C559-11/95      1995 DRAFT RESIDENTIAL PLANNING CODES - [290-5]]**

Councillors were advised in August 1995 of a media release from the Minister for Planning deferring introduction of the revised Residential Planning Codes until further public consultation.

Advice has now been received from the Western Australian Planning Commission that it will not proceed with the 1995 draft of the Codes.

"The Commission considered that the major criticisms of the draft Codes were soundly based. The submissions displayed a genuine concern that the provisions contained in the draft would result in a less satisfactory outcome, in terms of the built environment, than would be the case with the continued use of the current Codes."

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the advice from the Western Australian Planning Commission in relation to the 1995 Draft Residential Planning Codes be received.

**CARRIED**

At its September meeting this year (Item TP323-09/95 refers) Council resolved to agree to the termination of the State Agreement regarding the Mindarie Keys project subject to a number of matters being satisfied, including *"the Minister for Transport providing an undertaking that the State Government will accept a joint vesting with the City for Reserve 41659 such that the State will accept maintenance responsibility for the Mindarie Keys breakwaters in perpetuity, once that obligation upon the operator of the harbour ceases, or the Termination Deed being amended to the satisfaction of the City Planner, upon advice from Council's solicitors, in a manner which achieves the same outcome in terms of the State's responsibility for maintenance of the breakwaters."*

It was originally intended that the Termination Deed itself would provide for the continuation of a number of outstanding obligations under the State Agreement. It is now intended that a separate Deed will continue those obligations. Deacons Graham & James, Solicitors (DGJ), on behalf of the current owners of the Mindarie Keys project, have recently forwarded to the City for comment a draft Deed prepared by the Crown Solicitor's Office.

The draft Deed does not include the obligation sought by the Council regarding making the State responsible for breakwater maintenance in perpetuity, once that obligation upon the harbour operator ceases in 1998. DGJ argue that the intent of the draft Deed is simply to continue forward the current outstanding obligations contained in the State Agreement and it is unreasonable to attempt to introduce further obligations, particularly when this has the potential to significantly delay the conclusion of agreements necessary for the marketing of the project to properly proceed. (Councillors may be aware that the Mindarie Keys project is currently on the market).

Council's solicitors on planning matters, McLeod & Co have provided advice on this matter which is basically that though it would have been desirable for the Deed to include the obligation upon the State referred to above, acknowledging that the parties concerned are unwilling to do this and their reasons for this position, the City should pursue the matter with the State Government in terms of the likelihood of the City handing the vesting order for the reserve which contains the breakwater back to the State.

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

1 rescinds resolution number TP323-09/95 carried at its meeting of 27 September 1995, viz:

"that Council agrees to the deeds to assign the interests of Mindarie Investment Pty Ltd in the Mindarie Keys project to Gumflower Pty Ltd and to terminate the Mindarie Keys State Agreement, subject to:

- 1 the City Planner, on advice from Council's solicitors, being satisfied that the security provided in respect of the obligation to construct the Marmion Avenue underpass is adequately protected;
- 2 the Minister for Transport providing an undertaking that the State Government will accept a joint vesting with the City for Reserve 41659 such that the State will accept maintenance responsibility for the Mindarie Keys breakwaters in perpetuity, once that obligation upon the operator of the harbour ceases, or the Termination Deed being amended to the satisfaction of the City Planner, upon advice from Council's solicitors, in a manner which achieves the same outcome in terms of the State's responsibility for maintenance of the breakwaters;
- 3 the public open space on the north-west corner of Marmion Avenue and Anchorage Drive being developed to the satisfaction of the City Parks Manager."

2 agrees to the deeds to assign the interests of Mindarie Investment Pty Ltd in the Mindarie Keys project to Gumflower Pty Ltd, to terminate the Mindarie Keys State Agreement, and to continue the outstanding obligations contained in the State Agreement, subject to:

- (a) the City Planner, on advice from Council's solicitors, being satisfied that the security provided in respect of the obligation to construct the Marmion Avenue underpass is adequately protected;
- (b) the obligations under the State Agreement regarding maintenance responsibilities for the Mindarie Keys breakwaters being continued;
- (c) the public open space on the north-west corner of Marmion Avenue and Anchorage Drive being

developed to the satisfaction of the city Parks Manager;

- 3 requires that a report be provided to the Town Planning Committee regarding the matter of responsibility for maintenance of the Mindarie Keys breakwaters once that obligation upon the State Government ceases in 2005.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**C561-11/95      PARKING PROHIBITIONS - PARKING STATION NUMBER 6  
WARWICK RAIL STATION - [627-9-4]**

At its December 1994 and September 1995 meetings, Council considered matters relating to the establishment of a parking station and the installation of parking prohibitions at the Warwick Rail Station car park (Items I11202 and TS272-09/95 refers). The car park has been approved as a parking station and appropriate signage installed.

The existing approved prohibitions are shown on Appendices XXI and XXII hereto.

However, due to recent changes to the car park area which have included the introduction of a private secure car park operator in the middle of the car park, the closing of Moffat Place accessway and the subsequent overcrowding of the unsecured parking area, Westrail has now requested that Council consider a number of changes to the approved prohibitions. This is to maximise the number of bays available in the unsecured car park area. Westrail has determined that it wishes to retain the secure car park area which is shown on Appendix XXXIII hereto.

The Manager of Municipal Law and Fire Services has advised that a legal opinion was sought from Kott Gunning regarding the introduction of the fee paying secured parking area within the gazetted Parking Station. The opinion appears to confirm that Westrail have the power to authorise vehicles to be driven on Trust property upon the basis of a fee being paid. It further states:

"The charging of a fee by the private security company as agents for Westrail through the Metropolitan (Perth) Passenger Transport Trust is an action which has some legislative basis through the Metropolitan (Perth) Passenger Transport Trust Regulations."

The proposed changes to the approved parking prohibitions are:

1the amendment of the existing "15 minute only" parking area adjacent to the existing kiss 'n' ride facility for

peak periods only. It is proposed to amend the signs to "15 minute parking 7am - 9am, 3pm - 6pm only" to make available a limited number of short term parking spaces for commuters during the day.

2The provision of an additional 12 bays to the eastern portion of the free car park. This requires the existing "NO PARKING" prohibition to be revoked as shown on Appendix XXIV hereto.

3The provision of three additional disabled bays near the kiss 'n' ride facility as shown on Appendix XXIV hereto.

The Manager of Council's Municipal Law and Fire Services confirms that officers from his department will enforce the proposed restriction.

Accordingly the approval of the amendments to the existing prohibitions are supported.

With regards to Westrail's requirement for the retention of the secured car park area as shown on Appendix XXIII, I have concerns regarding the impact of the secured car park on the parking in streets adjoining the Warwick Rail Station. The secured car park is regularly observed to be well below capacity while the extent of car parking in the local streets is on the increase. There is a need for Westrail to review the size and operations of the secured car park to minimise on street parking and improve traffic flow through the car park. It is recommended that Council proceeds with the proposed parking prohibition amendments and further discussions be initiated with Westrail.

#### **RECOMMENDATION**

That Council:

- 1 amends the existing "15 minute parking only" signs to "15 minute parking 7am - 9am, 3pm - 6pm" adjacent to the kiss 'n' ride facility at the Warwick Rail Station car park, as shown on Appendix XXIV hereto;
- 2 revokes the existing "NO PARKING" signs in the south eastern section of the Warwick Rail Station car park, as shown on Appendix XXIV hereto;
- 3 requests a review by Westrail of the size and operations of the secured car park to minimise on street parking and improve traffic flow through the car park;



4            advises the affected parties accordingly.

Cr Taylor declared an interest in this item.

**MOVED** Cr Waters, **SECONDED** Cr O'Grady that consideration of parking prohibitions - Parking Station No 6 Warwick Rail Station - be deferred pending the outcome of a meeting to be held on 8 December 1995 between Cheryl Edwardes, MLA, Member for Kingsley, Westrail and Council.

**CARRIED**

Cr Taylor did not vote.

Appendices XXI, XXII, XXIII and XXIV refer

**C562-11/95            CLARKSON COMMUNITY HIGH SCHOOL - TENNIS COURT  
LIGHTING - [218-1, 250-9]**

In November 1994, a meeting was held between Council staff and the Education Department to discuss possible joint development arrangements at the Clarkson Community High School.

The Education Department agreed to provide tennis courts as part of its standard provision. Community access would be permitted if Council contributed towards the cost of lighting.

The Western Australian Building Management Authority (BMA) has now advised the estimated cost of floodlighting the tennis courts to Council's standards is \$44,000. Tenders for this project will be called by the BMA shortly after 21 November 1995. The BMA needs to be advised as soon as possible if Council wishes to proceed with this proposal.

Four tennis courts, also marked for netball or basketball, will be developed at the school. As the population grows in Clarkson there will be increased demand. At present, there are four courts at Gumblossom Park, Quinns Rocks. This appears to be an excellent opportunity to expand the range of facilities in the area at a reduced cost to Council.

**RECOMMENDATION**

That Council:

- 1            lists the sum of \$44,000 in the draft 1996/97 Municipal Budget for the provision of floodlighting to the tennis courts at Clarkson Community High School to enable community access;

2 seeks Ministerial approval, subject to the provisions of Section 529(e) of the Local Government Act, to expend funds on the construction of the floodlights.

Cr Freame requested further information in relation to Council's contributing towards the cost of lighting. The City Recreation and Cultural Services Manager advised he wished to take this question on notice and would inform Cr Freame accordingly.

**MOVED** Cr O'Grady, **SECONDED** Cr Waters that consideration of the provision of tennis court lighting to Clarkson Community High School be deferred and a further report submitted to Finance and Community Services Committee at its meeting on 11 December 1995.

**CARRIED**

**C563-11/95** **MEMBER - MINISTRY OF JUSTICE CUSTOMER SERVICE COUNCIL - [312-2]**

The City of Wanneroo was recently advised of Western Australian Municipal Association's appointment of a Member to the Ministry of Justice Customer Service Council.

At its meeting held in October, the Executive resolved to nominate Cr Cynthia McMorran from the Shire of Moora as the Local Government representative on the Ministry of Justice Customer Service Council.

Cr R Waters nominated for this position, however she was not successful on this occasion. WAMA expressed its thanks for the interest shown by Cr Waters in nominating for this position.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the information regarding the Western Australian Municipal Association's appointment of Cr C McMorran as Member to the Ministry of Justice Customer Service Council be received.

**CARRIED**

**C564-11/95** **MEMBER - NORTHERN METROPOLITAN REGIONAL DEVELOPMENT ORGANISATION - [312-2]**

The City of Wanneroo was recently advised of Western Australian Municipal Association's appointment of two Members to the Northern Metropolitan Regional Development Organisation (NMRDO).

At its meeting held in October, the Executive resolved to nominate Cr Charlie Gregorini from the Shire of Swan and Cr Elizabeth Taylor from the Shire of Kalamunda as the Local Government representatives on the NMRDO.

Cr S Magyar was nominated by Council for this position, however he was not successful on this occasion. WAMA expressed its

thanks for the interest shown by Cr Magyar in nominating for this position.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the information regarding the Western Australian Municipal Association's appointment of Cr C Gregorini and Cr E Taylor as Members to the Northern Metropolitan Regional Development Organisation (NMRDO) be received.

**CARRIED**

**C565-11/95      MEMBERSHIP - ANIMAL MANAGEMENT RESOURCE EXTENSION**  
**PROGRAMME STEERING COMMITTEE - [312-2]**

The City of Wanneroo was recently advised of the Western Australian Municipal Association's appointment of a permanent member to the AMREX Steering Committee.

At the meeting held on 29 September 1995, the LGA Executive resolved to nominate Cr Pauline O'Connor from the Town of Cambridge as the Local Government representative on the AMREX Steering Committee.

Cr M Lynn was nominated by Council for this position, however she was not successful on this occasion. Cr Lynn has agreed to continue as the interim Member until Cr O'Connor can take up her duties early in the new year. The LGA Executive wished to express its thanks to Cr Lynn for agreeing to continue as the Interim Member of the Committee.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the information regarding the Western Australian Municipal Association's appointment of Cr P O'Connor as permanent member to the AMREX Steering Committee be received.

**CARRIED**

**C566-11/95      NOMINATION TO AUSTRALIAN MEDICAL ASSOCIATION'S**  
**ABORIGINAL HEALTH DEVELOPMENT COMMITTEE - [312-2]**

Following the recent establishment of the Australian Medical Association's Aboriginal Health Development Committee a vacancy has arisen for a Local Government Representative.

Council has been invited to nominate a Councillor for the position of member. 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 a number of organisations including the Department of Employment, Education and Training, the Aboriginal Medical Service and ATSIC.

The terms of reference for the committee are to oversee the AMA's Aboriginal Employment Strategy and to develop a co-ordinated approach on health related matters that affect Aboriginal communities throughout WA.

There are no specific qualifications required to participate on the Committee, although interested persons should have some knowledge and/or interest in Aboriginal Health issues.

The committee meets on a quarterly basis for approximately two hours. The meeting is held at AMA, 14 Stirling Highway, Nedlands.

Cr O'Grady nominated Cr Waters.

Cr Waters declared an interest in this item.

**MOVED** Cr Curtis, **SECONDED** Cr Lynn that Council nominates Cr Waters for consideration of appointment as Local Government Representative to the Australian Medical Association's Aboriginal Health Development Committee.

**CARRIED**

Cr Waters did not vote.

**C567-11/95      ELECTION - WA FIRE BRIGADES BOARD - [306-2]**

Council has received a ballot paper in respect of the election of a local government representative to the Western Australian Fire Brigades Board.

The election, conducted by the WA Electoral Commission, requires the completion and return of ballot papers by 8 December 1995.

Candidates in the election are, in order of appearance on the ballot paper:

FISHER, Lindsay George (Les)  
MARKS, Albert John (Jack)  
LEES, Raymond Alan  
O'HARA, Pat  
WIFFEN, William Charles

The City of Cockburn has sought Council's support of its candidate, Raymond Lees. Cockburn's request, together with Mr Lees' profile, forms Appendix XXV hereto.

The City of Bayswater has also sought Council's support of its candidate, Pat O'Hara. Bayswater's request, together with Mr O'Hara's profile, forms Appendix XXVI hereto.

It is not necessary to indicate a preference in respect of each candidate.

Cr Wight nominated Raymond Alan Lees.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council supports the election of Raymond Alan Lees as Local Government representative to the Western Australian Fire Brigades Board.  
**CARRIED**

Appendices XXV and XXVI refer

**C568-11/95      URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA - 25TH**  
**NATIONAL CONGRESS - [202-1-1]**

The Urban Development Institute of Australia's 25th National Congress will be held in Perth from 11-15 March 1996.

The Congress theme will be "Back to the Future". Development industry professionals, national and international speakers will explore many of the complex issues which confront urban developers as the industry moves towards the 21st Century. The lessons of the past twenty five years will be used by speakers as pointers to the future.

The registration cost for this conference is \$700.

Funds are available in Account 20006 (Members - Conference Expenses) for a Councillor and in Account 27751 (Town Planning - Conference Expenses) for the City Planner to attend.

Cr Waters nominated Cr Cooper.

**MOVED** Cr Waters, **SECONDED** Cr Wight that Council secures two positions for interested Councillors to attend the Urban Development Institute of Australia's -25th Annual Congress to be held in Perth from 11-15 March 1996.

**CARRIED**

**C569-11/95      HOLIDAY PROGRAMME DECEMBER 1995/JANUARY 1996 -**  
**FUNDING - [262-1-1]**

Council's forthcoming Vacation Care Programmes were due to commence on Thursday, 21 December 1995. Information received from the Commonwealth Department of Human Services and Health confirmed that children will conclude their school year on Friday, 15 December 1995, whilst teachers remain in attendance until Wednesday, 20 December 1995.

Council is now left in a position of deciding whether to provide holiday care on 18, 19 and 20 December 1995.

Council's after school care services, which would normally operate on those days receive an operational subsidy from the Commonwealth Department of Human Services and Health; however, they have clearly stated that they are not in a position to fund these days as "pupil free" days (Appendix VII refers).

Council's vacation care service receives an operational subsidy from the State Department for Family and Children's Services. Ms Anne Radalj, Acting Programme Manager, has advised that additional funding is currently being investigated.

It is considered that Council has an obligation to provide care on these days and any decision not to would attract a backlash from parents. It is estimated that the additional cost to Council would be in the region of \$3,500.

Enrolments for the forthcoming holiday programme opened on 23 November 1995. Staff at the various Centres have been instructed not to accept enrolments for 18, 19 and 20 December until Council has made a decision regarding this matter.

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

- 1 provides holiday care at its six Vacation Care Centres on 18, 19 and 20 December 1995;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act, an over expenditure of \$3,500 should no operational subsidies be available.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XXVII refers

**C570-11/95      STRUCTURAL REFORM ADVISORY COMMITTEE - [702-0]**

At its meeting of 27 September 1995 Council resolved to prepare a submission to the Local Government Structural Reform Advisory Committee on the basis of an outline detailed by the Deputy Town Clerk, Bob Dymock.

A draft report was finalised earlier this month and submitted to all Councillors and Department Heads for comment. Those comments have now been incorporated in the draft submission.

A copy of the document has now been sent to the Local Government Structural Reform Advisory Committee and in line with Council's

earlier decision, Cr Humphrey Park has been invited to discuss the reform of Local Government with the City of Wanneroo.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Magyar that the information in relation to the draft submission to the Local Government Structural Reform Advisory Committee be received.

**CARRIED**

**C571-11/95      LEAVE OF ABSENCE - CR K WOOD - [702-3]**

Cr Wood has requested Leave of Absence from Council duties for the period 30 October 1995 to 1 February 1996.

**MOVED** Cr Waters, **SECONDED** Cr Taylor that Council approves the Leave of Absence requested by Cr Wood for the period 30 October 1995 to 1 February 1996.

**CARRIED**

**C572-11/95      REQUEST FOR TRANSCRIPT - MRS A HINE - [702-0, 702-8]**

A request has been received from Mrs A Hine for the following transcripts:

- 1          Address by Mr Peter Kyle, together with questions raised by Councillors and members of the public, held at the Council meeting of 25 October 1995;
- 2          Public Question Time of the Council meeting of 25 October 1995;
- 3          Queries raised by Cr G Major, in relation to closed Policy Meetings, at the Council meeting of 28 June 1995.

Council's policy on this matter is that requests for verbatim transcripts from members of the public shall be submitted to Council for approval. An administration fee of \$20.00 shall be payable upon approval of the request, with a further charge of \$20.00 for each hour or part thereof extending beyond the first hour taken to obtain the transcript.

Cr Cooper requested a transcript of comments he made in relation to Mrs A Hine at the Council meeting held on 25 October 1995.

Town Clerk advised that copies of transcripts would be given to all Councillors.

**MOVED** Cr Cooper, **SECONDED** Cr Waters that Council, in accordance with its Policy:

- 1 provides Mrs A Hine with a transcript of the following items:
- (a) Address by Mr Peter Kyle, together with questions raised by Councillors and members of the public, held at the Council meeting of 25 October 1995;
  - (b) Public Question Time of the Council meeting of 25 October 1995;
  - (c) Queries raised by Cr G Major, in relation to closed Policy Meetings, at the Council meeting of 28 June 1995;
- 2 provides Cr Cooper with a transcript of comments he made in relation to Mrs A Hine at the Council meeting held on 25 October 1995.

**CARRIED**

**C573-11/95      LEAVE OF ABSENCE - CR G MAJOR - [702-3]**

Cr Major has requested Leave of Absence from Council duties for the period 29 November 1995 to 4 December 1995.

**MOVED** Cr Taylor, **SECONDED** Cr Freame that Council approves the Leave of Absence requested by Cr Major for the period 29 November 1995 to 4 December 1995.

**CARRIED**

**C574-11/95      MANAGEMENT - STRUCTURE/REMUNERATION REVIEW - [200-01]**

This item was considered later in the meeting, under Confidential Business.

**C575-11/95      PROPOSED HORIZONTAL SIGNS: LOT 3 JOONDALUP DRIVE, EDGEWATER - [30/4943]**

**SUMMARY**

An application has been submitted to install four horizontal signs for the proposed Bunnings Superstore at Lot 3 Joondalup Drive, Edgewater. The proposed signs are in excess of the sizes permitted under Councils By-Laws relating to Signs, Hoardings and Billposting. Council may grant a licence in respect of a sign that would otherwise be in contravention of the By-Laws.

**PREAMBLE**



The City Building Surveyor advised that he has a pecuniary interest in this matter in that his wife has an interest in the Wesfarmers Company.

#### COUNCILS BY-LAWS

"Horizontal sign" means a sign fixed parallel to the wall of a building to which it is attached and with the largest dimension horizontal.

Councils By-Law 5.6.1(c) states that a horizontal sign conforms to depth to depth to the following table:

<u>Minimum distance of sign above street</u>	<u>Maximum depth of sign</u>
less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1m

The proposed signs do not comply with this By-Law. Council By-Law 3.1.5 states that Council may grant a licence that would otherwise be in contravention of the By-Laws provided that Council is satisfied that the sign:

- a) is not injurious to the amenity or natural beauty or safety of the area;
- b) does not exceed 10% of the total area of the facade of the building to which the proposed sign is to be affixed.

#### BACKGROUND

The proposed signs are the following sizes:

Bunnings Warehouse	}	5.0m high x 16.0m long (approx)
Everyday Low Prices	}	3.75m high (approx) x
9.75m	}	long not including a
hammer	}	logo 9.4m wide.

Appendix XXX refers.

The signs are 500% and 375% greater in height than the 1.0m maximum height permitted under the By-Law.

The signs, as a total area of the facade (not including hammer logo), comprises 10% of the facade.

## ASSESSMENT

The Bunnings Superstore is located at a prominent position at the corners of the Mitchell Freeway reserve, Ocean Reef Road and Joondalup Drive. The size of the building including the large signs are very prominent and provide an "entry statement" to the Joondalup City precinct. The building is 103m long with 11.0m high.

The signs (not including the hammer logo) look in proportion to the building and comprise a total area of the facade of 10%.

By-law 3.1.5 permits Council to approve signs not injurious to the amenity of the area and not exceeding 10% of the facade of the building on which they are affixed.

City Building Surveyor declared an interest in this item.

**MOVED** Cr Waters, **SECONDED** Cr Curtis that Council approves the four horizontal signs affixed to the facades at Lot 3 Joondalup Drive, Edgewater.

**CARRIED**

Appendix XXX refers

### **C576-11/95      PLANNING LEGISLATIVE AMENDMENT BILL 1995 -** **[970-3]**

At its September meeting of this year (item TP305-09/95 refers), Council considered a report concerning the Planning Legislation Amendment Bill 1995. The Bill is mainly aimed at achieving an integration of the planning and environmental assessment/approval process. Council generally resolved to support the Western Australian Municipal Association (WAMA) in its negotiations with the Minister for Planning on the matter.

The Bill is currently before Parliament and the Opposition Spokesman on planning matters, Mr John Kobelke MLA, has asked the City for its views on the matter and whether there are any issues which it may wish him to pursue in Parliament. It has therefore been considered appropriate to present this matter to Council for endorsement of the following key areas of concern:

- 1      The Bill seeks to introduce the following section 20(5) into the Town Planning and Development Act:

*"In giving its approval under sub-section (1)(a), the discretion of the Commission is not fettered by the provisions of a Town Planning Scheme except to the*

*extent necessary for compliance with an environmental condition relevant to the land under consideration."*

This change is being proposed to over-ride a recent decision in the Supreme Court (the "Wallesley decision") which essentially stated that if a Town Planning Scheme imposes non-discretionary requirements regarding subdivision (eg "no further subdivision is permitted in this area"; "the minimum lot size in this area shall be 2 hectares"), then the W A Planning Commission (WAPC), the Minister for Planning and the W A Planning Appeals Tribunal shall be bound by those requirements.

The proposed new provision would mean that residents in Special Rural and Special Residential areas would have no certainty that their neighbours may not seek to subdivide their lots into smaller lots than that specified in the Scheme and that the character of their immediate surroundings may not be substantially altered as a consequence.

The Minister has agreed that one of the key objectives of the Bill is to introduce greater certainty into the planning process and particularly that if land is zoned for a purpose, then it should actually be able to be used for that purpose and not impeded by environmental issues. It could similarly be argued that if subdivision controls are imposed by a Scheme, then residents should be able to enjoy a reasonable degree of certainty that those controls will be effective and that the character of their area will be retained.

- 2 The Minister maintains that Councils will be able to ensure that developers seeking amendments to local Schemes will be made responsible for the cost of undertaking any related environmental assessments which may be required by advising the developer that the amendment will not be initiated unless the developer formally accepts that responsibility. However, metropolitan Councils have to amend their Schemes to accord with the Metropolitan Region Scheme (MRS). WAMA has therefore argued that the State Government should accept responsibility for the cost of environmental assessments in such cases. The Urban Development Institute of Australia (WA Division) (UDIA) also supports this position. The Minister has responded that Councils will need to individually negotiate with the WAPC in such cases. This places Councils in a very weak position as they do not really have anything to negotiate with (ie the fact remaining that they have to amend their Schemes to accord with the MRS).

Council should support WAMA and UDIA in the proposal for the State Government to fund environmental assessments required where local Scheme amendments are required as a result of MRS Amendments.

- 3 A further weakness in the proposed planning/environmental assessment system arises from section 7(2)(b) of the Town Planning and Development Act which was introduced into that Act earlier this year without any effective consultation with local government. This section effectively means that once a Scheme or a Scheme amendment has been initiated by a Council then that Council has to forward the Scheme or amendment to the Minister following advertising, even if the Council (as a result of submissions made to it) and local community is strongly opposed to it. Furthermore, the Minister can approve it, again, even if the Council and local community are strongly opposed to it. (Council's solicitors on planning matters, McLeod & Co, have questioned the Minister's power in this regard due to present inconsistencies with the Town Planning Regulations, however the Minister intends amending the Regulations shortly to remove any inconsistencies).

In terms of a Council ensuring that a developer agrees to meet the cost of environmental assessment referred to in 2 above, though such agreement prior to amendment initiation can be put in place once amendment initiation has occurred, the Council has to put the amendment to the Minister. Where problems can arise is that if the need for further environmental assessment work becomes apparent following advertising of the amendment, the Council will be in a weak position in requiring that the developer meet that cost.

A further likely outcome of section 7(2)(b) is that Councils may seek to gauge community opinion on proposals prior to formally initiating amendments and thereby being locked into the amendment process to the end. This would lengthen the approval process and lead to dispute with the Minister who would see it as lengthening processes with unstatutory steps and encourage him to introduce the old proposed Section 18A provisions whereby an appeal could be made to the Minister against a Council decision not to initiate a requested Scheme amendment.

Council should seek a change of Section 7(2)(b) of the Town Planning and Development Act such as to retain the

ability of a Council to discontinue a Scheme or Scheme Amendment should it so wish.

**MOVED** Cr Curtis, **SECONDED** Cr O'Grady that Council endorses the concerns outlined above relating to the Planning Legislation Amendment Bill 1995 and Section 7(2)(b) of the Town Planning and Development Act and conveys those concerns to the Hon Minister for Planning, the Opposition Spokesperson on planning matters, Mr John Kobelke MLA, Western Australian Municipal Association and the W A Planning Commission.

**CARRIED**

Cr Wight left the Chamber at this point, the time being 2147 hrs.

**C577-11/95      CITIZEN OF THE YEAR, YOUNG CITIZEN OF THE YEAR  
AND COMMUNITY EVENT OF THE YEAR AWARDS - [301-5]**

Nominations for the Citizen and Young Citizen of the Year, and Community Event of the year awards are being sought by the Australia Day Council of WA, to be presented on Australia Day 26 January 1996.

Citizen Award is for a person 25 years or over as at 26 January 1996, and the Young Citizen Award for a person under 25 at that date. The Community Group Award is for a group of four or more people in recognition of a contribution in the year prior to the Award, or for a long-standing commitment/service to the community. All resident of the City of Wanneroo are eligible.

A selection panel to finalise the nominations should consist of one representative of Council and two other citizens.

One selection should be made in each category.

Renewal of membership to the Australia Day Council of WA (Inc) is now due for 1995-96. Membership fee for Local Government, Category 1, Population over 50,000 is \$200.

Cr Freame nominated Cr Dammers.

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

- 1          nominations for the awards be called for in the local media;
- 2          Cr Dammers be appointed to the selection panel, and two other citizens approached to serve on the panel;
- 3          the appointment of the two "other" citizens be ratified and effected by the Mayor and Town Clerk;

4 membership of the Australia Day Council of W.A. (Inc) be accepted at a fee of \$200.

**CARRIED**

#### **MOTIONS FOR FURTHER ACTION**

##### **VOTE OF THANKS - [057-4]**

Cr Curtis raised the issue of the biological study prepared by Ms C Tauss for inclusion in the flyer regarding Perry's Paddock and inquired whether it was considered appropriate that a letter of appreciation should be forwarded to Ms Tauss for her efforts.

Discussion ensued, after which Cr Curtis withdrew his request.

Cr Wight entered the Chamber at this point, the time being 2154 hrs.

##### **BUSH FIRE CONTROL - [902-1]**

Cr Magyar stated that Council needed to review its policies and practices regarding the use of fire to control fuel loads in areas of natural bush land vested in, or under the control or management of Council.

He felt the issues of fire reducing the natural bio-diversity of an area and the fire weed cycle also required to be addressed.

#### **MOTIONS FOR REPORT**

##### **C578-11/95      CRAIGIE LEISURE CENTRE - [745-4-1]**

Cr Freame inquired whether it was possible to place the City of Wanneroo logo on the doors of Craigie Leisure Centre, identifying this facility as being operated by the City of Wanneroo.

She felt that other facilities operated by the City of Wanneroo also needed to be identified in this way.

**RESOLVED** that a report be submitted to Council on the feasibility of identifying facilities operated by the City of Wanneroo with a suitable logo or wording to this effect.

##### **C579-11/95      WANNEROO CIVIC CENTRE - [635-11-1]**

Cr Cooper raised the issue of the air-conditioning unit in the room above the library at Wanneroo Civic Centre, stating it required attention.

**RESOLVED** that a report be submitted to Council on the air-conditioning unit and the action needed to rectify the problem.

**C580-11/95      ANTISOCIAL BEHAVIOUR, OCEANSIDE PROMENADE,  
MULLALOO - [510-2602]**

Cr Cooper stated he had been approached by concerned residents in the Mullaloo Beach area between Ocean Reef Road and the Mullaloo Surf Club.

He pointed out the residents were frustrated not only by the constant antisocial behaviour and harassment caused by young people congregating in the immediate area, but also with the damage sustained to both private property and vehicles.

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

- 1            investigates the feasibility of installing lockable gates to the carparks within the Mullaloo Beach area, such gates to be secured at 9.00 pm each evening;
- 2            writes to the Minister for Police expressing the concerns of the residents of the Mullaloo Beach area and seeking the support of the Police Department in rectifying this problem.

**CARRIED**

**C581-11/95      WANGARA OUTFALL SUMP - [730-3-1]**

Cr Magyar requested a report be submitted to Council on the results of the tests for hydrocarbons and heavy metals at the Wangara Outfall sump, including comments from the Environmental Officer of the Town Planning Department.

**RESOLVED** that a report be submitted to Council on the results of tests carried out for hydrocarbons and heavy metals at the Wangara Outfall sump, including comments from the Environmental Officer of the Town Planning Department.

**C582-11/95      SIGNAGE ON BUILDINGS - [920-19]**

Cr Taylor requested a report from the Building Department on the policy in relation to Clause 3.1.5 of Council's By-law relating to Signs, Hoardings and Bill Posting.

He stated he had a problem with the overall size of logos on buildings and asked for a possible solution in amending Council's By-law to rectify this matter.

**RESOLVED** that a report be submitted to Council regarding Council's By-law on Signs, Hoardings and Bill Posting.

**C583-11/95            CONSERVATION AND ENVIRONMENTAL ISSUES - [303-1]**

Cr Curtis asked for a report on the feasibility of setting up an independent conservation and environmental department within Council, or possibly an integrated strategic systems approach between all departments within Council affecting conservation and environmental issues.

The Mayor advised that currently the whole question of management restructure is being investigated and suggested Cr Curtis seek a report for this item to be incorporated in the restructuring programme plan.

**RESOLVED** that the items raised by Cr Curtis in relation to conservation and environmental management be incorporated in the restructuring programme plan currently being undertaken.

**C584-11/95            UPGRADING OF ANIMAL CONTROL - [901-1]**

Cr Curtis requested a report be submitted to Council on the upgrading of animal control in the City of Wanneroo.

**RESOLVED** that a report be submitted to Council on the upgrading of animal control within the City of Wanneroo.

**C585-11/95            ANIMAL BEACH COMPLAINTS - [901-4]**

Cr Lynn stated that she had received a number of complaints from concerned members of the public regarding the animal exercise beach.

She reported recently a horse had been out of control, narrowly escaping injury to a young child.

Cr Lynn pointed out that both the pathways down to the beach and the exercise beach generally were in a dirty condition and requested a report as to how often these areas were cleaned and patrolled and who was responsible for this.

**RESOLVED** that a report be submitted to Council in relation to the animal exercise beach at Hillarys.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**



Cr Major had given notice of his intention to move a Motion at the next Ordinary Meeting of Council to be held on Wednesday 29 November 1995, as follows:

"That the Confirmation of the Minutes of the Council Meeting held on Wednesday 27 September 1995 be rescinded.

Cr Major advised that alternatively, since his motion related in particular to the minuted record of the item relating to the Release of Documents, then he will move rescission of that item only if Standing Orders permits this course of action.

The Mayor advised that under Standing Orders, this Notice of Motion would lapse due to the absence of Cr Major, unless written authority had been given to another Councillor to move the Motion on his behalf.

Cr Taylor submitted letter of authority from Cr Major dated 29 November 1995, which read:

"In my absence, I hereby authorise Cr Taylor to move rescission of the minute of this item, and if carried, to move the amended minute as circulated".

Cr Lynn left the Chamber at this point, the time being 2240 hrs.

**MOVED** Cr Taylor, **SECONDED** Cr Curtis that the Confirmation of the Minutes of the Council Meeting held on Wednesday 27 September 1995 be rescinded and if carried the following Motion be put:

"That the minute of the item "Requests for Documents" as recorded on page 134 in the minutes of council meeting, 27.9.95, be amended to read as follows:

REQUESTS FOR DOCUMENTS - (702-0)

Town Clerk sought a direction from Council concerning "requests" for copies of records, documents etc from Councillors and/or members of the public which might relate to items reported in the Kyle Inquiry or may be under investigation by the Police Department. He suggested these documents be not made available, which would remove the Council and himself from any possible criticism for releasing copies of documents which may be sensitive. Obviously there would be no restriction on any request from a Councillor who sought information in which to better inform him or herself to make a decision on a matter before Council. In addition the provisions of the F.O.I. Act

would continue to apply as well as the provisions of Standing Order By-law No 1 regarding the tabling of documents.

MOVED Cr Ewen-Chappell, SECONDED Cr O'Grady that:

- 1 "Requests for Council records, documents etc from either Councillors, Staff or members of the Community of non current issue be subject to the prior approval of Council;
- 2 Council reaffirms its commitment to abide by the Freedom of Information Act."

The motion was voted upon, which resulted in a clear majority in favour.

The Mayor then ruled that the decision had to be unanimous for it to be carried.

He then declared the status quo would remain and requests for copies of documents would be subject to the provisions of the Standing Order By-laws.

MOVED Cr Wood, SECONDED Cr Hall that the Meeting be held with doors open." **LOST**

A Division was called with the following result:

In Favour of the MOTION: Crs Taylor and Waters

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

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

Cr Lynn entered the Chamber at this point, the time being 2241 hrs.

**C587-11/95      NOTICE OF MOTION - CR LYNN - [702-0, 790-706]**

Cr Lynn had given notice of her intention to move the following Motion at the next Ordinary Meeting of Council, to be held on Wednesday 29 November 1995:

"That Council rescinds its resolution TP336-10/95, viz:

"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 Lynn, **SECONDED** Cr Freame that Council rescinds its resolution TP336-10/95, viz:

"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**

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

**CARRIED**

**NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING**

Nil

**PUBLIC QUESTION/COMMENT TIME**

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS WERE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

**MOVED** Cr Freame, **SECONDED** Cr Curtis that the Meeting be adjourned for five minutes, the time being 2320 hrs.

**CARRIED**

The public and members of the press left the Chamber at this point.

**MOVED** Cr Freame, **SECONDED** Cr Curtis that the Meeting resume and be held behind closed doors, the time being 2326 hrs.

**CARRIED**

**CONFIDENTIAL BUSINESS**

C574-11/95      MANAGEMENT - STRUCTURE/REMUNERATION REVIEW -  
                         [404-0]

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

- 1 TOWN CLERK'S MEMORANDUM (forming Appendix XXXI hereto  
and marked "Not for Publication") be received;
- 2 Council:
- (a) adopts:
    - (i) the positions listed on Attachment 1 to Appendix XXXI hereto together with the Town Clerk as Senior Officers;
    - (ii) the rank order recommended by OCR Pty Ltd together with the six (6) grades for the positions of Senior Officers;
  - (b) amends Standing Orders By-law No 197 - Employment of Senior Officers - to include the position of Manager - Welfare Services and to reflect current titles;
  - (c) indicates its preparedness to:
    - (i) negotiate fixed term contracts;
    - (ii) review individual positions if requested;
  - (d) extends private use of vehicles to the following Senior Officers:  
  
Computer Services Manager  
Design Engineer  
Construction Engineer  
Resources Engineer;
  - (e) adopts the "market rates" as recommended by OCR Pty Ltd effective 1 July 1995;
  - (f) authorises the payment of the additional work involved to complete the report at a cost of \$1,200 to OCR Pty Ltd;
  - (g) authorises the sub-committee with power to act the implementation of recommendation (c) above.

**CARRIED**

Appendix XXXI refers

INQUIRY INTO THE CITY OF WANNEROO - [702-0]

Deputy Town Clerk advised that a computer link has been arranged between the computer in Mr Peter Kyle's St George's Terrace office and Council to enable direct access to Council Minutes. Further to this, copies of microfiche records will also be made available to the Inquiry.

**C588-11/95      FLY CONTROL - [855-3]**

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

- 1      MAYOR'S MEMORANDUM (forming Appendix XXXII hereto) be received;
- 2      Council in conjunction with elected delegates from the Shire of Gingin, Kwinana, Serpentine-Jarrahdale and Swan, as well as a representative from the West Australian Municipal Association, seeks an urgent audience with the Premier and the Minister for Primary Industries to discuss the impact of the stable fly on those municipalities.

**CARRIED**

**C589-11/95      RESIGNATION - MISS MARGARET COCKMAN - [404-0]**

Mayor advised that Miss Margaret Cockman has submitted her resignation from the Council effective from 22 January 1996. Margaret will achieve an incredible fifty (50) years service with the City of Wanneroo.

**RESOLVED** that Council recognises the service of Miss Margaret Cockman to the City of Wanneroo and authorises the Mayor and Town Clerk to prepare a suitable function.

**C590-11/95      LOT 158 (2) SOMERSBY GARDENS, CURRAMBINE - [30/4614]**

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that, subject to satisfactory legal advice, Council initiates prosecutions proceedings in relation to the Chinese take-away store at Lot 158 (2) Somersby Gardens, Currambine.

**CARRIED**

**MOVED** Cr Curtis, **SECONDED** Cr Magyar 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 20 DECEMBER 1995.**

There being no further business, the Chairman declared the Meeting closed at 2155 hrs, the following Councillors being present at that time:

COUNCILLORS:    WATERS  
                  FREAME  
                  O'GRADY  
                  DAMMERS  
                  COOPER  
                  EWEN-CHAPPELL  
                  MAGYAR  
                  HALL  
                  WIGHT  
                  TAYLOR  
                  CURTIS  
                  LYNN