

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, 20 DECEMBER 1995

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor	South-West Ward
	L O'GRADY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	B J MOLONEY	South Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	G A MAJOR	South-West Ward
	G W CURTIS	South-West Ward
	M E LYNN, JP	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER
City Environmental Health Manager:	M AUSTIN
Deputy Environmental Health Manager:	P SWAIN - to 2132 hrs
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, Hall and Waters.

There were 28 members of the Public and 1 member of the Press in attendance.

The Mayor declared the meeting open at 1930 hrs.

Corrections

- 1 Page 5, two items relating to "ACLGS Elected Members Course" be deleted, and the following items inserted:

"ACLGS ELECTED MEMBERS COURSE / TOWN PLANNING PRINCIPLES ONE DAY COURSE

Cr Wight submitted letters of thanks to Council for the opportunity to attend the above two courses."

"TOWN PLANNING PRINCIPLES ONE DAY COURSE

Cr Taylor also thanked Council for allowing him to attend the above course, which proved very informative."

- 2 Page 146: "2155" be amended to read "2355".

MOVED Cr Moloney, **SECONDED** Cr O'Grady that the Minutes of Council Meeting, held 29 November 1995, amended as above, be confirmed as a true and correct record.

CARRIED

MOVED Cr Freame, **SECONDED** Cr Wight that the Minutes of Special Council Meeting, held 13 December 1995, be confirmed as a true and correct record.

CARRIED

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Cr Waters submitted the following question at the Council meeting of 25 October 1995 which was taken on notice by the Town Clerk and is responded to as follows:

- Q In relation to "Questions of Which Due Notice has been Given, Without Discussion" (Page 5 to Council Minutes of 25 October 1995), Question 12: Cr Waters had been informed that the list of kitchen equipment of the Aquamotion Centre, being the property of the City of Wanneroo, should include a freezer and she believed this had been omitted.

- A Council's kitchen equipment in the kiosk includes:

- . Woodson Cat 152TN Double Pan Fryer
- . Woodson 4x1 Hot Food Bar

- . Woodson Cat 20T Toaster
- . Woodson Cat M3 Hotdog Unit
- . Woodson Cat 505 Solid Grill
- . Stainless Steel Bench with upstand at rear -
Galvanised shelf under 1850l x 600w x 900h
- . Cool Room Shelving 2 x 1000l x 500w
- . Woodson Cat RWD single Milk Shaker
- . Woodson Cat Lt20 20lt Urn

A freezer owned by Snack Vend, the current operators of the vending machines is currently located in the kiosk. On occasion a freezer unit has been placed in the Kiosk area by Snack Vend to store cold materials during the warmer months.

It is also common for the Proprietor of the Wanneroo Coffee Lounge to have a freezer unit during the Vacation Swimming programmes in order to supply icecream products.

It is possible these freezer units may have been mistaken for Council property when stored in the Kiosk.

Cr Cooper submitted the following question at the Council meeting of 29 November 1995 which was taken on notice and is responded to as follows:

Q In relation to Burns Beach Ratepayers and Residents Association Minutes of 12 October 1995: Section 6 General Business stated in response to a question raised regarding Council Budget outcomes that no North Ward items were included. Cr Cooper stated money had in fact been spent in the North Ward and requested this matter be investigated.

A Council's 1995/96 Budget provides to expend \$2.85 million on specific North Ward projects, the details of which are scheduled on Appendix I hereto.

Appendix I refers

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Nil

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

CIVIC AND CULTURAL BUILDING

Doric Constructions, the recent winner of the National Award for Professional Excellence in Building, has been awarded the

contract to construct the first stage of the civic and cultural complex next door.

Yesterday the contracts for this building were signed.

The earthworks for the civic and cultural building are well advanced and will be finished by 8 January with building commencing immediately after completion.

BBC HARDWARE HOUSE

The week before last I had the pleasure of standing in for the Premier and opening the new BBC Hardware House at Whitford City.

This is a new form of hardware marketing that has made its State debut in the City of Wanneroo.

The week before I attending the opening of Bunnings new premises at the corner of Ocean Reef Road and Joondalup Drive.

FINAL MEETING OF THE YEAR

Tonight sees an end to Council meetings for 1995 with a full round of meetings starting again in February 1996.

To those who regularly attend Council meetings, I say, don't turn up in January - it has been declared a meeting free month.

I would like to take this opportunity of wishing you all a Merry Christmas, a happy New Year and an enjoyable holiday season.

PETITIONS, MEMORIALS AND DEPUTATIONS

C593-12/95 **LETTER FROM MINISTER FOR PLANNING - MCDONALDS
DRIVE-THROUGH FAST FOOD RESTAURANT - LOT 526
BURRAGAH WAY, DUNCRAIG - [30/5160]**

Cr Lynn submitted a letter from the Minister for Planning in relation to the application for a McDonalds Drive-Through Fast Food Restaurant at Lot 526 Burragah Way, Duncraig. Cr Lynn stated her concern at the comments made by the Minister and requested that the opinion of Council's solicitors be sought on the contents of the letter in relation to the issue of amenity.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the letter submitted by Cr Lynn from the Minister for Planning in relation to the application for a McDonalds Drive-Through Fast Food Restaurant at Lot 526 Burragah Way, Duncraig be received and the opinion of Council's solicitors be sought on the contents of the letter in relation to the issue of amenity.

CARRIED

C594-12/95

**LETTER REQUESTING AMENDMENTS TO COUNCIL'S POLICY
RELATING TO GRAFFITI - [210-7]**

Cr Taylor submitted a letter from the Woodvale Graffiti Action Group requesting that Council amend its policy to ensure that landowners are responsible for the removal of graffiti from fences on their properties.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the letter from the Woodvale Graffiti Action Group requesting Council to amend its policy to ensure that landowners are responsible for the removal of graffiti from fences on their properties be received and referred to Building Department for a report to Council.

CARRIED

THANKS TO MAYOR AND HOUSE COMMITTEE - [702-0]

Cr Moloney thanked the Mayor for the many opportunities she has been given throughout the year to deputise for the Mayor at various events. She believed this allowed the public the opportunity to witness the contribution Ward Councillors make to the community.

Cr Moloney gave her congratulations to the House Committee on awarding the catering contract to Beaumonde Catering, winners of the 1995 Award for Excellence from the Institute of Catering.

C595-12/95

**PETITION IN RELATION TO THE CLOSURE OF PEDESTRIAN
ACCESSWAY BETWEEN SAPLING WAY AND WOODLANDS
GROVE, HOCKING - [510-2636]**

Cr Ewen-Chappell submitted a 40-signature petition from residents of Hocking in relation to the proposed closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the petition from residents of Hocking in relation to the proposed closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking be received and considered in conjunction with Item TP409-12/95.

CARRIED

C596-12/95

**PETITION REQUESTING IMPROVEMENTS TO VERGE -
SANTIAGO PARKWAY, OCEAN REEF - [510-3072]**

Cr Magyar submitted a 97-signature petition from residents of Santiago Parkway and adjoining streets in Ocean Reef, requesting that Council improve the condition of the western verge of

Santiago Parkway from Prendiville Avenue to the Beaumaris Primary School and requesting the planting of shrubs and trees to improve the visual amenity of the area.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the petition from residents of Santiago Parkway and adjoining streets in Ocean Reef requesting that Council improve the condition of the western verge of Santiago Parkway from Prendiville Avenue to the Beaumaris Primary School and the planting of shrubs and trees be received and referred to Parks Department for a report to Council.

CARRIED

C597-12/95 **LETTER OBJECTING TO THE CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN SAPLING WAY AND WOODLANDS GROVE, HOCKING - [510-2636]**

Cr Freame submitted a letter from Mr and Mrs P Monger of Wanneroo objecting to the closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the letter objecting to the closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking be received and considered in conjunction with Item TP409-12/95.

CARRIED

C598-12/95 **LETTER OBJECTING TO ADULT BOOK SHOP - JOONDALUP - [30/4521]**

Cr Freame submitted a letter from Mr and Mrs Smyth of Joondalup objecting to the proposed Adult Book and Products Shop in Reid Promenade, Joondalup.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the letter from Mr and Mrs Smyth objecting to the proposed Adult Book and Products Shop in Reid Promenade, Joondalup be received and referred to Town Planning Department for action.

CARRIED

C599-12/95 **PETITION RELATING TO EXCESSIVE NOISE, SMOOTHSTONE COURT, JOONDALUP - [2664/165/19]**

A 3-signature has been received from residents of Joondalup in relation to excessive noise emanating from a property in Smoothstone Court.

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

MOVED Cr Curtis, **SECONDED** Cr Lynn that the petition from residents of Joondalup in relation to excessive noise emanating from a property in Smoothstone Court be received and referred to Environmental Health Department for action.

CARRIED

C600-12/95

**PETITION REQUESTING UPGRADING OF TOILET/SHOWER
FACILITIES - QUINNS/MINDARIE BEACHES - [765-8,
765-12]**

A 202-signature petition has been received from Paul Filing, JP, MP, Federal Member for Moore on behalf of residents of Quinns Rocks and surrounding suburbs requesting upgrading of the toilet/shower facilities at Quinns/Mindarie beaches.

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

MOVED Cr Curtis, **SECONDED** Cr Lynn that the petition received from Paul Filing, JP, MP, Federal Member for Moore on behalf of residents of Quinns Rocks and surrounding suburbs requesting upgrading of the toilet/shower facilities at Quinns/Mindarie beaches be received and referred to Building Department for a report to Council.

CARRIED

C601-12/95

**PETITION - PARKING PROHIBITIONS - LANDSDALE ROAD,
LANDSDALE - [510-225]**

Ms Jill Scerri submitted a 15-signature petition to the Technical Services Committee Meeting held on 6 December 1995 relating to:

- "No Parking" signs being erected on the south side of Landsdale Road;
- some provision for safe public access to the nursery;
- more availability in surveillance of signs;

This petition will be considered in conjunction with Item TS383-12/95.

MOVED Cr Curtis, **SECONDED** Cr Lynn that the petition submitted by Ms Jill Scerri in relation to parking prohibitions in Landsdale Road be received and considered in conjunction with Item TS383-12/95.

CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

- A GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE
Meeting held on 1 November 1995
- B WHITFORD SENIOR CITIZENS CENTRE MANAGEMENT COMMITTEE
Meeting held on 21 November 1995
- C SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)
MANAGEMENT COMMITTEE
Meeting held on 23 November 1995

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

CARRIED

ADVISORY COMMITTEES

- A YOUTH ADVISORY COMMITTEE
Meeting held on 20 November 1995
- B CULTURAL DEVELOPMENT ADVISORY COMMITTEE
Meeting held on 27 November 1995

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

CARRIED

OTHER COMMITTEES

- A WHITFORD RECREATION ASSOCIATION
Meeting held on 16 October 1995
- B BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION
Meeting held on 18 October 1995
- C GIRRAWHEEN/KOONDOOLA RECREATION ASSOCIATION (INC)
Meeting held on 24 October 1995
- D YANCHEP/TWO ROCKS RECREATION ASSOCIATION
Meeting held on 6 November 1995
- E BURNS RATEPAYERS & RESIDENTS ASSOCIATION (INC)
Meeting held on 9 November 1995
- F BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION
Meeting held on 15 November 1995
- G DISABILITY ACCESS COMMITTEE
Meeting held on 20 November 1995

H SHIRE OF WANNEROO AGED PERSONS HOMES TRUST INCORPORATED
Meeting held on 21 November 1995

I OFFICE SITES SAFETY COMMITTEE
Meeting held on 4 December 1995

MOVED Cr Freame, **SECONDED** Cr O'Grady that the Minutes listed at Items A to I 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.

Lynda Arnold of Whitworth Place, Girrawheen submitted the following questions for the Council meeting of 20 December 1995 in relation to Item TS395-12/95:

- Q1 Is the Council aware that incomplete and apparently purposeless fire breaks were put in the Southwest corner of Koondoola Open Space recently?
- Q2 Who authorised the construction of these fire breaks?
- Q3 Who constructed these fire breaks?
- Q4 What was the purpose of the construction of these firebreaks?
- Q5 Is the southern portion of Koondoola Open Space vested with the City of Wanneroo?
- Q6 Does the City intend to protect this valuable natural resource which is part of our heritage?
- Q7 Has the Council budgeted any money for the southern portion of Koondoola Open Space?
- Q8 When does the City intend to protect this valuable natural resource by constructing more significant fencing as stated in the Draft Management Plan?

The Town Clerk advised these questions will be taken on notice and a response given at the Council meeting to be held on 28 February 1996.

DECLARATIONS OF PECUNIARY INTEREST

Cr O'Grady declared an interest in item TP402-12/95

Cr Curtis declared an interest in Item C622-12/95

Cr Magyar declared an interest in Item C630-12/95

BUSINESS REQUIRING ACTION

Legend - Numbering System:

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

C602-12/95 **TOWN PLANNING COMMITTEE**

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the Report of the Town Planning Committee Meeting, held on 4 December 1995 be received.

CARRIED

ATTENDANCES

Councillors: A V DAMMERS, JP - Mayor - Acting
 Chairman from
 1802 hrs

L O'GRADY

A W WIGHT

M E LYNN, JP - to 1850 hrs

G W CURTIS

S P MAGYAR - Deputising for
 Cr Cooper

Central Ward

North Ward

South Ward

South-West Ward

South-West Ward

Central Ward

A B HALL - Deputising for Cr Wood	South Ward
F D FREAME - Observer to 1850 hrs,	
Deputising for Cr Lynn	
from 1850 hrs to	
1907 hrs	South-West Ward
H M WATERS - Observer to 1907 hrs	North Ward
L A EWEN-CHAPPELL - Observer	Central Ward

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

APOLOGIES

An apology for absence was tendered by Cr Cooper: Cr Magyar deputised.

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

Apologies for absence were tendered by Crs Taylor, Moloney and Major.

PUBLIC/PRESS ATTENDANCE

There were 11 members of the Public and 1 member of the Press in attendance.

APPOINTMENT OF ACTING CHAIRMAN

Cr Dammers was appointed Acting Chairman.

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 6 NOVEMBER 1995

The Minutes of Town Planning Committee Meeting held 6 November 1995 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - PROPOSED SERVICE STATION/CONVENIENCE STORE AND EXTENSION TO SERVICE STATION WORKSHOP AT LOT 674 (107) EDDYSTONE AVENUE, CRAIGIE - [30/582]

Mr T Murphy of Chesterton International, on behalf of the owners/tenants of Craigie Plaza Shopping Centre, addressed the Committee in relation to the proposed service

station/convenience store and extension to service station workshop at Lot 674 (107) Eddystone Avenue, Craigie - Item TP395-12/95 refers.

Mr Murphy sited the main problems as being:

- 1 Lack of space already around the Shell Service Station and Craigie Plaza Shopping Centre;
- 2 The area is already well catered for as there are existing traders in the shopping centre who operate after hours, including the pharmacy, newsagency, pizza parlour, Chinese restaurant and a video outlet;
- 3 The shopping centre is already trading below previous trading levels due to the close proximity of Beldon Shopping Centre;
- 4 Present tenants were unaware of the possibility of the extensions as a result of Council's change in rules regarding Amendment 642;
- 5 Considerable concerns regarding lack of parking space at the shopping centre. If a convenience store is located within the service site there would not be sufficient parking spaces on the site. Craigie Plaza entered into a reciprocal parking arrangement with the local tavern and there will be a shortfall of car bays if the convenience store goes ahead;
- 6 Patrons of the service centre will clash with the shopping centre's primary busy period;
- 7 There is already a major problem with security at Craigie Plaza;
- 8 The service station will result in negative income for the shopping centre;
- 9 The value of businesses and rental properties will drop as a result of the convenience store.

In conclusion Mr Murphy stated that no action should be taken until further discussions are held regarding Amendment 642 and that Craigie residents do not need a convenience store.

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

DEPUTATION - SHELL CRAIGIE SELF SERVE - [30/582]

Mr John Pritchard of ERM Mitchell McCotter, on behalf of the owner The Shell Company of Australia Ltd, addressed the Committee in relation to the proposed service station/convenience store and extension to service station workshop at Lot 674 (107) Eddystone Avenue, Craigie - Item TP395-12/95 refers.

Mr Pritchard gave a slide presentation showing the existing use, the proposed development and the purpose of the development.

He sited the main points in relation to the proposed extension as being:

- 1 There will be no change in operating hours of the service station;
- 2 No changes to the site layout other than to accommodate the four car parking bays;
- 3 The extra 27m² of shop floor area does not affect the gross area of the establishment;
- 4 The application will include an upgrade of store facilities to improve the staff and general service requirements;
- 5 Many of the products they will carry are similar to the range already in the service station and it is not anticipated they will draw many additional customers from the shopping centre;
- 6 70% - 80% of customers who attend the service station do so to get petrol;
- 7 It is not anticipated that there will be much increase in the volume of traffic along the roads;
- 8 The proposed development has an increase of the shop area but the gross leasable floor area remains the same;
- 9 Minor alterations only to existing building;
- 10 The facility will be modernised and upgraded to make it safer for staff and customers and provide a higher standard of service;
- 11 Economic and commercial reasons are not valid grounds for the application to be refused;

- 12 Studies in terms of noise have demonstrated that improvement to a site of this type does not dramatically increase noise and this site complies well within EPA requirements
- 13 Lighting on site will remain the same and additional landscaping will further buffer the commercial development;
- 14 Security for staff will be improved;
- 15 Similar developments in surrounding suburbs are located in similar commercial environments and Council has received no complaints with regard to those sites.

In conclusion Mr Pritchard stated that The Shell Company of Australia Ltd will be upgrading most of the service stations in the Wanneroo area in the near future to improve staff amenities and customer service.

He commented that the proposed development is unlikely to have any detrimental effect on the surrounding environment.

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

DEPUTATION - PROPOSED CONVENIENCE STORE - SHELL SERVICE STATION,
MARINA BOULEVARD, OCEAN REEF - [30/2355]

Mr Vic Harman of the Ocean Reef Residents' Association Inc addressed the Committee in relation to the proposed convenience store - Shell service station, Marina Boulevard, Ocean Reef.

Mr Harman raised concerns regarding the proposed convenience store and reported that he was not happy with the Town Planner's report and recommendation and comments about the objections raised.

He drew Councillor's attention to a letter he had received from a particular resident regarding a number of the objections. These objections related to an increase in traffic accidents, the loss of view that would result with the development and car lights invading the resident's property.

Mr Harman commented that he believed the reason for the moving of the work shop was to increase revenue from the convenience store.

He referred to an article from the West Australia which pointed out that armed robberies double near service station and pointed

out instances of service stations being held up in the early hours of the morning and raised his concerns regarding casing and possible robbery of the shop.

In relation to the cross-over, Mr Harman told of people who wish to travel north making illegal exits.

Mr Harman spoke of petitions objecting for various reasons and stated that the residents were concerned.

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

DEPUTATION - QUINNS ROCKS ENVIRONMENTAL GROUP - [239/2/500]

Mr David Wake and Miss Natalie Reeves on behalf of Quinns Rocks Environmental Group addressed the Committee in relation to various issues and submitted briefing notes to Councillors - Appendix II refers.

Miss Reeves stated they would like to raise their concerns regarding the proposed urban development at Lot 2 Burns Beach which was outlined in the Public Environmental Review.

She gave reasons why the proposal is unacceptable. These reasons included:

- 1 The plan does not take into account the ecological significance of the area and the high conservation value;
- 2 The proposal will have a major impact on the area as the bush would be bulldozed and this part of our natural heritage lost forever;
- 3 The land is not needed to meeting housing needs;
- 4 The area is a habitat for wild life;
- 5 The type of dunes found at Burns Beach are unique;
- 6 Significant species of flora occur in the area;
- 7 The area is an important part of the proposed link between the coast and Neerabup National Park;
- 8 The area contributes to the City's character.

Mr Wake gave a slide presentation of the dunes and flora and fauna in the area.

He outlined the reasons the area is significant and stated that the landowner proposes urban development including over 2,500 houses, with only a minimal area set aside as open space.

Mr Wake made mention of a public meeting held in November attended by over 50 people. The meeting unanimously called on the government to reject the development proposal and protect the area as an A-class conservation reserve.

He requested that in Council's submission giving its views to the Public Environmental Review, consideration be given to including the concerns of the Quinns Rocks Environmental Group.

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.

Appendix II refers.

DECLARATIONS OF PECUNIARY INTEREST

Cr O'Grady declared an interest in Item TP402-12/95.

MEETING TIMES

Commenced: 1801 hrs
Closed: 2016 hrs

REPORT NO:

TP390-12/95 DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE - 26 OCTOBER 1995 TO 20
NOVEMBER 1995 - [290-1]

CITY PLANNER'S REPORT

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit from 26 October to 20 November 1995.

In relation to the item Extensions to petrol filling station/conversion to convenience store Lot 80 (121) Quinns Road Quinns Rocks submitted by C J Berbatis Holdings Pty Ltd, Cr O'Grady requested to be informed if an appeal was submitted to the Minister against one of the conditions imposed by the City Planner relating to traffic flow.

Cr Hall wished to record his disapproval in relation to the application by Warwick Entertainment Centre for an additional cinema. He stated that there were existing problems with traffic and parking and believed that an additional cinema should not be approved.

Cr Wight advised that Cr Hall wished to be recorded as dissenting.

MOVED Cr Wight, **SECONDED** Cr Moloney that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP390-12/95.

CARRIED

Cr Hall dissented.

Appendix III refers

TP391-12/95 DRAFT LOCAL STRUCTURE PLAN FOR THE LAND BETWEEN
OCEAN REEF ROAD, YELLAGONGA REGIONAL PARK, SCENIC
DRIVE AND WANNEROO ROAD, WANNEROO - [790-695]

CITY PLANNER'S REPORT

Advertising of the Draft Local Structure Plan for the area bounded by Ocean Reef Road, Yellagonga Regional Park, Scenic Drive and Wanneroo Road, Wanneroo, concluded in October 1995.

The City Planner provides background information on the proposed rezoning of Pt Lot 15 Wanneroo Road, Wanneroo from Rural to Residential Development R5 and R15. He also gives details of the submissions received for the Draft Local Structure Plan.

He reports that due to the nature of comments received it is recommended that Council does not endorse this plan. Instead, it is proposed that those landowners affected promote structure planning for this area independently.

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

- 1 does not endorse the Draft Local Structure Plan submitted by Chappell and Lambert Planning and Design Consultants on behalf of Mr Lindsay Spiers insofar as it relates to the area south of Pt Lot 15 Wanneroo Road;
- 2 writes to the landowners within the subject area south of Pt Lot 15 and advises them of Point 1 above, and that no subdivision or development of this southern area will be supported until such time as an approved local structure plan is in place;
- 3 advises Chappell and Lambert Planning Design Consultants that the subdivision for Pt Lot 15 should be modified to reflect the relocation of the westernmost local distributor (south-west corner of Pt Lot 15) further east to straddle the boundary of Lots 9 and 10 Backshall Place.

CARRIED

TP392-12/95 BERKLEY ROAD LOCAL STRUCTURE PLAN AREA: ROAD
UPGRADING REFUND - [740-94680]

CITY PLANNER'S REPORT

An application has been submitted by Pacesetter Homes Pty Ltd for the refund of one half of the cost of its upgrading of Berkley Road in early 1993.

The City Planner provides background details to the subject matter and reports that Pacesetter Homes Pty Ltd is entitled to a refund out of money paid by Turner Corporation Ltd as a contribution towards the cost of upgrading a portion of Berkley road that abuts its landholdings.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council authorises payment of \$5,162.55 from Account No 05156 to Pacesetter Homes Pty Ltd as its entitlement to a refund for the upgrading of Berkley Road, Marangaroo.

CARRIED

**TP393-12/95 JOONDALUP CITY CENTRE DEVELOPMENT PLAN AND MANUAL
- [730-8-1]**

CITY PLANNER'S REPORT

LandCorp has revised the Joondalup City Centre Development Plan and Manual in accordance with the provisions of Town Planning Scheme No 1 and formal adoption by Council is required.

The City Planner provides background information on the Plan and Manual and gives details of the content and scheme provisions.

He reports that interested consultants and members of the public can purchase copies of the document from LandCorp.

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

- 1 adopts the revised Joondalup City Centre Development Plan and Manual prepared by LandCorp dated February 1995 and amendments dated September 1995 in accordance with and for the purposes of the provisions of Clause 5.42 of Town Planning Scheme No 1;
- 2 advises LandCorp that adoption of the Joondalup City Centre Development Plan and Manual in the submitted form is subject to LandCorp being responsible for the printing of all amendments to the Development Plan and Manual and for making copies available to the public.

CARRIED

**TP394-12/95 TYRE DISPOSAL FACILITY, 19 MILE QUARRY, FLYNN
DRIVE, NEERABUP - [790-716, 30/453]**

The Department of Environmental Protection has issued approval for a tyre disposal facility at the 19 Mile Quarry site, Flynn Drive, Neerabup. Council has previously issued approval for inert fill on this site although it was not envisaged that tyres would form part of the fill. The management implications of tyre disposal sites differ from those of other inert fill sites, and a number of concerns are raised about the Department of Environmental Protection's lack of consultation and future tyre disposal proposals.

The City Planner provides background information to the subject matter and reports on the need for a tyre disposal facility, the proposed tyre disposal facility and the community benefit from such a facility.

He comments that Council should advise the Department of Environmental Protection that it wishes to be assured that the

Department will manage the site in accordance with the regulations. Further, Council should indicate that an ongoing community benefit, in addition to the hastened fill of the quarry is appropriate and ask how this benefit will be obtained.

CITY PLANNER'S REPORT recommended that Council:

- 1 pursuant to the provisions of S5.11 of Town Planning Scheme No 1, adopts and advertises for public comment a draft policy which states that all future development applications for inert fill should specifically exclude tyres, due to the specific management and environmental implications of this category of fill;
- 2 writes to the Department of Environmental Protection expressing concern about the lack of consultation with Council in locating a regional tyre disposal facility in the City, potential environmental impacts on Lake Neerabup, fire hazard in close proximity to residential areas and possible community benefit, as outlined in Report TP394-12/95.

COMMITTEE RECOMMENDATION

That Council:

- 1 pursuant to the provisions of S5.11 of Town Planning Scheme No 1, adopts and advertises for public comment a draft policy which states that all future development applications for inert fill should specifically exclude tyres, due to the specific management and environmental implications of this category of fill;
- 2 writes to the Department of Environmental Protection expressing concern about the lack of consultation with Council in locating a regional tyre disposal facility in the City, potential environmental impacts on Lake Neerabup, fire hazard in close proximity to residential areas and possible community benefit, as outlined in Report TP394-12/95;
- 3 seeks a further report on Council's policy to levy a licence and inspection fee on inert operations.

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

- 1 pursuant to the provisions of S5.11 of Town Planning Scheme No 1, adopts and advertises for public comment a draft policy which states that all future development applications for inert fill should specifically exclude

tyres, due to the specific management and environmental implications of this category of fill;

- 2 writes to the Department of Environmental Protection expressing concern about the lack of consultation with Council in locating a regional tyre disposal facility in the City, potential environmental impacts on Lake Neerabup, fire hazard in close proximity to residential areas and possible community benefit, as outlined in Report TP394-12/95;
- 3 seeks a further report on Council's policy to levy a licence and inspection fee on inert operations;
- 4 writes to the Minister expressing Council's disappointment on his approval of this matter.

CARRIED

Appendix IV refers

**TP395-12/95 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 background information on the subject matter. He also reports on the location, the proposal, the current approval status, objections received in relation to advertising carried out, a submission by Shell Australia Pty Ltd and gives an assessment of the proposal.

He comments that except for the car-parking requirements the subject proposal satisfies the City's Town Planning Scheme No 1 development standards. It is considered appropriate to grant conditional approval subject to the design being modified for the provision of 21 on-site carbays.

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 10m² 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.

COMMITTEE RECOMMENDATION

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 10m² 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;
- 4 landscape plan to be provided to improve the visual amenity of the area to the satisfaction of the City Parks Manager.

MOVED Cr Curtis, **SECONDED** Cr Lynn that Council having regard to the interests of orderly and proper planning and the preservation of the amenity of the locality, refuses the application submitted by Ms Choate on behalf of Shell Company of Australia Ltd in respect of the proposed extension to the Service Station and inclusion of a convenience store component at Lot 674 (107) Eddystone Avenue, Craigie.

CARRIED

TP396-12/95 PROPOSED ADDITION TO POLICY J3-10 RESIDENTIAL PLANNING CODES - [702-1, 290-5]

CITY PLANNER'S REPORT

A conflict has become apparent between recent Ministerial advice and Council's interpretation and implementation of the Residential Planning Codes as they apply to structures related to dwelling units. An addition to Council's Policy J3-10 is proposed to remove the conflict.

The City Planner provides background information on the Residential Planning Codes and reports on Ministerial advice received and the proposed policy.

He advises that it is proposed that Council adopts a policy under which all open-sided structures associated with dwelling units would be treated in the same manner as open pergolas are now.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council, in accordance with Clause 5.11 of Town Planning Scheme No 1:

- 1 adopts and advertises for public comment as a draft addition to Policy J3-10 RESIDENTIAL PLANNING CODES, the following:

OPEN STRUCTURES

In line with recent Ministerial advice, open structures such as variable pergolas, patios, and verandahs associated with dwelling units and designed to enhance residential enjoyment of private open space shall not be considered to be a building in terms of the Residential Planning Codes for the purposes of calculating open space requirements and building setbacks. Additions to Grouped Dwelling comprising this class of structure will require a Building Licence only and not Planning approval;

- 2 subject to no adverse comment being received, finally adopts the addition to Policy J3-10 RESIDENTIAL PLANNING CODES, without modification.

CARRIED

TP397-12/95 **SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY COMMITTEE - 26 OCTOBER 1995 TO 20 NOVEMBER 1995 - [740-1]**

CITY PLANNER'S REPORT

The City Planner submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee from 26 October to 20 November 1995.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP397-12/95.

CARRIED

Appendix V refers

**TP398-12/95 CLOSE OF ADVERTISING: AMENDMENT NO 737 TO TOWN
PLANNING SCHEME NO 1 TO MAKE VETERINARY
ESTABLISHMENT AN "AA" USE IN THE TWO ROCKS TOWN
CENTRE ZONE - [790-737]**

CITY PLANNER'S REPORT

Advertising of Amendment No 737 to make a "Veterinary Establishment" a discretionary (AA) use in the Two Rocks Town Centre Zone closed on 17 October 1995.

The City Planner provides background details to the subject matter. He reports that Council, at its Ordinary Meeting on 28 June 1995, resolved to initiate an amendment to the Town Planning Scheme text to make "Veterinary Establishment" a discretionary (AA) use in the Two Rocks Town Centre Zone.

He comments that no submission was received and finalisation of the amendment is therefore recommended.

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

- 1 finally adopts Amendment No 737 to Town Planning Scheme No 1 to amend the Scheme Text to make "Veterinary Establishment" an AA use in the Two Rocks Town Centre Zone;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents.

CARRIED

**TP399-12/95 FINALISATION OF AMENDMENT NO 716 TO TOWN PLANNING
SCHEME NO 1: REZONING OF LOTS 1 AND 2 FLYNN
DRIVE, NEERABUP FROM RURAL TO SPECIAL RESIDENTIAL
- [790-716]**

CITY PLANNER'S REPORT

Amendment No 716 has been advertised and twelve submissions received. Objections were made to Special Residential zoning, however this is considered appropriate due to the development limitations imposed by the quarry area. A number of changes are required to access and road contribution arrangements. A heritage report proposing preservation works to the on-site lime kilns has been prepared.

The City Planner provides background information to the subject matter. He reports on advertising carried out and on the twelve submissions received and comments on zoning and development density, sewerage, likelihood of urbanisation, economic viability, quarrying, road access, road contributions, lime kilns and the vesting of open space areas.

He advises that it is recommended that the amendment be finalised, subject to amended conditions and a legal agreement.

Cr Curtis requested that amendments be made to the recommendation in relation to the planting of local indigenous plant species and to advise the purchasers of the special conditions.

Cr Magyar advised of an error in the Committee's recommendation and requested that Point 1, 2,(c),(iii) be moved to form Point 3,(f),(iii). He also requested amendment be made to the wording of Point 3 (f) in order to provide advice on any printed advertising.

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

1 rescinds part 2 of Council resolution TP132-4/95 as follows:

"2 advises the applicant that in the interests of facilitating the development of the subject area it has resolved to seek preliminary approval to advertise the above amendment but before granting final approval to Amendment 716 it will require:

(a) that the applicants enter into a legal agreement secured through a Deed with the Council at the applicants' expense with regard to:

(i) ceding free of cost to Council of the land required for the upgraded Flynn Drive, and the meeting of half the cost of provision of full earthworks and construction of one carriageway for the length of the upgraded Flynn Drive abutting the application area;

(ii) ceding and development of the recreation and equine park area;

- (iii) securing commitment to the restoration of the lime kilns and ceding of the surrounding Public Open Space area;
 - (iv) securing commitments in relation to the establishment and operation of the Home Owners' Association;
 - (v) ensuring that areas of non-specific use within the recreation and equine park will be accessible to the general public;
- (b) submission of a plan detailing the nature and extent of works proposed for the recreation and equine park;
- (c) measures to be introduced to provide advice to landowners on the titles of all new lots in relation to:
 - (i) possible noise problems due to the proximity of the Pinjar Motor Sports Area;
 - (ii) owner responsibilities associated with the Home Owners' Association and the possibility of an additional levy being required to be paid to Council should the Home Owners' Association fold;
- (d) all necessary approvals being obtained in relation to the proposed use of the quarry at Lot 1, Flynn Drive as an inert land fill site;
- (e) that the following changes be made to the applicants' rezoning report to enable the document to be used as part of the future formal consideration of the Scheme amendment:
 - (i) incorporation of the modified Special Provisions outlined in (a) above;

- (ii) amending the report to address requirements (c), (d) and (e) above;
 - (iii) correcting the emission of Lot 2 from the description of the subject land on page 17;
 - (iv) depicting Wanneroo Road as an "Other Major Highways Reserve" on the Scheme Map;
 - (v) correcting the reference to Schedule 6 on page 15;
- (f) the plantings within the proposed median splitter islands being of a "low maintenance" standard that is satisfactory to the City Parks Manager;
- (g) a flora and fauna survey to the satisfaction of the City Planner and City Parks Manager being included as part of the Environmental Report;
- (h) the applicants be advised that the proposed building covenants and design guidelines once formulated and endorsed by Council will be the responsibility of the Home Owners' Association and that the Council would not be in a position to assist with the on-going maintenance of these matters;
- (i) the applicants to discuss with the Council's Building Department any proposal to erect structures or buildings within the quarry landfill area;
- (j) the following engineering conditions being fulfilled to the satisfaction of the City Engineer:
 - (i) the finalisation of the Flynn Drive alignment and road reserve boundaries; including coordination of earthwork levels, batters and noise attenuation screening;

- (ii) the provision of an emergency access to the development in case of serious bushfires blocking the main access;
- (iii) the design of the local roads incorporating splitter islands, landscaped medians, etc, satisfying the appropriate design standard (Austroads Guidelines);
- (iv) the design standard for access lanes being amended to require a 5 metre wide carriageway;
- (v) "access lanes" being defined as servicing a maximum of 4 lots, and "Cul-de-sacs" as servicing a maximum of 10 lots;
- (vi) a drainage catchment plan and the size and location of drainage reserves being identified prior to any subdivision application;
- (vii) a concept plan for the former quarry/proposed open space being prepared prior to filling of the quarry in order to identify future building sites and therefore required compaction and acceptability of fill;
- (k) the Council undertaking further investigation of the lime kiln that is located within a proposed Special Residential lot in order to determine whether or not the area surrounding the kiln will need to be dedicated as public open space."

2 finally adopts Amendment No 716 to Town Planning Scheme No 1 to:

- (a) rezone Lots 1 and 2 Flynn Drive, Neerabup from Rural Zone to Special Residential Zone and Parks and Recreation Reserve;

(b) add to schedule 6 of the Scheme the 14 Special Provisions relating to the control of development within the new zone set out in Attachment No 3 to Report TP399-12/95 subject to:

(i) modification of the Development Guide Plan as outlined in this report, to delete Access A, incorporate Access B and relocate the western access point C to D as per Attachment No 2;

(ii) 3 below;

3 advises the applicant that prior to executing the Amendment No 716 documents, it will require that the applicants enter into a legal agreement secured through a Deed with the Council at the applicants' expense with regard to:

- (a) ceding free of cost to Council of the land required for the upgraded Flynn Drive, and the meeting of 5.5% of the cost of provision of full earthworks and construction of one carriageway for the length of the upgraded Flynn Drive between Wanneroo Road and the western boundary of Lot 1, Loc 2579 and 2.75% of the above costs for the portion of upgraded Flynn Drive from the western boundary of Lot 1, Loc 2579 to Pinjar Road;
- (b) ceding of the lands proposed for public open space, pursuant to S20(A) of the Town Planning Act; and the freehold transfer, at no cost to Council, of the land proposed for the Recreation and Equine Park; and development of the recreation and equine park area;
- (c) securing commitment to the restoration of the lime kilns and ceding of the surrounding Public Open Space area;
- (d) securing commitments in relation to the establishment and operation of the Home Owners' Association;
- (e) ensuring that areas of non-specific use within the recreation and equine park will be accessible to the general public;
- (f) measures to be introduced to provide advice to landowners on the titles of all new lots and on

any printed advertising for the proposed subdivision in relation to:

- (i) possible noise problems due to the proximity of the Pinjar Motor Sports Area;
- (ii) owner responsibilities associated with the Home Owners' Association and the possibility of an additional levy being required to be paid to Council should the Home Owners' Association fold;
- (iii) all purchasers being made aware of the special provisions applicable to the Special Residential Zone;

4 subject to advice from the Hon Minister that he is prepared to finally adopt Amendment No 716, authorises the affixation of the Common Seal to and endorses the signing of, the amending documents for Amendment No 716;

5 adopts:

- (a) the proposals for lime kiln restoration as outlined in the report on lime kilns at 19 Mile Quarry, Neerabup by R Brittain dated October 1995, subject to completion of the proposed Stages 1 and 2 within six months of the signing of the legal agreement and addressing of the safety aspects of the kilns and fencing as required in stage 3 of the proposed kiln preservation works, as part of subdivision approval;
- (b) the report submitted by Cossill and Webley regarding horizontal and vertical alignments for Flynn Drive dated 30 October 1995;

6 advises the applicant that compliance with the following conditions will be required at the time of subdivision:

- (a) the plantings within the proposed median splitter islands being of a "low maintenance" standard that is satisfactory to the City Parks Manager;
- (b) the applicants to discuss with the Council's Building Department any proposal to erect structures or buildings within the quarry landfill area;

- (c) fulfilment of the following engineering conditions to the satisfaction of the City Engineer;
- (i) the finalisation of the Flynn Drive alignment and road reserve boundaries; including coordination of earthwork levels, batters and noise attenuation screening;
 - (ii) the provision of an emergency access to the development in case of serious bushfires blocking the main access;
 - (iii) the design of the local roads incorporating splitter islands, landscaped medians, etc, satisfying the appropriate design standard (Austroads Guidelines);
 - (iv) the design standard for access lanes being amended to require a 5 metre wide carriageway;
 - (v) "access lanes" being defined as servicing a maximum of 4 lots, and "Cul-de-sacs" as servicing a maximum of 10 lots;
 - (vi) a drainage catchment plan and the size and location of drainage reserves being identified prior to any subdivision application;
 - (vii) intersection design for the western (Flynn Drive) subdivisional access be prepared to include localised widenings to provide for passing lanes;
 - (viii) provision of access to Wanneroo Road being to the satisfaction of Main Roads WA, as per their letter of 31 October 1995 (ref 60.1714.20);"

7 advises the owners of Lots 16, 50 and 51 of the contents of this report and that future accesses will be required to be 100 metres from the 19 mile quarry subdivisional access road;

8 adopts a reduced speed limit on the southern section of Flynn Drive of 70 kph (currently 80 kph);

- 9 at such time as the western realigned section of Flynn Drive is constructed, investigate the partial closure or downgrading of the southern section of Flynn Drive, to serve as a no-through special residential access road;
- 10 local indigenous flora to be used for rehabilitation, roundabouts and traffic islands wherever possible subject to the satisfaction of the City Parks Manager.

CARRIED BY

AN ABSOLUTE MAJORITY

Appendices VI and VII refer.

TP400-12/95 **CLOSE OF ADVERTISING: AMENDMENT NO 726 TO TOWN PLANNING SCHEME RECODING PORTION OF LOT 16 (11) TRAPPERS DRIVE, WOODVALE FROM R20 TO R40 - [790-726]**

CITY PLANNER'S REPORT

Advertising of Amendment No 726 to recode portion of Lot 16 (11) Trappers Drive, Woodvale from R20 to R40 by way of a sign on site, the Government Gazette, the local newspaper and referral to adjoining/nearby landowners and the Water Authority of Western Australia, closed on 10 November 1995 and resulted in no submissions.

The City Planner provides background details on the subject land and advises that finalisation of the amendment is recommended.

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

- 1 finally adopts Amendment No 726 to Town Planning Scheme No 1 to recode a portion of Lot 16 (11) Trappers Drive, Woodvale from R20 to R40;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents.

CARRIED

TP401-12/95 **PROPOSED AMENDMENT NO 749 TO TOWN PLANNING SCHEME NO 1: REZONING OF LOT 1 (40) BADGERUP ROAD, WANGARA FROM RURAL TO GENERAL INDUSTRIAL - [790-749]**

CITY PLANNER'S REPORT

This request, submitted on behalf of prospective purchaser Peter Galvin for Amendment No 749, is consistent with the Metropolitan

Region Scheme zoning and Council's and LandCorp's intentions for this area. A portion of Lot 1 is, however, reserved for the purpose of an Important Regional Road. Rezoning of the balance of this lot only is supported.

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

He reports that Improvement Plan No 23 exists over the area but is intended to be revoked by the WA Planning Commission in view of LandCorp's decision to play a lesser role in the development of the area. It is therefore appropriate for Council to discontinue the preparation of Town Planning Scheme No 19 as a part of this amendment.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) supports Amendment No 749 to Town Planning Scheme No 1 to rezone portion of Lot 1 (40) Badgerup Road, Wangara from Rural to General Industrial, subject to the following:

- 1 prior to the final execution of the amending documents:
 - (a) a satisfactory plan of subdivision being conveyed to Council which does not prejudice the development of future adjacent subdivided lots;
 - (b) an approved local structure plan being in place for the area bounded by Hartman Drive, Ocean Reef Road, Mirrabooka Avenue and Gngara Road which incorporates the plan of subdivision referred to in 1(a);
 - (c) a letter of undertaking being submitted from the landowner stating that it will make the necessary infrastructure contributions for the subject cell on the basis as set out in the W A Planning Commission letter to Council dated 3 May 1994;
- 2 upon receipt of the plan referred to in 1(a) above, advises BSD Planning Consultants of the need to incorporate this plan in the local structure plan for this cell;
- 3 discontinues the preparation of proposed Town Planning Scheme No 19.

CARRIED

TP402-12/95

AMENDMENT NO 750 TO TOWN PLANNING SCHEME NO 1:
PROPOSED RECODING OF LOT 732 (5) CAMDEN GLADE,
MINDARIE FROM R20 TO R40 - [790-750]

CITY PLANNER'S REPORT

This request submitted by Taylor & Burrell on behalf of Gumflower Pty Ltd to recode Lot 732 (5) Camden Glade, Mindarie from R20 to R40 is consistent with the approved plan of subdivision and Mindarie Keys Structure Plan.

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

Cr O'Grady declared an interest in this item.

MOVED Cr Wight, **SECONDED** Cr Curtis that Council, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended):

- 1 supports Amendment No 750 to Town Planning Scheme No 1 to recode Lot 732 (5) Camden Glade, Mindarie from R20 to R40;
- 2 requests the Hon Minister for Planning to approve a reduce advertising period of twenty-one days.

CARRIED

Cr O'Grady did not vote.

TP403-12/95 **PROPOSED AMENDMENT NO 751 TO TOWN PLANNING SCHEME
NO 1 REZONING OF SERVICE STATION ZONE ON LOT 70
CORNER WANNEROO ROAD AND DUNDEBAR ROAD, WANNEROO
TO ACCOMMODATE A CONVENIENCE STORE AND TWO
COMMERCIAL UNITS - [790-751]**

CITY PLANNER'S REPORT

Amendment No 751 submitted by Greg Rowe & Associates on behalf of Mintrag Pty Ltd and requests rezoning of this Service Station zoned site to enable the addition of a convenience store and two separate commercial units.

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

He reports that the request is premature given the impending study to be conducted of the Wanneroo Town Centre which includes the subject lot and it is recommended that consideration of the rezoning be deferred pending completion of this study.

ADDITIONAL INFORMATION

The City Planner reported that the consultants have requested this item be deferred in order that they may request a deputation to the February Town Planning Committee Meeting with a view to having this matter dealt with at that meeting. Cr Cooper, Chairman of the Town Planning Committee, stated the request for a deputation was approved but believed no change needed to be made to the recommendation.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council defers consideration of proposed Amendment No 751 to Town Planning Scheme No 1 submitted by Greg Rowe & Associates on behalf of Mintrag Pty Ltd to rezone the Service Station Zone on Lot 70 corner Wanneroo and Dundobar Roads, Wanneroo to enable the addition of a convenience store and two separate commercial units pending the completion of the Wanneroo Townsite Study.

CARRIED

TP404-12/95 TOWN PLANNING SCHEME NO 7A, MARANGAROO - [780-7A]

CITY PLANNER'S REPORT

The City Planner reports that all matters relating to the settlement of the Scheme owners' entitlements from the operation of both Part A and Part B of this Scheme, other than the distribution of the Scheme surplus funds have been finalised.

The only Scheme Asset that is to be realised is a single residential lot within Part B situated at Lot 51 Giralt Road.

The Municipal Fund is entitled to recoup from the Part B Scheme Account certain advances totalling \$316,610.87.

The City Planner provides details of the recoup to Municipal Fund and the balance of funds. He advises that there are certain legal proceedings currently in train in respect to the Scheme Part A surplus fund and it is probable that a Scheme Amendment will be brought down over that Part.

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

- 1 authorises the calling of public tenders for the sale of Lot 51 Giralt Road, Marangaroo;
- 2 authorises a transfer to the Municipal Fund of an amount of \$316,610.87 representing allocated Scheme Costs and Recoups from Town Planning Scheme No 7A Part B Account No 63135.

CARRIED

TP405-12/95

**RECOUP OF EXPENDITURE: ACQUISITION OF LAND FOR
HEPBURN AVENUE: EAST WANNEROO DEVELOPMENT SCHEME
AND BERKLEY ROAD LOCAL STRUCTURE PLAN AREA -
[780-21, 780-22]**

CITY PLANNER'S REPORT

The administration of the East Wanneroo Development Scheme Area and the Berkley Road Local Structure Plan Area calls for the acquisition of the land requirements for Hepburn Avenue to be met jointly by each project area in the proportions of 73% and 27% respectively.

The City Planner provides background details of the subject matter and reports on the issues and interest component.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council authorises the transfer of an amount of \$105,866 from the East Wanneroo Development Scheme Area Account No 63089 to the Berkley Road Local Structure Plan Area Account No 18612 for the 73.00% proportion plus interest due by Cell 5 of East Wanneroo District Structure Plan Area for land acquired for the Hepburn Avenue alignment to date.

CARRIED

TP406-12/95

**REQUEST FOR EXTENSION OF LEASE TERM: QUINNS ROCKS
CARAVAN PARK - BOLDVIEW PTY LTD - [402/211/2,
30/62]**

CITY PLANNER'S REPORT

The Lessee and operator of the Quinns Rocks Caravan Park, Boldview Pty Ltd has requested that Council reconsiders its resolution of 19 April 1995 (Item TP122-04/95 refers) not to agree to any extension of the term of the current lease.

The City Planner provides details of the issues involved and reports on the response by Boldview Pty Ltd to these issues and gives an assessment to these submissions.

He comments that Council should not pass up this opportunity to retrieve, for the public's enjoyment, a Parks and Recreation Reserve that would, if the Council were to grant any extension of the current lease, be used to provide permanent leasehold residences in a de facto estate for the benefit of a few individuals to the detriment of the general public.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council does not agree to any extension of the term of the current lease of the Quinns Rocks Caravan Park.

CARRIED

TP407-12/95

REALIGNMENT OF LEASE BOUNDARY - SORRENTO BOWLING CLUB (INC), PERCY DOYLE RESERVE - [319-3]

CITY PLANNER'S REPORT

The Sorrento Bowling Club leases a portion of the Percy Doyle Reserve. The Club wishes to have its south-eastern boundary realigned to allow it to accommodate a croquet club within the complex.

The City Planner provides details of the current lease and the proposed realignment.

He reports that the proposal will rationalise the eastern boundary of the lease and provide the Club with a more useable area and therefore the request should be supported.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council agrees to the Sorrento Bowling Club Inc's lease over a portion of Percy Doyle Reserve, Duncraig being amended by realigning the south-eastern boundary and amalgamating an additional 448m² of land with its existing lease.

CARRIED

TP408-12/95

PEDESTRIAN ACCESSWAY CLOSURES - [520-2]

CITY PLANNER'S REPORT

Council, at its September meeting, requested a report on the feasibility, following closure of a pedestrian accessway, of such land within the accessway being leased, rather than sold, thereby allowing the accessway to be re-opened at some future date, if required.

The City Planner provides information on the procedure for closing a pedestrian accessway.

He reports that the leasing of the land within an accessway is not considered to be a practical solution, however if Council wishes to proceed on this basis the approval of the Department of Land Administration would need to be sought as it is the authority that would be leasing the land.

RECOMMENDATION

That Council does not agree to lease land within a closed pedestrian accessway and continues to only close an accessway on

the basis that the land is sold to the adjoining property owners in accordance with the guidelines for accessways.

MOVED Cr Magyar, **SECONDED** Cr Major that Council requests the Department of Land Administration and the West Australian Municipal Association to:

- 1 revise administrative guidelines for closure of pedestrian accessways to allow closed accessways to be leased to adjoining land owners for a period of ten years;
- 2 develop guidelines so that at the end of that period the need for the accessway will be reviewed allowing the accessway to be either re-opened or the lease to be extended for another period.

Discussion ensued. Cr Magyar, with the approval of Cr Major, advised he wished to have the Motion **WITHDRAWN**

MOVED Cr Magyar, **SECONDED** Cr Major that consideration of leasing land within pedestrian accessways be deferred and referred back to Town Planning Committee.

CARRIED

Cr Taylor requested the Motion be again put to the vote. The Motion was Put and

CARRIED

**TP409-12/95 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN
SAPLING WAY AND WOODLANDS GROVE, HOCKING - [510-
2636]**

CITY PLANNER'S REPORT

The property owners adjoining the pedestrian accessway between Sapling Way and Woodlands Grove, Wanneroo, have requested the City to close the accessway on the grounds of antisocial behaviour. The proposed closure was advertised and at the close of the advertising period a petition objecting to the closure was received.

The City Planner makes comments on this application and advises that as the petition is signed by the majority of residents in Woodlands Grove, who will be the ones most affected if the accessway is closed, closure should therefore not be supported.

RECOMMENDATION

That Council does not agree to the closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking.

MOVED Cr Ewen-Chappell, **SECONDED** Cr O'Grady that consideration of the closure of the pedestrian accessway between Sapling Way and Woodlands Grove, Hocking be deferred and referred back to Town Planning Committee.

CARRIED

**TP410-12/95 CLOSURE OF PART OF BENMUNI ROAD RESERVE -
BADGERUP LAKES SPECIAL RURAL ZONE, WANNEROO -
[790-302]**

The alignment of the unconstructed road reserve of Benmuni Road has been deviated by the design of the Badgerup Lake Special Rural Zone. The former alignment is to be closed and amalgamated with the adjoining landholdings and the section north of Estrel Road is to form part of Recreation Reserve 40012 which is vested in the City of Wanneroo.

The City Planner reports on the procedure for the permanent closure of roads and provides details of the issues involved.

He advises that given the circumstances, it is anticipated that there will be no public submissions on the proposed closure nor any submissions from the servicing authorities.

CITY PLANNER'S REPORT recommended that Council:

- 1 authorises notification in a local newspaper of the proposed closure of the former alignment of the Benmuni Road Reserve north of Estrel Road, Wanneroo;
- 2 subject to no objections being received, requests the Minister for Lands to declare the portion of the former alignment of the Benmuni Road Reserve north of Estrel Road, Wanneroo closed.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council authorises notification in a local newspaper of the proposed closure of the former alignment of the Benmuni Road Reserve north of Estrel Road, Wanneroo.

CARRIED

TP411-12/95 GATE ACROSS CLUBHOUSE LANE - GNANGARA - [510-3018]

CITY PLANNER'S REPORT

The Lakelands Country Club wishes to renew its gate licence across Clubhouse Lane, Gngara. The gate is across a dedicated public road which leads to the Country Club.

The City Planner makes comments on the application and advises that the application should be supported, subject to no objections being received during the required advertising period.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council grants the renewal of the gate licence held by Lakelands Country Club (Inc) across Clubhouse Lane, Gngara for a further period of two years subject to no objections being received within the prescribed advertising period.

CARRIED

TP412-12/95 APPLICATION FOR A GATE LICENCE ACROSS OLD PINJAR ROAD, PINJAR - [250/2694/1090]

An application has been received to erect unlocked swing gates across the unconstructed old alignment of Pinjar Road, Pinjar. The proposed gates will need to be advertised in a local newspaper.

The City Planner makes comments on this application and advises that subject to there being no objections during the statutory advertising period, the gates may be approved.

CITY PLANNER'S REPORT recommended that Council issues a gate licence to M L and N Ioppolo to allow Anderson Road, Pinjar to be closed by unlocked swinging gates for a period of two years, subject to there being no objections within the advertising period.

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

- 1 defers consideration of the application for a gate licence across old Pinjar Road, Pinjar;
- 2 seeks advice from the Ministry for Planning as to whether it desires to have part of the road reserved closed and incorporated into the Regional Parks and Recreation Reserve.

CARRIED

TP413-12/95 FORESHORE RESERVES AND WIDTHS WITHIN THE CITY OF WANNEROO AND THE QUINNS ROCKS ESTATE, STAGE 1
FORESHORE MANAGEMENT PLAN - [765-12]

CITY PLANNER'S REPORT

Council has requested comment on action available to the City to ensure foreshore reserves are of adequate width within the City.

The City has always sought in its discussions with State Government Authorities to ensure as wide a foreshore as possible because of the uncertainties of coastal stability, recreational use, and possible greenhouse related sea levels and climatic changes. Ultimately, however the final boundary is determined as a result of discussions between numerous authorities of which the City is only one player, and at times the reserve boundary has been at odds with the City's preferred boundary.

The City Planner advises that the Draft Quinns Rocks North Foreshore Management Plan has now been advertised for a four week period, resulting in three submissions being received which generally support the plan, although further research and clarification is required.

He provides background details of the subject matter and reports on the delineation of foreshore reserve boundaries and widths, changes in the delineation of foreshore reserve boundaries, Quinns Rock North Foreshore Management Plan, Stage 1 and submissions received for the Quinns Rock North Foreshore Management Plan.

He makes comments on the submissions received and advises that subject to the these comments being included in the final plan, it is felt that Council should support the Quinns Rocks Estate, Stage 1, Foreshore Management Plan.

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

- 1 finally adopts the Quinns Rocks Estate, Stage 1, Foreshore Management Plan prepared by Alan Tingay and Associates, on behalf of Silverton Pty Ltd subject to the matters raised in Report TP413-12/95, being addressed as part of a final Foreshore Management Plan to the satisfaction of the City Planner;
- 2 writes to the Ministry for Planning advising of its concerns with the present methodology used to determine coastal foreshore reserve width and insist that approval authorities better address coastal reserve boundary delineation which includes assessing a broader range of criteria for boundary delineation as well as ensuring that the most current scientific data is available as input into this process. Standards should be developed to ensure that apart from shoreline and landform stability, conservation and recreational values being the sole criteria for the reserve width and boundary,

landscape values, heritage values, educational opportunities, more consideration of adjacent land uses and greater attention to the interface between coastal reserves and adjacent uses are also included. Council's concerns reinforce recent discussions with Feilman Planning Consultants and the Ministry for Planning regarding the Alkimos/Eglinton District where the City has sought a review of the existing Parks and Recreation Reserve boundary. Council also encourages the Ministry to finalise its coastal policy for the Metropolitan area and that close liaison with Local Governments such as the City of Wanneroo should be an integral part of the process.

CARRIED

Appendix VIII refers

**TP414-12/95 PUBLIC ENVIRONMENTAL REVIEW FOR THE PROPOSED
RESIDENTIAL DEVELOPMENT OF THE WESTERN CELL, LOT
2 BURNS - [740-61]**

The Environmental Protection Authority has invited submissions from the public in respect of a Public Environmental Review for the proposed residential development of the Western Cell of Lot 2 Burns. The submissions close on 22 December 1995.

The City Planner provides background information on the subject matter and makes comments on the Public Environmental Review

CITY PLANNER'S REPORT recommended that Council provides comments to the Environmental Protection Authority on the Public Environmental Review for the proposed residential development of the Western Cell at Lot 2 Burns in accordance with the matters addressed in Report TP414-12/95.

COMMITTEE RECOMMENDATION

That:

- 1 Council provides comments to the Environmental Protection Authority on the Public Environmental Review for the proposed residential development of the Western Cell at Lot 2 Burns in accordance with the matters addressed in Report TP414-12/95;
- 2 a further report be submitted to the Council meeting to be held on 20 December 1995 addressing the level of public concern raised by the Quinns Rocks Environmental Group.

ADDITIONAL INFORMATION

At its December 1995 meeting, the Town Planning Committee received a submission from Quinns Rocks Environmental Group on this subject proposal. Consequently, the Committee asked that the Group's submission be examined to see whether there was a need for an additional recommendation to that included in Report TP414-12/95 to be submitted to Council.

The City Planner advises that the submission advocates protection of all of the land north of Burns Beach Road and west of Marmion Avenue through reservation for conservation purposes and as such seeks rejection of the development proposal. In support of this course of action, the Group identifies the following issues:

1the type of dunes found in Burns are unique and not represented elsewhere;

2the vegetation is in excellent condition;

3the area is an important habitat for wildlife;

4the area is an important part of the proposed link between the coast and Neerabup National Park as advocated by the System 6 Recommendation M6;

In response to the above issues it is pointed out that:

- (a) the suggestion to conserve the entire site is not consistent with System 6 Recommendation M6 which does not cover the entire site and therefore does not preclude development of part of the land;
- (b) all the matters indicated in the submission are covered in Report TP414-12/95.

Considering the above, it was not considered necessary to make a new recommendation to Council.

However, the City Planner further advises that, following comments received from Cr Magyar, it is recommended that the recommendation for Report TP414-12/95 be changed to incorporate some of the concerns.

The City Planner was requested to forward the 790-signature petition (Item C523-11/95 refers) in relation to proposed development of Mindarie Dunes, Neerabup National Park and important bushland areas in Wanneroo to the Environmental Protection Authority.

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

- 1 provides comments to the Environmental Protection Authority on the Public Environmental Review for the proposed residential development of the Western Cell at Lot 2 Burns in accordance with the matters addressed in Report TP414-12/95;
- 2 refers in its comments to the Environmental Protection Authority on the Public Environmental Review, to the desirability of considering the inherent values of the Western Cell area in the context of other environmental management/conservation initiatives (including the City's Local Conservation Strategy, and relevant international/national agreements and strategies and attendant principles - specifically the National Ecologically Sustainable Development Strategy, the National Strategy for the Conservation of Biological Diversity and the Precautionary Principle from the Rio Earth Summit);
- 3 in this instance sets aside its policy in respect of "Communication of Council Resolutions" to allow for immediate action on this matter.

CARRIED

Appendix XII refers

TP415-12/95 ESTABLISHMENT OF FREE (NUDIST) BEACHES IN THE CITY OF WANNEROO - [765-20]

CITY PLANNER'S REPORT

Council previously received petitions from ratepayers and residents of the City and the Wanneroo Free Beach Association regarding the establishment of free (nudist) beaches. After seeking the views of the Attorney General, Council wrote to the Minister for Police for his views in relation to the application of the provisions of the Police Act 1892 (WA) and WA Criminal Code on free (nudist) beaches.

The City Planner provides background information on the subject matter. He gives details of the response received from the Minister for Police and makes comments on that response.

He advises that it is considered appropriate to reconsider the subject matter once Section 104 of the Police Act 1892 (WA) is repealed.

RECOMMENDATION

That Council:

1 awaits the outcome of the intended repeal of Section 104
of the Police Act 1892 (WA) (bathing without a costume)
in order to reconsider the matter regarding the
establishment of free (nudist) beach;

2 advises the Wanneroo Free Beach Association accordingly.

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

1 awaits the outcome of the intended repeal of Section 104
of the Police Act 1892 (WA) (bathing without a costume);

2 advises the Wanneroo Free Beach Association accordingly.

CARRIED

TP416-12/95 DUNE PRESERVATION - YANCHEP - [765-1]

CITY PLANNER'S REPORT

Council has received a 15-signature petition from the home owners of Compass Circle, Yanchep requesting retention of the system of bollards and fences presently installed by the City for dune preservation.

The City Planner provides background information on the subject matter and makes comments on this application.

He advises that Council has engaged Bill James Landscape Architects to prepare a Foreshore Management Plan for Yanchep-Two Rocks area. This plan, amongst many matters, would address dune preservation in relation to the proposed dual use pathways, accessways to the beach, car parks etc. A copy of the subject petition has been communicated to the consultants for consideration in the preparation of the foreshore management plan.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council advises the petitioners that Council is currently preparing a Foreshore Management Plan for the Yanchep-Two Rocks area and that the matters mentioned in the petition would be considered.

CARRIED

TP417-12/95 PROPOSED DEDICATION OF PORTIONS OF HEPBURN AVENUE, GREENWOOD AND SORRENTO - [510-1900]

CITY PLANNER'S REPORT

The Department of Land Administration has advised the City that several portions of Hepburn Avenue are not yet dedicated.

The City Planner provides information on the subject land and advises that as the road has been used as a public road for a number of years, the Minister for Lands should be requested to dedicate the land as a public road.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council requests the Hon Minister for Lands to dedicate the portions of land in Hepburn Avenue between Cockman Road, Greenwood and Taree Court, Kingsley and between Trevally Way and Harcourt Drive, Sorrento under Section 288 of the Local Government Act.

CARRIED

TP418-12/95 SEGREGATION OF HORSES AND DOGS AT HILLARYS ANIMAL BEACH - [765-20]

Council has received a number of petitions requesting segregation of horses and dogs at the Hillarys Animal Exercise Beach due to conflict being experienced between dogs, horses and people especially during summer when it is over-crowded.

The City Planner provides background information on the subject matter. He comments on the extent of the existing animal exercise beach, proposed amendments to the relevant Council By-laws and gives an assessment of the proposal.

He reports that the proposed animal exercise area will be designated subject to the provisions of Council's By-laws relating to Reserves and Foreshores. In view of the reduced length of the dog exercise area, a suitable amendment to the By-laws relating to dogs is necessary.

CITY PLANNER'S REPORT recommended that Council:

- 1 adopts amendments to its By-laws Relating to Dogs and By-laws Relating to Reserves and Foreshores to segregate

dogs and animal exercise areas, as proposed in Report TP418-12/95;

- 2 authorises affixation of the Common Seal to, and endorses the signing of the document.

MOVED Cr Cooper, **SECONDED** Cr Wight that consideration of segregation of horses and dogs at Hillarys Animal Beach be deferred pending further information and a further report submitted to Town Planning Committee.

CARRIED

TP419-12/95 AMENDMENTS NOS 595 AND 675 TO TOWN PLANNING
SCHEME NO 1: EAST ROAD, HOCKING - [790-595,
790-675]

CITY PLANNER'S REPORT

An application has been received from consultants Taylor & Burrell, on behalf of their client Australian Housing & Land, seeking a change to Amendments Nos 595 and 675 which propose to rezone a number of rural landholdings near the junction of Wanneroo Road and East Road, Hocking/Pearsall, for residential purposes. The change involves the removal of Lot 31 Wanneroo Road from Amendment No 595 and its inclusion in Amendment No 675 to correspond with the extent of a subdivisional approval which has recently been issued. The applicant also requests that the executed Amendment No 675 documents be forwarded to the Ministry for Planning for finalisation.

The City Planner provides background details to the subject matter and reports on the current application.

He proposes procedures and a recommendation to modify Amendments Nos 595 and 675.

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

- 1 agrees to modify Amendment No 595 to City of Wanneroo Town Planning Scheme No 1 to delete Lot 31 Wanneroo Road from that amendment and to modify Amendment No 675 to that Scheme to include Lot 31 Wanneroo Road for rezoning to Residential Development R20, subject to the Hon Minister for Planning agreeing that this modification may be undertaken;
- 2 approves the forwarding of the executed Amendment No 675 documents to the Ministry for Planning for finalisation on the basis that the Del Roio property will be in credit to the proposed developer contribution system for this area and the provision of an undertaking to make

the appropriate developer contribution is therefore unnecessary.

CARRIED

TP420-12/95 LEGAL ADVICE ON A MINISTERIAL APPEAL
DETERMINATION - CATTLE FEED LOT ON LOC 1345 (111)
LAKEVIEW STREET, MARIGINIUP - [30/4700]

CITY PLANNER'S REPORT

Council requested the advice of McLeod & Co in respect of the appeal determination made by the Minister for Planning, Hon Richard Lewis on a proposed cattle feed lot, Loc 1395 (111) Lakeview Street, Mariginiup.

The City Planner provides background information on the subject matter and reports on the advice received from McLeod & Co.

He advises that the Western Australian Planning Commission had the responsibility to determine the application and it is unlikely that it would challenge the determination of the Minister.

MOVED Cr Cooper, **SECONDED** Cr Wight that CITY PLANNER'S REPORT TP420-12/95 be received.

CARRIED

TP421-12/95 ATTENDANCE AT OZRI 9 CONFERENCE - [202-1]

CITY PLANNER'S REPORT

The City Planner advises that Mr Greg Melvin, Cartographic Systems Co-ordinator attended the Ozri 9 Conference held in Sydney from 28 August to 1 September, 1995. The conference is the Environmental Systems Research Institute and ERDAS users held yearly in varying Australian locations.

Mr Melvin reports on the conference and advises that it proved valuable in providing a common forum for airing of problems, solutions, products and suggesting innovative ways in which the Environmental Systems Research Institute products can be used.

MOVED Cr Cooper, **SECONDED** Cr Wight that CITY PLANNER'S REPORT TP421-12/95 be received.

CARRIED

TP422-12/95 PROPOSED AMENDMENT NO 753 TO TOWN PLANNING SCHEME
NO 1 - CITY OF WANNEROO OMNIBUS DISTRICT SCHEME
AMENDMENT - [790-753]

CITY PLANNER'S REPORT

The Metropolitan Region Scheme (MRS) Omnibus Amendment for the North West Corridor (and City of Nedlands) took effect on 15 November 1995. Prior to the MRS Amendment being finalised, Council had previously considered introducing an Omnibus rezoning to its local scheme to reflect the various zones introduced by this MRS Amendment.

The City Planner provides background details of the proposal and gives an assessment of the site and Scheme amendments. He also comments on submissions received.

He advises that given that there was no opposition to the proposed local authority rezoning and in recognition of Council's obligations under the relevant Planning Act, it is recommended that Council initiates an Omnibus Amendment to its scheme to accord with the new MRS zonings enacted on 15 November 1995.

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

- 1 in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended, supports Amendment No 753 to Town Planning Scheme No 1 as an Omnibus District Scheme Amendment to include various local authority zones to correspond with the North West Corridor Omnibus Amendment No 963/33 to achieve the following:
 - (a) rationalisation of Important Regional Roads and Controlled Access Highways Reservations in the Iluka and Currambine localities to include a Residential Development R20 zone as shown on Attachment No 1 to Report TP422-12/95;
 - (b) rezoning various lots north of the Wanneroo Townsite from the Rural Zone to the Urban Development Zone as shown on Attachment No 3 to Report TP422-12/95;
 - (c) transferring land on the western edge of the Yellagonga Regional Park from the Parks and Recreation Reservation to the Joondalup City Centre Zone as shown on Attachment No 5 to Report TP422-12/95;
 - (d) transferring land between Scenic Drive, Ocean Reef Road and Wanneroo Road from Rural Zone and Parks and Recreation Reservation to the Urban

Development Zone and Service Industrial Zone as shown on Attachment No 2 to Report TP422-12/95;

- (e) transferring land adjacent to the intersection of Hepburn Avenue and Mitchell freeway from the Controlled Access Highway Reservation to Residential Development R20 as shown on Attachment No 4 to Report TP422-12/95;

- 2 prior to finalising Amendment No 753, requires that Amendment No 731 to Town Planning Scheme No 1 is finalised and gazetted.

CARRIED

Appendices XIII, XIV, XV, XVI and XVII refer

TP423-12/95 PROPOSED REDEVELOPMENT OF THE SERVICE STATION AT LOT 100 (6) MARINA BOULEVARD, OCEAN REEF TO INCLUDE A CONVENIENCE STORE - [30/2355]

ERM Mitchell McCotter, on behalf of the Shell Company of Australia Ltd, has requested development approval in respect of a proposed redevelopment of the existing Shell Service Station at Lot 100 (6) Marina Boulevard, Ocean Reef. This redevelopment proposal will include a convenience store component.

The City Planner provides background information on the proposal. He also reports on the existing use of the subject site, the development proposal, advertising carried out and gives an assessment of the proposal.

He advises that the proposal is in compliance with the provisions of the City's Town Planning Scheme and as such is supportable, however, to ensure effective flow of traffic within the site it is recommended that the proposed layout be redesigned.

CITY PLANNER'S REPORT recommended that Council approves the application submitted by ERM Mitchell McCotter on behalf of Shell Company of Australia Ltd in respect of the proposed redevelopment of the existing service station to include a convenience store component at Lot 100 (6) Marina Boulevard, Ocean Reef, subject to:

- 1 sales area including staff amenities, storage areas, offices, machinery rooms, cooler rooms and the like shall have a total floor area not exceeding 250m²;
- 2 a maximum of 10m² being used for the preparation, sale and servicing of food to customers. The food should be

in a form ready to be eaten without further preparation, primarily off the premises;

- 3 the design being modified to the satisfaction of the City Planner and the City engineer to ensure effective flow of traffic within the site;
- 4 the external appearance of the building must harmonise with the surrounding residential development to the satisfaction of the City Planner;
- 5 standard and appropriate conditions.

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that Council having regard to the interests of orderly and proper planning and the preservation of the amenity of the locality, refuses the application for the redevelopment of the existing service station to include a convenience store component at Lot 100 (6) Marina Boulevard, Ocean Reef, submitted by ERM Mitchell McCotter on behalf of Shell Company of Australia Ltd.

CARRIED

TP424-12/95 **PROPOSED EXTENSION OF EXISTING FEEDMILLS ON LOC 1665 (1040) WANNEROO ROAD, SINAGRA - [30/58]**

CITY PLANNER'S REPORT

An application has been submitted by Inghams Enterprises Pty Ltd for an expansion of its feedmill on Loc 1665 (1040) Wanneroo Road, Sinagra.

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

He advises that the proposal is in opposition to State and Local development proposals and refusal may yet be the best option. However, as there may be some opportunity to negotiate an improvement in the facility for the short term and negotiate the closure and relocation of the mill and broiler sheds in the longer term, a meeting should be arranged with the General Manager in the new year to discuss the issues.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council defers the application submitted by Inghams Enterprises Pty Ltd on Loc 1665 (1040) Wanneroo Road for expansion of the existing feedmill until discussion has been held to work out a strategy which would see the relocation of the feed and broiler operation.

CARRIED

CITY PLANNER'S REPORT

The Minister for Planning has written to Council advising that he has granted final approval to a number of rezoning amendments which as yet have not been signed, sealed and returned by Council. He has therefore requested that Council take urgent action to finalise these rezonings.

The City Planner provides background information on the subject and reports on correspondence received from the Minister for Planning.

He advises that whilst a number of the outstanding issues have progressively been resolved and all of the amendments have been finally adopted by Council, execution of the amendment documents has not proceeded due to several matters still outstanding with each rezoning and he provides details of these amendments.

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

- 1 rescinds its Resolution G20630 - (Amendment No 577) viz:
 - " (i) adopts Amendment No 577 to Town Planning Scheme No 1 to rezone/code Lots 15, 16, Pt 17, 20, 21 and 209 Elliot and Wyatt Roads, Wanneroo from Rural to Residential Development R20;
 - (ii) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 577;
 - (iii) prior to affixation of the Common Seal to and signing of the amending documents, requires:
 - A the execution entirely at the applicants' expense of a deed whereby the applicants agree to pay the relevant headworks charges which will be determined by the proposed East Wanneroo Development Scheme - Town Planning Scheme No 21;
 - B either Lot 202 Wattle Mews, Wanneroo (6,211m²) be vested as public open space or, alternatively, an equivalent area of public open space be set aside adjacent to this lot, with a legal agreement being entered into between the landowner

and Council (at the applicants' expense) to ensure that 6,211m² will be vested for public open space in the applicants' first stage of subdivision in accordance with the proposed structure plan and at no expense to Council;

C acceptance of a satisfactory structure plan for the area;

(iv) subject to C above, authorises affixation of the Common Seal to and endorses the signing of the amending documents."

2 rescinds its Resolution I20631 - (Amendment No 595) viz:

" (i) finally adopts Amendment No 595 to Town Planning Scheme No 1 to rezone Lots 2, 7, 8, 31 and 34 Wanneroo Road and Lots 14, 15, 16, 17, 18 and 19 East Road and Lot 19 Archer Street, Wanneroo from Rural to Residential Development R20;

(ii) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 595;

(iii) prior to affixation of the Common Seal to the amending documents, requires:

.1 that a local structure plan has been approved by Council and the Department of Planning and Urban Development;

.2 arrangements, to the satisfaction of the City and the State Planning Commission being in place to ensure an equitable contribution is made by the landowner towards the provision of arterial roads and their associated underpasses and dual use paths, public open space, primary school sites and drainage facilities required for the proper servicing of the neighbourhood cell of which this application forms part;

.3 the applicant to demonstrate to Council that the land affected by the Environmental Protection Authority buffer requirements for Poultry Farms

can be dealt with to the satisfaction of the Department of Planning and Urban Development and the Environmental Protection Authority;

.4 subject to (iii) above:

.1

.2 forwards Amendment No 595 to the Hon Minister for endorsement of final approval and publication in the Government Gazette;

.5 advises Taylor and Burrell, on behalf of the numerous landowners, the requirements as set out in (iii) above."

3 rescinds its Resolution H20237 (Amendment No 624) viz:

" (i) adopts Amendment No 624 to Town Planning Scheme No 1 to rezone Lot 2 Madeley Street, Landsdale from Rural to Residential Development R20, R40 and R60;

(ii) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 624;

(iii) prior to affixation of the Common Seal to the amending documents, requires:

A the execution, entirely at the applicant's expense, of a deed whereby the applicant agrees to pay the relevant headworks charges which will be determined by the proposed East Wanneroo Development Scheme - Town Planning Scheme No 21;

B acceptance of a satisfactory structure plan for the subject area;

(iv) subject to (iii) above, authorises affixation of the Common Seal to, and endorses the signing of, the amending documents."

4 rescinds its Resolution H20920 (Amendment No 675) viz:

- " (i) finally adopts Amendment No 675 to Town Planning Scheme No 1 to rezone Lots 32 and 25 Wanneroo Road and Lots 33, 27, 200, 201, 29 and 30 East Road, Wanneroo from Rural to Residential Development R20;
- (ii) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 675;
- (iii) prior to affixation of the Common Seal to the amending documents, requires arrangements, to the satisfaction of the City and the State Planning Commission being in place to ensure an equitable contribution is made by the landowner towards the provision of arterial roads and their associated underpasses and dual use paths, public open space, primary school sites and drainage facilities required for the proper servicing of the neighbourhood cell of which this application forms part;
- (iv) subject to (iii) above:

- A authorises affixation of the Common Seal to, and endorses the signing of, the amending documents;
- B forwards Amendment No 675 to the Hon Minister for endorsement of final approval and publication in the Government Gazette"

5 rescinds its Resolution TP133-04/95 (Amendment No 688) viz:

- " (i) finally adopts Amendment No 688 to Town Planning Scheme No 1, subject to the satisfactory resolution of the following:

A an approved local structure plan for the area bounded by Wanneroo Road, Mirrabooka Avenue alignment, Ocean Reef Road and the eastern extension of urbanisation;

- B a letter of undertaking being submitted from the subject landowners stating that they will make the necessary infrastructure contributions for the subject area, as set out in the State Planning Commission's letter to Council dated 3 May 1994;

C satisfactory arrangements being in place to ensure the landowners obligations for the acquisition, dedication and construction of the proposed local distributor road located along the eastern boundary of Lot 6 within Reserve 28058;

(ii) authorises the affixation of the Common Seal to and endorses the amendment documents;

(iii) advises the consultant that with regard to the 10% public open space (POS) contribution as specified in the State Planning commission 3 May 1994 letter, it is the City's intention that the subject landowner will still be required to make a contribution of land (lots) in lieu of the 10% POS provision."

6 in relation to Amendment No 577:

- (a) adopts Amendment No 577 to Town Planning Scheme No 1 to rezone/code Lots 15, 16, Pt 17, 20, 21 and 209 Elliot and Wyatt Roads, Wanneroo from Rural to Residential Development R20;
- (b) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 577;
- (c) requires the applicant to demonstrate to Council that the land affected by the Environmental Planning Authority buffer requirements for poultry farms can be dealt with to the satisfaction of the Ministry for Planning and the Environmental Planning Authority;
- (d) subject to (c) above, authorises affixation of the Common Seal to and endorses the signing of the amending documents;

7 in relation to Amendment No 595:

- (a) finally adopts Amendment No 595 to Town Planning Scheme No 1 to rezone Lots 2, 7, 8, 31 and 34 Wanneroo Road and Lots 14, 15, 16, 17, 18 and 19 East Road and Lot 19 Archer Street, Wanneroo from Rural to Residential Development R20;

- (b) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 595;
- (c) requires the applicant to demonstrate to Council that the land affected by the Environmental Protection Authority buffer requirements for Poultry Farms can be dealt with to the satisfaction of the Department of Planning and Urban Development and the Environmental Protection Authority;
- (d) subject to (c) above:
 - (i) authorises affixation of the Common Seal to, and endorses the signing of, the amending documents;
 - (ii) forwards Amendment No 595 to the Hon Minister for endorsement of final approval and publication in the Government Gazette;

8 in relation to Amendment No 624:

- (a) adopts Amendment No 624 to Town Planning Scheme No 1 to rezone Lot 2 Madeley Street, Landsdale from Rural to Residential Development R20, R40 and R60;
- (b) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 624;
- (c) authorises affixation of the Common Seal to, and endorses the signing of, the amending documents;

9 in relation to Amendment No 675:

- (a) finally adopts Amendment No 675 to Town Planning Scheme No 1 to Town Planning Scheme No 1 to rezone Lots 32 and 25 Wanneroo Road and Lots 33, 27, 200, 201, 29 and 30 East Road, Wanneroo from Rural to Residential Development R20;
- (b) forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 675;

- (c) authorises affixation of the Common Seal to, and endorses the signing of, the amending documents;
- (d) forwards Amendment No 675 to the Hon Minister for endorsement of final approval and publication in the Government Gazette;

10 in relation to Amendment No 688:

- (a) finally adopts Amendment No 688 to Town Planning Scheme No 1, subject to:
 - (i) satisfactory arrangements being in place to ensure the landowners obligations for the acquisition, dedication and construction of the proposed local distributor road located along the eastern boundary of Lot 6 within Reserve 28058;
- (b) subject to (i) above, authorises the affixation of the Common Seal to and endorses the amendment documents;
- (c) advises the consultant that with regard to the 10% public open space (POS) contribution as specified in the State Planning commission 3 May 1994 letter, it is the City's intention that the subject landowner will still be required to make a contribution of land (lots) in lieu of the 10% POS provision.

**CARRIED BY
AN ABSOLUTE MAJORITY**

**TP426-12/95 AMENDMENT NO 731 TO COUNCIL'S TOWN PLANNING
SCHEME NO 1 [790-731]**

CITY PLANNER'S REPORT

Council resolved to initiate Amendment No 731 in July 1995 (Item TP250-07/95 refers). Amendment No 731 will introduce two new zones into Council's Town Planning Scheme No 1; "Urban Development" and "Centre" zones. It will also introduce a more flexible planning process for these zones, whereby development proceeds according to agreed structure plans. This will remove the need for development control through lengthy scheme amendment processes.

Amendment No 731 provides the enabling mechanism for Amendment No 739 which will rezone substantial areas of land at Alkimos and Eglinton to Urban Development and Centre zones (Item

TP361-11/95 refers). Consequently, Ministry for Planning and Council officers wish these companion amendments to proceed simultaneously, if possible.

The City Planner provides information on comments made by the Western Australian Planning Commission relating to Amendment No 731 and reports on advice received from Council's solicitor.

RECOMMENDATION

That Council adopts the changes proposed to Amendment No 731 by Council's solicitors as detailed in Attachment No 1 to Report TP426-12/95 and forwards these, together with Council's legal advice, to the Western Australian Planning Commission for its confirmation that it satisfies the modifications required by the Commission.

ADDITIONAL INFORMATION

The City Planner advises that the proposed amendment makes changes to the Town Planning Scheme No 1 provisions relating to the Joondalup City Centre Zone and the Joondalup City Centre Development Plan and Manual, to more closely align with the provisions proposed for Centre Zones and Urban Development Zones.

Following from the comments in Report TP393-12/95 relating to the adoption of the Joondalup City Centre Development Plan and Manual, it is considered that the Town Planning Scheme No 1 provisions should be further amended to allow the approved Development Plan and Manual to function as an Approved Structure Plan. This can be achieved by deleting provisions relating to the Development Plan and Manual and deeming the document to be an Approved Structure Plan and deleting reference to the Joondalup City Centre Zone in the Zoning Table.

The following replacements for points 5 and 6 of the attachment to Report TP426-12/95 are recommended.

- "5. Add the following new paragraph to Clause 3.4
- (a) The Special Rural Zone, Special Residential Zone, Marina Development Zone, Joondalup City Centre Zone, Centre Zone and Urban Development Zone are not listed in the Zoning Table and the permissibility of uses in those Zones is to be determined by the provisions specifically applying to them in the Scheme.
 - (b) Amend the Zoning Table (Table No 1) by deleting all reference to the Joondalup City Centre Zone.

6. Deleting Clause 5.42 and substituting:

5.42 Joondalup City Centre Zone

- (a) The Joondalup City Centre is an administrative, commercial, civic, cultural, educational and recreational complex with a range of activities providing a multi-purpose focal point for the North West Corridor.
- (b) The Joondalup City Centre Development Plan and the Joondalup City Centre Development Manual adopted by Council on 20 December 1995 shall be deemed to be an Agreed Structure Plan and may be changed, subject to such changes being approved under the provisions of Part 10 of the Scheme."

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

- 1 adopts the changes proposed to Amendment No 731 by Council's solicitors as detailed in Attachment No 1 to Report TP426-12/95, together with the following amended points 5 and 6:

- "5. Add the following new paragraph to Clause 3.4:

- (a) The Special Rural Zone, Special Residential Zone, Marina Development Zone, Joondalup City Centre Zone, Centre Zone and Urban Development Zone are not listed in the Zoning Table and the permissibility of uses in those Zones is to be determined by the provisions specifically applying to them in the Scheme.
- (b) Amend the Zoning Table (Table No 1) by deleting all reference to the Joondalup City Centre Zone.

6. Deleting Clause 5.42 and substituting:

5.42 Joondalup City Centre Zone

- (a) The Joondalup City Centre is an administrative, commercial, civic, cultural, educational and recreational complex with a range of activities providing a multi-purpose focal point for the North West Corridor.

- (b) The Joondalup City Centre Development Plan and the Joondalup City Centre Development Manual adopted by Council on 20 December 1995 shall be deemed to be an Agreed Structure Plan and may be changed, subject to such changes being approved under the provisions of Part 10 of the Scheme."

- 2 forwards the above changes, together with Council's legal advice, to the Western Australian Planning Commission for its confirmation that it satisfies the modifications required by the Commission.

CARRIED

Appendix XVIII refers

**TP427-12/95 PROPOSED REZONING VARIOUS LOTS ENTERPRISE PARK:
MODIFICATION TO AMENDMENT NO 717 - [790-717]**

CITY PLANNER'S REPORT

Taylor & Burrell Planning Consultants, on behalf of LandCorp, have requested Council to modify Amendment No 717 to include the rezoning of Lots 9, 400 and 401 Badgerup Road and Lot 21 Callaway Street, Wangara from Rural to General Industrial. LandCorp advises that it has recently secured these additional landholdings and believe that their inclusion in Amendment No 717 would facilitate the overall development of the area.

The City Planner provides background details of the application and advises that this proposal is consistent with development intentions for the area and consequently can be supported.

ADDITIONAL INFORMATION

The City Planner advises that Report TP427-12/95 with regard to the above matter, has an error in Part 1.1(a) and 2(a) of the resolution. Consequently Part 1.1(a) and 2(a) should be deleted and replaced with the following:

- 1.1(a) supports the rezoning of Lots Pt 402 and 500 Hartman Drive from General Industrial to Light Industrial and Lot 2 Badgerup Road, Lots 10 and 12 Gngangara Road and Lots 4 and 20 Callaway Street, Wangara from Rural to General Industrial accordingly;
- 2(a) supports rezoning a portion of Lots Pt 402 and 500 Hartman Drive (west of Hartman Drive Reserve) from General Industrial to Light Industrial; and Lots 2, 9,

11, 400 and 401 Badgerup Road, Lots 10 and 12 Gngangara Road and Lots 4, 20 and 21 Callaway Street, Landsdale from Rural to General Industrial accordingly.

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

1 rescinds resolution TP310-09/95 viz:

"1 in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended:

(a) supports the rezoning of Lots Pt 402 and 500 Hartman Drive from General Industrial to Light Industrial and Lot 2 Badgerup Road, Lots 10 and 12 Gngangara Road and Lots 4 and 20 Callaway Street, Wangara from Rural to General Industrial accordingly;

(b) forwards the documentation for Amendment No 717 to the Minister for Planning for preliminary approval to advertise;

2 advises Taylor and Burrell Planning Consultants on behalf of LandCorp that:

(a) Council does not support the rezoning of portions of Pt Lot 402 and 500 Hartman Drive as proposed, but rather, has initiated a Light Industrial zoning for the reasons described in this report. It should also be noted that unless LandCorp can show sufficient justification why a General Industrial zoning would be appropriate in this location, Council is not prepared to alter its position;

(b) in the interest of facilitating the development of the area, it has resolved to seek the amendment on the basis as described above, however, before granting final approval to Amendment No 717 it will require:

(i) an approved local structure plan for the area bounded by Hartman Drive, Ocean Reef Road, Mirrabooka Avenue and Gngangara Road;

(ii)a letter of undertaking being submitted from LandCorp stating that it will make the necessary infrastructure contributions for the subject cell on

the basis as set out in the WAPC letter to Council dated 3 May 1994."

- 2 in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended:
- (a) supports rezoning a portion of Lots Pt 402 and 500 Hartman Drive (west of Hartman Drive Reserve) from General Industrial to Light Industrial; and Lots 2, 9, 11, 400 and 401 Badgerup Road, Lots 10 and 12 Gngangara Road and Lots 4, 20 and 21 Callaway Street, Landsdale from Rural to General Industrial accordingly.
 - (b) forwards the documentation for Amendment No 717 to the Minister for Planning for preliminary approval to advertise;
- 3 advises Taylor and Burrell Planning Consultants on behalf of LandCorp that in the interest of facilitating the development of the area, it has resolved to seek the amendment on the basis as described above, however, before granting final approval to Amendment No 717 it will require:
- (a) an approved local structure plan for the area bounded by Hartman Drive, Ocean Reef Road, Mirrabooka Avenue and Gngangara Road;
 - (b) a letter of undertaking being submitted from LandCorp stating that it will make the necessary infrastructure contributions for the subject cell on the basis as set out in the WAPC letter to Council dated 3 May 1994.

**CARRIED BY
AN ABSOLUTE MAJORITY**

TP428-12/95 LICENCE TO OCCUPY PART OF RESERVE 34616 BENMUNI ROAD, WANNEROO : WANNEROO TROTTERING TRAINING CLUB - [1358/0000/139]

CITY PLANNER'S REPORT

The Wanneroo Trotting Training Club (Inc) wishes to take out a licence to occupy a storage shed adjacent to the trotting track it already leases from Council on Reserve 34616 in Benmuni Road, Wanneroo.

The City Planner provides background information on the subject matter and reports that the Wanneroo Trotting Training Club (Inc)

leased an oval shaped portion and a contiguous section in the north-west corner of the reserve by a Lease dated 1 August 1977.

He advises that the Lease of the track is scheduled to terminate in April 1998. The requested Licence for the shed could run for that period and thereafter be tied to a new lease period, if any, that the Trotting Club may seek to negotiate.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council approves a Licence to Occupy a portion of Reserve 34616 in Benmuni Road, Wanneroo to the Wanneroo Trotting Training Club (Inc) for use as an equipment storage shed for a period ending on 12 April 1998 at a fee of \$1.00.

CARRIED

TP429-12/95 **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 Minister and approval for a second practitioner, to operate at separate times, on Lot 504 (34) Seacrest Drive, Sorrento. The application was presented to Council's November meeting (Item TP367-11/95 refers) where it was deferred.

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

He advises that Council has previously refused this application and would normally refuse applications in similar circumstances. The existing use is recognised, however under the conditions as imposed by the then Minister.

MOVED Cr Cooper, **SECONDED** Cr Wight 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 to operate at separate times on Lot 504 (34) Seacrest Drive as:

- (a) the Minister's approval is limited to the development of consulting rooms for a sole practitioner's physiotherapy practice and the approval is only valid as long as that practitioner resides in the dwelling concerned;

- (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 enabled the development of the subject consulting room and advise that Council will instigate legal action if such terms are not complied with.

CARRIED

C603-12/95 DOG POUND - [970-2-1]

Cr Ewen-Chappell raised her concerns regarding dogs left in the pound and queried whether Council could advertise to make people aware of what animals were available.

Cr Dammers replied that he would take this question on notice.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council extends the holding period of animals to 14 days over the Christmas/New Year period to assist in cases where owners are on holiday.

CARRIED

DUNE PRESERVATION - YANCHEP - [765-1]

Cr O'Grady raised her concerns regarding the deterioration of the pathways and dunes and enquired as to when Council's Foreshore Management Plan will be available.

She was advised that this matter will be referred to the Engineering Department and in the meantime arrangements will be made for urgent maintenance work to be undertaken.

TP430-12/95 ROAD RESERVE - WHITFORDS BEACH ESTATE - [512-0]

Cr Hall raised his concerns regarding the road reserve at Whitfords Avenue opposite Whitfords Beach Estate and queried whether bollards or something similar could be erected to keep people off the road reserve.

MOVED Cr Cooper, **SECONDED** Cr Wight that a report be submitted to Council on the feasibility of bollards being erected to the road reserve at Whitfords Avenue opposite Whitfords Beach Estate.

CARRIED

APOLOGIES FOR ABSENCE - CR LYNN - [702-0]

The Mayor submitted an apology on behalf of Cr Lynn, who had left the meeting early due to ill health.

C604-12/95 TECHNICAL SERVICES COMMITTEE

MOVED Cr Moloney, **SECONDED** Cr Wight that the Report of the Technical Services Committee Meeting, held on 6 December 1995, be received.

CARRIED

ATTENDANCES

Councillors:	B J MOLONEY - Chairman	South Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North
	Ward	
	S P MAGYAR	Central Ward
	G W CURTIS	South-West
	Ward	
	A W WIGHT - Deputising for	
	Cr Taylor	South Ward
	G A MAJOR	South-West Ward
	L A EWEN-CHAPPELL - Observer from	Central
	Ward	
	1903 hrs	
	F D FREAME - Observer from	South-West Ward
	1808 hrs	
	M E LYNN, JP - Observer	South-West
	Ward	

Deputy Town Clerk:	R E DYMOCK
City Engineer:	R McNALLY
City Building Surveyor:	R G FISCHER
Deputy City Parks Manager:	D CLUNING
Minute Clerk:	S BRUYN

APOLOGIES

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

Apologies for absence were tendered by Crs Wood and Hall.

PUBLIC/PRESS ATTENDANCE

There were 7 members of the Public in attendance.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 8
NOVEMBER 1995

The Minutes of the Technical Services Committee Meeting held on 8 November 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - PARKING PROHIBITIONS - LANDSDALE ROAD, LANDSDALE -
[510-225]

Ms Jill Scerri, on behalf of the residents of Landsdale Road, addressed the Committee in relation to the parking prohibitions at Landsdale Road, Landsdale - Item TS383-12/95 refers.

Ms Scerri stated that for a number of years the residents of Landsdale Road had been having a continuing problem with traffic in the road. This included a number of accidents and a couple of near fatalities, all due to the amount of traffic and congestion created around the particular area of Lots 32, 39 and 31 Landsdale Road, mostly due to the large retail nursery on the south side of the road.

She believed that lives had been made miserable for people living in the area as most moved there for a rural lifestyle and commented that if the nursery was contained within the limits of the premises it would not be a problem. She stated that lawns were continually getting damaged by vehicles being parked on verges and also by large equipment travelling from one side of the road to the other.

Ms Scerri felt that the public had no regard for the residents' privacy as apart from parking on their verges, people also urinated in their bushes and left rubbish on their verge.

She also believed that the road was not safe as it is a public highway, and nursery patrons crossed the road pulling plant trolleys.

Ms Scerri raised her concerns regarding the recent proposal for a car park on Lot 31 as she felt that Lot 39 could still be sold as a retail nursery with no car park.

She also queried that if the nursery was going to go into production in a large way, would it be suitable for a large nursery and trucks.

Ms Jill Scerri submitted a 15-signature petition relating to:

- "No Parking" signs being erected on the south side of Landsdale Road;
- some provision for safe public access to the nursery;
- more availability in surveillance of signs;

This petition will be considered in conjunction with Item TS383-12/95.

Following questions from Councillors, the Chairman thanked Ms Scerri for addressing the Committee.

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced:	1802	hrs
Closed:	1940	hrs

REPORT NO:

TS372-12/95 PLANT REPLACEMENT RESERVE - TENDER NO 090-95/96 -
[208-090-95/96]

CITY ENGINEER'S REPORT

Tenders were advertised on 7 and 10 October 1995 for the supply and delivery of a ride on rotary mower.

The City Engineer reports on the tender submissions received.

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

- 1 endorses the purchase of a ride on rotary mower as a replacement for tractor, plant number 98 362;
- 2 approves the tender of Rover Mowers Pty Ltd for the purchase of a Toro Groundsmaster 325D for the changeover price of \$16,211.00.

CARRIED

TS373-12/95 VEHICLE REPLACEMENT RESERVE - TENDER NO 095-95/96
- [208-095-95/96]

CITY ENGINEER'S REPORT

Tenders were advertised on 1 and 7 November 1995 for the supply and delivery of seven 6 cylinder, 4WD hardtop wagons.

The City Engineer reports on the tender submissions received.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council ratifies the action of the Technical Services Committee, as empowered by the August 1995 meeting of Council, (Item TS251-08/95 refers) in accepting the tender submitted by Skipper Trucks Belmont for the supply of seven (7) Mitsubishi Pajero GL SWB hardtop wagons for the total changeover price of \$30,998.00.

CARRIED

TS374-12/95 PLANT REPLACEMENT RESERVE - TENDER NOS 096-098-
95/96 - [208-096-098-95/96]

CITY ENGINEER'S REPORT

Tenders were advertised on 1 and 7 November for the supply and delivery of front end and backhoe loaders as part of the Plant Replacement Reserve.

The City Engineer reports on the tender submissions received.

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

- 1 ratifies the action of the Technical Services Committee, as empowered by the August 1995 meeting of Council, (Item TS251-08/95 refers) in accepting the following tenders, as outlined in Attachments 2 and 3 to Report No TS374-12/95:

<u>Tender No</u>	<u>Company</u>	<u>Changeover</u>
097-95/96	N S Komatsu	\$105,188.00
098-95/96	Westrac Equipment	\$ 21,000.00

- 2 endorses the upgrade to its specification for a front end rubber tyred loader of net power output of 65KW to 90KW at Tender No 096-95/96;
- 3 approves the tender of Casequip WA for the supply of a Case 621 front end rubber tyred loader for the changeover price of \$73,868.00.

CARRIED

Appendices XIX and XX refer

TS375-12/95 VEHICLE REPLACEMENT RESERVE - TENDER NOS 099-100-95/96 - [208-099-100-95/96]

CITY ENGINEER'S REPORT

Tenders were advertised on 1 and 7 November 1995 for the supply and delivery of vehicles as part of the Plant Replacement Reserve.

The City Engineer reports on the tender submissions received.

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

- 1 accepts the following tenders as outlined in Attachment 1 and 2 to Report No TS375-12/95:

<u>Tender No</u>	<u>Company</u>	<u>Changeover</u>
099-95/96	Skipper Mitsubishi	\$ 3,911.00
100-95/96	Nuford (Specification A)	\$ 651.00
"	Titan Ford (Specification B)	\$11,176.00
"	Titan Ford (Specification D)	\$ 1,493.00

- 2 approves the upgrading of the specification for the replacement van for Plant No 95050;

- 3 defers the replacement of Plant No 95050 to the 1996/97 financial year.

CARRIED

Appendices XXI and XXII refer

**TS376-12/95 ENGINEERING TENDER FOR SWEEPING OF URBAN ROADS -
TENDER NO 103-95/96 - [208-6]**

CITY ENGINEER'S REPORT

Tender No 103-95/96 for the sweeping of urban roads was advertised in November to cover revised specifications and service period from 1 January 1996 to 30 June 1997.

The City Engineer reports on the tender submissions received.

RECOMMENDATION

That Council accepts the tender of Cruiser Road Sweepers for the sweeping of urban roads as per Tender No 103-95/96 for two (2) entire sweeps for the lump sum price of \$154,312.

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

- 1 accepts the tender of Cruiser Road Sweepers for the sweeping of urban roads as per Tender No 103-95/96 for two (2) entire sweeps for the lump sum price of \$154,312;
- 2 accepts the hourly rate of \$52.00 for casual sweeping on demand.

CARRIED

**TS377-12/95 CONSTRUCTION OF BURNS BEACH FORESHORE ACCESS
STRUCTURES - TENDER NO 94-95/96 - [765-3]**

CITY ENGINEER'S REPORT

Council has recently completed the upgrading of Burns Beach car park on the foreshore at Burns Beach. As part of the consultation process between Council, Burns Ratepayers and Residents Association and input from the Department of Planning and Urban Development (now Ministry of Planning), beach access structures were recommended to protect this fragile section of foreshore.

Council approved \$60,000 in the 1995/96 Budget for the construction of two beach access structures and in October 1995

appointed consultants to carry out design, documentation, supervision and administration of the construction of the southern and middle timber structures.

The City Engineer reports on tender submissions received.

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

- 1 approves the construction of the southern structure (Access No 1) on Burns Beach Foreshore, Burns Beach, as shown on Attachments 1 and 2 to Report No TS377-12/95;
- 2 accepts the lump sum price of \$49,942 as submitted by Ertech Pty Ltd, 63 Hay Street, Subiaco for Tender No 94-95/96 for the construction of boardwalk, steps and viewing platform of the southern structure (Access No 1) at Burns Beach Foreshore, Burns Beach, as shown on Attachment 1 and 2 to Report No TS377-12/95;
- 3 authorises the City Engineer to construct a concrete ramp at the northern end of the beach (Access No 3) as shown on Attachment 1 to Report No TS377-12/95 subject to sufficient funds in Account No 27646 - Burns Beach Foreshore. A further report will be presented should there be a shortfall in funding.

CARRIED

Appendices XXIII and XXIV refer

TS378-12/95 STREET LIGHTING - OCEANSIDE PROMENADE, MULLALOO - [221-2]

CITY ENGINEER'S REPORT

A Mullaloo ratepayer seeks Council's assistance in the erection of street lighting in Oceanside Promenade, Mullaloo between Korella Street and house number 82 near West View Boulevard (Item TS328-10/95 refers). The remainder of Oceanside Promenade has been illuminated to varying levels and there is a need to review the street lighting standard of this road.

Council has allocated funds in the 1995/96 Budget for Stage 1 installation of traffic calming treatments in this road between Mullaloo Drive and Ocean Reef Road to reduce traffic speeds and improve the safety of pedestrians crossing this road.

The City Engineer reports on the subject matter. He advises that the upgrade of the street lighting could be incorporated as the first phase of the Oceanside Promenade Traffic Calming Scheme. A street lighting scheme is currently being prepared for presentation to Western Power for a capital cost quotation.

RECOMMENDATION

That Council upgrades the street lighting in Oceanside Promenade to a standard based on a combination of 150W HPS and 250W HPS luminaires with the costs charged to Account No 33094 Oceanside Promenade Traffic Management Stage 1, Mullaloo.

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

- 1 upgrades the street lighting in Oceanside Promenade to a standard based on a combination of 150W HPS and 250W HPS luminaires with the costs charged to Account No 33094 Oceanside Promenade Traffic Management Stage 1, Mullaloo;
- 2 advises the ratepayer accordingly.

CARRIED

TS379-12/95 **STREET LIGHTING - BELANUS WAY/STROMBUS WAY,
HEATHRIDGE - [510-1321, 510-1317]**

CITY ENGINEER'S REPORT

Residents of Strombus Way and Balanus Way, Heathridge have petitioned Council for an additional street light at the junction of these two roads (Item C488-10/95 refers).

The City Engineer reports on the subject matter. He advises that an additional lamp opposite the junction is required.

RECOMMENDATION

That Council endorses the petition request for an additional lamp in Balanus Way, Heathridge at the Strombus Way junction, using Account No 34761 Street Lighting - Minor Urban Requests, as the funding source.

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

- 1 endorses the petition request for an additional lamp in Balanus Way, Heathridge at the Strombus Way junction, using Account No 34761 Street Lighting - Minor Urban Requests, as the funding source;
- 2 advises the petitioners accordingly.

CARRIED

TS380-12/95 **STREET LIGHTING - CARRAMAR PARK ESTATE - [221-2]**

CITY ENGINEER'S REPORT

In response to a ratepayer request for street lighting in the Carramar Park Estate rural subdivision, a letter drop was instigated to all residences seeking their views on the issue, in accordance with Council policy.

The City Engineer reports on the subject matter and provides a statistical summary of the response to the letter drop.

He advises that in this particular case, opponents of the programme will not embrace any form of street light installation, including the less intrusive lighting of road junctions.

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

- 1 supports the majority view of ratepayers/residents not to proceed with street lighting in the Carramar Park Estate;
- 2 advises all ratepayers/residents accordingly.

CARRIED

TS381-12/95 ARTERIAL ROAD TRAFFIC NOISE - [510-1288, 510-2]

CITY ENGINEER'S REPORT

At its meeting of 14 December 1994, Council considered a report on Arterial Road Traffic Noise (Item I51201 refers). This report addressed the issues arising from noise complaints from residents in Chipala Court, Edgewater and Cachuca Court, Duncraig.

The City Engineer provides information on the outcomes of that report and also details the findings of tests undertaken by Consulting Acoustic Engineers on Marmion Avenue, Ocean Reef and Ocean Reef Road, Beldon.

He advises that given the results from these recent tests it is now considered that asphalt resurfacing would be a viable option in the Edgewater location and reports on the cost and implementation of the resurfacing works.

He comments that it is also recommended that as other sections of arterial roads are resurfaced, noise tests, in conjunction with traffic counts be conducted and that this be an ongoing programme to determine the full effect of resurfacing.

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

- 1 authorises the resurfacing of the northern carriageway of Ocean Reef Road, Trappers Drive to Edgewater Drive at an estimated cost of \$26,000, funded from Account No 33181 Ocean Reef Road - Trappers Drive to Wanneroo Road;
- 2 approves on-going testing of arterial roads to further study the effects of noise attenuation by asphalt resurfacing.

CARRIED

TS382-12/95 TAPPING WAY TRAFFIC TREATMENTS - REALLOCATION OF FUNDS - [510-417]

CITY ENGINEER'S REPORT

Council considered a report on the traffic calming of Tapping Way, Quinns Rocks at its June 1994 meeting and resolved to list, as a high priority in the 1995/96 draft budget, the construction of a roundabout at the junction of Littleham Loop (north) and associated works in Tapping Way at an estimated cost of \$60,000 (Item TS193-06/95 refers). The residents' representatives sought island-supported pedestrian crossing points on that section of Tapping Way between Quinns Road and Littleham Loop (north).

The City Engineer reports that a traffic evaluation highlighted the requirement for pedestrian refuge islands. He reports on the cost and implementation of this traffic calming scheme.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that Council authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$18,000 from the sources listed below to accommodate the shortfall of funding required to complete the traffic calming works in Tapping Way, Quinns Rocks as shown on Attachment 1 and 2 to Report No TS382-12/95:

Account No 32999	Quinns Road - Footpath	\$7,400
Account No 32806	Mindarie Drive, Quinns Roads	
	- Footpath	\$2,600
Account No 32642	Quinns Rocks Streets	\$8,000

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendices XXV and XXVI refer

TS383-12/95 PARKING PROHIBITIONS - LANDSDALE ROAD, LANDSDALE - [510-225]

Greg Rowe and Associates, on behalf of Landsdale Nursery, has requested the removal of a portion of the verge parking

prohibition on the north side of Landsdale Road. Landsdale Nursery now owns Lot 31 which has a "NO PARKING CARRIAGEWAY OR VERGE 8.00AM - 6.00PM SATURDAY TO SUNDAY" prohibition along the entire frontage.

Traffic congestion and the lack of adequate parking facilities in the vicinity of the Landsdale and Direct Garden (now Supreme Garden Centre) Nurseries has been a contentious issue since October 1991 and is currently under investigation by the State Ombudsman.

The City Engineer provides background information on the subject matter. He comments on parking prohibitions, parking along Landsdale Road and gives details of a traffic survey undertaken in March/April 1993.

He advises that an application has recently been received for a 100 bay car park on Lot 31, which will significantly reduce the traffic congestion currently occurring. However, it will not negate the need for verge prohibitions to maintain adequate sight lines for pedestrians crossing Landsdale Road, therefore removal of the existing prohibition along the frontage of Lot 31 is not supported.

CITY ENGINEER'S REPORT recommended that Council advises Greg Rowe and Associates that it will maintain the existing "NO PARKING CARRIAGEWAY OR VERGE PROHIBITIONS 8.00AM - 6PM SATURDAY TO SUNDAY", prohibition along the frontage of Lot 31 Landsdale Road, as shown on Attachment 1 to Report No TS383-12/95, in the interests of public safety.

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

- 1 advises Greg Rowe and Associates that it will maintain the existing "NO PARKING CARRIAGEWAY OR VERGE PROHIBITIONS 8.00 AM - 6PM SATURDAY TO SUNDAY", prohibition along the frontage of Lot 31 Landsdale Road, as shown on Attachment 1 to Report No TS383-12/95, in the interests of public safety;
- 2 directs the Municipal Law and Fire Services Department to provide additional surveillance (involving overtime, if necessary) for parking prohibitions in Landsdale Road as shown on Attachment 1 to Report TS383-12/95;
- 3 raises its concern about the lack of adequate parking requirements for plant nurseries with the Minister for Planning;

- 4 improves signage for parking prohibitions currently in place on the north side of Landsdale Road as shown on Attachment 1 to Report TS383-12/95.

CARRIED

Appendix XXVII refers

TS384-12/95 PETITION - ROAD CLOSURE - SHOREBIRD PARADE,
WOODVALE - [510-2320]

CITY ENGINEER'S REPORT

Residents of Shorebird Parade, Woodvale have petitioned Council to close the street. They raised concerns regarding a major increase in the number of motorists using the street and vehicles parked along both sides of the western end of Shorebird Parade on Sunday mornings in winter time.

The City Engineer provides background information. He comments on the results of a traffic survey along Shorebird Parade undertaken in September 1995 and also comments on the problem of vehicles parked along both sides of the western end of Shorebird Parade.

He provides a summary of the proposal and advises that there does not appear to be a significant traffic need for closing Shorebird Parade.

The City Engineer circulated an amended Attachment 1 to Report TS384-12/95 - Appendix XXVIII refers.

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

- 1 does not support the proposed closure of Shorebird Parade, Woodvale;
- 2 seeks the opinion of nearby residents of Woodvale Drive and Shorebird Parade to the extent and type of parking prohibitions appropriate to limit the impact of parking associated with Timberlane Reserve;
- 3 seeks the co-operation of the Kingsley Soccer Club in advising patrons and visitors of available parking areas;
- 4 advises petitioners accordingly.

CARRIED

Appendix XXVIII refers

TS385-12/95 FOOTPATH - NELLIGAN AVENUE, GIRRAWHEEN - [510-1122]

CITY ENGINEER'S REPORT

At its July 1995 meeting, Council resolved to close the pedestrian accessway in Girrawheen linking Gayford Way to Danbury Crescent and investigate the possibility of a school children's crossing being placed across Nelligan Avenue (Item TP253-07/95 refers).

The City Engineer provides details of a survey carried out of school age pedestrians. He advises that rather than a pedestrian crossing, a short footpath link on the northern side of Nelligan Avenue, between Danbury Crescent and Whitworth Avenue, is supported to provide access to the primary school for children affected by the public accessway closure.

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

- 1 approves construction of a footpath on the northern side of Nelligan Avenue, Girrawheen connecting Danbury Crescent to Whitworth Avenue, as shown on Attachment 1 to Report No TS385-12/95;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$2,500 from Account No 32944 Beach Road Marmion - Footpath for the construction of a footpath in Nelligan Avenue, Girrawheen connecting Danbury Crescent to Whitworth Avenue.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XXIX refers

TS386-12/95 DEPUTATION - CONTROL OF TRAFFIC SPEEDS ON LOCAL
ROADS - [312-2]

CITY ENGINEER'S REPORT

The topical matters of traffic calming and speeding traffic have been the subject of recent reports with one of the issues being the enforcement of traffic regulations through the use of speed cameras in local streets.

At its meeting on 28 June 1995, Council resolved (Item C323-06/95 refers) that the Mayor invites the Mayors/Chairmen of the larger Local Government authorities to join with the City of

Wanneroo in a deputation to the Premier in relation to the control of traffic speeds.

The City Engineer reports on the deputation and provides information on the response received from the Minister for Police.

He advises that as the Premier has previously referred this matter to the Minister for Police for direct reply, Council needs to consider whether it wishes to pursue the deputation with the Premier.

RECOMMENDATION

That Council looks at the feasibility of enforcing traffic regulations through the use of speed cameras in local streets and offering a percentage of gross profits to the government with a further report on this being submitted to the next meeting of the Technical Services Committee in February 1996.

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

- 1 looks at the feasibility of enforcing traffic regulations through the use of speed cameras in local streets and offering a percentage of gross profits to the government with a further report on this being submitted to the next meeting of the Technical Services Committee in February 1996;
- 2 seeks a further deputation with the Minister for Police to express its concerns in relation to the control of traffic speeds in local streets.

CARRIED

Appendix XXX refers

TS387-12/95 80 KPH SPEED ZONING - ROSS STREET AND SYDNEY ROAD, GNANGARA - [510-209, 510-215]

CITY ENGINEER'S REPORT

Main Roads WA has advised that following numerous public inquiries relating to the legal speed limit on Ross Street and Sydney Road, Gnangara, it recently conducted a speed survey of these roads. It concluded the appropriate speed limit is 80 kms per hour. Currently the roads are unsigned.

The City Engineer reports on this matter and advises that an assessment of the speed environment supports the proposed speed zoning.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council concurs to Main Roads WA speed zoning Ross Street and Sydney Road, Gngangara at 80 kms per hour.

CARRIED

**TS388-12/95 SAND EXTRACTION - LOCATION 2477 FLYNN DRIVE,
NEERABUP - [30/3713]**

CITY ENGINEER'S REPORT

An application for an Extractive Industry Licence and Development Approval for a sand quarry on Pt Swan Location 2477 Flynn Drive, Neerabup has been submitted by the property owner, the Borello Family.

This site is adjacent to Lots 505 and 508 Pederick Road which were approved in April 1995 for a sand quarry after review of concerns about the preservation of the solitary bee, *Hylaeus globuliferus*.

The City Engineer provides information on the subject matter and comments on a Draft Structure Plan for Industrial Development at Flynn Drive that includes Location 2477.

He advises that the proposed sand quarry will allow the use of the sand resource ahead of proposed industrial subdivision and will also allow the land to be more suitably contoured for industrial development.

ADDITIONAL INFORMATION

The City Engineer states that the City Planner has had advice from the Department of Environmental Protection requesting the inclusion of an additional condition to clarify that Stage 4 is not covered in the development approval for the sand quarry. This is in accordance with the intent of TS388-12/95 and the following additional condition is recommended:

- "1(p) This approval relates only to Stage 1, 2 and 3 and is not an approval for the area shown as 'Stage 4' on the Excavation Management Plan. Any development of the land included in the Stage 4 area will require the submission of a separate application for consideration of planning approval."

MOVED Cr Curtis, **SECONDED** Cr Magyar that Council, subject to no formal assessment being required by the Department of Environmental Protection:

1 approves the application by the Borello Family for a sand quarry on Location 2477 Flynn Drive, Neerabup in accordance with the provision of its Town Planning Scheme, subject to:

- (a) the use of the land for quarrying purposes ceasing by 31 December 1997 unless a further approval is granted by Council. Renewal of the application should be submitted three months before the approval expires;
- (b) maintaining a water allocation or secure water supply for dust control;
- (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks and being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- (d) submission of an annual, updated, site contour plan and rehabilitation report and quantity of material removed from the site;
- (e) the applicant entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic act to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the agreed rate and in addition the applicant is to be responsible for the cost of asphalt surfacing the junction of the site access road onto Flynn Drive prior to its use for truck traffic from the quarry;
- (f) stabilising all stockpiles and using suitable dust suppression methods in work areas to prevent the generation of dust;
- (g) hours of quarry operation being restricted to:
 - Monday to Friday..... 0600-1700
(except public holidays)
 - Saturday..... 0600-1700
 - Sundays (work not permitted)
 - Public Holidays... (work not permitted)

- (h) all site equipment being suitably soundproofed so as to ensure that any noise emanating from the site complies with the relevant sections of the Environmental Protection Act 1986;
- (i) access onto Flynn Drive being at least 500 metres west of the eastern boundary or any such proposed access route to be the subject of an acoustic consultant's report confirming it will not create a problem under the terms of the Environmental Protection Act 1986;
- (j) there being a clear understanding that, regardless of the conditions imposed, no indemnity from the provisions of the Environmental Protection Act 1986 is implied or given;
- (k) maintaining a sealed crossover and sealing up to the first 10m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
- (l) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (m) no excavation within 20 metres of the property boundaries before submitting to Council a copy of consent from the adjoining property owner and no excavation within 50 metres of the currently existing boundary with Flynn Drive;
- (n) all fill areas shall be compacted to a 95% modified maximum dry density when tested in accordance with AS1289 E2.1-1977 and certified by a NATA registered laboratory. Unless otherwise approved by the City Engineer the fill material shall be placed in 300mm layers and each layer compacted and appropriately tested;
- (o) standard conditions;
- (p) this approval relates only to Stage 1, 2 and 3 and is not an approval for the area shown as 'Stage 4' on the Excavation Management Plan. Any development of the land included in the Stage 4 area will require the submission of a separate

application for consideration of planning approval;

- 2 approves an Extractive Industry Licence for The Borrello Family for a sand quarry on Location 2477 Flynn Drive, Neerabup with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 2 years to 31 December 1997;
- (c) rehabilitation bond - \$10,000;
- (d) under By-law 21 of the Extractive Industry By-laws agreement to the operator paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate.

CARRIED

TS389-12/95 MULLALOO SURF LIFE SAVING CLUB: ALTERATIONS TO CLUBROOMS - [313-5-1]

The Director of House for the Mullaloo Surf Life Saving Club has written to Council seeking permission to make alterations to the Clubroom bar facilities and to install gas (or wood) heating in the Clubrooms. In both cases, the Club will meet all costs.

The City Building Surveyor provides details of the alterations sought by the Club. He advises a meeting on site between the Club, representatives of the Building Department and the engineer that designed the building's structure determined that what was proposed would not adversely affect the building fabric.

He reports on the two options for heating and advises that gas heating is felt to be the best option, however no Alinta Gas supply is available to the Club. Bottled gas is the Club's preference, and subject to the bottles being kept in a safe position that cannot be vandalised, bottled gas would be a suitable option.

CITY BUILDING SURVEYOR'S REPORT recommended that Council:

- 1 approves in principle the construction of a bar at the Mullaloo Surf Life Saving Club to the design shown on Attachment A to Report TS389-12/95 by the Mullaloo Surf Life Saving Club, subject to:

- (a) the Mullaloo Surf Life Saving Club bearing all costs of the construction;
- (b) the Mullaloo Surf Life Saving Club or their nominated builder applying for and gaining a Building Licence for the work;
- (c) all work being to the satisfaction of the City Building Surveyor;

2 approves the installation of gas heating to the Mullaloo Surf Life Saving Club's Clubrooms, subject to:

- (a) the Mullaloo Surf Life Saving Club bearing all costs of the installation operating and maintenance of the proposed heater(s) and associated equipment;
- (b) the Mullaloo Surf Life Saving Club regularly having maintenance performed on the heating appliances and equipment;
- (c) the gas bottles being located in a safe position to the satisfaction of the City Building Surveyor in a manner that will prevent vandalism to the bottles but will allow for easy replacement.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council defers consideration of alterations to clubrooms pending a further investigation being carried out in relation to management arrangements with the Mullaloo Surf Life Saving Club.

CARRIED

TS390-12/95 PROPOSED CARPORT: LOT 339 (8) KARO PLACE,
DUNCRAIG - [988/339/8]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval in principle to construct a carport at Lot 339 (8) Karo Place, Duncraig, with a zero lot line front setback.

The City Building Surveyor provides background details of the proposed carport and gives an assessment of the proposal. He considers that as the proposal does not meet Council's Policy or the Residential Planning Codes, the application should be refused.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council refuses to give approval in principle for the proposed carport to be erected at Lot 339 (8) Karo Place, Duncraig and advises the owner of his right of appeal to the Minister for Planning.

CARRIED

TS391-12/95 PROPOSED PATIO: LOT 357 (17) DRAKESWOOD ROAD,
WARWICK - [144/357/17]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a patio at Lot 357 (17) Drakeswood Road, Warwick, which will be located forward of the building setback line.

The City Building Surveyor provides background details of the proposed patio and gives an assessment of the proposal. He considers that the proposal is contrary to regulations and the application should be refused.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council refuses to approve the proposed patio to be constructed at Lot 357 (17) Drakeswood Road, Warwick.

CARRIED

TS392-12/95 PROPOSED GARAGE: LOT 202 (4) KOOLYN GROVE,
KINGSLEY - [1726/202/4]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a double garage forward of the dwelling 1.2 metres from the front boundary.

The City Building Surveyor provides background details of the proposed garage and gives an assessment of the proposal. He considers that as the proposal does not comply with the Residential Planning Codes or Council's Policy the application should be refused and the applicant advised of his right of appeal.

RECOMMENDATION

That Council refuses the application for a proposed garage to be erected at Lot 202 (4) Koolyn Grove, Kingsley and that the owner be advised that he has the right of appeal to the Minister for Planning.

Cr Taylor reported on an on-site meeting with the owner and the City Building Surveyor.

MOVED Cr Taylor, **SECONDED** Cr Wight that Council approves the application for a proposed garage to be erected at Lot 202 (4) Koolyn Grove, Kingsley subject to the proposal being amended to provide a 1.5m setback from the front boundary and a 1.5m sight truncation.

CARRIED

TS393-12/95 UNAUTHORISED PERGOLAS (3 OFF): LOT 500 WAHROONGA WAY, GREENWOOD - [30/2961]

CITY BUILDING SURVEYOR'S REPORT

A site inspection revealed three unauthorised pergolas located in the front setback at Lot 500 Wahroonga Way, Greenwood. The pergolas are attached to Units 5, 7 and 9 respectively.

The City Building Surveyor provides background details and gives an assessment of the three pergolas. He advises that the owners have made building licence application for the pergolas as requested and considers that the pergolas be approved.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council approves the three (3) unauthorised pergolas located at Lot 500 (Units 5, 7 and 9) Wahroonga Way, Greenwood.

CARRIED

TS394-12/95 TENDER NO 93-95/96 - SUPPLY, INSTALLATION AND COMMISSIONING OF AN AUTOMATIC RETICULATION SYSTEM AT MCNAUGHTON PARK, KINROSS - [208-93-95/96]

CITY PARKS MANAGER'S REPORT

The tender for the supply, installation and commissioning of an automatic reticulation system at McNaughton Park, Kinross was advertised during October 1995.

The City Parks Manager reports on the tender submissions received.

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

- 1 accepts the tender submitted by Total Eden Watering Systems at a price of \$45,660 for Tender No 93-95/96 - Supply, Installation and Commissioning of an Automatic Reticulation System at McNaughton Park, Kinross;
- 2 authorises signing of tender documents.

CARRIED

CITY PARKS MANAGER'S REPORT

Council currently has vesting of the southern portion of the proposed open space and it is anticipated that the entire area will ultimately be vested with Council.

The City Parks Manager reports on the subject matter. He advises that the formulation of a Koondoola Regional Open Space Advisory Committee was discussed at the Greenplan Advisory Committee meeting on 14 November, 1995 and all delegates concur early establishment would be beneficial.

He comments on the composition of the Committee and states that initially the Committee would assess the requirements of the southern area with regard to the recommendations of the Draft Management Plan.

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

- 1 authorises establishment of the Koondoola Regional Open Space Advisory Committee;
- 2 authorises the Parks Department to advertise for two community representatives via the Community News;
- 3 requests nomination of a representative from the Hainsworth Recreation Centre;
- 4 authorises Parks Department to liaise with various Government Departments regarding delegates for the Committee during the establishment phase.

CARRIED

Council at its Budget meeting in July, 1995 allocated \$116,850 for partial development of Korella Park, subject to acceptance of the concept plans by residents and community groups.

The City Parks Manager provides an assessment of response to the two options proposed for the development of Korella Park.

He reports that the funding allocated will enable development of the active oval area, reticulation and perimeter fencing and advises of additional work to be considered in the Forward Plan for funding.

CITY PARKS MANAGER'S REPORT recommended that Council:

- 1 accepts Concept Plan - Option 1 (as attached to Report TS396-12/95) for development of Korella Park, Mullaloo;
- 2 lists for Budget consideration in the 1996/97 Forward Plan the construction of carpark, toilet facility, additional landscape and restoration of bushland;
- 3 advises residents of Council's decision to initiate development.

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

- 1 accepts Concept Plan - Option 1 (as attached to Report TS396-12/95) for development of Korella Park, Mullaloo;
- 2 lists for Budget consideration in the 1996/97 Forward Plan the construction of carpark, toilet facility, additional landscape and restoration of bushland;
- 3 advises residents of Council's decision to initiate development;
- 4 authorises Cr Magyar to liaise with Parks Department in relation to vegetation for Korella Park and local residents' concerns regarding the area.

CARRIED

TS397-12/95 RESIDENTS' PETITION - BROADBEACH PARK, HILLARYS - [061-416]

CITY PARKS MANAGER'S REPORT

The City Parks Manager reports that the Parks Department has received a petition from 45 residents in Hillarys expressing disappointment regarding the public open space maintenance of Broadbeach Park.

The City Parks Manager provides background details of the area. He comments on a site inspection undertaken on 9 November, 1995 and advises that the inspection indicated minor concerns only.

He reports that residents' concerns regarding standards are acknowledged, however reality of Council standards must apply. The initial passive area development has achieved a satisfactory result over time.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council acknowledges ratepayer concerns regarding the standard of maintenance

desired, however advises that normal Council standards will apply.

CARRIED

TS398-12/95 RESIDENTS PETITION - WARRANDYTE DRIVE/AMEER WAY, BELDON - [510-1385]

CITY PARKS MANAGER'S REPORT

A petition has been received from 25 residents in Warrandyte Drive and Ameer Way, Beldon requesting installation of barrier fencing.

The City Parks Manager reports that the area of concern is the Water Authority of Western Australia's easement. He advises that the Parks Department will be liaising with the Water Authority of Western Australia regarding provision of bollard fencing to alleviate ratepayer concerns.

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

- 1 advises the residents the area of land is under the control and management of the Water Authority of Western Australia;
- 2 liaises with the Water Authority of Western Australia to achieve ratepayers' request.

CARRIED

TS399-12/95 PROPOSED DWELLING: LOT 16 (7) CLARECASTLE RETREAT, MINDARIE - [2955/16/7]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval in principle to construct a four storey dwelling at Lot 16 (7) Clarecastle Retreat, Mindarie. The proposed dwelling exceeds the height normally approved by Council.

The City Building Surveyor provides background details of the proposed dwelling, gives an assessment of the proposal and comments on submissions received.

He advises that as the proposed dwelling is in character with the existing dwellings in Mindarie it is considered that approval should be given.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council approves the application for approval in principle for the proposed four

storey dwelling to be constructed at Lot 16 (7) Clarecastle Retreat, Mindarie.

CARRIED

TS400-12/95 EXTRACTIVE INDUSTRY LICENCES - LOT 22 FLYNN DRIVE, NEERABUP - [30/1455]

CITY ENGINEER'S REPORT

Council has received an application for development approval and extractive industry licence relating to Lot 22 Flynn Drive, Neerabup from the Readymix Group on behalf of the Flynn Drive Joint Venture. Lot 22 Flynn Drive is owned by Western Australian Land Authority (LandCorp).

The City Engineer provides background details of the subject matter, gives an assessment of the proposal and reports on a structure plan study to be undertaken for the Flynn Drive Industrial Area.

He advises that the operation is co-ordinated and controlled by Readymix and it would be appropriate to issue it the Extractive Industry Licence.

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

- 1 approves the applications by CSR Limited (trading as The Readymix Group) to commence development of the limestone rubble and block cutting quarry on Lot 22 Flynn Drive, Neerabup in accordance with the provision of its Town Planning Scheme. The approval is for the period to 30 December 1996 and subject to:
 - (a) the use of the land for quarrying purposes ceasing by 30 December 1996 unless a further approval is granted by Council;
 - (b) the operator of the quarry maintaining a water allocation or secure water supply for dust control;
 - (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks and being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;

- (d) submission of an annual, rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site;
- (e) the applicant entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act, to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the agreed rate, such payment to be made quarterly;
- (f) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (g) hours of quarry operation being restricted to:
 - Monday to Friday.....0700-1800
(except public holidays
 - Saturdays 0700-1700
 - Sundays (work not permitted)
 - Public Holidays (work not permitted)
- (h) all site equipment being suitably sound proofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- (i) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
- (j) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (k) operator to give an undertaking not to cut capstone whenever it appears in the cutting face;
- (l) standard conditions;

- (a) annual fee - \$300;
- (b) period of licence - 1 year to 30 December 1996;
- (c) rehabilitation bond - 20,000;
- (d) under By-law 21 of the Extractive Industry By-laws agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate. This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act.

CARRIED

TS401-12/95 MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]

CITY BUILDING SURVEYOR'S REPORT

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

MOVED Cr Moloney, **SECONDED** Cr Wight that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS401-12/95.

CARRIED

Appendix XXXI refers

TS402-12/95 TENDER NO 102-95/96 - SUPPLY, INSTALLATION AND COMMISSIONING OF AN AUTOMATIC RETICULATION SYSTEM AT DALVIK PARK, MERRIWA - [208-102-95/96]

CITY PARKS MANAGER'S REPORT

The tender for the supply, installation and commissioning of an Automatic Reticulation System at Dalvik Park, Merriwa was advertised during November, 1995.

The City Parks Manager reports on the tender submissions received.

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

- 1 accepts the tender submitted by Malua Reticulation at a price of \$30,161.00 for Tender No 102-95/96 - Supply, Installation and Commissioning of an Automatic Reticulation System at Dalvik Park, Merriwa; and
- 2 authorises signing of tender documents.

CARRIED

TS403-12/95 BURBRIDGE SPECIAL SCHOOL/KOONDOOLA PARK COMMUNITY PLAYGROUND DEVELOPMENT - [061-199]

CITY PARKS MANAGER'S REPORT

Council provided \$22,000 in its 1993/94 Budget for a joint development at the Koondoola Park disabled play area. These funds were carried forward to the 1995/96 Budget.

The City Parks Manager provides background information on the subject matter and reports that due to additional safety access ramp and equipment under surfacing requirements, a budget shortfall of \$16,000 has been identified.

He comments on various cost savings recommended by Parks Department officers and advises that surplus funds may be identified within the Capital Works component play equipment to accommodate this expenditure early in the new year as existing projects are completed.

MOVED Cr Wight, **SECONDED** Cr Major that Council authorises, in accordance with the provisions of Section 547 (12) of the Local Government Act the over expenditure of \$12,540 to the Burbridge Special School/Koondoola Park Community Playground Development.

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS404-12/95 PROPOSED CARPORT: LOT 175 (9) SYCAMORE DRIVE, DUNCRAIG - [688/175/9]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a double carport at Lot 175 (9) Sycamore Drive, Duncraig with a reduced front building setback.

The City Building Surveyor provides background information on the subject matter and gives an assessment of the proposal.

He advises that because of the location of the carport, it is considered that approval should be given.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council approves the proposed carport to be constructed at Lot 175 (9) Sycamore Drive, Duncraig subject to the wall on the right hand boundary forward of the carport not exceeding 1 metre in height.

CARRIED

TS405-12/95 PROPOSED HOARDING SIGN: LOT M1689 YANCHEP BEACH ROAD, YANCHEP - [219-1]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to erect a hoarding sign at Lot M1689 corner of Yanchep Beach Road and Welwyn Avenue, Yanchep advertising businesses located in the Yanchep light industrial area. The proposed sign is located on land owned by the Tokyu Corporation.

The City Building Surveyor provides background information on the subject matter, gives an assessment of the proposal and considers that the proposed sign be approved.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council approves the 14m² hoarding sign located at Lot M1689 Yanchep Beach Road, Yanchep.

CARRIED

SAND DRIFT PROBLEMS - CNR GIBSON AVENUE AND WHITFORDS AVENUE - [550-1]

Cr Freame raised her concerns regarding the problem of sand drifting from the road verge and on to the footpath on both sides of the corner of Gibson Avenue and Whitfords Avenue and suggested that more stabilisation needed to be done there.

This matter will be referred to Engineering Department for action.

PROPOSED MCDONALDS RESTAURANT - BURRAGAH WAY, DUNCRAIG - [30/5160]

Cr Lynn advised of a site meeting she had attended with residents who live near the proposed McDonalds Restaurant and commented that she was surprised to see that work was being undertake and that the site was being cleared.

This matter will be referred to Town Planning Department for clarification.

GLENGARRY HOSPITAL - PARKING PROBLEMS - [910-2]

Cr Lynn commented that she had recently had a meeting at Glengarry Hospital where parking problems were being experienced in relation to cars being abandoned on the verge.

Cr Lynn queried whether Council would allow angle parking at Glengarry Hospital and submitted plans given to her by the hospital showing possible parking areas.

This matter will be referred to Engineering Department for attention.

GLENGARRY RECYCLING HOPE GROUP SHED - [895-7]

Cr Lynn queried the present position in regard to the removal of the Glengarry Recycling HOPE Group Shed and commented that there had been 8 recycling Saturdays since Council recommended to remove the shed.

The City Engineer replied that Council was awaiting authority from the Minister for Local Government to expend funds on the school grounds and reported on discussions he had with the Headmaster of Glengarry School where they proposed to put a gate in the fence of the pre-school building and lay a path of slabs to create access.

MOBILE PHONES - [320-5]

Cr Ewen-Chappell queried when the mobile phones would be available.

The City Building Surveyor reported on investigations carried out in relation to mobile phones and advised that coverage in the Quinns and Two Rocks area is limited. He also stated that new coverage maps were being awaited from Telstra.

LIGHTING - JOONDALUP CITY CENTRE - [730 - 8-1]

Cr Major raised his concerns in relation to the high rate of vandalism within Joondalup City.

Discussion ensued and the City Engineer commented that security to the City Centre was the subject of continuing discussions with LandCorp and the Police. A report would be presented in due course.

TRAFFIC PROBLEMS - GURON ROAD, DUNCRAIG - [510-1023]

Cr Dammers commented on a public meeting he had attended on 5 November 1995 and advised of a person who was suffering

trauma due to a car leaving the road and demolishing part of her house.

He queried whether, at her request, a large limestone boulder could be placed in her front garden to provide her with some form of safety.

Following discussion with Councillors, Cr Dammers withdrew this request.

C605-12/95 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Freame, **SECONDED** Cr Wight that the Report of the Finance and Community Services Committee Meeting, held on 11 December 1995, be received.

CARRIED

ATTENDANCES

Councillors:	H M WATERS - Chairman	North Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L A EWEN-CHAPPELL - from 1810 hrs	Central Ward
	A B HALL	South Ward
	B J MOLONEY	South Ward
	F D FREAME	South-West Ward
	M E LYNN, JP	South-West Ward
	B C COOPER - Observer, Deputising for Cr Ewen-Chappell to 1810 hrs	Central 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
Deputy City Environmental Health Manager:	P SWAIN
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

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

PUBLIC/PRESS ATTENDANCE

Nil

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 20 NOVEMBER 1995

The Minutes of the Finance and Community Services Committee Meeting held on 20 November 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

CONFIDENTIAL BUSINESS

CS259-12/95 - CANCELLATION OF DOG REGISTRATION - MRS C E WILLIAMS, 32 REDCLIFFE AVENUE, MARANGAROO - [2598/703/32]

There being no member of the public or press in attendance, Committee considered it unnecessary to formally go Behind Closed Doors to consider this item.

MEETING TIMES

Commenced: 1807 hrs
Closed: 2000 hrs

FINANCE & ADMINISTRATIVE SECTION

REPORT NO:

FA143-12/95 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 21
NOVEMBER 1995 - [021-1]

CITY TREASURER'S REPORT

The City Treasurer submits the Warrant of Payments for the period ending 21 November 1995, the total sum expended being \$14,507,837.50.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 21 November 1995, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$14,507,837.50:

<u>Funds</u>	<u>Vouchers</u>	<u>Amount - \$</u>
Advance Account No 1	21724-22744	\$ 5,254,660.18
Municipal	000178-000186A	\$ 9,249,341.82
Trust	00025-00025C	\$ 3,835.50
		<hr/>
		\$14,507,837.50

CARRIED

FA144-12/95 DONATIONS - [009-1]

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

- National Australian Business Week, Sydney;
- Under 16's Men's Softball Team, Victoria;
- Under 14 Baseball Team, Tamworth;
- Under 19's WA State Softball Team, Tasmania;
- National Baseball Tournament, Perth;
- Under 16 Girls State Softball Team, Adelaide;
- State Gymnastics Team, Jakarta;
- Junior Ice Hockey Team, Canada;
- National Softball Championships, Brisbane;
- Australian Men's Softball Team, New Zealand;

Anglicare is seeking financial support for its Christmas Appeal and for its financial counselling services and supervised access.

The Sunshine Dance Group is seeking financial support to enable it to purchase 30 T-shirts. The group organises dancing classes and events for intellectually handicapped children.

Muscular Dystrophy Association of WA (Inc) is seeking financial support for its medical research into Muscular Dystrophy and support and services provided to those affected and their families.

CITY TREASURER'S REPORT recommended that Council:

- 1 donates \$50 to each of the following persons to assist with costs to participate in his/her respective sport:

Miss Chontelle Hitchcock
Mr Michael Cox
Mr Michael Polmear
Miss Sarah Lockett
Miss Kirsten Ridge
Mr Justin Chan
Mr Neil Camillo
Mr Graeme Festa
Miss Lisa Forde
Miss Martine Farlekas
Miss Kriste Georgeff
Mr Sam Bavin
Miss Sandy Touchell
Mr Steve Touchell

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

- 2 donates \$50 to Anglicare in support of its Christmas Appeal;
- 3 donates \$350 to the Sunshine Dance Group to assist with the purchase of 30 T-shirts for members;
- 4 donates \$50 to Muscular Dystrophy Association of WA (Inc) in support of its fundraising for research into Muscular Dystrophy;

such donations to be from Budget Item No 26531 - Sundry Donations - Other Welfare Services.

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

- 1 donates \$50 to each of the following persons to assist with costs to participate in his/her respective sport:

Miss Chontelle Hitchcock
Mr Michael Cox
Mr Michael Polmear
Miss Sarah Lockett
Miss Kirsten Ridge
Mr Justin Chan
Mr Neil Camillo
Mr Graeme Festa
Miss Lisa Forde
Miss Martine Farlekas
Miss Kriste Georgeff
Mr Sam Bavin
Miss Sandy Touchell
Mr Steve Touchell

- 2 donates \$50 to Mr Chris Webb who has been selected to represent WA in the State Softball Team at the National Championships;

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

- 3 donates \$50 to Anglicare in support of its Christmas Appeal;

- 4 donates \$350 to the Sunshine Dance Group to assist with the purchase of 30 T-shirts for members;

- 5 donates \$50 to Muscular Dystrophy Association of WA (Inc) in support of its fundraising for research into Muscular Dystrophy;

such donations to be from Budget Item No 26531 - Sundry Donations - Other Welfare Services;

- 6 increases by \$1500 the allocation in Budget Item No 26067 - Vouchers for Christmas Appeal Welfare Recipients.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA145-12/95 NON STATUTORY DONATION - 1996 OLYMPIANS - [009-1]

CITY TREASURER'S REPORT

Council is in receipt of a request for financial assistance from the Minister for Local Government, The Honourable Paul Omodei, MLA, supporting the Western Australian Olympic Council in its endeavours to raise funds for the 1996 Olympians.

The City Treasurer provides background details on this request and considers it appropriate that Council assists the cause to the extent of \$5,000.

MOVED Cr Lynn, **SECONDED** Cr Curtis that Council, in accordance with the provisions of Section 547 (12) of the Local Government Act, donates \$5,000 to the Western Australian Olympic Council to assist the 1996 Atlanta Olympians.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**FA146-12/95 VIETNAM VETERANS 1996 CONVENTION - NON STATUTORY
DONATION - [009-1]**

Council is in receipt of a submission from the Vietnam Veterans Association, seeking financial assistance towards its convention to be held in Launceston from 14 to 18 August 1996. It is expected that 10,000 persons will be in attendance with the overall theme being "Family Reunion - 30 Years On".

The City Treasurer provides background details on the application and reports on the concept and objectives of the convention.

He advises that Council should contribute to the cause to the extent of \$750.

CITY TREASURER'S REPORT recommended that Council supports the Vietnam Veterans 1996 Convention in Launceston between 14 to 18 August 1996 to the extent of \$750; such funds to be allocated from Account No 26531 - Sundry Donations - Other Welfare Services.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council supports the Vietnam Veterans 1996 Convention in Launceston between 14 to 18 August 1996 to the extent of \$2,250; such funds to be allocated from Account No 26531 - Sundry Donations - Other Welfare Services.

CARRIED

**FA147-12/95 MINISTERIAL APPROVAL TO WRITE OFF RATES JOONDALUP
CITY CENTRE - HOUSES - [018-13]**

CITY TREASURER'S REPORT

Gross rental valuations have been received from the Valuer General's Office for the first twelve houses to be built in Joondalup City North.

Pursuant to Council's Town Planning Scheme, the area of Joondalup City North is zoned Joondalup City Centre. The 1995/96 year rate in the dollar specified for the Joondalup City Centre zoning is the commercial rate of 6.8802 cents or minimum rate of \$688.00. The 1995/96 year residential rate in the dollar is 7.6447 cents or minimum rate of \$374.00.

As a consequence, the rates levied on these houses under the current zoning means the commercial minimum rate of \$688.00 applies to these residential houses in Joondalup City North - an amount which is greater than rates levied under Council's normal residential rate in the dollar.

The City Treasurer reports that as these houses are for residential purposes only, it is suggested that Council seeks Ministerial approval to write off \$3,296.11, representing the difference between rates generated at the commercial rate and that which would be paid had the residential rate been applied.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council seeks Ministerial approval in accordance with the provisions of Section 575 of the Local Government Act to write off rates, totalling \$3,296.11 to rectify an anomaly associated with the rating of residential properties within the Joondalup City Centre zoning.

CARRIED

FA148-12/95 ACCOUNTING PROCEDURES - [280-0]

CITY TREASURER'S REPORT

In June each year Council considers a report detailing various matters relating to cheque signatories, payment of accounts, orders for goods and services, checking and certification etc. Following consideration, Council granted authority to various officers to perform tasks relating to these matters.

The City Treasurer provides background information on the subject matter and advises that the Minister for Local Government recently granted a 'blanket' approval under Section 626(5)(d) of the Local Government Act for Local Governments wishing to vary these provisions to suit their specific needs.

He reports on guidelines necessary to conform with the proposal, including alternative cheque signing arrangements, payment of accounts between meetings and electronic funds transfer and direct debits and comments on these in relation to the City of Wanneroo.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council adopts the procedures as outlined in Report FA148-12/95 for:

- 1 payment of accounts between meetings;
- 2 electronic funds transfer (EFT).

CARRIED

Appendix XXXIII refers

FA149-12/95 ALTERATION TO LEASE ARRANGEMENTS: BURNS BEACH
CARAVAN PARK - RESERVE 31632 - [940-3]

At its meeting held on 5 April 1995 (Item TP116-03/95 refers), Council resolved to agree to surrender its Vesting Order over Reserve 31632 to allow a Crown Lease direct to Burns Beach Caravan Resort Pty Ltd subject to certain conditions.

The City Planner provides details of the conditions to be followed and advises that before payment of the balance of the Burns Beach Caravan Park Improvements Reserve may be made it will be necessary for Council to comply with the provisions of Section 528 of the Local Government Act.

He provides background information on the subject matter and comments on the issues involved.

The City Planner also reports that Burns Beach Caravan Resort Pty Ltd have agreed in writing to accept the terms set by Council for the surrender of the Vesting Order and cancellation of the Lease.

CITY PLANNER'S REPORT recommended that Council, subject to written confirmation being received from the Department of Land Administration that:

- 1 Reserve 31632 will remain in the ownership of the Crown;
- 2 the Department of Land Administration will repay to the Council at the time of surrender of the Vesting Order over Reserve 31632, the sum of \$67,275 for water and sewer headworks.

BY AN ABSOLUTE MAJORITY, pursuant to Section 528(2) of the Local Government Act seeks authorisation at a meeting of electors to be convened for the purpose of authorising the cancellation of the Lease with Burns Beach Caravan Resort Pty Ltd upon payment to Burns Beach Caravan Resorts Pty Ltd of the balance held in the Burns Beach Caravan Park Improvements Reserve after accrued rental and interest thereon has been transferred to the Municipal Fund.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council, subject to written confirmation being received from the Department of Land Administration that:

- 1 Reserve 31632 will remain in the ownership of the Crown;
- 2 the current lessee - Burns Beach Caravan Resort Pty Ltd - will repay to the Council at the time of surrender of the Vesting Order over Reserve 31632, the sum of \$67,275 for water and sewer headworks via a set off arrangement against the amount owing of \$122,281;

pursuant to Section 528(2) of the Local Government Act seeks authorisation at a meeting of electors to be convened for the purpose of authorising the cancellation of the Lease with Burns Beach Caravan Resort Pty Ltd upon payment to Burns Beach Caravan Resorts Pty Ltd of the balance held in the Burns Beach Caravan Park Improvements Reserve after accrued rental and interest thereon and the sum of \$67,275 for water and sewer headworks has been transferred to the Municipal Fund.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA150-12/95 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 \$781,921.

MOVED Cr Freame, **SECONDED** Cr Lynn 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 - 11 December 1995.

**CARRIED BY AN
ABSOLUTE MAJORITY**

COMMUNITY SERVICES SECTION

CS234-12/95 FOOD COMPLAINT - NEEDLE EMBEDDED IN POTATO - [851-1]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint relating to a needle found embedded in a potato from a 4.5 kg bag of potatoes.

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

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against Beacon Investments Pty Ltd trading as Cheap Foods, Craigie, in regard to a needle embedded in a potato.

CARRIED

CS235-12/95 FOOD COMPLAINT - PIN EMBEDDED IN A CAKE - [851-1]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint relating to a fruit cake which was found to be adulterated with a mapping pin.

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

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against:

- 1 Action Food Barns, Whitford City Shopping Centre, 470 Whitfords Avenue, Hillarys and/or;
- 2 Australian Asia/Pacific Wholesalers Pty Ltd, 13C Bessemer Street, Blacktown NSW 2148.

CARRIED

CS236-12/95 FOOD COMPLAINT - SAMPLE NO 77C - [851-7, 30/302-2]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint relating to a pizza which was found to be adulterated with a band-aid.

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

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council, in accordance with the provisions of the Health Act 1911, instigates legal proceedings against Norwell Holdings Pty Ltd, trading as Pizza Hut, West Coast Drive, Sorrento WA 6020.

CARRIED

CS237-12/95 FOOD COMPLAINT - SAMPLE NO 86C - [30/1350-6]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint relating to a can of Braised Steak and Onions which was found to be adulterated with a foreign body.

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

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council, in accordance with the provisions of the Health Act 1911, instigates legal proceedings against either:

- 1 the proprietors of Supa Value Supermarket, Kingsley; or
- 2 the proprietors of Kraft Foods Limited, PO Box 1673N, Melbourne, Vic 3001;

in respect of sample number 86C.

CARRIED

CS238-12/95 SUBSTANDARD FOOD - SAMPLE NO 796 - [30/529-F4]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a prohibited level of sulphur dioxide found in a routine sampling of beef balls.

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

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council, in accordance with the provisions of the Health Act 1991, instigates legal proceedings against either:

1 the proprietors of Chung Van Butcher (Koondoola), Shop
4, Koondoola Plaza, Koondoola Avenue, Koondoola WA
6064; or

2 the proprietors of Dao Vien Vietnamese Restaurant, 835
Wellington Street, West Perth 6005;

in respect of sample number 796.

CARRIED

CS239-12/95 TRADING IN PUBLIC PLACES - [930-19-33]

A licenced trader operating from the forecourt of Wangara Tavern has on numerous occasions failed to observe specific conditions attached to his licence.

The City Environmental Health Manager provides background information on the subject matter and seeks Council approval to instigate legal proceedings against the trader for contravening Council's By-laws Relating to Trading in Public Places.

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT recommended that Council initiates legal proceedings against Mr Joseph Peter Louis Kopinsky (trading as Northern Eats), 6 Thornhill Way, Greenwood for contravening Council's By-laws Relating to Trading in Public Places.

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

1 initiates legal proceedings against Mr Joseph Peter
Louis Kopinsky (trading as Northern Eats), 6 Thornhill
Way, Greenwood for contravening Council's By-laws
Relating to Trading in Public Places;

2 advises Mr Kopinsky that if he contravenes Council's
By-laws Relating to Trading in Public Places again his
licence will not be renewed.

CARRIED

CS240-12/95 HOUSE UNFIT FOR HABITATION - [299/PT8/16]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

Council is advised of a house at Lot 8 (16) Calabrese Avenue, Wanneroo that has overflowing drains that neither the occupier nor the owner is willing to rectify.

The City Environmental Health Manager provides background information on the subject matter, gives an assessment of the

house and seeks Council approval to instigate legal proceedings to declare the house unfit for human habitation.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that:

- 1 Council resolves to declare by written Notice that the house at Lot Pt 8 (16) Calabrese Avenue, Wanneroo be declared unfit for human habitation within fourteen (14) days of the date of the Notice in accordance with Section 135 of the Health Act;
- 2 legal action under Section 136 of the Health Act be initiated against any person who inhabits or occupies the house at 16 Calabrese Avenue, Wanneroo upon the expiration of the above Notice.

CARRIED

CS241-12/95 UNDEVELOPED BLOCKS - OCEAN REEF - [902-2]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT -

WITHDRAWN

The City Environmental Health Manager reported that the three lots originally listed in Report CS157-09/95 have since been cleared and the Committee resolved that this matter may now be withdrawn.

CS242-12/95 APPOINTMENT OF LIFEGUARDS AS HONORARY BEACH INSPECTORS - [765-1-2]

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

Applications have been received from four part time Lifeguards for the City to be authorised as Honorary Beach Inspectors.

The Manager Municipal Law and Fire Services reports on the new appointments. He advises that as all four applicants are persons of good character, there appears to be no impediment to their appointments.

The position of Honorary Beach Inspectors are voluntary and the appointed officers do not receive any form of salary, wage or other gratuity, other than their payment as part time Lifeguards. Their appointments as Honorary Beach Inspectors may be cancelled by resolution of the Council.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council approves the appointment of Beach Lifeguards Jane Louise Scott, Joel Tate, Scott Vermey and Darren Earnshaw as Honorary Beach

Inspectors for a period of twelve months subject to renewal; such authority to be contained to the beach reserve No 20561 and areas adjacent thereto lying between Sorrento and Mullaloo.

CARRIED

CS243-12/95 REPLACEMENT MOBILE LIBRARY - [240-8]

CITY LIBRARIAN'S REPORT

Council has been advised by Brimarco Bodybuilding Company the replacement Mobile Library is now scheduled for delivery in the middle of February 1996.

The City Librarian provides information on the service schedule, staffing, commencement date and publicity.

She advises that it is proposed to withdraw the existing Mobile Library from service on Tuesday 5 March 1996. The new service is to commence at Quinns Rocks on Thursday 7 March 1996.

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

- 1 withdraws the existing Mobile Library service on Tuesday 5 March 1996;
- 2 adopts the new Mobile Library schedule from Thursday 7 March 1996:

Monday

10.00am - 1.00pm	Wilkie Reserve
3.00pm - 7.30pm	Yanchep Beach Road, Yanchep

Tuesday - Wednesday

10.00am - 8.30pm	Currambine Railway Station Burns Beach Road, Currambine (subject to Westrail approval)
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Thursday - Friday

10.00am - 8.30pm	Gumblossom Hall - adjacent to carpark Tapping Way, Quinns Rocks
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Saturday

9.00am - 12.00 noon Gumblossom Hall - adjacent to
carpark, Tapping Way, Quinns
Rocks

- 3 hosts a morning tea for 70 people to launch the new
Mobile Library service on Thursday 7 March 1996.

CARRIED

CS244-12/95 MATTERS ARISING FROM MANAGEMENT AND ADVISORY
COMMITTEES - [264-3]

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

The City Recreation and Cultural Services Manager reports on matters arising from a meeting of the Historical Sites Advisory Committee.

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

- 1 (a) endorses the proposals for lime kiln restoration as outlined in "Report on the Lime Kilns, Flynn Drive" prepared by Mr R Brittain;
- (b) undertakes stages 1 and 2 within six months of the legal agreement between the developer and Council being signed;
- (c) considers public access, safety features and landscaping of the restored kilns, to the satisfaction of the Parks Department, at the sub-divisional stage (Stage 3);
- 2 refers the matter of use of metal detectors within the City of Wanneroo to the Policy Committee, with the recommendation that searching historical sites with or without the use of metal detectors be prohibited; consideration be given to an authorised artifacts search some time in the future; and any such artifacts which are discovered, be properly housed by Council for the benefit of the Wanneroo community;
- 3 (a) lists William Townsend House on the Municipal Heritage Inventory;
- (b) requests the State Planning Commission to reconsider its application for demolition given that this property is listed on the Municipal Heritage Inventory;

- (c) requests the State Planning Commission to explore the possibility of leasing the house to someone who may be prepared to help conserve and preserve the house;
- 4 (a) under Section 45(2) of the Heritage of Western Australia Act 1990, updates the City's Municipal Inventory to include the following heritage places of cultural significance:
- . St Anthony's Church, Lot 102 Wanneroo Road, Wanneroo;
 - . Nobili House, Lot 9, Wanneroo Road, Gnangara;
 - . Kevin Leach House, Lot 2, Priest Road, Landsdale;
- (b) requests the Heritage Council of Western Australia to assess these places included in the Municipal Inventory for possible inclusion in the State Register of Heritage Places;
- (c) undertakes investigations to determine the desirability or otherwise, of relocating Kevin Leach House to Perry's Paddock; such investigations to include consideration of the position of the current owner regarding acquisition, structural integrity and suitability for relocation, costs involved and possible future use.

CARRIED

CS245-12/95 AQUAMOTION KIOSK - [690-5]

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

At its meeting on 25 October 1995, Council resolved to call public tenders for the operation of the Kiosk at Aquamotion on the basis of serving the Centre patrons and the preparation of foodstuffs to be sold off-site (Item CS171-09/95 refers).

The City Recreation and Cultural Services Manager provides background details on the subject matter and advises that at the close of advertising no formal submissions were received.

He reports that the proprietor of the Wanneroo Coffee Lounge has indicated that he would be interested in operating the kiosk facility for the summer season and other appropriate times during 1996/97.

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

- 1 notes no submission was received for Tender 101-95/96;
- 2 authorises a facility hire agreement with Wanneroo Coffee Lounge to provide a kiosk service at Aquamotion Wanneroo for selected vacation periods and special events in 1996/97;
- 3 charges a fee equal to 10% of all products sold during each period of hire.

CARRIED

CS246-12/95 USE OF CRAIGIE LEISURE CENTRE BY THE CEREBRAL PALSY ASSOCIATION - [680-1]

CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT

Craigie Leisure Centre has been approached by the Cerebral Palsy Association who plan to offer therapy classes for children at the Centre. The Association currently conducts programmes at Leeming Recreation Centre and Gosnells Leisure World and is very keen to expand their service north of the river. The project has been highly successful and beneficial to the families of the children, the community and the Association.

The City Recreation and Cultural Services Manager provides background information on the subject matter and suggests that a fee of \$1.20 per participant entry be charged to the group.

He advises that the expansion and provision of programmes for children and adults with disabilities must be considered in the City of Wanneroo. This programme will allow residents of the City of Wanneroo access to therapy for their children without having to travel outside the City.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council charges an entrance fee of \$1.20 per child per session at Craigie Leisure Centre for therapy with the Cerebral Palsy Association.

CARRIED

CS247-12/95 LEISURE COURSE FEES - HAINSWORTH LEISURE CENTRE - [330-2-2]

Hainsworth Leisure Centre (formerly Girrawheen/Koondoola Recreation Centre) has conducted leisure courses since Term 1, 1994, following the appointment of a Recreation Facilities

Manager for the Girrawheen-Koondoola Zone. The result, generally, has been poor.

The City Recreation and Cultural Services Manager provides background details on the subject matter and outlines details of a proposed strategy to boost enrolments in the Centre's leisure courses.

He reports that the introduction of a standardised fee schedule will enable more of the local community to participate in this Centre's leisure courses.

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

- 1 endorses the introduction of standard leisure course fees at Hainsworth Leisure Centre as follows:

ADULT	\$35.00 per term/course
CHILD	\$30.00 per term/course
WORKSHOP	\$10.00 per one day session

until the completion of Term 2, 1996;

- 2 seeks a report on the effect of the trial on programme participation at this time.

MOVED Cr Curtis that "CHILD \$30.00 per term/course" be deleted from Point 1.

Their being no **SECONDER**, the Motion

LAPSED

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

- 1 endorses the introduction of standard leisure course fees at Hainsworth Leisure Centre as follows:

ADULT	\$35.00 per term/course
CHILD	\$30.00 per term/course
WORKSHOP	\$10.00 per one day session

until the completion of Term 2, 1996;

- 2 seeks a report on the effect of the trial on programme participation at this time;

- 3 provides an opportunity for residents to offer programme suggestions in any leaflets circulated within the local community.

CARRIED

CS248-12/95 WANNEROO DISTRICTS CRICKET CLUB - USE OF KINGSWAY PAVILION - [061-198-4-1]

CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT

Wanneroo Districts Cricket Club (WDCC) is seeking to formalise its use of the Indoor Pavilion, Kingsway Sporting Complex. The facility is shared with Wanneroo Districts Netball Association, season about, with occasional use from other groups. The Club is upgrading the Pavilion to establish a Cricket Academy utilising the services of current Club Captain, Tim Zoehrer.

The City Recreation and Cultural Services Manager provides background details of the subject matter.

He advises that the Academy will enable the WDCC to offer quality coaching to junior cricketers and more senior players year round and is seen as an integral factor in the continued growth of the Club.

He reports that the Wanneroo Districts Netball Association has agreed in principle to the facility upgrade and the Cricket Club's more extensive use.

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

- 1 endorses the use of the Indoor Pavilion - Kingsway Sporting Complex by the Wanneroo Districts Cricket Club to operate a Cricket Academy for a two year period, subject to:
- (a) the WDCC being responsible for all costs associated with the upgrading and maintenance of the facility for all items of a non-structural nature where any such upgrade or maintenance is required or directly attributable to the Club;
 - (b) recognition and preservation of the arrangements between the Wanneroo Districts Netball Association and Council regarding its use of the facility;
- 2 sets an annual fee of \$2,500 payable in two moieties, subject to review at the end of the first year of operation;

- 3 advises the Wanneroo District Cricket Club, that management of the Indoor Pavilion - Kingsway Sporting Complex will remain Council's responsibility.

CARRIED

**CS249-12/95 WAIVER OF HIRE FEE - GIRRAWHEEN CRICKET CLUB -
[061-173]**

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

A request has been received from the Girrawheen Senior Cricket Club for the waiver of hire fees for the use of Hudson Reserve Clubrooms, Girrawheen on 15 November 1995 for a memorial service for one of its members tragically killed in a traffic accident.

The City Recreation and Cultural Services Manager provides details of the request and recommends that Council agrees to waive the fee on compassionate grounds.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council agrees to waive the fee of \$80.40 for the hire of Hudson Reserve Clubrooms, Girrawheen on 15 November 1995 by the Girrawheen Senior Cricket Club, on compassionate grounds.

CARRIED

**CS250-12/95 CLARKSON COMMUNITY HIGH SCHOOL - TENNIS COURT
LIGHTING - [218-1, 250-9]**

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

Council, at its meeting 29 November 1995, deferred consideration of the provision of tennis court lighting to Clarkson Community High School pending additional information on the contribution by Council (Item C562-11/95 refers).

The City Recreation and Cultural Services Manager provides details of the subject matter and advises that as the Education Department's standard provision does not include lighting, Council would be responsible for the total cost of installing floodlights, estimated at \$44,000.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame 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.

CARRIED

CS251-12/95 NEERABUP COMMUNITY HOUSE - LEASE - [4151-89-19]

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

Homeswest has forwarded a draft lease for Council to endorse and affix the common seal for the operation of the Neerabup Community House, Lot 89 Turquoise Loop, Neerabup. Council, at its meeting on 28 June 1995 gave approval to enter into an agreement with Homeswest to lease part of its sales office at Neerabup for a Community House. Funds were subsequently listed in the 1995/96 Municipal Budget for operating and capital expenditure at Neerabup (Item P16-06/95 refers).

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

He reports that the lease has been reviewed by the various Council departments which may be affected by its provisions and is considered to be acceptable.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council authorises the affixation of the Common Seal to, and endorses the signing of, the lease document for the Neerabup Community House, Lot 89 Turquoise Loop, Neerabup.

CARRIED

**CS252-12/95 FESTIVAL OF PERTH - COUNCIL'S INVOLVEMENT IN 1996
- [429-1-3]**

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

Over the past five years the City of Wanneroo, in conjunction with the Festival of Perth, has staged a series of highly successful free concerts for the local community. Each concert has attracted an estimated three thousand people in what has become a recognised event in the municipality's cultural calendar.

The City Recreation and Cultural Services Manager provides details for staging the 1996 Concert.

He reports that the 1996 free concert incorporated within the Festival of Perth will feature **Sierra Maestra** from Cuba and will be held at Neil Hawkins Park, Joondalup, on Sunday 18 February 1996.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council hosts a reception for Sierra Maestra following the Festival of Perth's Concert at Neil Hawkins Park on 18 February 1996.

CARRIED

**CS253-12/95 1996 LOCAL GOVERNMENT RECREATION PERSONNEL
CONFERENCE - [202-1-2]**

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

The Ministry of Sport and Recreation and the Institute of Recreation (WA) have organised the 1996 Local Government Recreation Personnel Conference to be held at the Broadwater Resort, Busselton, from 17-20 March 1996.

The City Recreation and Cultural Services Manager advises that the theme for the Conference is "Beyond the Boundaries - Forging Futures".

He provides details of the conference and reports that the programme is designed to highlight the importance of planning in the creation of better communities.

RECOMMENDATION

That Council nominates an elected member to attend the 1996 Local Government Recreation Personnel Conference to be held at the Broadwater Resort, Busselton from 17 to 20 March 1996.

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

- 1 Council registers attendance for two elected members to attend the 1996 Local Government Recreation Personnel from 17 to 20 March 1996;
- 2 a further report be submitted for nomination of elected members in February 1996.

CARRIED

**CS254-12/95 TRANSFER OF OUT OF SCHOOL HOURS CARE SERVICES TO
YMCA (WANNEROO AND QUINNS) - [262-1]**

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

Further to Report No B214-11/95 detailing the progress of transferring the Wanneroo and Quinns Rocks Out of School Hours Care Services, correspondence has been received from the YMCA detailing the terms and conditions under which they are prepared to take on the services.

The City Recreation and Cultural Services Manager gives an assessment of the terms and conditions sought by the YMCA and provides details on Wanneroo Out of School Care Service, Quinns Rocks Out of School Care Service, staff and funding.

He advises that it is proposed that the changeover of both the Quinns Rocks and Wanneroo Out of School Hours Care Services take effect as of the beginning of Term 1, 1996.

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

- 1 endorses the transfer of sponsorship for the Wanneroo and Quinns Rocks Out of School Hours Care Services as of the beginning of Term 1, 1996, in accordance with the Terms and Conditions detailed in Report CS254-12/95;
- 2 authorises, in accordance with Section 547 (12) of the Local Government Act, the expenditure of \$730 by way of donation of assets to the YMCA;
- 3 advises the YMCA to formally seek permission from the City Building Surveyor to affix signage onto Council buildings detailing diagrammatically the proposed signage and location.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XXXIII refers

CS255-12/95 NEERABUP COMMUNITY HOUSE - HIRE FEE - [4151-89-19]

The lease for portion of the Homeswest Sales Office at Neerabup, which will be used as a Community House, has been submitted for consideration at Council's December 1995 meeting. Should Council endorse the lease with Homeswest, it will be necessary to set fees for use of the facility.

The City Recreation and Cultural Services Manager advises that it is considered the appropriate facility hire charge type is "J" and provides details of the fees at this level.

CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT recommended that Council adopts the Schedule of Charges for the hire of Neerabup Community House as type "J" being:

Commercial	\$4.60 per hour
Functions	\$3.40 per hour
Community - Regular	\$2.30 per hour
Community - Casual	\$2.80 per hour

COMMITTEE RECOMMENDATION

- 1 Council adopts the Schedule of Charges for the hire of Neerabup Community House as type "J" being:

Commercial	\$4.60 per hour
Functions	\$3.40 per hour
Community - Regular	\$2.30 per hour
Community - Casual	\$2.80 per hour

- 2 hire fees for Neerabup Community House for the first six months be set at a minimum of 40c per person per hour.

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

- 1 Council adopts the Schedule of Charges for the hire of Neerabup Community House as type "J" being:

Commercial	\$4.60 per hour
Functions	\$3.40 per hour
Community - Regular	\$2.30 per hour
Community - Casual	\$2.80 per hour

- 2 hire fees for Neerabup Community House for the first six months of the Group operating be set at a minimum of 40c per person per hour.

CARRIED

CS256-12/95 SURF SKILLS COACHING - MULLALOO BEACH - [765-1]

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

Council, at its meeting of 27 September 1995, recommended that approval be granted to Mr W Donaldson to operate Aquawest Surf Skills Competition Coaching at Mullaloo Beach for a period of one year from November 1995. Approval was granted subject to a number of conditions, and on the proviso that the Mullaloo Surf Life Saving Club and Mr Donaldson reach agreement on the times and location of these activities at Mullaloo Beach, and an appropriate emergency plan.

The City Recreation and Cultural Services Manager provides details of discussions held between the Mullaloo Surf Life Saving Club and Mr Donaldson and reports on the recommendations made by the Mullaloo Surf Life Saving Club. The discussions included designating an emergency plan, safety ratios and the use of Surf Life Saving identification flags and equipment.

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

- 1 rescinds Resolutions 2(d) and 2(g) of Item CS179-09/95 submitted to Council meeting of 27 September 1995, viz:
 - "2(d) the licensee to provide all necessary first aid and rescue equipment, including a mobile phone and to have in place an appropriate emergency plan which is developed in conjunction with SLSWA and the Mullaloo Surf Life Saving Club;
 - 2(g) basic equipment consisting of SLSA approved racing surfcraft and flags, marker buoys, wind shelter, flags and marker cones, be available at all times";
- 2 amends the conditions under which it granted Mr W Donaldson of Aquawest Coaching, approval to operate a surf skills competition coaching licence at Mullaloo Beach to include:
 - (a) the licence to be current for the summer periods 1 October 1995 to 31 March 1996 and 1 October 1996 to 31 March 1997;
 - (b) the operational area to be south of the Mullaloo Surf Life Saving Club;
 - (c) the days of operation to include Monday to Saturday and the hours to be between 5.30 am to 7.00 pm;
 - (d) the licensee to provide all necessary first aid and other rescue equipment, including a mobile phone, and to provide Council with a copy of an appropriate emergency plan for his operations;
- 3 forwards these details to Council's solicitors for inclusion in the licence document.

CARRIED

CS257-12/95 **FULL TIME BEACH INSPECTOR AT MARMION BEACH -**
[765-8]

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

A request has been received from Mr Derek McLeod for Council to appoint a full time inspector to control dog owners exercising their animals at Marmion Beach (Item C430-09/95 refers).

The Manager Municipal Law and Fire Services advises that a search of Council records reveal that complaints on Marmion Beach are minimal. He comments that the appointment of a Beach Inspector would not solve the problem as the Inspector could not issue on the spot fines as there is no infringement schedule provided for in the Bathing By-laws.

The Manager Municipal Law and Fire Services provides details of the set up costs for an inspector. He reports that in view of the circumstances and existing coverage already provided by Patrol and Ranger staff, the appointment of a full time inspector at Marmion Beach cannot be supported.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council does not support the appointment of a full time Beach Inspector at Marmion Beach.

CARRIED

CS258-12/95 DOG ACT APPEAL - MRS L WARNER, 34 GUARDIAN LOOP, CURRAMBINE - [3596/440/34]

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

On 7 September 1995 Council refused an application by Mrs L Warner of 34 Guardian Loop, Currumbine to keep three dogs at her residence. All applications to keep more than two dogs on residential properties are refused by Council (Council Resolution G50713).

The Manager Municipal Law and Fire Services advises that Mrs Warner has since lodged an appeal with the Minister for Local Government under Section 26(5) of the Dog Act against Council's decision and the appeal was upheld. He reports on the conditions necessary for Mrs Warner to comply with in order to receive the exemption.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council advises the applicant and adjoining neighbours of the Minister's decision and of the conditions specified.

CARRIED

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

Mrs Clare Elizabeth Williams of 32 Redcliffe Avenue, Marangaroo is the registered owner of a male Staffordshire/Bull Terrier/Heeler cross dog which is habitually kept at the above address. This dog was currently licenced with the City until 31 October 1995 and is subject to renewal.

The Manager Municipal Law and Fire Services advises that for a period of approximately nine months the dog has been the subject of numerous serious complaints from Mrs William's neighbours and Council Rangers and provides a sample of complaints received.

He comments that subsequent to Council resolving to cancel the dog licence of Mrs Williams 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.

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

- 1 in accordance with Section 16(3) of the Dog Act 1976 directs that the registrations held by Mrs Clare Elizabeth Williams of 32 Redcliffe Avenue, Marangaroo namely licence number 10115 of 1995 and renewal licence thereto relating to a male Staffordshire/Bull Terrier Heeler cross dog be cancelled;
- 2 gives effect to the cancellation of the dog licence by serving a notice on Mrs Williams 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 licence;
- 3 failing an appeal by Mrs Williams 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 Williams' dog;
- 4 gives notice in writing to Mrs Williams of the seizure and subsequent destruction of her dog in accordance with the order given by a Justice of the Peace.

CARRIED

CS260-12/95

PMFM RADIO PROMOTION - HILLARYS BEACH - 25
JANUARY 1996 - [765-9, c765-13]

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

Radio Station PMFM has approached Council requesting permission to conduct a promotion at Hillarys Beach on Thursday, 25 January 1996, at approximately 10.40am.

Two Wave Runners (Jet Skis) will disperse between thirty and fifty ping pong balls towards the beachfront from a safe distance for beach goers to retrieve the balls to win various prizes.

The City Recreation and Cultural Services Manager provides details of the promotion. He advises that approval for this promotion will be granted by the Department for Transport (Marine and Harbours division), provided the jet skis maintain a maximum speed of eight knots within forty five meters of the foreshore and that all other speed restrictions are complied with.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council approves the PMFM Radio Station's request to conduct a promotion at Hillarys Beach on 25 January 1996, subject to the adherence of the conditions outlined by the Department for Transport (Marine and Harbours division) and notification being made to the Surf Life Saving WA Lifeguards.

CARRIED

CS261-12/95

DONATION FOR WANNEROO TOURIST MAP AND BROCHURE -
[320-2-2]

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

Correspondence has been received from the President of the North West Metro Tourism Association Inc. (formerly Wanneroo Tourism Development Association) seeking a donation of \$6,000 to fund a tourist map and brochure for the Wanneroo region.

The City Recreation and Cultural Services Manager provides details of the request and advises that as the self drive, backpacker or individual traveller is fast becoming the most popular type of tourist, it is felt that a full colour brochure with an easy to read map of the region is the most appropriate way to capture the tourist market.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that Council endorses \$6,000 to the North West Metro Tourism Association Inc. for the production of a tourist map and brochure of the Wanneroo region. Such expenditure to be debited to Budget Item Number 39780.

CARRIED

CS262-12/95 VOLUNTEER GROUPS LUNCHEON - [911-0]

Cr Waters advised of a phone call she had received regarding the omission from the volunteers luncheon of the Voluntary Bus Drivers group from Yanchep.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that an appreciation dinner be held for the Voluntary Bus Drivers of Yanchep.

CARRIED

CS263-12/95 PADBURY SCOUTS - LEASE OF PADBURY HALL - [635-6]

Cr Freame submitted an agenda for a meeting of the 1st Padbury Scouts held on 16 November 1995 - Appendix XXXIV refers.

She requested that the current status of Padbury Hall be clarified as members of the community had expressed concern to her with regard to the future of the hall.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that the agenda of the meeting of the 1st Padbury Scouts be received and it be recorded that Council has no intention of bulldozing Padbury Hall for a housing development.

CARRIED

Appendix XXXIV refers.

CS264-12/95 APPRECIATION LUNCHEON FOR MRS JOY COLEMAN - [911-0]

Cr Freame advised that Mrs Joy Coleman recently retired from the Board of Granny Spiers Community House and commented that it would be appropriate to hold an appreciation luncheon for her.

She also advised that a Certificate of Community Service be framed in appreciation for Mrs Coleman's 15 - 20 years of community service.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that an appreciation luncheon be held in honour of Mrs Joy Coleman and a Certificate of Community Service be framed to be presented to her.

CARRIED

CS265-12/95 BURNS BEACH RECREATION CENTRE - REPLY TO
CORRESPONDENCE - [330 11-5]

Cr Cooper advised that in relation to the Minutes of the Burns Beach Recreation Centre regarding business arising from correspondence, a reply to a letter sent to Council regarding funding is now overdue.

He queried whether a reply could be sent to them explaining Council's decision in this regard.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that the City Recreation and Cultural Services Manager reply to correspondence received from Burns Beach Recreation Centre regarding funding.

CARRIED

PROVISION OF "DOG POO" BAGS - [508-9]

Cr Magyar queried what the progress was in relation to amending the appropriate By-laws so as to require dog owners to remove their animals excreta from public places (Item TS343-11/95 refers).

The Manager Municipal Law and Fire Services will investigate this matter.

CS266-12/95 RANGER TRAINING FOR AGGRESSIVE DOGS - [970-2-1]

Cr Lynn queried what was happening in relation to money allocated in the Budget for the Animal Extension Programme to arrange a special programme with the City of Wanneroo to address difficulties of animal management within the City and to train rangers to deal with aggressive dogs.

The Manager Municipal Law and Fire Services will contact the Senior Ranger in relation to this matter and report back to Council.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Freame that a progress report be submitted to Council in relation to the allocation of funds for a special programme to train rangers to deal with aggressive dogs and address animal management difficulties within the City of Wanneroo.

CARRIED

WANNEROO RECREATION CENTRE - MOSQUITOES - [330 7-1]

Cr Magyar advised he had been approached by a member of the public regarding mosquitoes near the Wanneroo Recreation Centre on the foreshore of Lake Joondalup and queried whether the

situation regarding complaints of mosquitoes was being monitored.

The City Environmental Health Manager advised that he would investigate this matter and have the area near the Recreation Centre checked again.

C606-12/95 BUSINESS FOR INFORMATION

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

CARRIED

REPORTS

TOWN PLANNING COMMITTEE

B218-12/95 DEVELOPMENT ENQUIRIES - OCTOBER 1995 - [290-0]

CITY PLANNER'S REPORT

The City Planner submits a Schedule of Development Enquiries received during October 1995, together with a resumé of advice given by the Town Planning Department.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B218-12/95 be received.

CARRIED

B219-12/95 APPEAL DETERMINATION - RADIOLOGIST PRACTICE ON LOT 505 (32) SEACREST DRIVE, SORRENTO - [30/2843]

CITY PLANNER'S REPORT

The City Planner advises that the appeal against Council's refusal was dismissed because the radiologist was not considered as a "local medical use" and did not comply with Town Planning Scheme No 1 car parking requirements.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B219-12/95 be received.

CARRIED

B220-12/95 NATIVE TITLE SEMINAR - [301-3]

CITY PLANNER'S REPORT

A number of Councillors and Council officers attended a seminar on Native Title, sponsored by the Department of Land

Administration and the Department of Local Government on 24 October 1995.

The seminar was organised to provide local government with information and advice on developments in the area of Native Title. Those addressing the seminar included the Deputy Chairman of the Council for Aboriginal Reconciliation, President of the National Native Title Tribunal, the General Manager of the Indigenous Land Corporation, a consultant to the Department of the Premier and Cabinet, and the CEO of the Shire of Broome.

The City Planner provides information on the general implications of native title, specific implications for the City, land affected by Native Title claims and associated issues.

He advises that the Council for Aboriginal Reconciliation is encouraging local governments to release reconciliation statements to acknowledge local aboriginal rights, history and land relationships and that Council may wish to further investigate this matter.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B220-12/95 be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B221-12/95 ENGINEERING CURRENT WORKS - [202-0]

CITY ENGINEER'S REPORT

The City Engineer reports on current work undertaken by the Engineering Department for the period ending 12 November 1995.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B221-12/95 be received.

CARRIED

**B222-12/95 ROAD STORMWATER DRAINAGE - ROSETTA RISE, GNANGARA
- [510-3022]**

CITY ENGINEER'S REPORT

The City Engineer reports that an assessment has been made of the concerns from residents of Rosetta Rise, Gnangara with regards to erosion of the verge table drains from road storm water runoff (Item C515-10/95 refers).

He provides information on the assessment and advises that in order to alleviate the current situation, arrangements have been made to re-cut the table drains with flatter grades in a stepped fashion and then fill the drains with 150mm rock spalls to reduce the velocity of the runoff. He comments that cleaning of the existing drains and catch pits in Rosetta Rise, Colonial Close and Lakelands Drive have also been included in these works.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B222-12/95 be received.

CARRIED

B223-12/95 **REQUEST FOR PROVISION OF BUS SHELTER - DAMPIER AVENUE, KALLAROO - [503-3, 510-1141]**

CITY ENGINEER'S REPORT

Council has received a request from the St Ives Northshore Residents Association Inc requesting the installation of a bus shelter at an existing stop adjacent to the newly completed section of St Ives Retirement Village in Dampier Avenue, Kallaroo (Item C479-10/95 refers).

The City Engineer reports on current policy in relation to bus shelters. He advises that MetroBus have been requested to furnish patronage figures and once these are received, the feasibility of a shelter being located at the stop will be undertaken with other requests received for the 1996/97 installation programme.

The City Engineer comments that a report will be presented to Council in March 1996 with an appropriate recommendation.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B223-12/95 be received.

CARRIED

B224-12/95 **BROADBEACH BOULEVARD: HILLARYS COMMUNITY CENTRE - [061-416-01, 895-11]**

CITY BUILDING SURVEYOR'S REPORT

Council at its 23 October 1995 meeting sought a report on the state of the Hillarys Community Centre (Item CS13-10/95 refers).

The City Building Surveyor provides background information on the subject matter and reports on the current status. He advises that a Building Contract has been signed with Rapley Wilkinson Master Builders Pty Ltd giving possession of the site

by 24 November 1995 and completion of the Works by 19 April 1996.

He states that a sign is to be erected on site by the developer to inform the public of the relevant details in relation to the project.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY BUILDING SURVEYOR'S REPORT B224-12/95 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B225-12/95 OUTSTANDING GENERAL DEBTORS - NOVEMBER 1995 -
[020-0]

CITY TREASURER'S REPORT

The City Treasurer reports on the outstanding general debtors at 21 November 1995 and makes comments on the action being taken with long outstanding accounts.

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

1 Council:

- (a) writes to Quinns Rocks Bowling Club notifying it of the deadline of 31 December 1995 for the submission of the financial statements for the period 1 April 1995 to 30 September 1995;
- (b) accepts the proposal of the Wanneroo Basketball Association (Inc) for the payment of its outstanding debt viz:
 - . a base monthly repayment for 1996 of \$3,500 - representing a full payment of \$42,000 in a year;
 - . a further payment of \$6,500 between the months of April to August 1996; and
 - . a further payment of \$5,000 in the months of October and November 1996;
- (c) does not charge Wanneroo Basketball Association (Inc) any interest on its outstanding debt;

2 a report be submitted by the City Recreation and Cultural Services Manager by the end of January 1996 in relation to the Wanneroo Football Club's lease of the

Kingsway Football Club together with information on a sinking fund for maintenance of the building.

CARRIED

B226-12/95 FINANCIAL REPORT FOR THE PERIOD ENDED 21 NOVEMBER 1995 - [002-3]

CITY TREASURER'S REPORT

The City Treasurer submits the financial statements for the period ended 21 November 1995.

He advises that early trends indicate Council's interest earnings will outstrip budget estimates by a considerable sum.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY TREASURER'S REPORT B226-12/95 be received.

CARRIED

B227-12/95 STAFF AND OUTSIDE WORKERS' OVERTIME - NOVEMBER 1995 - [404-10]

CITY TREASURER'S REPORT

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

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY TREASURER'S REPORT B227-12/95 be received.

CARRIED

B228-12/95 COMMONWEALTH FINANCIAL COUNSELLING GRANT - [880-2]

MANAGER, WELFARE SERVICES' REPORT

Council at its September 1995 meeting (Item CS165-09/95 refers) approved the submission of applications for funding to both the State and Federal Governments for funding a Financial Counselling Service in the City. The action was a result of a reduction in funding from the Department for Family and Childrens Services.

The Acting Manager Welfare Services reports that Council has been notified of its success in being granted funding from the Federal Bureau of Consumer Affairs. The funding, effective from 1 December 1995 will cover salary, on-costs and some operating costs for the Financial Counsellor.

ADDITIONAL INFORMATION

The Manager Welfare Services advised that further to the preparation of Report B228-12/95 Council has received a letter from the Minister for Family and Childrens Services informing it of its success in being granted funds to operate a Financial Counselling Service at Merriwa. The grant which is for \$39,941 will cover salary, salary on-costs and some operational costs.

The service will be based at the Welfare Services Administration Centre which is scheduled for completion in April/May 1996. The service will, in the interim, be based at Kingsley and will operate an outreach service at the Jenolan Way Community Centre.

MOVED Cr O'Grady, **SECONDED** Cr Freame that **MANAGER, WELFARE SERVICES' REPORT B228-12/95 AND ADDITIONAL INFORMATION** be received.

CARRIED

B229-12/95 DISPOSAL OF ASSETS - MEALS ON WHEELS KITCHEN - [862-1]

MANAGER, WELFARE SERVICES' REPORT

Council at its September 1995 meeting (Item CS168-09/95 refers) approved the engagement of a professional auctioneer to dispose of assets and goods at the Meals on Wheels kitchen in Duncraig.

The Acting Manager Welfare Services reports on the results of the auction held on 14 November 1995.

MOVED Cr O'Grady, **SECONDED** Cr Freame that **MANAGER, WELFARE SERVICES' REPORT B229-12/95** be received.

CARRIED

B230-12/95 1995 NATIONAL PUBLIC LIBRARIES CONFERENCE - [240-2]

CITY LIBRARIAN'S REPORT

The 1995 National Public Libraries Conference held in Sydney from 13 to 15 November was attended by the Deputy City Librarian and Councillor O'Grady. The conference theme 'Public Libraries: what are they worth' was translated to three sub themes, namely networking and electronic access, tendering and competitiveness and quality and value.

The City Librarian provides details of the conference and advises that the conference focused attention on the value of

libraries, forcing attendees to consider their library service in light of issues such as performance measurement, best practice and computer networking.

She reports that the information derived from the Conference will benefit the City of Wanneroo Libraries as they confront these issues and work towards delivering the most effective service in the most efficient manner to the local community.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY LIBRARIAN'S REPORT B230-12/95 be received.

CARRIED

B231-12/95 NSW STUDY TOUR - NOVEMBER 14 AND 15 1995 - [240-2]

CITY LIBRARIAN'S REPORT

Following the National Public Libraries Conference in Sydney, the Western Australian Local Government Libraries Association conducted a two day study tour of five New South Wales public libraries. The Deputy City Librarian and Cr O'Grady were among the twenty one Western Australian participants on this tour.

The City Librarian provides details of the libraries visited, reports on reference services, library resources and library funding and comments on a workshop held.

She advises that the study tour was proposed as an opportunity for Western Australian Librarians to view different systems and operations while providing a forum to share information gained. It was considered by all participants a total success and it is hoped other such opportunities will be available in the future.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY LIBRARIAN'S REPORT B231-12/95 be received.

CARRIED

B232-12/95 RECREATION AND CULTURAL SERVICES DEPARTMENT - MONTHLY ACTIVITIES REPORT - [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 November 1995. These included:

- sports, health and planning of holiday programmes at recreation centres;

- "Learn To Swim" Christmas party held at Aquamotion;
- office refurbishments to Wanneroo Recreation Centre and Wanneroo Civic Reception Centre;
- promotion of 1996 Art Award;
- Christmas art and craft workshops at the Northern Suburbs Migrant Resource Centre;
- Balga Detached organising a dance party to be held on 16 December 1995;
- Road roller restored through the Whitfords Youth Centre LEAP project.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B232-12/95 be received.

CARRIED

B233-12/95 YOUTH POLICY - [485-2]

CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT

Since the endorsement and launch of Council's Youth Policy, there has been an overwhelming response from the community and various government departments to the positive and pro-active approach Council has taken in youth services.

The City Recreation and Cultural Services Manager provides details of some of the significant achievements of the Youth Policy and advises that in excess of 200 copies of the policy have been distributed throughout Australia.

He comments that as detailed in the Youth Policy, Council has an important role to play in the planning of services for youth and it is envisaged, as the next step in the Policy implementation process, energy will be directed towards strategies for fulfilling Council's planning role.

MOVED Cr O'Grady, **SECONDED** Cr Curtis that Council issues a Press Release to outline the acclaim given in respect of the release of Council's Youth Policy.

CARRIED

B234-12/95 SORRENTO SUPER SWIM - [765-13]

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

The Aussi Inglewood Inc. Masters Swimming Club has advised that it wishes to conduct the Annual Sorrento Super Swim at Sorrento Beach on Saturday, 20 January 1996.

The City Recreation and Cultural Services Manager provides details of the request and advises that approval has been granted for this event. Certain conditions will need to be adhered to and he provides a list of the conditions concerned.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B234-12/95 be received.

CARRIED

B235-12/95 YOUTH CONCERNS IN KINROSS - [485-2]

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

A public meeting was called recently to discuss community concerns in relation to youth in the Kinross area.

Local business people and residents shared their increasing concern at vandalism at local facilities and the shopping centre, young people congregating at the shopping centre and the boredom that young people in the area were facing due to limited positive activities for youth.

The City Recreation and Cultural Services Manager provides details of the meeting and lists the action strategies that were developed as a result of the meeting.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B235-12/95 be received.

CARRIED

B236-12/95 LIFEGUARD SERVICE 1995/96 SUMMER SEASON - [765-1]

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

Council listed \$26,780 in the 1995/96 budget to provide a lifeguard service for the 1995/96 summer season.

The City Recreation and Cultural Services Manager advises that Council's Recreation Officer has negotiated with Surf Life Saving WA to provide lifeguard service for the 1995/96 summer service and provides details of this service.

He reports that the lifeguards taking up these positions have been made "Honorary Beach Inspectors" and will liaise with Council's Municipal Law and Fire Services Department accordingly.

MOVED Cr O'Grady, **SECONDED** Cr Freame that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B236-12/95 be received.

CARRIED

C607-12/95 POLICY COMMITTEE

MOVED Cr Magyar, **SECONDED** Cr Moloney that the Report of the Policy Committee Meeting, held on 13 December 1995 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	H M WATERS from 1925 hrs to 1939 hrs	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; Deputising for	
	Cr Waters from 1939 hrs	North Ward
	L A EWEN-CHAPPELL - Observer from	
	1924 hrs	Central Ward
	S P MAGYAR - Observer from 1923 hrs	Central Ward
	A B HALL - Observer	South Ward
	A G TAYLOR - Observer from 1923 hrs	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 Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Welfare Services: Recreation Services	P STUART
Co-ordinator:	M STANTON to 2023 hrs
Cultural Services Co-ordinator:	A COOK
Senior Land Officer:	T NEALE
Committee Clerk:	J HARRISON

APOLOGIES

An apology for absence was tendered by Cr Wood; Cr Wight deputised.

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 22 November 1995 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - WANNEROO HOSPITAL REDEVELOPMENT - [730-8-1]

Mr Brad Sebbes, Chairman of the Wanneroo Hospital Redevelopment Committee and Mr Ian McDonald of Health Care of Australia addressed the Committee in relation to the proposed redevelopment of Wanneroo Hospital.

Mr Sebbes outlined the proposed redevelopment which would increase the existing 83 bed hospital to 311 beds, thereby making the hospital the third largest hospital in the State, and larger than Fremantle Hospital. Of the 311 beds, 241 beds would be for the public section and 70 beds for the private section.

Mr Sebbes stated the expected total cost of this redevelopment was \$49 million, and that it was anticipated construction would commence in March 1996 with completion date in 1997. He advised the hospital would be in the ownership of the Government and leased to Health Care of Australia, with existing staff transferring to the private sector.

Councillors were advised that the range and level of services would improve considerably, with most injuries/illnesses being treated, including chemotherapy and renal dialysis. Consideration was also being given to a private nursing home being constructed on site.

Following questions by Councillors, the Mayor thanked the deputation for addressing the Committee and hoped that both Council and the Wanneroo Hospital would continue on this basis of open communication.

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced: 1854 hrs

Closed:

2110 hrs

REPORT NO:

P42-12/95

INTEGRATED CULTURAL POLICY - [429-1-15]

In November 1992 Council received the report "Joondalup ... A Cultural Plan" (Item G91127 refers). This report, prepared by consultants at Griffith University, provided a comprehensive and integrated Cultural Plan and Policy framework for the municipality on behalf of Council and LandCorp.

Subsequently, Council, at its meeting in April 1993, received a report on the process entailed in the development of an Integrated Cultural Policy. As a consequence of this report, the Cultural Development Advisory Committee was formed and work commenced on developing the Cultural Policy.

The City Recreation and Cultural Services Manager provides details of the draft policy and advises that the Integrated Cultural Policy provides Council with a purposeful plan for the future development of cultural and heritage services and programmes within the City of Wanneroo.

At the Policy Committee Meeting held on 13 December 1995, City Recreation and Cultural Services Manager, Ron Banham and Abbe Cook, Cultural Services Co-ordinator, presented the draft Integrated Cultural Policy to the Committee.

Ms Cook presented to Councillors a video giving examples of public art, outlined in detail the objectives of the Policy and programme areas, and showed slides from the WA Department for the Arts to illustrate the role which art plays in people's lives.

Following questions from Councillors, it was recommended that Council holds a public launch in February 1996 to introduce this policy.

The Mayor thanked Mr Banham, Ms Cook and Mr Stanton for their effort and high quality of work in producing the draft Integrated Cultural Policy.

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

recommended that Council adopts the draft Integrated Cultural Policy as the basis for the development of the diverse cultural identity of the City of Wanneroo.

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

- 1 adopts the draft Integrated Cultural Policy as the basis for the development of the diverse cultural identity of the City of Wanneroo;

2 arranges an appropriate function to officially launch
the draft Integrated Cultural Policy.

CARRIED

P43-12/95 TOWN PLANNING SCHEME NO 7A MARANGAROO - [780-7A]

CITY PLANNER'S REPORT

A group of landowners whose holdings comprise six of the nine landholdings within Stage 2 of Part A of Town Planning Scheme No 7A have initiated an action in the Supreme Court of Western Australia in an attempt to recover for themselves the whole of the money that is held in the Scheme Account.

The City Planner reports that the City disputed the Stage 2 owners' claim, lists the grounds of the claim and advises that the matter has been in dispute since December 1987 and is listed for trial shortly.

He provides background information on the subject matter. He also provides details on recommendations of the investigation committee, progress of the scheme, the Stage 2 owners' claim (revised), proposed settlement of Stage 2 claim and advantages to the City.

The City Planner comments that the Stage 2 claimants wish to settle the action out of Court under the terms of a Deed of Compromise and Release and recommends that the City should enter into the proposed settlement with the claimants.

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

1 Council:

(a) rescinds, Resolution SC46-07/95 to:

"subject to the Stage 2 claimants confirming in writing that they will discontinue their legal action:

1 prepares, adopts and signs Amendment No 6 to Town Planning Scheme No 7A in accordance with the principles of Proposed Settlement of the Stage 2 Claim as presented in Report SC46-07/95;

2 transfers from Town Planning Scheme No 7A Stage 2 Account 63065 to the Municipal Fund an amount of \$146,000 being the balance of allocated Scheme Costs for

Stages 1 and 2 and balance previous
Municipal Fund Advances;"

(b)

by way of settlement of the Stage 2 claimant owners listed
Supreme Court action resolves, pursuant to the provisions of
Section 679(1) of the Local Government Act to:

- (i) authorise the signing and sealing of a Deed of
Compromise and Release with the Stage 2 claimant owners
in Town Planning Scheme No 7A, Part A;
- (ii) transfers an amount of \$146,001 to the
Municipal Fund from the Town Planning
Scheme No 7A Stage 2 Account;
- (iii) pays to each of the Stage 2 claimants from
the balance funds in the Town Planning
Scheme No 7A Stage 2 Account their
respective proportions of SETTLEMENT FUNDS
amounting in the aggregate to \$198,566
plus interest earned from 30 November
1995;
- (iv) pays to the solicitor for the Stage 2
claimants the remaining balance of the
Town Planning Scheme No 7A Stage 2 Account
to be held as TRUST FUNDS in accordance
with the terms of the Deed of Settlement
and Release.

2 Report P43-12/95 - Town Planning Scheme No 7A -
Marangaroo - be marked "NOT FOR PUBLICATION".

**CARRIED BY AN
ABSOLUTE MAJORITY**

P44-12/95 COMMERCIAL VEHICLE PARKING AND TRANSPORT DEPOTS -
[780-0]

The City is increasingly being requested to resolve issues
relating to the parking of commercial vehicles in both
residential and special rural areas. There are also apparent
problems with parking of commercial vehicles on rural
properties, particularly where they take the form of transport
depots.

The City Planner provides details of the policy relating to
commercial vehicles parking at residential premises and lists
the difficulties encountered in enforcing this Policy.

He also provides background information relating to the subject matter and reports on advice received from Council's solicitors who suggest that Town Planning Scheme No 1 be amended by incorporating new and amended provisions relating to commercial vehicle parking and transport depots.

He comments that Council, on the matter of transport depots, will need to decide whether they should be prohibited in the Rural Zone.

CITY PLANNER'S REPORT recommended that Council holds a workshop to discuss the issue of commercial vehicle parking and transport depots in the Rural zone.

MOVED Cr O'Grady, **SECONDED** Cr Lynn that Council holds a workshop to discuss the issue of commercial vehicle parking and transport depots.

CARRIED

P45-12/95

TOILET AND CHANGEROOM POLICY FOR COUNCIL RESERVES
- [250-1]

CITY BUILDING SURVEYOR'S REPORT

Council, at its March 1995 meeting, requested a report on the feasibility of standardising toilet and changeroom facilities on Councils reserves, (Item TS90-03/95 refers).

The City Building Surveyor provides background information on toilet facilities provided at different reserves and reports on active sports reserve toilets.

He advises that to formalise the procurement of toilet and changeroom buildings on Council Reserves given the informal policies operating to date would be to declare as policy the current arrangements so that a clear course of action could be pursued.

MOVED Cr O'Grady, **SECONDED** Cr Lynn that Council adopts the following policy:

"PROVISION OF TOILET FACILITIES ON RESERVES USED FOR SPORT

PURPOSE OF POLICY

To provide guidelines for the level of provision of toilet facilities on reserves used for active sport.

POLICY

BASIC FACILITY

Council will provide, subject to the allocation of funds, a toilet facility on reserves developed for active recreation, as follows:

- . water closets, urinals and wash basins to provide for 225 females, and 250 males;
- . a small change bench and changing area of approximately 3m² in the male and female area; and
- . a verandah;

the design of which is to facilitate additions and extensions of changerooms, kiosks, clubrooms and ancillary facilities.

ADDITIONAL FACILITIES

Council will consider requests for additional facilities such as changerooms, clubrooms, etc where:

- . there is demonstrated demand;
- . the proposal provides for community access;
- . the proposal conforms with the reserve vesting;
- . there is a viable financial plan and adequate resources;
- . it fits with or improves the Council's proposals for provision of facilities and programmes.

See also policy H5-07."

CARRIED

P46-12/95

DISABILITY SERVICES PLAN - [88-8-10]

DEPUTY TOWN CLERK'S REPORT

Under legislation enacted in the State Parliament (Disability Services Act (1993)) all public authorities, including Local Governments, are required to lodge a disability service plan prior to 1 January 1996. Following the calling of tenders, Council approved the appointment of Jill Cameron & Associates/Jo Stanton Consultancy to develop a plan for the City (Item C401-08/95 refers).

The Deputy Town Clerk reports that the project has been overseen by Council's Disability Access Advisory Committee who will be presenting the draft plan to Council for its approval before submitting it to the Disability Services Commission.

He provides details of the major objectives of the plan and advises that under the legislation, Local Governments will be required to prepare a report on the status of the implementation of the plan and submit it to the Disability Services Commission prior to September of each year. The plan is subject to review and will be amended and extended as priorities and needs change.

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

- 1 adopts as policy the Disability Services Plan as presented (attached hereto in the Minute Book);
- 2 in line with the Disability Services Act (1993), submits the Disability Services Plan to the Disability Services Commission prior to 1 January 1996.

CARRIED

C608-12/95 TOWN CLERK'S REPORT

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

CARRIED

**C609-12/95 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Consent to Strata Title Plan
Parties: City of Wanneroo and St Ives Northshore Pty Ltd
Description: St Ives Northshore Retirement Estate
Date: 23.11.95

Document: Building Agreement
Parties: City of Wanneroo and Whitfords Beach Pty Ltd
Description: Lot 947 Broadbeach Boulevard, Hillarys
Date: 23.11.95

Document: Deed
Parties: City of Wanneroo and Hon R Court, Hon E Charlton, Minister for Transport, Gumflower Pty Ltd, and Biddenham Pty Ltd
Description: Termination of Mindarie Keys State Agreement
Date: 5.12.95

Document: Deed

Parties: City of Wanneroo and Hon R Court; Hon E Charlton, Minister for Transport; Gumflower Pty Ltd; and Biddenham Pty Ltd

Description: Consent and Covenant for Third Assignment

Date: 5.12.95

Document: Deed

Parties: City of Wanneroo and Hon R Court; Hon E Charlton, Minister for Transport; Gumflower Pty Ltd; and Biddenham Pty Ltd

Description: Current obligations under Mindarie Keys Agreement

Date: 5.12.95

Document: Deed

Parties: City of Wanneroo and Hon R Court; Hon E Charlton, Minister for Transport; Gumflower Pty Ltd; and Biddenham Pty Ltd

Description: Fourth Deed of Assignment: Mindarie Keys Agreement

Date: 5.12.95

Document: Easement

Parties: City of Wanneroo and Water Authority

Description: Lot 1 Marangaroo Drive, Alexander Heights

Date: 7.12.95

Document: Funding Agreement

Parties: City of Wanneroo and Minister for Community Welfare

Description: Financial Counselling Service

Date: 12.12.95

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

CARRIED

C610-12/95 HUMAN RESOURCE MATTERS - [404-0]

This report gives details of staff appointments and resignations.

STAFF APPOINTMENTS

<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
Receptionist - Administration	Sue WESLEY	06.11.95
Shelver (P/T) - Libraries		Shelley
MILLS	24.11.95	
Dep Environmental Health	Phil SWAIN	04.12.95
Manager - Health		

RESIGNATIONS

Rehabilitation Officer - Admin	Claire WAKEFORD	17.10.95
Rec Facilities Manager - Rec	Tony WEAR	17.11.95
Drafting Assist - Admin	Karen WEBLEY	24.11.95
Env Health Officer - Health	Bill SIDEBOTTOM	17.11.95
Youth Services Co-ord - Rec	Kylie BACK	22.12.95
Technical Officer - Parks	Penelope ALLISON	07.12.95
Recreation Officer - Rec	Cynthia STRATING	22.12.95

PAYMENT OF GRATUITY TO AN OFFICER

Section 168 of the Local Government Act states that if a person who has been an officer or employee of a Council for a period of ten years, dies or resigns or if the office is abolished, the Council may pay a gratuity to the officer.

The maximum gratuity payable is an amount equal to one month's salary for each year of service up to a maximum of twelve years, the rate of salary being that of the last salary payment made to him/her. The maximum gratuity payable must however, be reduced by the amount of any Council contribution to a Superannuation and death benefits scheme.

A Council may, if it considers the special circumstances of the case warrant it, make payment in excess of this statutory maximum, provided the Minister's approval is obtained.

Mr Anthony Perkusich, Supervisor (Verge & Footpaths, Engineering Department has resigned after approximately 17 years' service with this local authority.

The City Engineer advises that Mr Perkusich has been a dedicated staff member, has performed his duties in an exemplary manner and recommends that he be paid a gratuity of \$500 nett.

As the gratuity payment, if approved, would exceed the amount authorised by Section 168 of the Act, Council agreement is sought to write to the Minister to obtain his assent.

AUTHORISATION OF OFFICER - JUSTICES ACT 1902

The Manager - Municipal Law and Fire Services Department has requested that Ranger Callum Jon Arnold 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.

MOVED Cr Freame, **SECONDED** Cr Lynn 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 seeks the approval of the Minister for Local Government for the payment of a \$500 nett gratuity for A Perkusich;
- 3 in accordance with the provisions of the Justices Act 1902, authorises Callum Jon Arnold to make complaints, act under and enforce the provisions of the Local Government Act 1960, Part XX and Section 669, and the Dog Act 1976, Regulations and By-laws thereunder, for the Municipality of the City of Wanneroo.

CARRIED

C611-12/95 ANNUAL LEAVE - [404-0]

Approval is sought to clear Annual Leave from 27 December 1995 to 5 January 1996 to resume duty on Monday 8 January 1996. In the event of my application being approved it is recommended that the Deputy Town Clerk, Mr Robert Dymock, be appointed Acting Town Clerk during this period.

MOVED Cr Taylor, **SECONDED** Cr Magyar that Council approves the Annual Leave requested by the Town Clerk from 27 December 1995 to 5 January 1996 and appoints Deputy Town Clerk, Mr Robert Dymock, as Acting Town Clerk during this period.

CARRIED

C612-12/95 ADMINISTRATIVE STAFF - NEW POSITIONS - [404-0]

During the 1995/96 preliminary Budget deliberations, Councillors will recall I suggested that, for a number of reasons, the usual staff review, and in particular the appointment of new staff, be not incorporated in the budget process other than some provision be made to allow for the urgent appointment of additional staff.

In this respect several Departments have sought approval for new positions and to extend the hours of some existing part-time employees - a number of the new positions in the Welfare Department are fully funded by the H.A.C.C. Programme.

Accordingly it is appropriate that consideration be given to these requests.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council delegates authority to the Town Clerk, in conjunction with the Head of the Department, to proceed to approve new necessary positions and to

extend the hours of existing part-time positions where considered essential to operational efficiencies, the expenditure involved to be charged to Account 20101 - Salaries/Wages.

CARRIED

C613-12/95 CHRISTMAS/NEW YEAR CLOSING - LIBRARIES - [240-2]

Permission is requested to close the libraries over the Christmas/New Year period as follows:

Friday 22 December 1995 - 12.30 PM CLOSURE - CHRISTMAS PARTY

Saturday 23 December 1995 - OPEN

Monday 25 - Tuesday 26 December 1995 - CLOSED

Wednesday 27 December 1995 - ALL LIBRARIES OPEN

Thursday 28 - Saturday 30 December 1995 - NORMAL HOURS

Monday 1 January 1996 - CLOSED

Tuesday 2 January 1996 - ALL LIBRARIES OPEN SUBJECT TO ADEQUATE STAFFING LEVELS

Wednesday 3 January 1996 - NORMAL HOURS ALL LIBRARIES

MOVED Cr Freame, **SECONDED** Cr Lynn that Council approves the closure of libraries over the Christmas/New Year period as follows:

Friday 22 December 1995 - 12.30 PM CLOSURE - CHRISTMAS PARTY

Saturday 23 December 1995 - OPEN

Monday 25 - Tuesday 26 December 1995 - CLOSED

Wednesday 27 December 1995 - ALL LIBRARIES OPEN

Thursday 28 - Saturday 30 December 1995 - NORMAL HOURS

Monday 1 January 1996 - CLOSED

Tuesday 2 January 1996 - ALL LIBRARIES OPEN SUBJECT TO ADEQUATE STAFFING LEVELS

Wednesday 3 January 1996 - NORMAL HOURS ALL LIBRARIES

CARRIED

Several months ago, Council representatives met with the Infrastructure Co-ordinating Committee (ICC) of the Western Australian Planning Commission (WAPC) to highlight to that Committee the importance of rapid urban development areas such as those in Wanneroo being given proper attention in the planning and provision of human services by the various service-providing agencies. Council's representations were well received by the ICC which agreed that the Metropolitan Development Program (MDP) provided an ideal vehicle for this to be done. (MDP is the five year rolling program co-ordinated by the Ministry for Planning which aims to draw together the various servicing requirements of new developing areas to ensure that land supply meets demand and that the new development areas are adequately provided with human services.)

The matter is being pursued with the various State agencies involved and it has been considered that it may be helpful for a bus tour to be arranged to show the Technical Officers Group (which is involved in the preparation of the MDP) some of the new development areas in Wanneroo so that they may obtain a proper appreciation of the issues involved. The tour would be followed by a meeting at Council offices so that the various issues may be discussed and agreement sought as to how best to proceed.

About 15 State agency officers would be involved, coming from the areas of education, transport, child/family services, community health, planning and Homeswest. A representative from the Urban Development Institute of Australia and representatives from the other main "growth" local authorities are also intended to be invited. In total, it is envisaged that approximately 25 people (including Wanneroo representatives) would be participating.

The tour is intended to be held in early February of next year (an exact date has not been set as yet).

Authorisation is sought for the conducting of this bus tour and the provision of lunch.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council authorises the hire of a bus for the visit by the Metropolitan Development Program Technical Officers Group, should the City's bus prove to be unavailable on the date of the tour, and the provision of lunch.

CARRIED

C615-12/95

**PROPOSED SUBDIVISION - PT LOT M1722 (449) BURNS
BEACH ROAD, ILUKA - [740-96520]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Rural
APPLICANT/OWNER:	Beaumaris Land Sales
CONSULTANT:	Feilman Planning Consultants
APPLICATION RECEIVED:	12.1.95
DAU/SCU:	12.1.95
REPORT WRITTEN:	23.11.95

SUMMARY

The City is in receipt of a request from the Western Australian Planning Commission for its comments with regard to the proposed subdivision of Pt Lot M1722, Iluka (Appendix XXXV refers). The submitted design does not reflect previous requirements of Council, however is considered acceptable in view of a more detailed assessment.

DESCRIPTION

This land is bounded by Silver Sands Drive to the south, a public open space lake system to the east, future residential to the north and future Delgado Parade to the west (Appendix XXXVII refers). It is in the south-west corner of the Iluka Village Centre.

The majority of the site is covered in native vegetation and a small amount of limestone. It slopes down from the future Delgado Parade and Silver Sands Drive towards the lake system, which abuts the proposed Lot 505. The lake system/proposed public open space is constructed, but not yet vested (Appendix XXXVII refers).

BACKGROUND

Council has previously considered this general subdivision design as part of the broad concept for the Iluka Village Centre. At the Council meeting of 25 May 1995 (I90582), it identified several aspects of the proposed subdivision design which required modification.

ASSESSMENT

The issues previously raised by Council are expanded upon in this Assessment section. The first issue was those dual frontage lots proposed between the future Delgado Parade and the internal road. Although the subdivision plan does not nominate any access restriction, it is anticipated that rear fencing would be constructed along Delgado Parade. Council does not

normally accept the creation of dual frontage lots for reasons of amenity and verge maintenance. In this case, however, dual frontage lots are considered acceptable given the land grades across the application area and on the basis of suitable arrangements being in place requiring adjoining landowners to maintain the Delgado Parade road verge.

The second concern was the extent of public land proposed within the cul-de-sac head. The area of the cul de sac head is however required to accommodate a number of public car parking bays that will serve visitors to the adjoining public open space. This is considered acceptable in this instance.

The area between Lots 497 and 505 will be used as a dual use path connection between the public open space and the subdivision. That area needs to be designed so as to minimise the safety/social problems typical of pedestrian accessways.

Further details within the proposed design require minor modification that can be effected by conditions of approval. Staff will incorporate those modifications into conditions to accompany the standard conditions of approval.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council advises the Western Australian Planning Commission that it supports the application for subdivision of Part Lot M1722 Burns Beach Road, Iluka, subject to:

- 1 the provision of a 0.1 metre wide pedestrian accessway along the boundary of Lots 661 - 665 where they abut Delgado Parade.
- 2 the provision of a uniform style of fencing and complementary landscaping to the satisfaction of the City of Wanneroo along the boundary of Lots 661 - 665;
- 3 arrangements being made to the satisfaction of the City of Wanneroo requiring the landowners of Lots 661 - 665 to maintain the adjacent Delgado Parade road verge;
- 4 The provision of a dual use path linking the proposed cul de sac head with the existing path system within the adjacent (future) public open space;
- 5 standard and appropriate conditions of subdivision.

CARRIED

Appendices XXXV, XXXVI and XXXVII refer

Recently a consultant botanist, Mr Malcolm Trudgen, addressed the Environmental Advisory Committee regarding the assessment of remnant native vegetation within the City of Wanneroo

The Environmental Advisory Committee had envisaged engagement of a consultant to develop the methodology for assessing the extent and quality of remnant native vegetation within the City, such an assessment being regarded as a desirable Local Conservation Strategy initiative. Mr Trudgen was invited to address the Committee because of the work he has done in the North West Corridor and because he has recently completed an assessment of remnant native vegetation in the City of Gosnells.

As a result of Mr Trudgen's address, it is evident that he has already developed appropriate methodology to enable a quick and practical remnant native vegetation assessment to be undertaken at relatively little cost. The output of the assessment will be maps identifying the occurrences of different native vegetation associations within the City, a qualitative rating of the condition of this vegetation, and advice regarding the conservation status of the vegetation (based on what proportion of the original extent of the respective vegetation now remains). The assessment will provide uniform information about remnant native vegetation within the City (presently lacking) and will provide a guide for more specific investigations (eg as are being advocated by the City in respect of structure planning for the Alkimos-Eglinton locality). The information will in effect form a valuable input to planning processes within the City.

The assessment will be largely based on the interpretation of the City's 1:10,000 aerial photographs of the municipality, and Mr Trudgen has suggested (as a means of reducing the cost of the assessment) reconciling the results of this interpretation with vegetation mapping from the Ministry for Planning's Perth Environment Project. So doing would also enable validation of the Ministry's mapping and would therefore extend the benefits derived from the assessment. The Ministry recognises the potential benefits in this context and is prepared to provide 1:10,000 cover of the Perth Environment Project vegetation maps.

A written cost estimate has been obtained from Mr Trudgen for completion of the assessment (Appendix XXXVIII refers). As can be seen, the estimated cost is \$7,750 (a one-third "starter" payment being required).

The assessment is part of the broader Local Conservation Strategy initiative and engagement of Mr Trudgen for this purpose is supported by the Environmental Advisory Committee.

The assessment will also be of use to the City's planning processes.

MOVED Cr Freame, **SECONDED** Cr Lynn that Mr Malcolm Trudgen be engaged as a consultant botanist to assess the extent and quality of remnant native vegetation within the City of Wanneroo at an estimated cost of \$7,750 to be charged to the item Flora and Fauna Studies - Budget Account No 27609.

CARRIED

Appendix XXXVIII refers

C617-12/95 AMENDMENT NO 739 TO TOWN PLANNING SCHEME NO 1:
PROPOSED REZONING OF LAND AT ALKIMOS- EGLINTON TO
URBAN DEVELOPMENT, CENTRE AND PRIVATE
RECREATION/CLUBS ZONE - [790-739]

At its meeting of 29 November 1995, Council resolved to initiate this amendment (Item TP361-11/95 refers).

Officers have subsequently become aware that several matters of detail are incorrect and require attention before the amendment may proceed.

These matters relate to:

- . Partial lot descriptions which should be called "portion of" (lot) rather than "part of" (lot).
- . Six small areas of land which should be added to Centre Zoning to ensure that this amendment conforms with the Metropolitan Region Scheme amendment for this area. These areas are shown on Appendix IX hereto. The previously adopted amendment map (Attachment No 3 to TP361-11/95 and reproduced here as Appendix X) should be revised to reflect this. A new amendment map, Appendix XI hereto, is included for adoption.
- . The full description of Private Recreation Zone is "Private Recreation/Clubs zone".

Accordingly, it is recommended that Council replaces part 1 of its resolution TP361-11/95 with a resolution incorporating the above matters. The changes required to the new resolution are in heavy text.

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

- 1 rescinds Part 1 of Council resolution TP361-11/95 as follows:

"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;"

2 inserts:

"1 in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended), initiates Amendment No 739 to rezone:

- (a) **portion** Location M1503, **portion** lot 11, **portion** Location M1482, **portion** Lot 102, **portion of** Part Lot 6 and **portion** Lot 3 to Urban Development Zone;
- (b) **portion** Lot 102, **portion** Lot 3, **portion** Location M1482, **portion** Loc 6285, **portion** Reserve 22031, **portion** Reserve 31237 to Centre Zone;
- (c) **portion** Lot 102 to Private Recreation/**Clubs** Zone.

as shown on Appendix XI to the Minutes of the Council meeting held on 20 December 1995."

CARRIED

Appendices IX, X and XI refer

**C618-12/95 FUNCTION - OFFICIAL OPENING AND PRESENTATION
OF THE LEADLIGHT MURAL PROJECT - CATERING COSTS -
[429-1-24]**

The City of Wanneroo's Environmental Arts Project, in the form of a Leadlight Mural, will be officially presented to the public on Sunday 4 February 1996 at Hainsworth Leisure Centre, Hainsworth Avenue, Girrawheen.

The Mayor will address the opening at 11.30 am to be followed by a light lunch.

A list of guests of approximately sixty people has been drawn for this function.

It is requested that Council allocates \$600 to cover cost of catering, as the mural project has limited expenditure associated with productions costs.

MOVED Cr Cooper, **SECONDED** Cr Freame that Council approves the inclusion of the following function on the 1995/96 Calendar of Events and allocates \$600 to cover cost of catering:

Date: Sunday 4 February 1996
Time: 11.30 am
Function: Official Opening and Presentation of the
Leadlight Mural Project
Guests: Approx 60
Host: Council

CARRIED

C619-12/95 **POST CONCERT FUNCTION - FESTIVAL OF PERTH FREE
FAMILY CONCERT - [429-1-3]**

The 1996 Festival of Perth Free Family Concert is scheduled for 18 February 1996 and will feature Cuba's finest nine-piece son band - **Sierra Maestra** - Item CS252-12/95 refers.

The event will be held at Neil Hawkins Park and will conclude with a light supper for performers and dignitaries.

Details pertaining to the function are as follows:

Date: 18 February 1996
Time: 9.00 pm
Function: Sierra Maestra
Guests: 60
Host: Council

MOVED Cr Moloney, **SECONDED** Cr Wight that Council approves the inclusion of the following function in the 1995/96 Calendar of Events:

Date: 18 February 1996
Time: 9.00 pm
Function: Sierra Maestra
Guests: 60
Host: Council

CARRIED

C620-12/95 **COMMUNITY BUS SERVICE - YANCHEP TWO ROCKS -
[852-1-2]**

Council resolved, at its September 1995 meeting (Item TS295-09/95 refers) to:

- 1 advise the Department of Transport that it will not be contributing to the Yanchep/Two Rocks Bus Service effective from 1 July 1995.
- 2 request a refund from the Department of Transport in relation to the subsidy paid for the period 1 January 1995 to 1 July 1995.

The Department of Transport has agreed to accept that the subsidy paid for the Yanchep Two Rocks Bus Service by the City of Wanneroo should cease on 1 July 1995. However, the Department does not agree that the proclamation on 1 January 1995 of the Acts Amendment (Perth Passenger Transport) Act 1994 released Council from its obligation to continue for the service for the period 1 January 1995 to 1 July 1995.

The Department of Transport correspondence is outlined below:

I refer to your letter dated 29 September 1995 requesting a refund of the subsidy for the Two Rocks bus service paid by the City of Wanneroo from the period 1 January 1995 to 1 July 1995.

The Department of Transport cannot agree that the proclamation of Acts Amendment (Perth Passenger Transport) Act 1994 on 1 January 1995 released Council from its obligation to continue the subsidy for this service.

The fact that Two Rocks is now within the Transperth operating area does not necessarily mean that a bus service must be provided to this locality. As public transport services are heavily subsidised by the taxpayer, the limited resources have to be used in the most cost-effective way. A service which, on a system-wide scale, has a relatively low priority can be provided only if a beneficiary makes a contribution towards the cost. As I noted in my letter dated 11 September 1995, bus services are not provided free of any financial contribution from local councils, developers or other specific beneficiaries just because the services are within the Transperth operating area.

Therefore, the Department does not accept that it should refund the subsidy received for the

period from 1 January 1995 to 1 July 1995. Indeed, we are of the opinion that the subsidy should have continued at least until the Two Rocks service became part of the overall bus service in the Joondalup North contract area which, from 1 November 1995, is being provided under a commercial contract. This new arrangement, which results from the Government's public transport reform programme, has reduced the taxpayer contribution to the cost of providing services. In order that the ratepayers of the City of Wanneroo benefit more directly from this reform process, termination of the subsidy payment is justifiable.

The commercial contract was intended to take effect earlier than 1 November 1995. In view of the delay, as a gesture of goodwill, the Department is willing to accept that the subsidy paid for the Two Rocks service by the City of Wanneroo should cease on 1 July 1995.

MOVED Cr Freame, **SECONDED** Cr Lynn that information regarding the Community Bus Service - Yanchep/Two Rocks be received.

CARRIED

C621-12/95 NON STATUTORY DONATION - GERARD PROSPER - [009-1]

Council is in receipt of a request from Gerard Prosper of 3 Pegasus Rise, Ocean Reef for financial assistance to assist with costs associated with representing Western Australia in the Under 18 National Baseball Tournament in Sydney in January 1996.

It is appropriate that Council donates the customary \$50.00 donation on this particular occasion.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council donates \$50.00 to Gerard Prosper to assist with the costs in representing Western Australia in the Under 18 National Baseball Tournament in Sydney in January 1996; such donation to be from Budget Item Number 29470 Sundry Donations - Recreation Control.

CARRIED

C622-12/95 DEPUTY MEMBER - GEOGRAPHIC NAMES COMMITTEE - [312-2]

A vacancy has arisen in the Geographic Names Committee. The vacancy is as a result of the creation of a new position -

Deputy Member. The Western Australian Municipal Association is seeking nominations from eligible persons to fill the position.

Council has been invited to nominate a Councillor for this position. The selection of a Council member will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

The membership of the Committee is comprised of representatives from State Government, Australia Post, the Urban Development Institute of Australia and Local Government.

There are no specific qualifications required for appointment to the Committee. The Committee meets on a quarterly basis on the first Thursday of the month at 2.15 pm. The meeting is held at the Department of Land Administration Building, Midland.

Cr Taylor nominated Cr Curtis.

Cr Curtis declared an interest in this item.

MOVED Cr Wight, **SECONDED** Cr Taylor that Council nominates Cr Curtis for consideration of appointment to the position of Deputy Member - Geographic Names Committee.

CARRIED

Cr Curtis did not vote.

C623 -12/95 NOMINATION FOR COMMUNITY HOUSING ADVISORY
COMMITTEE - [312-2]

Following the resignation of a present member, a vacancy has arisen for the position of member in the Community Housing Advisory Committee.

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government. The position also has a term of office which expires on 30 June 1996.

The membership of the committee is comprised of representatives from a number of bodies including the Commonwealth Department of Housing & Regional Development, Homeswest and Professional Housing Bodies.

It is preferable that members be from a Council involved with the provision of community housing. The role of the Committee is to advise the Minister for Housing on matters of policy

affecting the operation, funding and future development of the Community Housing Programme in WA.

The Committee meets on a monthly basis for approximately three hours. The meeting is held at the Homeswest Centre, 99 Plain Street East Perth.

Cr O'Grady nominated Cr Hall in his absence.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council nominates Cr Hall, subject to his acceptance, for consideration of appointment to the position of member to the Community Housing Advisory Committee.

CARRIED

Cr Ewen-Chappell left the Chamber at this point, the time being 2102 hrs.

C624-12/95 NOMINATION TO INDICATIVE PLANNING COUNCIL FOR THE HOUSING INDUSTRY - [312-2]

Due to the recent establishment of the Indicative Planning Council for the Housing Industry, a vacancy has arisen for the position of member.

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

The membership of the committee is comprised of representatives from a number of bodies including the Australian Bureau of Statistics, the Department of Housing and Regional Development and the Master Builders Association.

There are no particular qualifications required for the position, although members should at least have an interest in housing issues, particularly forecasts for housing needs.

The Committee meets on a biannual basis for approximately two hours. The meeting is held at the Department of Housing & Regional Development, Perth.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council makes no nomination for appointment as member to the Indicative Planning Council for the Housing Industry.

CARRIED

C625-12/95

PUBLIC MEETING TO DISCUSS THE FEASIBILITY OF A
ROAD CLOSURE ON GLENUNGA WAY, CRAIGIE -
[510-1150, 30/398]

As a result of the Craigie Child Care Centre being approved, a petition was received from residents of the east side of Glenunga Way, Craigie requesting Council to:

- divide and close Glenunga Way, creating an eastern and western close;
- rename the eastern portion "Glenunga Close";
- divide and close Glenunga Way between Lots 92 and 74 with the establishment of a landscaped barrier;
- place "No Through" signs at the opening of each close.

A further petition was received from residents of the west side of Glenunga Way opposing any closure to the road.

A Public Meeting was held on Monday 27 November 1995 to discuss the feasibility of a road closure on Glenunga Way, Craigie.

There were 32 members of the public in attendance.

Following comments from members of the public, both for and against the road closure, and comments relating to the child care centre, the Mayor requested a show of hands to indicate the general consensus of the meeting. Of those persons present, 12 persons (representing 7 properties) were against the closure and 18 persons (representing 12 properties) were in favour of the closure.

MOVED Cr Freame, **SECONDED** Cr Lynn that information regarding the Public Meeting to discuss the feasibility of a road closure on Glenunga Way, Craigie be received.

CARRIED

C626-12/95

PUBLIC MEETING TO DISCUSS POSSIBLE TRAFFIC
TREATMENTS ON GURON ROAD, DUNCRAIG - [510-1021]

Since 1990 requests and petitions have been received requesting Council to look at traffic treatments in Guron Road, Duncraig. Since that time Council has undertaken works, ie street lighting and islands and recently constructed roundabouts at both ends of Guron Road. A questionnaire in relation to traffic treatments was also sent to residents and following suggestions, Council resolved to treat the entry to Guron Road. However two accidents in July this year highlighted residents' concerns regarding vehicle behaviour.

A Public Meeting was held on Tuesday 5 December 1995 to discuss possible traffic treatments on Guron Road, Duncraig.

There were 14 members of the public in attendance.

Following questions and comments raised by residents, the Mayor advised that the three suggestions made (in relation to the feasibility of tree planting, placing of Stop Signs on Meline Road and "one way in, one way out" on Guron Road) would be investigated.

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

- 1 the information regarding the Public Meeting to discuss possible traffic treatments on Guron Road, Duncraig be received;
- 2 a report in relation to the suggestions raised at the public meeting concerning possible traffic treatments on Guron Road, Duncraig on 5 December 1995 in relation to the feasibility of tree planting, placing of Stop Signs on Meline Road and "one way in, one way out" on Guron Road be submitted to Council at the end of March 1996.

CARRIED

Cr Ewen-Chappell entered the Chamber at this point, the time being 2106 hrs.

C627-12/95 DELEGATION OF AUTHORITY FOR URGENT BUSINESS
DURING JANUARY 1996 - [702-0]

Council has, in the past, not held the normal monthly meeting of Standing Committees and Council in January, deferring any business to the February meeting of the appropriate Committee. Since 1987, the power to deal with routine and other urgent matters, and to accept tenders, etc, has been delegated to an Occasional Committee, comprising the Mayor or Deputy Mayor, Chairman of the relevant Committee and Town Clerk. This ensures that the normal business of the Council is not impeded during the January recess.

MOVED Cr Taylor, **SECONDED** Cr Curtis that Council delegates to the appropriate Committee and the Town Clerk, the power to act for, and on behalf of Council in respect of any matters of an urgent nature, arising before February 1996.

LOST

MOVED Cr Major, **SECONDED** Cr Cooper that Council delegates to an Occasional Committee comprising the Mayor or Deputy Mayor, Chairpersons of all relevant Standing Committees or their deputies, and Town Clerk or Deputy Town Clerk, the power to act

for, and on behalf of Council in respect of any matters of an urgent or routine nature, arising before February 1996.

**CARRIED BY
AN ABSOLUTE MAJORITY**

**C628-12/95 OPENING OF COUNCIL OFFICES ON PUBLIC HOLIDAY 2
JANUARY 1996 - [702-0]**

At its meeting of 29 November 1995 Council agreed to Council offices remaining open to serve the public on the day following New Year's Day and Easter Tuesday.

It is pleasing to report that a sufficient number of staff members volunteered to work to enable all sections within each Department to open to the public, the only exception being the Libraries. On a normal Tuesday the Duncraig, Woodvale, Girrawheen and Mobile Libraries would be open to the public. However, due to the lack of volunteers it will not be possible to open the Woodvale Library.

MOVED Cr Freame, **SECONDED** Cr Lynn that the information regarding the opening of Council offices on Public Holiday, 2 January 1996 be received.

CARRIED

**C629-12/95 NORTH METROPOLITAN COLLEGE OF TAFE STUDENT
SCHOLARSHIP SCHEME - [404-13]**

The North Metropolitan College of TAFE in conjunction with the Northern Advisory Body has established a Student Scholarship Scheme for TAFE students. The Scholarship is available to all TAFE students who attend one of the North Metropolitan Colleges - Balga, Carine and Joondalup.

The scheme operates under a trust fund maintained by North Metropolitan College, which is administered by a management committee comprising NMC staff and the Northern Advisory Body. Scholarships are awarded depending upon the status of the student; \$500.00 for full time and \$200.00 for part time.

The City of Wanneroo currently sponsors a book prize to the value of \$75 to the best student at the Joondalup Campus of TAFE. The Scholarship offered by Joondalup TAFE on the other hand is designed to support students financially throughout their studies. The Scholarship Scheme introduced by NMC and the Northern Advisory Body has been designed to run concurrently with the system of Book Prizes such as that offered by the City of Wanneroo.

The scholarship scheme offers sponsors appropriate publicity and recognition. Donations of \$500 or more would entitle the sponsor

to have an individual scholarship awarded in its name. If deemed appropriate, Council would also have the opportunity for greater participation by way of representation on the board selecting the winning participants.

Crs Taylor and Wight left the Chamber at this point, the time being 2118 hrs.

As the North Metropolitan College of TAFE is a valuable education provider in the City of Wanneroo it is deemed appropriate that Council support this Scholarship Scheme.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council donates \$500 on an annual basis to the North Metropolitan College of TAFE Student Scholarship Scheme to be donated from Account 20052 (Members Presentation Items).

CARRIED

C630-12/95 RESIDENTIAL DEVELOPMENT - RESERVE 39197 (68)
SOUTHSIDE DRIVE, HILLARYS BOAT HARBOUR, HILLARYS
- [30/1773]

METRO SCHEME:	Regional Reservation
LOCAL SCHEME:	Regional Reservation
APPLICANT/OWNER:	Department of Transport
CONSULTANT:	James Christou & Partner Architects
APPLICATION RECEIVED:	26.10.95
DAU/SCU:	1.11.95
APPLICANT CONTACTED:	10.11.95
ADVICE RECEIVED:	14.12.95
REPORT WRITTEN:	14.12.95

SUMMARY

An application has been submitted for a residential development by James Christou & Partners Architects on Reserve 39197 (68) Southside Drive, Hillarys Boat Harbour, Hillarys. A similar proposal has approved in September 1993, however the approval was lapsed and a resubmission required. The proposal is over two storeys in height and therefore requires Council approval.

BACKGROUND

The proposal is for 58 serviced apartments, 14 permanent residences, manager's unit and associated reception, parking and recreation facilities. The development consists of three buildings of three storeys containing the apartments and one building of two storeys containing the fourteen townhouses (see Appendices XXXX and XXXXI).

Extensive research has revealed that in 1984 Council considered and agreed to a document entitled "Sorrento Boat Harbour Ownership and Management". The document detailed the extent of involvement of the City of Wanneroo and its Town Planning Scheme No 1 in the Boat Harbour's management, as the proposal was considered to impact on the City, however, it was located outside its municipal boundary and Town Planning Scheme No 1 area. The land is also reserved for Parks and Recreation and therefore normally not subject to the controls of the City's Town Planning Scheme No 1 area.

This document as agreed to by Council, the then America's Cup office and the then Minister for Planning and Education provides agreement for Council to make a determination on development proposals within the Harbour under its Town Planning Scheme No 1.

The clauses which relate to this development are 10(b) and (d). These state:

- (b) no residential usage on land west of West Coast Highway; and
- (d) buildings not more than two stories in height, other than for "control tower" functions.

Approval was previously granted in September 1993 for a similar development of 72 short term residency serviced apartments and cafe, including three storey buildings.

ASSESSMENT

The proposal generally complies with the requirements of Town Planning Scheme No 1 and the Residential Planning Codes if applied. Car parking numbers and provision of open space, both private and communal are satisfactory.

With respect to Clauses 10(b) and (d) of the Sorrento Harbour Ownership and Management document the following comments are made. With regard to the residential usage clause 10(b). The intent of the clause was to not permit permanent residential activity and freehold sale of land. Any approval should be conditioned accordingly.

The height of the proposal is three storeys or 11.873m. Appendix XXXXII indicates the southern elevation of the proposed development and existing buildings. As stated previously, approval was granted for a similar development in September 1993 which was also three storeys in height. This application is considered an improvement on the previous development.

The proposal complies with Ministry for Planning height requirements and the Department of Transport has also endorsed the proposal.

The attached plans show a series of elevations of the proposed new development in relation to the existing structures.

The applicant, although complying with the overall numbers of car bays required, needs to demonstrate the allocation of these bays to visitor parking and the various apartments and town houses in order to comply with requirements as outlined within the Residential Planning Codes.

In context of the entire Boat Harbour, some variation in height ought to be supported and I have no objection to the proposal.

Cr Magyar declared an interest in this item.

MOVED Cr Major, **SECONDED** Cr Cooper that Council approves the application for the short term holiday harbour side apartments and townhouses submitted by James Christou and Partners Architects on Reserve 39197 (68) Southside Drive, Hillarys Boat Harbour, Hillarys subject to:

5the development not being occupied by permanent residents;

6the submission of car parking plans showing its allocation to visitor parking and individual apartments and townhouses to the satisfaction of the City Planner;

7the north, south, east and west elevations being consistent with existing buildings in architecture, colour, materials and finishes;

8standard and appropriate conditions.

CARRIED

Cr Magyar did not vote.

Appendices XXXIX, XXXX, XXXXI and XXXXII refer.

MOTIONS FOR FURTHER ACTION

FUTURE CLOSURES OF PEDESTRIAN ACCESSWAYS - [520-1]

Cr Magyar submitted the following wording he felt appropriate to be included in all future reports on pedestrian accessway closures:

- 1 the location of existing local footpaths on the diagram of the area supplied with the report;

- 2 the location of any additional footpaths or dual-use paths to be constructed to provide a safe walking and cycling environment for the pedestrians and cyclists deprived of the use of the accessway by its closure;
- 3 an initial costing for the construction of any additional footpaths or dual-use paths that maybe required by the pedestrians and cyclists deprived of the use of the accessway by its closure.

Crs Taylor and Wight entered the Chamber at this point, the time being 2120 hrs.

Cr Lynn left the Chamber at this point, the time being 2121 hrs.

MOTIONS FOR REPORT

C631-12/95 ROAD MAINTENANCE - SWEEPING - [540-2-1]

Cr Freame raised the issue of additional street sweeping that required to be carried out and inquired whether it was possible to recoup costs for this work from residents in the designated area. She also queried the feasibility of asking residents to stabilise their verges in order that debris does not spill over on to road ways.

The City Engineer reported that a large proportion of the unstabilised materials on the roads occurred from storm damage throughout the year.

RESOLVED that a report be submitted to Council on the feasibility of recouping costs associated with additional street sweeping charges.

Cr Lynn entered the Chamber at this point, the time being 2123 hrs.

C632-12/95 GRAFFITI AND VANDALISM WITHIN THE CITY OF WANNEROO - [210-7]

Cr Taylor submitted a letter from a concerned Woodvale resident in relation to graffiti within the City of Wanneroo. He questioned whether an amendment was possible to By-law J1-05 - "Graffiti and Vandalism" to rectify this problem.

RESOLVED that a report be submitted to Council in relation to possible amendments to By-law J1-05 covering Graffiti and Vandalism.

C633-12/95 CAVEATS AND MEMORIALS - [951-1]

Cr Major raised the issue of Caveats and Memorials on Certificates of Title and felt Council had not progressed very far on this matter.

He stated the original intention was for buyers to be aware of possible problems that may arise before purchasing land or property and suggested this item be referred back to Policy Committee in order for it to be progressed further.

RESOLVED that a report be submitted to Policy Committee in relation to Caveats and Memorials on Certificate of Titles in order that this matter be progressed.

C634-12/95 BUSH FIRE INFRINGEMENTS - [902-3]

Cr Major made comment on the requirement to have fire breaks on properties in place by 1 December in any given year. He drew attention to the fact that some landowners were absent at this time, and therefore not in a position to carry this out.

In view of this fact he queried whether it was possible to issue those in this position with a verbal warning requiring them to rectify the situation as opposed to issuing an infringement notice.

RESOLVED that a report be submitted to Council on possible improvements to methods used in notification of firebreak requirements.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

PUBLIC QUESTION/COMMENT TIME

THERE 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.

The Mayor wished Councillors, Staff and members of the public a Merry Christmas and a happy and safe New Year.

MOVED Cr Curtis, **SECONDED** Cr Taylor that the Meeting be adjourned for five minutes, the time being 2132 hrs.

CARRIED

The public and members of the press left the Chamber at this point.

MOVED Cr Curtis, **SECONDED** Cr Taylor that the Meeting resume and be held behind closed doors, the time being 2136 hrs.

CARRIED

CONFIDENTIAL BUSINESS

C635-12/95 APPOINTMENT OF TOWN CLERK - [404-0]

As a result of extensive advertising throughout Australia, thirty eight (38) applications were received for the position of Town Clerk/CEO.

Councillors will recall that at its meeting on 25 October 1995 Council resolved to -

- 1 authorise the sub-committee comprising the Mayor Cr Dammers, Deputy Mayor Cr Freame, Crs Major and Cooper and the Town Clerk to -
 - (a) proceed to interview applicants for the position of Town Clerk/CEO and produce a preliminary short list;
 - (b) where necessary fly shortlisted applicants from interstate for interview;
 - (c) arrange for shortlisted applicants to undertake an assessment in relation to stress levels;
 - (d) submit a shortlist of approximately three applicants for Council's consideration; and
- 2 authorise the Town Clerk to issue a press release in relation to close of advertising and interviewing procedure for replacement Town Clerk/CEO.

Initially each member of the interview panel independently selected a number of the applicants they considered were worthy of interview. A meeting of the sub-committee was convened at which it was agreed that five (5), three (3) interstate and two (2) local applicants would be interviewed. Interviews were arranged/conducted for 29 November, 11, 13 and 18 December 1995,

however subsequently the applicant to be interviewed on 18 December advised he did not wish to proceed with the interview.

At the conclusion of the interviews three applicants (one Eastern States) were generally deemed by the members of the sub-committee to possess the necessary experience, qualifications etc to be considered suitable for appointment.

At a meeting of the sub-committee on Monday 18 December - although Cr Cooper was unfortunately unable to be present, he had indicated to the Mayor his preferred position - lengthy discussion ensued on the qualifications, experience etc of the three applicants, the requirements of Council during the next three to five years and the current situation facing the City of Wanneroo which it seemed would not change in the short term.

Following discussion the individual members of the sub-committee unanimously agreed that one applicant, which also accorded with the choice of Cr Cooper, was the preferred applicant and therefore should be recommended to Council for appointment to the position of Town Clerk/CEO.

The sub-committee was also strongly of the view that the appointment if approved by Council, should be subject to a five (5) year contract with performance objectives clearly stipulated.

The proposed commencement of the contract is to be Saturday 6 July 1996 with further discussion to take place with the successful applicant on remuneration level etc to be fixed from the period of commencement - anticipated February/March 1996 - until 6 July - ie during the assimilation period.

In view of the fact the recommended applicant is a senior experienced local government person, consideration should be given to whether or not an independent assessment relating to stress etc should be undertaken as well as the normal staff appointment requirements.

MOVED Cr O'Grady, **SECONDED** Cr Major that Mr L O (Lindsay) Delahaunty F.I.M.M., A.A.I.M. be offered the position of Town Clerk/CEO of the City of Wanneroo and that the sub-committee be authorised to negotiate a fixed term (five (5) year) contract with performance objectives clearly stated and generally being in accordance with the terms and conditions discussed at the interview, and also be subject to normal appointment requirements i.e. medical examination which will include a stress assessment examination.

CARRIED

