

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, 24 JULY 1996

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor	South-West Ward
	L O'GRADY	North Ward
	P O HEALY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	T W POPHAM	South Ward
	W D DUFFY	South Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP	South-West Ward
	V G HANCOCK	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
City Planner:	O G DRESCHER
Acting City Engineer:	D BLAIR
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISHER
Acting City Environmental Health Manager:	P SWAIN
City Parks Manager:	F GRIFFIN
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T M TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Publicity Officer:	O DAVIDSON
Committee Clerk:	J HARRISON
Minute Clerk:	L TAYLOR

B  
There were 44 members of the Public and 2 members of the Press  
in attendance.

The Mayor declared the meeting open at 1933 hrs.

## CONFIRMATION OF MINUTES

### **C329-07/96      MINUTES OF COUNCIL MEETING, 26 JUNE 1996**

Cr Taylor requested a correction be made to the Minutes of Council Meeting of 26 June 1996 (Item 3 below refers) and advised that he would submit a rescission motion in relation to Item P45-05/96 later in the meeting under "Motions of Which Notice Had Been Given".

#### Corrections

- 1            Item TS133-06/96: Tender Nos: 5-96/97 and 12-96/97, "Pioneer Road Surfaces" be amended to read "Pioneer Road Services".
- 2            Item FA67-06/96: Point 2 of the Motion be amended to read:  
  
              "defers consideration of the Olympic Kingsway Sports Club's outstanding debt of \$4,935.93 and refers this matter back to Finance and Community Services Committee."
- 3            Page 155, "Notice of Motion - Cr Taylor": the words "is withdrawn" be amended to read "has lapsed".

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the Minutes of the Council Meeting held on 26 June 1996, amended as above, be confirmed as a true and correct record.

**CARRIED**

### **C330-07/96      MINUTES OF SPECIAL COUNCIL MEETING, 8 JULY 1996**

Chief Executive Officer advised that he has received a request to review the unconfirmed Minutes of the Special Meeting of Council held 8 July 1996 suggesting Item SC56-07/96 - Media Statement by Mayor Dammers on Channel 9 News, Monday 1 July 1996 does not fully report the matter considered.

The details recorded have been reviewed and it is agreed that some additional information is warranted. A suggested addition to this item is therefore submitted in order to provide a more accurate recording.

#### Correction

Page 4, Item SC56-07/96, following the word "Agenda", insert the following:

"Councillors were provided with a report outlining the role of the Mayor in accordance with Section 2.8 of the Local Government Act 1995 and the Council's current policy relating to media statements:

Section 2.8 of the Act provides as follows:

- "(1) The Mayor or President -
  - (a) presides at meetings in accordance with this Act;
  - (b) provides leadership and guidance to the community in the district;
  - (c) carries out civic and ceremonial duties on behalf of the local government;
  - (d) speaks on behalf of the local government;
  - (e) performs such other functions as are given to the Mayor or President by this Act or any other written law; and
  - (f) liaises with the Chief Executive Officer on the local government's affairs and the performance of its functions."

Current Council policy relating to media statements (A2-05) is as follows:

"Statements to the media may only be made by the Mayor or the Town Clerk and in their absence, their deputies may exercise this authority. The Town Clerk or Mayor may also delegate a Department Head to answer a query from the media".

Councillors also received a copy of the request from six Councillors for a Special Meeting of the Council and a transcript of the Channel 9 News interview.

Councillors expressed concern with the comments made by the Mayor stating that they were not corrupt but wished to carry out their duties in an ethical and honourable manner.

Some actions taken by the Mayor were questioned while other Councillors held the accusations were not warranted and only displayed to the public a divided Council.

Also comment was made on the lack of trust in the media to report issues accurately."

**MOVED** Cr O'Grady, **SECONDED** Cr Magyar that the Minutes of the Special Council Meeting held on 8 July 1996, amended as above, be confirmed as a true and correct record.

**CARRIED**

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

Nil

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

Nil

**PUBLIC QUESTION TIME**

Mr Vic Harman, 1 Bounty Place, Ocean Reef submitted the following written question to the Chief Executive Officer:

Q        TS179-07/96: Graffiti Programme and Local Governments.  
         Is the proposed programme intended for Council property only. Would Council debate the possibility of including boundary fences on private property and pedestrian accessways.

A        *Acting City Engineer's response: The scheme proposes to deal with areas which are not currently under anyone's responsibility, such as fences abutting public reserves and along major roads, public accessways, etc, with teams of about ten offenders working on four Saturday mornings per year.*

Mr J Fanderlinden, 39 Maradu Crescent, Wanneroo:

Q        (Question directed to Cr Dammers) Why haven't you properly answered Cr Hancock's allegations at the meeting on Monday 8 July?

(In relation to the issue of off road vehicles raised by Cr Hancock at the Special Council Meeting held on 8 July 1996, Mr Fanderlinden stated he was the person the Mayor spoke to, and believes such conduct is unbecoming of a Mayor or Councillor. He referred to the letter sent by Cr Dammers to Cr Hancock, commented that no signs relating to parking were in place in the area, objected to being referred to as an "offender" and suggested legal advice be sought in relation to the use of this term.)

Mr Graham Johnson, 10 Leach Street, Wanneroo:

Q When will the situation within the Crisafulli Rectangle be brought to a head?

(Mr Johnson, who lives in the Crisafulli Rectangle area, stated the problems in this area have existed for several years; Swap Meets held in the Showgrounds cause major problems in relation to parking, and vandalism occurs. Mr Johnson is aware a workshop will be held in this regard but so far residents do not seem to have been involved; he asked that Council gives consideration to residents living in the street.)

A *Mayor's response: A meeting was recently held at the Civic Centre, which was advertised in the Wanneroo Times. Council has initiated a study on the Town Centre, which includes the area in question.*

*City Planner's response: A meeting was held this week with the consultants to view plans of the Town Centre study and it is anticipated that a report will be prepared for submission to the August meeting of Council. Subject to Council's adoption, this will be advertised for public comment.*

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

##### **WELCOME TO CHIEF EXECUTIVE OFFICER**

Firstly I would like to acknowledge the presence of the City of Wanneroo's new Chief Executive Officer, Lindsay Delahaunty in the hot seat beside me.

While Mr Delahaunty may be new to this position, he is well versed in the ways of Local Government, having been in the industry for all of his working life.

On behalf of my fellow Councillors, and I'm sure all of you here this evening, I extend a hearty welcome.

##### **COUNCIL WINS AWARDS**

The City of Wanneroo has scooped the pool in a state-wide competition run by the National Heart Foundation.

The dual-use path along the coast was named best outdoor facility in Western Australia, while two other Council recreation projects were highly commended by judges in the 1996 Healthy Hearts Local Government Awards.

As a state winner, the Council will now compete with municipalities from throughout the country in a National competition in Sydney next month.

Deputy Mayor, Cr Fleur Freame, will represent the City at a presentation dinner on 2 August 1996.

The trip is being sponsored by the Heart Foundation and the Hong Kong Bank.

Two other recreation projects which won awards in the Heart Foundation competition were "Autumn Adventures" and "Live it Up".

The adventure programme was designed for young people with mild intellectual disabilities.

They were given a chance to try activities like abseiling, kayaking, indoor climbing and canoeing.

The other project which was highly commended encouraged young women to "live it up" by taking part in different experiences such as horse riding, caving and meditation.

#### **PUBLIC QUESTION TIME**

As a result of the new Local Government Act, the City of Wanneroo is required to hold 15 minutes of public question time at the beginning of each of its monthly Council meetings.

This Council has previously held question time at the end of the meeting, believing it gave people a better opportunity to ask about decisions on the night's agenda.

Subject to the Policy Item P71-07/96 in tonight's agenda being passed, an additional public question time will also be held at the conclusion of this meeting.

#### **FOCUS ON COUNCIL BUSINESS**

I would like to seek the cooperation of all Councillors to ensure that future debate at Council meetings is confined to the business put before us on the agenda, and restrict any personal accusations to a more appropriate forum.

I believe this Council has an image to uphold to its community and various comments made in recent times have only served to denigrate that image.

I feel obliged as Mayor to draw this matter to your attention and remind you of conditions imposed upon us individually by Clause 68 of Standing Orders. This Clause reads:

"A member who shall use any expression which in the opinion of the Mayor reflects offensively on the Council or any member of the Council or officer of the City, shall when required by the Mayor unreservedly withdraw such expression and make a satisfactory apology to the Chair, and if that member declines, or neglects to do so, the Mayor may refuse to hear such member further upon the business then under discussion and may call upon the next speaker".

I would hope that there is no reason for me to act in accordance with this Clause.

#### **PETITIONS, MEMORIALS AND DEPUTATIONS**

##### **WANNEROO DISTRICTS NETBALL ASSOCIATION - PRESENTATION OF AWARD TO MR RON BANHAM**

Cr Freame reported that at its Annual General Meeting in February 1996, the Wanneroo Districts Netball Association unanimously endorsed the recommendation that life membership of the association be conferred on Mr Ron Banham, City Recreation and Cultural Services Manager of the City of Wanneroo.

Cr Freame advised that she had deputised for the Mayor at the Wanneroo Districts Netball Association Luncheon for Sponsors and Supporters on Saturday 20 July 1996 where this award was formally presented to Mr Banham. Cr Freame offered her congratulations to Mr Banham.

##### **C331-07/96      PETITION OPPOSING NON-RESIDENTIAL DEVELOPMENT - ELLIS GROVE, WOODVALE - [30/2660, 510-2766]**

Two petitions, of 18 and 20-signatures, have been received from residents of Ellis Grove, Woodvale requesting Council to cease the establishment of any development other than residential in Ellis Grove. (A copy of the 18-signature petition was submitted at the Town Planning Committee meeting held on 15 July 1996 - Item TP176-07/96 refers).

The petitioners state no indication was given that a development other than residential would be established in Ellis Grove. Residents are concerned at the possible increase in traffic and believe a non-residential development would amount to visual pollution.

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

**MOVED** Cr Freame, **SECONDED** Cr Magyar that two petitions from residents of Ellis Grove, Woodvale requesting Council to cease the establishment of any development other than residential in Ellis Grove be received and referred to Town Planning Department for a report to Town Planning Committee.

**CARRIED**

**C332-07/96      PETITION REQUESTING INSTALLATION OF SPEED HUMPS -  
NOLYANG CRESCENT, WANNEROO - [510-0516]**

A 16-signature petition has been received from residents of Wanneroo requesting the installation of speed humps at the corner of Nolyang Crescent, Wanneroo.

The petitioners state that problems have been experienced for many years, during wet weather, due to vehicles approaching the corner at excessive speeds and losing control.

This petition will be referred to Engineering Department for action.

**MOVED** Cr Freame, **SECONDED** Cr Magyar that the petition from residents of Wanneroo requesting the installation of speed humps at the corner of Nolyang Crescent, Wanneroo be received and referred to Engineering Department for action.

**CARRIED**

**C333-07/96      PETITION REQUESTING TRAFFIC CALMING DEVICES -  
HIGH ROAD/ANNA PLACE AND HIGH ROAD/SCOTT ROAD,  
WANNEROO - [510-0258]**

A 14-signature petition has been received from residents of Wanneroo requesting the installation of traffic calming devices (roundabouts) at the intersections of High Road with Anna Place and Scott Road.

The petitioners are concerned for the safety of pedestrians using High Road and further state that residents have difficulty in reversing from their driveways due to the speed of traffic.

This petition will be referred to Engineering Department for action.

**MOVED** Cr Freame, **SECONDED** Cr Magyar that the petition from residents of Wanneroo requesting the installation of traffic calming devices (roundabouts) at the intersections of High Road with Anna Place and Scott Road be received and referred to Engineering Department for action.



CARRIED

C334-07/96      PETITION REQUESTING RELOCATION OF BUS SHELTER -  
BEACH ROAD, WARWICK - [061-331, 503-3, 510-2143]

A 6-signature petition has been received from ratepayers requesting the relocation of the bus shelter adjoining 589 Beach Road, Warwick.

The petitioners request the shelter be relocated to the proposed Springvale Park (approximately 100 metres from the existing location) due to vandalism, antisocial behaviour and littering and believe the present position is a potential traffic hazard due to poor visibility.

This petition will be referred to Engineering Department for action.

**MOVED** Cr Freame, **SECONDED** Cr Magyar that the petition from ratepayers requesting the relocation of the bus shelter adjoining 589 Beach Road, Warwick be received and referred to Engineering Department for action.

CARRIED

C335-07/96      PETITION REQUESTING TIMBER POSTS - WARRANDYTE  
DRIVE TO AMEER WAY, CRAIGIE - [510-1385]

A 42-signature petition has been received from residents of Craigie requesting that the area at Warrandyte Drive to Ameer Way be protected by the installation of timber posts.

As this land is not vested with Council, this petition will be referred to the Water Authority of WA for attention.

**MOVED** Cr Freame, **SECONDED** Cr Magyar that the petition received from residents of Craigie requesting that the area at Warrandyte Drive to Ameer Way be protected by the installation of timber posts be received and as this land is not vested with Council, the petition will be referred to the Water Authority of WA for attention.

CARRIED

C336-07/96      PETITION EXPRESSING CONCERN AT LOSS OF VOLUNTEER  
HOME SUPPORT SERVICE - TWO ROCKS - [308-3]

Cr Healy submitted a 297-signature petition expressing widespread concern within the Yanchep/Two Rocks area at Council's intention to close the office of the Volunteer Home Support Service at Two Rocks and relocate that service at

Merriwa. (A copy of portion of this petition - containing 218-signatures - was previously received by Council)

The petitioners believe such a relocation of this service will result in loss of volunteers and the service they provide, and seriously affect the effectiveness of the services now available for needy members of the local community.

This petition will be referred to Welfare Services for a report to Council.

**MOVED** Cr Freame, **SECONDED** Cr Magyar that the petition regarding Council's intention to close the office of the Volunteer Home Support Service at Two Rocks and relocate that service at Merriwa be received and referred to Welfare Services for a report to Finance and Community Services Committee.

**CARRIED**

**C337-07/96      PETITION SUPPORTING TRAFFIC CALMING DEVICES -**  
**CLONTARF STREET AND FREEMAN STREET, SORRENTO -**  
**[510-0014]**

A 24-signature petition has been received from residents of Sorrento in support of the traffic calming devices currently in place in Clontarf Street and Freeman Street, Sorrento.

This petition will be referred to Engineering Department for action.

**MOVED** Cr Freame, **SECONDED** Cr Magyar that the petition from residents of Sorrento in support of the traffic calming devices currently in place in Clontarf Street and Freeman Street, Sorrento be received and referred to Engineering Department for action.

**CARRIED**

**PERSONAL STATEMENT - CR HANCOCK - 702-31**

Cr Hancock read the following letter received by her from Cr Dammers:

*"Dear Cr Hancock*

*Following the Special Council meeting held Monday, 8 July 1996, I felt the need to clarify the issues raised by you regarding an off road vehicle complaint dealt with in July 1994 and attendance at Western Australian Municipal Association meeting on 2 July 1996.*

Details of a report by the Patrol Officer attending the off road vehicle complaint are attached, which clearly identify that the offending people were using an area closed off to the public and I correctly reported the matter after having unsuccessfully attempted to resolve the issue myself.

The meeting at WAMA on 2 July 1996 was convened to deal with Local Government planning issues raised by the Planning Minister Richard Lewis. The City was well represented by the Chairman of the Council's Planning Committee, Councillor Major, the Chief Executive Officer and the City Planner.

There were two major reasons for my apologising for non-attendance at the 3pm meeting in West Perth.

Firstly I had been contacted earlier in the day by a Wanneroo Times journalist seeking an interview. She wanted my response to the criticism she had received from a number of Councillors concerning my comments on Channel 9 news the previous evening.

Also, as a citizenship ceremony at which I was to officiate was scheduled at 5.30pm that evening, I did not want to risk being caught up in peak hour traffic when returning from West Perth.

I do not want to continue the ill will that these matters have generated, but as you can see both your allegations have been answered and found to have no substance.

As you chose to make these allegations at a Council meeting open to the public, it is therefore necessary to set the record straight publicly. The accusations reflect not only on me but also on the position of Mayor.

I will be happy to consider both matters closed if you will formally withdraw the accusations and acknowledge they were wrong at the next full Council meeting.

I would appreciate your prompt response to this request so this unfortunate incident can be brought to a satisfactory conclusion."

Cr Hancock indicated that she had no intention of withdrawing her comments.

Cr Hancock then read the Patrol Officer's report:

*"From Patrol Officer T Olden. Off Road Vehicle Complaint, Pinjar.*

*At about 1.20 pm on Sunday 31 July 1994 I received a call from Council's After Hours Emergency Service. Paul Higgs requested I attend at Pinjar Road, Nowergup as there were people unloading their motorbikes in an area not designated as a drop off area in the off road vehicle exercise area. I attended at 1.45 pm to find people with their vehicles and motorbikes in the area which had been closed for some time as a drop off area.*

*This area had obviously been closed as there were piles of sand at the entrance. The drop off area had been relocated further north. I advised the male person, about 55 years of age, that I had received a complaint regarding people not using the designated drop off area.*

*He was advised to move to the proper drop off area. He said "I know who complained, Arnold Dammers. Don't worry I am a Barrister I'll fix that prick up later" The people then moved to the proper drop off area."*

Cr Hancock advised she had a signed statement from Mr Fanderlinden which states the opposite opinion to the report from Patrol Officer Olden.

Cr Dammers stated that it is Mr Fanderlinden's prerogative to disagree with the Patrol Officer's statement.

#### **MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS**

##### MANAGEMENT COMMITTEES

- A SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)  
Meeting held 30 May 1996
- B GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE  
Meeting held 12 June 1996
- C YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE  
Meeting held 13 June 1996
- D WHITFORD SENIOR CITIZENS CENTRE MANAGEMENT COMMITTEE  
Meeting held 21 June 1996

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

**CARRIED**

ADVISORY COMMITTEES

- A        MULTICULTURAL ADVISORY COMMITTEE  
         Meeting held 13 June 1996
- B        HISTORICAL SITES ADVISORY COMMITTEE  
         Meeting held 19 June 1996
- C        CHILDREN'S SERVICES ADVISORY COMMITTEE  
         Meeting held 24 June 1996
- D        CULTURAL DEVELOPMENT ADVISORY COMMITTEE  
         Meeting held 24 June 1996
- E        YOUTH ADVISORY COMMITTEE  
         Meeting held 24 June 1996

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

**CARRIED**

OTHER COMMITTEES

- A        BURNS RATEPAYERS AND RESIDENTS ASSOCIATION (INC)  
         Meeting held 16 May 1996
- B        BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION  
         Meeting held 16 May 1996
- C        WHITFORD RECREATION ASSOCIATION  
         Meeting held 20 May 1996
- D        OUTSIDE SITE SAFETY COMMITTEE  
         Meeting held 19 June 1996
- E        JUNIOR COUNCIL  
         Meetings held 5 June and 3 July 1996

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

**CARRIED**

**DECLARATIONS OF PECUNIARY INTEREST**

Cr Freame declared an interest in Items FA101-07/96, C351-07/96 and P75-07/06

Cr Duffy declared an interest in Items TP163-07/96, C354-07/96 and P75-07/96

Cr Cooper declared an interest in Items TS185-07/96, TP156-07/96 and P75-07/96

Cr Wight declared an interest in Item CS121-07/96

Cr Major declared an interest in Items TS179-07/96, TP167-07/96 C350-07/96 and P75-07/96

Cr Taylor declared an interest in Item TS173-07/96

Cr Dammers declared an interest in Item P75-07/96

Cr Lynn declared an interest in Item C354-07/96

Cr Popham declared an interest in Item C355-07/96

Cr Hancock declared an interest in Item C355-07/96

City Planner declared an interest in Item P75-07/96

City Treasurer declared an interest in Item P75-07/96

City Building Surveyor declared an interest in Item P75-07/96

#### **PECUNIARY INTEREST - SHAREHOLDINGS - [702-0]**

Cr Taylor requested clarification on pecuniary interests in relations to shareholdings.

Chief Executive Officer will circulate information to Councillors.

#### **BUSINESS REQUIRING ACTION**

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**Legend - Numbering System:**

B - Business for Information	OC - Occasional Committee
C - Council	P - Policy
CS - Community Services	TP - Town Planning
FA - Finance & Admin Resources	TS - Technical Services
SC - Special Council	

**C338-07/96 POLICY COMMITTEE**

**MOVED** Cr O'Grady, **SECONDED** Cr Lynn that the Report of the Policy Committee held on 8 July 1996 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward
	A W WIGHT	South Ward
	P O HEALY - Observer from 1807 hrs	North Ward
	S P MAGYAR - Observer from 1813 hrs	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer	South Ward
	M E LYNN, JP - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
City Treasurer:	J B TURKINGTON
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
City Building Surveyor:	R FISCHER
Acting City Environmental Health Manager:	P SWAIN
Manager, Welfare Services:	P STUART
Human Services Planning Coordinator:	B PRESTON
Publicity Officer:	O DAVIDSON
Committee Clerk:	J HARRISON

## **APOLOGIES**

An apology for absence was tendered by Cr Hancock.

## **CONFIRMATION OF MINUTES**

The Minutes of Policy Committee Meeting held on 10 June 1996 were confirmed as a true and correct record.

## **PETITIONS AND DEPUTATIONS**

Nil

## **DECLARATIONS OF PECUNIARY INTEREST**

Nil

## **ITEMS TO BE REFERRED TO THE NEXT MEETING OF THE POLICY COMMITTEE - [702-3]**

Due to time constraints, the following items were not considered by the Policy Committee and will be listed on the Agenda for the next meeting of the Policy Committee:

- 1        P71-07/96 - MEETING PROVISIONS NEW ACT - [970-6]  
MANAGER, CORPORATE SERVICES' REPORT AND ADDITIONAL  
INFORMATION;
- 2        P72-07/96 - STANDING ORDERS BYLAWS REVIEW - [920-20]  
MANAGER, CORPORATE SERVICES' REPORT AND ADDITIONAL  
INFORMATION;
- 3        URGENT GENERAL BUSINESS ITEM - LEGAL REPRESENTATION -  
COUNCILLORS AND OFFICERS - [702-8]  
CHIEF EXECUTIVE OFFICER'S REPORT

## **MEETING TIMES**

Commenced:        1801 hrs  
Closed:            1903 hrs



**REPORT NO:**

**P65-07/96**

**RECOUP OF EXPENSES AND PAYMENT OF FEES TO  
COUNCILLORS - [702-3]**

**MANAGER, CORPORATE SERVICES' REPORT**

The Local Government Act 1995 makes provision for the recoup of expenses and the payment of meeting fees to Councillors.

The Manager Corporate Services provides details of the subject matter and reports on meeting fees, payment of meeting fees and expenses for the Mindarie Regional Council, recoup of Councillors expenses, supply of equipment and mobile telephones to Councillors, loss of earnings, annual entertainment allowance for Mayors, Council policy and various issues for Council to resolve.

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

- 1 Council authorises the payment of an annual meeting fee of \$5,000 per annum to Councillors and \$10,000 per annum to the Mayor;
- 2 payments of annual meeting fees to Councillors and the Mayor be made monthly in arrears;
- 3 Council amends Point 8 of its Policy A2-06 - Members of Council - Travelling and Other Expenses, to read:

"8 where a member makes telephone calls to Councillors, Council officers, ratepayers, electors and businesses which deal with Council, in respect of any item of Council business - to a maximum of \$100 in any month";

and amends its policy manual accordingly;

- 4 Council sets the Annual Entertainment Allowance for the Mayor at \$29,140 with a vehicle allowance of \$10,300.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**P66-07/96**

**POSTAL VOTING AT LOCAL GOVERNMENT ELECTIONS -  
[801-1]**

**MANAGER, CORPORATE SERVICES' REPORT**

Section 4.61 of the Local Government Act 1995 makes provision for elections to be conducted as postal elections. Should

Council adopt postal elections, the responsibility for the conduct will pass to the Electoral Commission.

The Manager Corporate Services reports on the estimated cost of postal elections and advises that he will submit a further report when the regulations have been gazetted and a more accurate cost is known.

Chief Executive Officer advised of correspondence received from Western Australian Municipal Association seeking information from Councils regarding process and cost of postal elections.

**MOVED** Cr Lynn, **SECONDED** Cr Wight that Council advises Western Australian Municipal Association that it is interested in pursuing the postal voting option, but believes the cost advice received to date to be unrealistic.

**CARRIED**

**P67-07/96                      COMMUNITY FACILITIES - FORMAL ASSESSMENT PROCESS**  
**- [012-0-2-2]**

At the May 1996 Policy Committee meeting, an undertaking was given that a report would be submitted to the Committee in July 1996 for Council's consideration of a policy framework for the formal assessment of community facilities.

The Human Services Planning Co-ordinator provides an outline of the previous work undertaken by Council Officers on the development of a formal assessment process for community facilities and submits an assessment on community facilities, existing policies, current situation and considerations and proposed policy.

Cr O'Grady requested that Report P67-07/96 incorporate Youth Centres/Services.

**HUMAN SERVICES PLANNING CO-ORDINATOR'S REPORT** recommended that Council:

- 1            notes the report on Community Facilities: Formal Assessment Process;
- 2            endorses the policy for the Community Facilities: Formal Assessment Process:
  - (a)        The City of Wanneroo has a responsibility to ensure that all residents, regardless of age, income or any other personal characteristics, have access to community facilities and services which meet their needs and aspirations;

- (b) prior to the consideration of a request for funding assistance for the provisions of community facilities, the City of Wanneroo will undertake a formal assessment process which will consider the following principles:
- (i) Communities need access to a wide range of community facilities. The funding of new community facility will be considered in light of Council's assessment for the need for such a facility, the location of the facility and the timing of the facility's development in comparison to the need for other new facilities within the municipality;
  - Consideration will also be given to the capital cost of providing the facility and the ongoing maintenance and operational cost to Council of provisions of such facility. Particular consideration will be given to the long-term financial viability of the facility;
  - (ii) Many community services can be provided in multi-purpose centres. Preference will be given to new community facilities that cater for multiple uses;
  - (iii) The funding and resources for community facilities may come from a variety of sources and not necessarily funded solely by Council. Options can include Commonwealth, State or local government funding, Lotteries Commission funding or funding by non-government and community organisations. Preference will be given to community facilities that are funded by a number of sources, with the group proposing the facility demonstrating that they will make a significant contribution to the facility.

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

- 1 notes the report on Community Facilities: Formal Assessment Process;
- 2 endorses the policy for the Community Facilities: Formal Assessment Process:

- (a) The City of Wanneroo has a responsibility to ensure that all residents, regardless of age, income or any other personal characteristics, have access to community facilities and services which meet their needs and aspirations;
- (b) prior to the consideration of a request for funding assistance for the provisions of community facilities, the City of Wanneroo will undertake a formal assessment process which will consider the following principles:
  - (i) Communities need access to a wide range of community facilities. The funding of new community facility will be considered in light of Council's assessment for the need for such a facility, the location of the facility and the timing of the facility's development in comparison to the need for other new facilities within the municipality;

Consideration will also be given to the capital cost of providing the facility and the ongoing maintenance and operational cost to Council of provisions of such facility. Particular consideration will be given to the long-term financial viability of the facility;

- (ii) Many community services can be provided in multi-purpose centres. Preference will be given to new community facilities that cater for multiple uses such as sport and recreation, community group meetings and services for children, youth and seniors;
  - (iii) The funding and resources for community facilities may come from a variety of sources and not necessarily funded solely by Council. Options can include Commonwealth, State or local government funding, Lotteries Commission funding or funding by non-government and community organisations. Preference will be given to community facilities that are funded by a number of sources, with the group proposing the facility demonstrating that they will make a significant contribution to the facility.

**CARRIED**

In April 1996 Council resolved (Item P31-04/96 refers) to adopt a draft Planning Policy relating to Child Care Centres. The draft Policy was advertised for comment up to and including 12 June 1996.

The City Planner provides background details on the subject matter and reports on the two submissions received.

He also advises of an omission from the policy and recommends final adoption of the draft Policy and a modification proposed regarding signage provisions.

City Planner was requested to obtain a copy of the child care policy from the City of Fremantle and also to liaise with Family and Children's Services.

**CITY PLANNER'S REPORT** recommended that Council, in accordance with Clause 5.11 of Town Planning Scheme No 1:

- 1 finally adopts the Policy relating to Child Care Centres as attached to Report P68-07/96 and includes it in Council's Policy Manual;
- 2 adopts and advertises for public comment the following draft modifications to the Child Care Centres Policy:
  - (a) inserts the words "school site" after Consulting Rooms in Point A.2;
  - (b) inserts the words "and maintained" after reticulated in point D.2;
  - (c) deletes Point E.2 and replaces it with the following:

"Approved Child Care Centres can display only one advertising sign approved by the City Building Surveyor. The maximum lettering height is 20 cm. Where letters or numerals are individually fixed to walls the colours and materials shall be approved by the City Planner. Where signboards are used the board shall not exceed 50 cm in height and 100 cm in length, and lettering shall be black on a gold/bronze background. Signs shall not be illuminated after 8.00 pm each night."

3 subject to no adverse comment being received, finally adopts the Policy without modification.

**MOVED** Cr Lynn, **SECONDED** Cr Wight that consideration of the Policy relating to Child Care Centres be deferred.

**CARRIED**

**P69-07/96                      POLICY FOR USE OF BANNER MASTS - [510-3000]**

**CITY ENGINEER'S REPORT**

Council, at its meeting held on 31 May 1995 as part of the Wanneroo Townsite upgrading project, approved the installation of eight painted street lighting poles in the median island of Wanneroo Road between Dundobar Road and Sinagra Street with the provision made for the attachment of banners similar in size and shape to those in the Joondalup City Centre (Item TS144-05/96 refers).

The City Engineer reports on a request received from the Wanneroo Agriculture Society (Inc) to display banners from these poles when erected to promote the Wanneroo Show and provides details of a proposed amendment to the policy dealing with the hire of banner masts in Grand Boulevard to enable the policy to cater for all future banner masts installed in other streets within the municipality.

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

- 1 amends the title of its policy "Banner Masts in Grand Boulevard, Joondalup - Hire of - K1-05" to read "Banner Masts - Hire of - K1-05";
- 2 amends the locations of banner poles in the policy to read:

**"LOCATIONS**

Banner poles are available for use in:

- (1) Grand Boulevard at the following locations:

Kendrew Crescent:	2 masts with 2 banners each
Collier Pass:	2 masts with 2 banners each
Boas Avenue:	4 masts with 2 banners each
Reid Promenade:	4 masts with 2 banners each
Shenton Avenue:	4 masts with 2 banners each

- (2) Wanneroo Road between Dundobar Road and Sinagra Street: 8 masts with 2 banners each.

**P70-07/96****STAFF STRUCTURE REVIEW - [404-0]**

The review of the City of Wanneroo Staff Structure is one of the prime tasks listed in the Chief Executive Officer's contract. Since commencing on 18 March 1996 the Chief Executive officer (Elect) has spent time with all Departments reviewing major functions and has had a number of meetings with Department Heads discussing the many reforms currently affecting local government in Australia.

The Chief Executive Officer provides details of part of the organisation review and reports on a scheme to offer a voluntary redundancy package to existing staff.

He advises that he has consulted with the Chamber of Commerce and Industry who have advised the proposed package remains the standard type of voluntary redundancy package offered with restructures.

**CHIEF EXECUTIVE OFFICER'S REPORT** recommended that Council:

- 1           authorises the Chief Executive Officer to implement a voluntary redundancy package which will expire on 30 September 1996;
- 2           adopts the terms of the package outlined on the attachment to Report P70-07/96;
- 3           makes suitable expenditure provisions in the draft budget for consideration.

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

- 1           authorises the Chief Executive Officer to implement a voluntary redundancy package which will expire on 30 September 1996;
- 2           adopts the terms of the package outlined on the attachment to Report P70-07/96;
- 3           resolves that employees receiving a redundancy would not be eligible for re-employment by Council for a period of two years;
- 4           makes suitable expenditure provisions in the draft budget for consideration.

**CARRIED**

Appendix I refers.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Freame that the Report of the Technical Services Committee Meeting, held on 10 July 1996, be received.

**CARRIED**

#### ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	A V DAMMERS, JP - Mayor	Central Ward
	P O HEALY	North Ward
	A G TAYLOR	South Ward
	A W WIGHT	South Ward
	V G HANCOCK	South-West Ward
	G A MAJOR	South-West Ward
	L O'GRADY - Observer	North Ward
	S P MAGYAR - Observer	Central Ward
	T W POPHAM - Observer	South Ward
	W D DUFFY - Observer from 1813 hrs	South Ward
	F D FREAME - Observer	South-West Ward
	M E LYNN, JP - Observer	South-West Ward

Chief Executive Officer	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
Acting City Engineer:	D BLAIR
Design Engineer:	P PIKOR
City Building Surveyor:	R G FISCHER
City Parks Manager:	F GRIFFIN
Publicity Officer:	O DAVIDSON
Minute Clerk:	S BRUYN

#### PUBLIC/PRESS ATTENDANCE

There were 3 members of the Public and 1 member of the Press in attendance.

#### CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 12 JUNE 1996



The Minutes of the Technical Services Committee Meeting held on 12 June 1996, were confirmed as a true and correct record.

## **PETITIONS AND DEPUTATIONS**

### DEPUTATION - DEVELOPMENT APPLICATION - SHENTON AVENUE ACCESS TO CURRAMBINE SHOPPING CENTRE STAGE 1

Mr Behnam Bordbar of BSD Consultants addressed the Committee in relation to Shenton Avenue access to Currambine Shopping Stage 1 - Item TS185-07/96 refers.

Mr Bordbar distributed a plan showing the area concerned to the Committee and advised that their proposal was to allow a right in movement as well as a left in left out movement.

In support of this proposal, his main points were:

- 1 Delamere Avenue is adjacent to the crest of a hill and traffic on Hodges Drive travelling towards the roundabout would have to negotiate the crest;
- 2 There would be the potential for accidents as the right turn in would take place at Delamere Avenue which is not fully channelised at present and the passing lane would not provide protection for turning traffic;
- 3 Their proposal would provide full protection for right turning traffic into the shopping centre;
- 4 The provision of the right turn in movement at the proposed Shenton Avenue crossover would not create an additional conflict point but would simply relocate the conflict point from Delamere Avenue intersection to this crossover where conflicts would occur at higher speeds;
- 5 With only one way into the shopping centre, the area would become quite congested.

Mr Bordbar believed that his proposal would remove the potential for ultimate congestion and advised that the developers would be introducing a large amount of traffic calming and urban design measures in the vicinity, including brick paving and landscaping.

In conclusion, he felt that for the reasons outlined, Council officers would be justified in diverting from the guidelines they have used in terms of space for the intersection as he believed the proposal by Council officers would create a hazardous and congested situation.

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

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

Nil

#### **CONFIDENTIAL BUSINESS**

The Committee went behind Closed Doors to allow discussion on legal advice in regard to a proposed prosecution.

#### **MEETING TIMES**

Commenced:	1801 hrs
Closed:	2001 hrs

**REPORT NO:**

**TS169-07/96      REGISTRATION OF INTEREST FOR HIRE OF PLANT,  
AUXILIARY EQUIPMENT AND VEHICLES - [208-6]**

**CITY ENGINEER'S REPORT**

A Registration of Interest to provide Council with its requirement for hire plant, auxiliary equipment and vehicles for the period 1 August 1996 to 30 June 1997, was advertised on 11 and 14 May 1996. Hire plant is required for either specialised operations or to supplement Council plant during periods of breakdown or peak work schedules.

The City Engineer reports that certain plant hire schedules attract greater use than others and where it has been identified that annual costs exceed the level of authority where tenderers are a prerequisite these items are dealt with as tenders.

He advises that accordingly, they have not been included in the 1996/97 Registration of Interest.

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

- 1        endorses the calling of a Registration of Interest for the hire of plant, auxiliary equipment and vehicles for the period 1 August 1996 to 30 June 1997;
- 2        adopts the Registration of Interest Schedule as shown at Attachment 1 to Report No TS169-07/96 for the hire of plant, auxiliary equipment and vehicles for the period 1 August 1996 to 30 June 1997.

**CARRIED**

Appendix II refers.

**TS170-07/96      HIRE OF DOMESTIC AND COMMERCIAL REFUSE TRUCKS -  
TENDER NUMBER 037-96/97 - [208-037-96/97]**

**CITY ENGINEER'S REPORT**

Tender No 037-96/97 was advertised on 11 and 14 May 1996 for the casual hire of domestic and commercial refuse trucks for the period 1 August 1996 to 30 June 1997.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council accepts Tender No 037-96/97 as submitted by Alvito Pty Ltd for the casual hire of domestic refuse trucks for the rates as outlined below:

Type	Rate with Operator	Rate Without Operator
Rear Loaders for 250L bins	\$70.00/hr	\$60.00/hr
Bulk Pickup	\$70.00/hr	\$60.00/hr
		<b>CARRIED</b>

**TS171-07/96      HIRE OF PLANT AND VEHICLES - TENDER NUMBER 036-96/97 - [208-036-96/97]**

**CITY ENGINEER'S REPORT**

Tenders were advertised on 11 and 14 May 1996 for the hire of plant, auxiliary plant and vehicles.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council approves Tender Number 036-96/97 for the hire of plant, auxiliary plant and vehicles as follows:

<u>Equipment</u>	<u>Company</u>
Low Loaders	Alvito Pty Ltd
Rubber Tyred Roller	Coates Hire
Skid Steer Loader	Alvito Pty Ltd
6 and 8 wheel Tip Trucks	Alvito Pty Ltd
Watercarts	Alvito Pty Ltd
	<b>CARRIED</b>

**TS172-07/96      BURRAGAH WAY, DUNCRAIG - [510-3127, 30/5160]**

**CITY ENGINEER'S REPORT**

At its meeting in May 1996, a petition was submitted to Council requesting that Burragah Way, Duncraig be made into a cul de sac at the existing roundabout at Kariong Circuit (Item C168-05/96 refers).

The City Engineer provides details of a recent traffic survey and reports that the proposed closure of Burragah Way would simply divert traffic onto other local streets, with a possible bypass being Beddi Road and Illowra Way.

He advises that there appears to be no major warrant for the closure of Burragah Way and approval of this closure could set a

precedent for similar requests from other local street residents.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council does not approve that Burragah Way, Duncraig be made into a cul-de-sac at the existing roundabout at Kariong Circuit.

**CARRIED**

**TS173-07/96      JOINT 18TH ARRB TRANSPORT RESEARCH CONFERENCE AND  
TRANSIT NZ LAND TRANSPORT SYMPOSIUM (ROADS 96)  
PLUS STUDY TOUR OF NEW ZEALAND - [202-1-4]**

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

Australian Road Research Board (Transport Research) and Transit New Zealand are joining forces to co-host the Roads 96 Conference to be held in Christchurch, New Zealand from 2 - 6 September 1996.

The City Engineer provides details of the programme and major issues of particular relevance to the City of Wanneroo.

He advises that it is proposed that a study tour of New Zealand Local Authorities be undertaken in conjunction with the conference to provide an in-depth knowledge of the public sector reform initiatives in this country.

Cr Duffy nominated Cr Taylor.

Cr Taylor declared an interest in this Item as he had been nominated to attend this Conference.

Cr Taylor left the Chamber at this point, the time being 2015 hrs.

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

- 1        approves the attendance of the City Engineer and Cr Taylor to attend the Roads 96 Conference to be held at The Christchurch Convention Centre, Christchurch, New Zealand from 2-6 September 1996, subject to funds being allocated in the 1996/97 Budget;
- 2        approves a Study Tour of New Zealand Local Authorities in conjunction with the Roads 96 Conference by the City Engineer and interested Councillor, subject to funds being allocated in the 1996/97 Budget;
- 3        authorises, the payment of the conference registration fee, accommodation and air fares for the nominated

Councillor from Allocation No 20006 - Members' Conference Expenses, subject to funds being allocated in the 1996/97 Budget.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Cr Taylor entered the Chamber at this point, the time being 2016 hrs.

**TS174-07/96      CLARKSON HIGH SCHOOL - CONNOLLY DRIVE  
CONSTRUCTION - [740-37]**

**CITY ENGINEER'S REPORT**

At its meeting on 29 May 1996 Council requested that a report be submitted in respect to the prefunding of Connolly Drive and Walyunga Boulevard, Clarkson (Item TS129-05/96 refers).

The City Engineer reports that the extension of Connolly Drive from Hester Avenue to Walyunga Boulevard will provide for direct traffic access to the Clarkson High School site.

He provides details of a meeting held with the developers' representatives on the programme for the construction of Connolly Drive and advises that the construction of this section of Connolly Drive will create a four-way intersection with Hester Avenue and a large roundabout treatment is proposed in view of the likely traffic movements and potential conflicts at the intersection of Connolly Drive and Hester Avenue.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council lists as a high priority for consideration in the Draft 1996/97 Budget funds of \$200,000 for its contribution to the construction of a roundabout at Connolly Drive and Hester Avenue.

**CARRIED**

**TS175-07/96      PROVISION OF BOLLARDS ON WARWICK ROAD, DUNCRAIG  
IN THE VICINITY OF PERCY DOYLE RESERVE - [061-  
285]**

**CITY ENGINEER'S REPORT**

At its meeting of 29 May 1996, Council resolved that a report be submitted on the provision of bollards on Warwick Road, Duncraig in the vicinity of Percy Doyle Reserve. The need for the bollards are to reinforce parking restriction on the wide verge.

The City Engineer provides details of present parking problems experienced with parents parking on the Warwick Road verge in the vicinity of the reserve despite prohibition signs and

advises that the installation of bollards on the verge would prevent this parking and encourage parents to use the large car park shared by all facilities at the reserve.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council lists for consideration in the 1996/97 Draft Budget the installation of bollards on Warwick Road adjacent to Percy Doyle Reserve, Duncraig to complement the extent of the "NO PARKING ANY TIME CARRIAGEWAY OR VERGE" prohibition, as shown on Attachment 1 to Report No TS175-07/96.

**CARRIED**

Appendix III refers.

**TS176-07/96      VANDALISM AND CRIMINAL BEHAVIOUR - SEACREST PARK, SORRENTO - [061-338]**

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

At its meeting held on 24 April 1996 (Item P38-04/96 refers) Council considered concerns raised by a resident of Sorrento in relation to vandalism and criminal behaviour in Seacrest Park, Sorrento and requested a report on this matter by the Engineering Department.

The City Engineer provides details of problems associated with standard lockable gates and comments on other security measures.

He advises that in order to deter antisocial behaviour, it is considered that the provision of all night lighting coupled with security patrols of the car park area would have an impact in resolving the problem and recommends that the time clock for the car park lighting be adjusted on a trial basis for six months to ascertain its effectiveness in deterring antisocial behaviour.

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

- 1        endorses the action taken by the City Engineer and the Manager of Municipal Law and Fire Services in providing regular security patrols to Seacrest Park, Sorrento to deter vandalism and criminal behaviour;
- 2        approves dusk to dawn lighting of the car park at Seacrest Park on a trial basis for six months to ascertain its effectiveness in deterring antisocial behaviour at this park;
- 3        seeks a further report after the six months trial on the effectiveness of the proposal and cost ramifications;

- 4            advises the residents in the vicinity of Seacrest Park of the proposed action.

**CARRIED**

**TS177-07/96            PETITION - INCREASED TRAFFIC SPEEDS CRAIGIE DRIVE/SANDALFORD DRIVE, BELDON - [510-1791]**

**CITY ENGINEER'S REPORT**

Council has received an 8 signature petition from residents concerned with the increased volume and speed of traffic on Craigie Drive and Sandalford Drive, Beldon (Item C123-04/96 refers).

The City Engineer provides details of the results of traffic speed and volume surveys conducted for Craigie Drive and Sandalford Drive and advises that as Sandalford Drive is functioning as a local road with both vehicle speeds and volumes within acceptable limits, no traffic treatments are proposed at this stage.

He comments however that the incidents of high vehicle speed on Craigie Drive are likely to remain an ongoing concern and advises that a Traffic Management Scheme will be undertaken for Craigie Drive and the result of the vehicle speed survey will be forwarded to Warwick Police with a view to increasing surveillance in the area.

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

- 1            authorises the development of a Traffic Management Scheme for Craigie Drive subject to further detailed analysis and public participation;
- 2            requests increased Police surveillance for Craigie Drive;
- 3            advises the petitioners accordingly.

**CARRIED**

**TS178-07/96            PETITION REQUESTING FOOTPATH AT SANDGATE WAY, MARANGAROO - [510-2253]**

**CITY ENGINEER'S REPORT**

A petition containing 20 signatories resident in Sandgate Way seeks construction of a footpath on southern and western sides of the street between its two junctions with Milstead Way (Item C173-05/96 refers).



The City Engineer provides details of pedestrian and vehicular surveys undertaken which indicated that Sandgate Way caters for a volume of pedestrian traffic of which the majority is moving to and from the Marangaroo Primary School.

He comments that taking cognisance of the pedestrian survey results and the support from the affected ratepayers of Sandgate Way, the provision of a footpath on the southern and western sides of the street between its two junctions of Milstead Way is supported.

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

- 1 approves the provision of a footpath on the southern and western sides of Sandgate Way, Marangaroo between its two junctions with Milstead Way;
- 2 lists the project for consideration in the Draft 1996/97 Budget;
- 3 advises the petitioners of Sandgate Way of its decision.

**CARRIED**

**TS179-07/96** **GRAFFITI PROGRAMME AND LOCAL GOVERNMENTS - [210-7]**

This Item was considered later in the meeting following Item TS194-07/96.

**TS180-07/96** **NORMAN DISNEY AND YOUNG ADMINISTERED ANNUAL TENDERS FOR MECHANICAL SERVICES TO THE JOONDALUP ADMINISTRATION CENTRE, JAC COMPUTER CENTRE, CRAIGIE LEISURE CENTRE AND WANNEROO LIBRARY - [208-128,129,130,131-96/97]**

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

The City Building Surveyor requested that this item be **WITHDRAWN**

**TS181-07/96** **NORMAN DISNEY AND YOUNG ADMINISTERED ANNUAL TENDERS FOR FIRE SERVICES TO THE CRAIGIE LEISURE CENTRE, WHITFORDS LIBRARY, DUNCRAIG LIBRARY, GIRRAWHEEN LIBRARY AND WANNEROO LIBRARY - [208-132, 133, 134, 135,136, -96/97]**

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

The City Building Surveyor requested that this item be **WITHDRAWN**

**BUILDING INFRINGEMENTS: LOT 124 (187) KINROSS  
DRIVE, KINROSS AND LOT 678 (20) BROOKWAY RETREAT,  
LANDSDALE - [350/124/187, 4215/678/20]**

The builder of the dwellings at Lot 124 (187) Kinross Drive, Kinross and Lot 678 (20) Brookway Retreat, Landsdale, has erected pergolas on both properties without a building licence.

The City Building Surveyor provides background details and an assessment of the proposal and considers that prosecution proceedings should be instigated against the builder.

**CITY BUILDING SURVEYOR'S REPORT** recommended that Council instigates prosecution proceedings against the builder for the construction of pergola structures without a building licence at Lot 124 (187) Kinross Drive, Kinross and Lot 678 (20) Brookway Retreat, Landsdale.

**COMMITTEE RECOMMENDATION**

That Council defers consideration of instigating prosecution proceedings against the builder for the construction of pergola structures without a building licence at Lot 124 (187) Kinross Drive, Kinross and Lot 678 (20) Brookway Retreat, Landsdale and seeks a further report from the Building Department.

**ADDITIONAL INFORMATION**

The City Building Surveyor advised that further information has been received wherein the builder claims that his company was under the impression that applications had been lodged for building approvals for the pergola structures in question by a member of his staff. That staff member has been dismissed.

**PREVIOUS CONVICTIONS**

The builder has previously been prosecuted by Council for similar offences and should be well aware of the requirement for a building licence.

With regard to the construction of the structures without building approvals, it should be noted that contrary to my advice at the Technical Services Committee, the dwellings are display homes constructed and owned by the builder.

**RETROSPECTIVE BUILDING LICENCES**

The matter of the legality of retrospective building licences raised at the Technical Services Committee meeting is being further researched and will be submitted as a separate report to Council.

## LOCAL GOVERNMENT ACT

The following relevant Sections of 401 of Part XV of the previous Local Government Act have been carried forward for Building Control purposes and state:

"A Council may, during or after the erection of a building in its district, give to the builder or owner of the building, written notice of anything, in the construction of the building-...."

"(c) which where permission of the Council is required for carrying it out without that permission and has been carried out without that permission;"

"(3) Where a person is given notice under this section to pull down or alter a building in order to remove a ground of objection mentioned in paragraph (c) of subsection (1) of this section, he may within thirty-five days of the service of the notice on him, if dissatisfied with the requisitions in the notice, appeal to the Minister in the manner prescribed by the regulations and the Minister may decide the appeal and his decision is not subject to appeal."

## ASSESSMENT

The builder is well aware that a building licence is required for the erection of a structure and was previously prosecuted for similar offences.

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

- 1 instigates prosecution proceedings against the builder for the construction of pergola structures without a building licence at Lot 124 (187) Kinross Drive, Kinross and Lot 678 (20) Brookway Retreat, Landsdale;
- 2 serves a Notice on the builder under Section 401 (1) (c) of the Local Government Act requiring that the unauthorised structure be removed and give the builder the right of appeal to the Minister for Local Government.

**CARRIED**

TS183-07/96

**PROPOSED CARPORT: LOT 435 (3) RAE PLACE,  
HILLARYS - [812/435/3]**

**CITY BUILDING SURVEYOR'S REPORT**

An application has been lodged for approval in principle to construct a carport at Lot 435 (3) Rae Place, Hillarys, with a reduced front building setback.

The City Building Surveyor provides background details of the proposed carport, submits an assessment of the proposal and considers that approval should be given.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council approves the proposed carport to be erected at Lot 435 (3) Rae Place, Hillarys with a front building setback of 2.160 metres.

**CARRIED**

**TS184-07/96      PROPOSED FENCE: LOT 163 (7) TRENTON WAY,  
DUNCRAIG - [683/163/7]**

An application has been submitted for approval to construct a front fence at Lot 163 (7) Trenton Way, Duncraig, which does not meet the requirements of Council's Bylaws relating to Fencing and Private Tennis Court Floodlighting.

The City Building Surveyor provides background details of the proposed fence, summarises the proposal and considers that the application should be refused.

**CITY BUILDING SURVEYOR'S REPORT** recommended that Council refuses the application for a 1.2 metre high steel fence forward of the building line at Lot 163 (7) Trenton Way, Duncraig and advises the applicants of their right of appeal to the Minister for Local Government.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council refuses the application for a 1.2 metre high steel fence forward of the building line at Lot 163 (7) Trenton Way, Duncraig and advises the applicants of their right to either lodge an objection or appeal Council's decision in accordance with the provisions of Part 9 of the Local Government Act 1995.

**CARRIED**

**TS185-07/96      DEVELOPMENT APPLICATION - SHENTON AVENUE ACCESS  
TO CURRAMBINE SHOPPING CENTRE STAGE 1 - [770-22,  
510-2]**

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

At its November 1995 meeting (Item TS359-11/95 refers) a report was submitted to Council regarding the preferred access arrangements from the Currambine Shopping Centre to Shenton Avenue.

The City Engineer provides details of a submission received from BSD Engineering Consultants on behalf of Coney Project Management and also provides background details of the subject matter, including development application approval, road hierarchy, ultimate access/staged access, practical construction standards and comments from Main Roads WA.

In summary he advises the reasons why the provision of a right turn in access from Shenton Avenue is not supported.

Cr Cooper declared an interest in this Item as he is involved in a company that is carrying out work on this project.

Cr Cooper left the Chamber at this point, the time being 2017 hrs.

**MOVED** Cr Taylor, **SECONDED** Cr O'Grady that Council approves access from the Currumbine Shopping Centre to Shenton Avenue as a left in - left turn out only, approximately 130 metres west of Delamere Avenue with a central median island in Shenton Avenue to control this restricted access movements with all the required works at the applicants costs.

**CARRIED**

Cr Cooper entered the Chamber at this point, the time being 2018 hrs.

**TS186-07/96**      **STORMWATER DRAINAGE IMPROVEMENTS - FLORIBUNDA AVENUE AND MYRTLE AVENUE, SORRENTO - [510-50]**

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

The house and property at 6 Floribunda Avenue has been the subject of ongoing stormwater flooding. The road outside of the property is serviced by a drainage soakage system.

The City Engineer provides details of investigations conducted into the feasibility of improvement works and reports on public consultation undertaken and the Consultant's recommendation.

He comments that the desired solution to improve the drainage for Floribunda Avenue and Myrtle Avenue is for provision of extra storage through sump sites or open discharge areas and advises that immediate temporary work will be undertaken to increase the practical stormwater storage capacity outside the property in Floribunda Avenue pending the major improvement works.

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

- 1 ratifies the action of the Technical Services Committee, as empowered by the June 1996 meeting of Council, in principle, the concept of constructing separate or linked underground storage tanks for drainage improvements in Floribunda Avenue and Myrtle/Nuytsia Avenues;
- 2 endorses the City Engineer commissioning Ewing Engineering Consultants to prepare design and contract drawings for the drainage improvements in Floribunda Avenue and Myrtle/Nuytsia Avenues.

**CARRIED**

**TS187-07/96      ANNUAL TENDER: THE SUPPLY OF MAINTENANCE SERVICES TO AIR CONDITIONING AND AIR HANDLING UNITS (TENDER REF 36-96/97) - [308-38-96/97]**

**CITY BUILDING SURVEYOR'S REPORT**

Tenders for the supply of maintenance services to air conditioning and air handling units were extended by two weeks due to a revision to the tender documents.

The City Building Surveyor reports on the tender submissions received.

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

- 1 accepts the tender from Direct Engineering Services Pty Ltd for the contract titled "The Supply of Maintenance Services to Air Conditioning and Air Handling Units" (Tender ref 36-96/97) for the period 1 July 1996 to 30 June 1997;
- 2 authorises the signing of contract documents;
- 3 subject to the agreement of both contractor and the City of Wanneroo, agrees to the extension of the contract for a further twelve month period;
- 4 requests the submission of a report to Council before the end of the 1996/97 financial year detailing any agreement by the contractor to the extension of the contract term.

**CARRIED**

**TS188-07/96      JENOLAN WAY PLAYGROUP INC - [890-16]**

Correspondence from the Jenolan Way Playgroup Inc calls for a review of the location of the Child Health Clinic at Merriwa.

Council at its May meeting vested to support the Playgroup and write to the Minister of Health accordingly (Item C254-05/96 refers).

The City Building Surveyor provides background details on the subject matter and reports on the Jenolan Way Community Centre.

He advises that the Jenolan Way Community Centre is not equipped to cater for the needs of a Child Health Clinic without extension and alteration costs and the Jenolan Way Community Centre is not a preferred location by the Community Health Services Coordinator of Programmes and Staff Development.

**CITY BUILDING SURVEYOR'S REPORT** recommended that Council advises the Jenolan Way Playgroup Inc it does not support their bid for the re-establishment of the Child Health Clinic in the Jenolan Way Community Centre.

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

- 1        advises the Jenolan Way Playgroup Inc it does not support their bid for the re-establishment of the Child Health Clinic in the Jenolan Way Community Centre;
- 2        lists for consideration in the 5 year plan the construction of a Child Health Clinic at Merriwa.

**CARRIED**

**TS189-07/96        SITE WORK ORDERS - [210-0]**

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

A report was submitted to the General Purposes Committee - Technical Services Section on 1 February 1995, containing the response from the Minister for Lands to Council's request that consideration be given to 'a certificate of clearance by Local Authorities' being incorporated into the Transfer of Land Act (Item B5-02/95 refers).

The City Building Surveyor provides background details of the subject matter and reports on relevant extracts from the Transfer of Land Amendment Bill 1995.

He advises that the Building Code of Australia requires that a termite barrier Notice be placed in a conspicuous location in the dwelling, giving details of the type of barrier and if applicable a time when re-treatment may be required and suggests that a small note be placed on the advice sheet set out with the rates notices to remind owners of this requirement.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council place a small note on the advice sheet sent out with the rates notices recommending that owners inspect their buildings periodically to ensure that there is no termite activity.

**CARRIED**

**TS190-07/96**      **DWELLING: LOT 171 (2) WORLANNA MEWS, QUINNS  
ROCKS - [3639/171/2]**

**CITY BUILDING SURVEYOR'S REPORT**

At its meeting on 27 March 1996, Council resolved to instigate prosecution proceedings against Kestral Holdings Pty Ltd for departure from the approved plans of the dwelling constructed at Lot 171 (2) Worlanna Mews, Quinns Rocks. Council also resolved to serve a Notice on the Company under Section 401 of the Local Government Act requiring rectification of structural and workmanship issues (Item C101-03/96 refers).

The City Building Surveyor provides details of Court proceedings and considers that as these requisitions have been ignored, Council should now instigate further action against the company.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council instructs its solicitors to seek a Court Order against Kestral Holdings requiring remedial works to be carried out to the dwelling at Lot 171 (2) Worlanna Mews, Quinns Rocks.

**CARRIED**

**TS191-07/96**      **PROPOSED RETAINING WALL LOT 165 (48) AMOS ROAD,  
WANNEROO - [3906/165/48]**

**CITY BUILDING SURVEYOR'S REPORT**

A building licence application has been submitted for approval to construct a limestone retaining wall at Lot 165 (48) Amos Road, Wanneroo to a maximum height of 2.4 metres.

The City Building Surveyor provides background details of the proposed retaining wall, submits an assessment of the proposal and considers that approval should be given.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council approves the construction of the retaining wall at Lot 165 (48) Amos Road, Wanneroo to a maximum height of 2.4 metres.

**CARRIED**

**TS192-07/96**      **PROPOSED RETAINING WALL - LOT 604 AND 603 (28 AND  
26) COMPASS CIRCLE, YANCHEP - [0536/604/28,  
536/603/26]**



## CITY BUILDING SURVEYOR'S REPORT

Two applications have been submitted for approval to construct a limestone retaining wall at the rear of Lots 604 and 603 (28 and 26) Compass Circle, Yanchep to a height of 3 880mm.

The City Building Surveyor provides background details on the retaining walls, submits an assessment of the proposal and considers that approval should be given.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council approves the construction of the retaining wall at Lot 604 and 603 (28 & 26) Compass Circle, Yanchep to a maximum height of 3 880mm.

**CARRIED**

**TS193-07/96      TENDER NO 41-96/97 - REMOVAL OF ASSORTED STUMPS**  
**FROM COUNCIL CONTROLLED LAND - [208-41-96/97]**

## CITY PARKS MANAGER'S REPORT

The tender for the Removal of Assorted Stumps from Council Controlled Land was advertised during June 1996.

The City Parks Manager reports on the tender submissions received.

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

- 1      accepts the tender as submitted by Woodies Stump Removal detailed below:

100 mm to 300 mm - \$10.00  
301 mm to 450 mm - \$16.00  
451 mm to 500 mm - \$23.00  
501 mm to 800 mm - \$44.00

for Tender No 41-96/97 for the Removal of Assorted Stumps from Council Controlled Land;

- 2      authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further 12 month period;
- 3      arranges the signing of tender documents.

**CARRIED**

**TS194-07/96      TENDER NO 42-96/97 - WOOD CHIPPING OF TREE**  
**PRUNING MATERIAL - [208-42-96/97]**

## CITY PARKS MANAGER'S REPORT

The tender for the Wood Chipping of Tree Pruning Material was advertised during June 1996.

The City Parks Manager reports on the tender submissions received.

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

- 1 accepts the tender as submitted by Soil and Garden Supplies for Tender No 42-96/97 for the Wood Chipping of the Tree Pruning Material;
- 2 authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further 12 month period;
- 3 arranges the signing of tender documents.

**CARRIED**

Cr Major requested that Item TS179-07/96 be reconsidered at this point.

**TS179-07/96**      **GRAFFITI PROGRAMME AND LOCAL GOVERNMENTS - [210-7]**

## CITY ENGINEER'S REPORT

The Acting Project Co-ordinator of the Graffiti Programme from the Ministry of the Premier and Cabinet has requested that Council considers providing co-ordination/supervision of Juvenile Justice Teams who are ordered to clean up graffiti.

The City Engineer provides details of the Graffiti Programme and comments that Council's participation in the Graffiti Programme with regards to providing materials and supervision/co-ordination will not only assist in the removal of graffiti from areas that currently fall outside of anyone's jurisdiction but may also have an impact on the rehabilitation of young people and deter them from re-offending.

Cr Major declared an interest in this Item as he manufactures graffiti paints and graffiti removing solvents.

Cr Major left the Chamber at this point, the time being 2019 hrs.

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

- 1        advises the Acting Project Co-ordinator of the State Government's Graffiti Programme that:
- (a)     it will participate in the programme by providing a leading hand from the Engineering Department to supervise/co-ordinate young offenders who are ordered to clean up graffiti on Saturday mornings within the municipality;
  - (b)     the Senior Administration Officer from the Engineering Department is nominated as Council's contact person authorised to negotiate with the Juvenile Justice Teams the dates and times of the Saturday morning graffiti cleaning;
- 2        includes in its 1996/97 Budget, \$500 for the purchase of materials for the removal of graffiti by the Juvenile Justice Teams.

**CARRIED**

Cr Major entered the Chamber at this point, the time being 2020 hrs.

**TS195-07/96        TENDER NO 43-96/97 - SUPPLY AND DELIVERY OF BULK FERTILISER AND FOR THE APPLICATION OF FERTILISER - [208-43-96/97]**

**CITY PARKS MANAGER'S REPORT**

The tender for the Supply and Delivery of Bulk Fertiliser and for the Application of Fertiliser was advertised during June 1996.

The City Parks Manager reports on the tender submissions received.

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

- 1        accepts the tender as submitted by The Spreaders Pty Ltd for Tender No 43-96/97 for the Supply and Delivery of Bulk Fertiliser and for the Application of Fertiliser;
- 2        authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further 12 month period;
- 3        authorises signing of the tender documents.

**CARRIED**

TS196-07/96      TENDER NO 44-96/97 - PRUNING OF STREET TREES  
WITHIN THE BOUNDARIES OF THE CITY OF WANNEROO -  
[208-44-96/97]

**CITY PARKS MANAGER'S REPORT**

Tender No 44-96/97 was advertised during June, 1996 for the Pruning of Street Trees within the Boundaries of the City of Wanneroo.

The City parks Manager reports on the tender submissions received.

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

- 1            accepts the tender as submitted by Geoff's Tree Service detailed as:  
  
             Schedule 1 - \$ 22.50 per tree  
             Schedule 2 - \$ 22.50 per tree  
             Schedule 3 - \$128.00 per hour  
  
             for Tender No 44-96/97 for the Pruning of Street Trees within the Boundaries of the City of Wanneroo;
- 2            authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further 12 month period;
- 3            arranges the signing of tender documents.

**CARRIED**

TS197-07/96      TENDER NO 45-96/97 - SUPPLY AND INSTALLATION OF  
TANOLITH TREATED PINE POSTS AND RAIL FENCING -  
[208-45-96/97]

**CITY PARKS MANAGER'S REPORT**

Tender No 45-96/97 was advertised during June, 1996 for the Supply and Installation of Tanolith Treated Pine Post and Rail Fencing.

The City Parks Manager reports on the tender submissions received.

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

- 1            accepts the tender as submitted by Treacy Fencing Co for Tender No 45-96/97 for the Supply and Installation of Tanolith Treated Pine Posts and Rail Fencing;

- 2 authorises the extension of this initial contract to be  
extended subject to the agreement of both the tenderer  
and the City of Wanneroo for a further 12 month period;
- 3 arranges the signing of tender documents.

**CARRIED**

**TS198-07/96      PETITION - BEELARA PARK, WANNEROO - [061-32]**

**CITY PARKS MANAGER'S REPORT**

The Parks Department has received a petition from 25 residents surrounding Beelara Park, Wanneroo requesting repair of park floodlight and provision of additional play equipment.

The City Parks Manager reports that the repair of park floodlight has been actioned via maintenance works and the provision of play equipment will be listed in the 1997/98 Draft Budget for consideration.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council lists in the 1997/98 Draft Budget the provision of play equipment for Beelara Park, Wanneroo.

**CARRIED**

**TS199-07/96      GIBSON PARK, PADBURY - PETITION REQUESTING  
FLOODLIGHTING - [061-152]**

**CITY PARKS MANAGER'S REPORT**

A petition from residents in Padbury has been received requesting provision of a floodlight in Gibson Park.

The City Parks Manager provides details of parks in the general area that have experienced anti social activities and comments that the provision of a single park floodlight may reduce residents' concerns and recommends the provision of a floodlight for Gibson Park, Padbury be listed for consideration in the 1996/97 Draft Budget.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council lists for consideration in the 1996/97 Draft Budget the provision of a floodlight for Gibson Park, Padbury at a cost of \$2,460.

**CARRIED**

**TS200-07/96      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 June 1996, building control activity, swimming pool inspections and Council's building works programme.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS200-07/96.

**CARRIED**

Appendix IV refers.

**TS201-07/96      PROPOSED SANTA BARBARA PARADE PRE-FUNDING  
ARRANGEMENTS - QUINNS ROCKS SUBDIVISION -  
[510-403, 510-4084]**

At a Special Meeting of Electors in Quinns Rocks on 21 May 1996 (Item C246-05/96 refers) the meeting put a motion that Council be requested to fund the extension of Santa Barbara Parade of approximately 700 metres and recover the money from the developers when the land is developed.

The City Engineer reports on issues identified at a meeting held to address the provision of alternative access to the Quinns Beach Estate Subdivision, including options of alternative access, road standards/timing and costs, Quinns Beach Estate staging/traffic volumes, funding of options and recoup of funds and summarises the options.

He considers it premature at this stage to commit Council to a particular option pending further detailed evaluation of the cost benefits and impact of traffic on Quinns Rocks Roads.

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

- 1            defers "consideration of funding the extension of Santa Barbara Parade of approximately 700 metres and receiving the money from the developers when the land is developed" for three months;
- 2            requests a further report on this matter in October 1996.

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

- 1            defers "consideration of funding the extension of Santa Barbara Parade of approximately 700 metres and receiving the money from the developers when the land is developed" for three months;

2 requests a further report on this matter in October  
1996;

3 advises the petitioners accordingly.

**CARRIED**

**TS202-07/96      SAND QUARRY - NOWERGUP - [863-1]**

Cr Dammers referred to a facsimile transmission he had received from a resident of 96 Gibbs Road, Nowergup in relation to noise problems he is experiencing with the quarry situated behind his property.

He advised that the resident was concerned as he had been informed that the owners of the quarry would be applying for a permit to extend their quarrying days from 5 to 6 days a week and requested the Deputy City Engineer to investigate this matter.

This matter will be referred to the Engineering Department for action.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that the letter from a resident of 96 Gibbs Road, Nowergup in relation to noise problems being experienced with the quarry situated behind this property be received and referred to the Engineering Department for action.

**CARRIED**

**TS203-07/96      STREET SIGN - DRURY COURT, MARMION - [510-1244, 510-1242, 1244/186/7]**

Cr Freame submitted a letter from Mr B Robinson in relation to problems he is experiencing due to inadequate street signage and requested that a sign post be installed saying "Drury Court - No Through Road".

This letter will be referred to Engineering Department for action.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that the letter from Mr Robinson in relation to problems he is experiencing due to inadequate street signage be received and referred to Engineering Department for action.

**CARRIED**

**TS204-07/96      PROVISION OF TELEPHONE BOX - CLARKSON - [501-2]**

Cr O'Grady requested that a letter be sent from Council to Telstra supporting the provision of a telephone box in Clarkson

as she was concerned there was no telephone box presently in this area.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council send a letter to Telstra supporting the provision of a telephone box in Clarkson.

**CARRIED**

#### **MEDIA RELEASE - SANDBOARDING - [704-1]**

Cr O'Grady requested Cr Dammers to issue a media release in relation to sandboarding.

She raised her concerns in relation to extensive damage occurring to dunes from sandboarding and believed that residents were unaware that sandboarding was illegal in the City of Wanneroo.

#### **JUNIOR COUNCIL - [702-2]**

Cr O'Grady advised that Junior Councillors had been referred to their respective Ward Councillors in relation to concerns they have with roads in their areas and requested that the Junior Councillors be given encouragement when contacting the appropriate Councillors.

#### **C340-07/96      EXTRA LIGHT - LEICHARDT PARK - [061-217]**

Cr Freame raised her concerns in relation to antisocial behaviour occurring at Leichardt Park, Padbury.

She requested that consideration be given to installing a second light on the existing light pole as she believed the one light did not provide sufficient lighting to the park.

This matter will be referred to Parks Department for action.

**MOVED** Cr Freame, **SECONDED** Cr Hancock that the sum of \$1,800 for installation of a second light on the existing light pole be listed for consideration in the 1996/97 Budget.

**CARRIED**

#### **RECYCLING BAGS - [508-4]**

Cr Freame raised her concerns in relation to the provision of recycling bags and believed that these bags need to be issued on a regular basis as they are not UV standard and tended to wear.

#### **GRAFFITI TAGS - [210-7]**

Cr Freame enquired as to whether a register of tags was kept in relation to graffiti as she advised that a representative of



Padbury Senior High School has offered to work with Council in relation to matching tags.

The Deputy City Engineer advised Cr Freame that an officer in the Recreation Department kept a register of tags. Cr Freame advised she would liaise with this officer.

#### **MEDIA RELEASE - SANDBOARDING - [704-1]**

Cr Lynn referred to a report being prepared in relation to sandboarding by Dr Robert Kay and suggested that he be contacted before a press release is issued to ensure a more comprehensive release can be made.

#### **JOONDALUP GOLF COURSE - REZONING - [790-758]**

Cr Magyar referred to an application submitted by Joondalup Country Club Holdings for rezoning which was refused at the Council meeting held on 26 June 1996 and queried why earth works had been started at the golf course.

He raised his concerns in relation to the number of cases where residents are beginning construction work without waiting for the appropriate approval.

The Chief Executive Officer advised he would investigate this matter.

#### **MAINTENANCE - WARWICK LEISURE CENTRE - [745-3-3]**

Cr Popham referred to the meeting held on Tuesday, 9 July 1996 at the Warwick Leisure Centre and raised his concerns in relation to the poor state of repair of the building.

In response to a query from Cr Popham in relation to who was responsible for maintenance of the building, the City Building Surveyor advised that the Manager of the Centre would be responsible and informed Cr Popham he would investigate this matter.

#### **OPEN SUMP - GNANGARA ROAD - [506-4]**

Cr Duffy raised his concerns in relation to the open sump in Gnangara Road east of Attwell Street and requested that it be investigated as it was on the Gnangara Mound.

This matter will be referred to Engineering Department for action.

#### **BULK RUBBISH COLLECTING RECORDED MESSAGE - [508-1-2]**

Cr Hancock raised her concerns in relation to Council's bulk rubbish collection recording as she believed it was not informative enough and requested that this recording be investigated.

This matter will be referred to Waste Management for action.

#### **PUBLIC LIABILITY - RUBBISH BINS ON VERGE - [560-3]**

Cr Healy enquired if Council had any public liability in regard to rubbish bins placed on the verge of streets waiting to be collected.

The Chief Executive Officer advised that it was incumbent on the applicant to prove negligence.

Discussion ensued in relation to placing of rubbish bins and the Deputy City Engineer advised that drivers would be instructed accordingly.

**C341-07/96                      SPECIAL POLICY COMMITTEE**

**MOVED** Cr Lynn, **SECONDED** Cr Freame that the Report of the Special Policy Committee held on 10 July 1996 be received.

**CARRIED**

#### **ATTENDANCES**

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward
	A W WIGHT	South Ward
	P O HEALY - Observer	North Ward
	S P MAGYAR - Observer	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer	South Ward
	M E LYNN, JP - Observer	South-West Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
Publicity Officer:	O DAVIDSON
Minute Clerk:	S BRUYN

#### **APOLOGIES**

Nil

**PETITIONS AND DEPUTATIONS**

Nil

**DECLARATIONS OF PECUNIARY INTEREST**

Nil

**MEETING TIMES**

Commenced: 2008 hrs

Closed: 2120 hrs

## REPORTS

### P71-07/96      MEETING PROVISIONS NEW ACT - [970-6]

#### **MANAGER, CORPORATE SERVICES' REPORT**

With the implementation of the Local Government Act 1995 certain provisions relating to meetings have changed.

The Manager Corporate Services provides details of significant changes relating to meetings and reports on special majority, absolute majority, calling meetings and voting rights.

He advises that every meeting of Council and Committees which has a delegated power must include public question time and comments on procedures for this.

#### **ADDITIONAL INFORMATION**

Report P71-07/96 briefly addresses the provisions of the new Local Government Act that relate to public question time. This additional information is provided to assist in the determination of a procedure for the conduct of public question time.

In brief, the new Local Government Act provides that :

- .        Public question time of at least 15 minutes must be allocated at the beginning of meetings of Council and Committees which have a delegated power ;
- .        Councils are not required to answer questions that do not relate to matters affecting the local government ;
- .        Councils are not required to respond in full to a question at the same meeting at which that question is asked ;
- .        In the case of a Special Council meeting, questions must relate to a matter relevant to the stated purpose of the meeting ;
- .        Each member of the public is to be afforded an equal and fair opportunity to ask a question and have it responded to.

The Act provides that procedures for the asking and answering of questions are to be determined by the presiding member or the majority of the members present if they disagree with the chair.

In order to achieve consistency, it is considered appropriate

that a procedure be applied to the conduct of public question time at all meetings affected by these provisions. Accordingly, the attached draft procedure is submitted for consideration - Appendix I refers.

Discussion ensued in relation to providing 15 minutes public question time at the end of the meeting.

Cr Hancock advised of a discussion she had had with an officer of the Local Government Department to clarify the position.

**MOVED** Cr Freame, **SECONDED** Cr Lynn that Council adopts the following procedure for public question time:

"This procedure provides for the equitable conduct of public question time, in accordance with Section 5.24 of the Local Government Act 1995.

- 1 A period of 15 minutes maximum public question shall be allocated prior to the discussion of any matter that requires a decision of any meeting of the Council or a committee with delegated authority. In addition up to a further 15 minutes public question time shall be allocated at the end of the meeting.
- 2 Council would prefer that all questions to Council and committees be submitted to the Chief Executive Officer in writing prior to the commencement of the meeting, in order that both the question and the response may be correctly reflected in the minutes of the meeting.
- 3 Where questions are not reduced to writing, Council and its committees reserve the right to take such questions on notice for response at the next meeting.
- 4 Members of the public wishing to submit questions in writing may do so by completing the *Question to Council/Committee* form provided at the back of the agenda paper, or by letter addressed to the CEO, City of Wanneroo, PO Box 21 Joondalup 6027 (fax 09 300 1383). Submissions are to detail the name and address of the person/organisation submitting the question in order to facilitate a response.
- 5 Nothing in this procedure precludes a person asking a question at a meeting of Council or its committees during public question time.
- 6 The presiding member shall determine in each instance whether a response to a question shall be taken on notice.

7 The presiding member may invite a response from any member or senior officer present, to any question raised during public question time."

**CARRIED**

Appendix V refers.

**P72-07/96                    STANDING ORDERS BYLAWS REVIEW - [920-20]**

**MANAGER, CORPORATE SERVICES' REPORT**

With the coming into operation of the new Local Government Act, a number of anomalies arise between the provisions of the Act and Council's Standing Orders Bylaws.

The Manager Corporate Services provides details of Standing Orders Bylaws and provisions that are inconsistent with the new Act.

**ADDITIONAL INFORMATION**

A copy of Standing Orders Bylaws forms the attachment to Report P72-07/96. The Bylaws have been marked so that the provisions of Standing Orders that are inconsistent with the Local Government Act 1995 are indicated in bold, and notes regarding the inconsistency are in italics.

Bylaws 157-161 concern Council sitting behind closed doors. These provisions were not marked in the Draft copy of Standing Orders sent to Councillors, however an amended page is attached - Appendix II refers.

**MOVED** Cr Freame, **SECONDED** Cr Lynn that MANAGER, CORPORATE SERVICES' REPORT P72-07/96 AND ADDITIONAL INFORMATION be received.

**CARRIED**

Appendix VI refers.

**P73-07/96                    LEGAL REPRESENTATION - COUNCILLORS AND OFFICERS - [702-8]**

**CHIEF EXECUTIVE OFFICER'S REPORT**

The Chief Executive Officer provides background details of a request submitted to the Minister for Local Government for him to reconsider his decision regarding the State Government meeting the cost of legal representation for Councillors and officers appearing before the Royal Commission.

He reports that the Minister has advised that the State Government is unable to accede to Council's request and advises of a resolution passed at the June 1996 meeting of Council for the Town Clerk to hold discussions with the City's Solicitors with a view to developing a policy whereby in certain circumstances the City may meet the cost of legal representation.

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

- 1 Council recommend that a Draft Policy for legal representation for Councillors and officers be referred to a Special Policy Committee meeting to be convened following the Finance and Community Services Committee meeting to be held on Wednesday 17 July 1996;
- 3 the Draft Policy to be circulated to Councillors before that meeting.

**CARRIED**

**P74-07/96**      **CITY OF WANNEROO - COMMUNITY REPORTING STRATEGY - [702-0]**

#### **CHIEF EXECUTIVE OFFICER'S REPORT**

Council, at its June Council meeting, approved the production of a quarterly magazine for circulation to all residents of the City of Wanneroo and authorised an A4 size mock up magazine be prepared and submitted to Policy Committee for consideration.

The Chief Executive Officer reports on quotes received for printing and distribution of the first edition of NewsExtra.

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

- 1 adopts the Kangaroo Paw logo for the first edition of the quarterly magazine;
- 2 authorises payment of \$13,492 from Account No 20044 for printing and distribution of the magazine;
- 3 incorporates appropriate surveys and questionnaires in the magazine.

**CARRIED**

**C342-07/96**      **TOWN PLANNING COMMITTEE**

**MOVED** Cr Wight, **SECONDED** Cr Lynn that the Report of the Town Planning Committee Meeting, held on 15 July 1996 be received.

**ATTENDANCES**

Councillors:	G A MAJOR - Chairman	South-West Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	W D DUFFY	South Ward
	V G HANCOCK - Deputising for	
	Cr Lynn from 1807 hrs	South-West Ward
	F D FREAME - Deputising for Cr Lynn	
	to 1807 hrs,	
	Observer from 1807 hrs	
	to 1926 hrs	South-West Ward
	A G TAYLOR - Observer, Deputising	
	for Cr Duffy from	
	2008 hrs to 2016 hrs	South Ward
	P O HEALY - Observer from 1820 hrs	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	T W POPHAM - Observer	South-Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	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 Lynn; Crs Hancock and Freame deputised.

An apology for absence was tendered by Cr Cooper.

**PUBLIC/PRESS ATTENDANCE**

There were 20 members of the Public and 1 member of the Press in attendance.

**PUBLIC QUESTION TIME**

Mrs A Hine:

Q1 I asked a question at the Council meeting why we have to have public question time at the beginning of the meeting. Most people are not aware of what you are going to talk about. When you have heard discussion then people have a better idea of what to ask.



A1 Chairman's response: Council is obliged to have 15 minutes question time at the beginning of meetings. Council may, if it wishes, also hold question time at the end of meetings.

## **CONFIRMATION OF MINUTES**

### MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 17 JUNE 1996

The Minutes of Town Planning Committee Meeting held on 17 June 1996 were confirmed as a true and correct record.

## **PETITIONS AND DEPUTATIONS**

### DEPUTATION - PROPOSED CHURCH COMMUNITY COMPLEX, LOT 70 (77) QUEENSWAY ROAD, LANDSDALE

Mr Slater, Chairman of Landsdale Residents Association Action Group, Mrs Karen Hollis and Mr Peter Maitland addressed the Committee in relation to the proposed Church Community Complex, Lot 70 (77) Queensway Road, Landsdale - Item TP157-07/96 refers.

Mr Slater referred to the report submitted by the City Planner in relation to the proposed Church Community Complex at Landsdale and made the following points:

- the Action Group's understanding was that approval for this proposal was subject to conditions that were not met and there were no residences abutting that particular property when approval was granted;
- the local community believed that the other uses offered by the church in relation to basketball, pathfinders and the letting of the church to other groups did not classify this as just a church;
- Landsdale is a new area and with the provision of a new display village peak time for residential traffic is on Saturdays and Sundays;
- queried what is deemed to be sufficient screening to an 8 metre high building;
- questioned the inclusion of point 6 of the report as he believed that all uses under the Town Planning Scheme are subject to public comment;
- believes this is not a church in the accepted understanding of what a church is;

- there are no security measures at the moment addressing the present incidents of vandalism.

In relation to mention in the report of a submission by a supporter of the proposal that some objectors were acting out of religious prejudice, Mr Slater believed that this was not the case and commented that there was no objection to the church but rather to the other facilities offered by the church.

In conclusion, Mr Slater stated that the residents did not object to a small church but felt that this proposal was a lot more than a small church with all the other facilities being offered.

Mrs Karen Hollis of 15 Dunbar Court then addressed the Committee and advised that if this complex went ahead it would greatly affect her entire family and commented that they might have to sell their house.

She felt that the residents were not prejudiced and advised she had two children who attended the Seventh Day Adventist School and requested the Council to take this into consideration.

Mr Peter Maitland of 81 Queensway Road then addressed the Committee and advised he lived next to the proposed project.

Mr Maitland referred to Council's zoning codes which do not permit an industrial use in this area, and stated that the proposed complex would not comply with the zoning guidelines.

He queried why the report had not referred to these guidelines as he believed that the Committee could not make an informed decision unless all the facts were presented to it.

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

DEPUTATION - PROPOSED COMMERCIAL PARK, LOT 738 (16) DUGDALE STREET, WARWICK - [30/5180]

Mr Nick Aitken, General Manager of Westpoint Corporation Pty Ltd, Mr Mark Baker, Project Architect, Ms Pandora Heydenrych, Manager Planning Services and Mr Fred Uloth, Traffic Consultant addressed the Committee in relation to the proposed Commercial Park, Lot 738 (16) Dugdale Street, Warwick - Item TP155-07/96 refers.

Mr Aitken gave an outline of background information relating to the proposed application and made the following points:

- this development application is a significant down scaling on the current approval for a shopping centre, requiring just more than half of the car parking bays of the existing approval;
- all uses proposed within the commercial park are consistent with the zoning;
- site planning has been cognisant of the surrounding area with mixed uses within the commercial park containing greater community and family application rather than purely retail and related uses grouped to minimise impact;
- have tried to take an integrated approach to the development, firstly providing a number of linkages for pedestrian traffic through the site and spreading parking through the site to provide continuity in the area;
- to answer community concerns a community steering committee has been formed and they have also increased the level of landscaping to improve the aesthetics of the commercial park.

In conclusion, Mr Aitken illustrated relevant points on a map of the commercial park and spoke of the need for traffic signals at Ellersdale Avenue and Erindale Road and other traffic calming measures that will be required.

Mr Uloth outlined traffic figures and movements related to the site.

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

#### DEPUTATION - PROPOSED CHURCH COMMUNITY COMPLEX, LOT 70 (77) QUEENSWAY ROAD, LANDSDALE

Pastor Brian Wood of the Seventh Day Adventist Church addressed the Committee in relation to the proposed Church Community Complex, Lot 70 (77) Queensway Road, Landsdale - Item TP157-07/96 refers.

Pastor Wood advised that as a result of concerns by neighbours, they had submitted revised plans and were now proposing to only build in one stage instead of two stages.

He commented that a buffer zone of 23 metres of natural bushland is proposed, the entry had been moved from the western boundary

and relocated on the eastern boundary and colour and planning of the building has been very well combined.

Pastor Wood commented that churches are no longer small and believed they were more involved with the community.

In relation to suggestions that the display centre may cause problems with traffic, Pastor Wood advised that this would eventually be moved and would then ease pressure on traffic in the Landsdale area.

In conclusion, Pastor Wood believed that the church complex would not shade nearby houses and advised that there would be no washing machines or dryers in the complex as the day care had been deleted from the proposal.

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

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

Cr Duffy declared an interest in Item TP163-07/96

#### **CONFIDENTIAL BUSINESS**

The following Items were considered Behind Closed Doors.

TP171-07/96	DRAFT FORESHORE MANAGEMENT PLAN FOR LOT 614 YANCHEP - CONSIDERATION OF SUBMISSIONS - [765-11]
TP172-07/96	PROSECUTION - SALE OF TAKEAWAY FOOD FROM CORNER STORE, LOT 158 (2) SOMERSBY GARDENS, CURRAMBINE - [39/4614]

#### **MEETING TIMES**

Commenced:	1803 hrs
Closed:	2130 hrs

REPORT NO:

TP154-07/96      DEVELOPMENT ASSESSMENT UNIT AND DELEGATED  
AUTHORITY COMMITTEE - 1 JUNE 1996 - 28 JUNE 1996  
- [290-1]

**CITY PLANNER'S REPORT**

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit from 1 June 1996 to 28 June 1996.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP154-07/96.

**CARRIED**

Appendix VII refers.

An application has been submitted by Westpoint Corporation on behalf of Silkchime Pty Ltd for a Commercial Park on Lot 738 (16) Dugdale Street, Warwick. It proposes a range of 14 different commercial uses, which would be housed within 17 free-standing buildings, and would be accessed from two external roads and one internal road.

The City Planner provides background details of the subject matter, reports on the proposal and site description and submits an assessment of the proposal.

He advises of submissions received after advertising and reports that a Special Electors' Meeting is to be held regarding the concerns raised in those submissions.

The City Planner comments on concerns in regard to the proposal and recommends that the application be supported, subject to a satisfactory redesign and appropriate conditions.

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

- 1 approves the application submitted by Westpoint Corporation on behalf of Silkchime Pty Ltd to establish a Commercial Park on Lot 738 (16) Dugdale Street, Warwick subject to:
  - (a) the submission of a modified plan which addresses the following points, to the satisfaction of the City Planner, prior to the issue of a formal approval:
    - (i) the central accessways being widened sufficiently to incorporate the anticipated traffic flows, pedestrian paths on either side, shade trees, light poles and pedestrian refuges;
    - (ii) buildings which abut the central accessways addressing those accessways, and providing a minimum 2-metre wide canopy for pedestrian use;
    - (iii) no buildings backing onto the central accessways;
    - (iv) the three abovementioned points - A, B, and C (with the exception of width to accommodate traffic flows) also applying to the pedestrian linkages from Ellersdale Road and Lot 50 to the central accessways. Those linkages being incorporated into the modified plan;
    - (v) an additional row of car parking bays being provided in the accessway which runs parallel to Ellersdale Avenue;
    - (vi) additional parking being provided in the south western corner of the development. That additional parking should form the 78 bay carry-over from the additional cinema approval, which shall be amalgamated with the cinema site when subdivision occurs;

- (vii) relocation of the proposed crossovers away from existing road intersections, pedestrian refuges and crossovers, which should also be shown on the plan;
- (viii) the central crossover to Ellersdale Avenue being removed;
- (ix) location of on-site drainage disposal being shown;
- (x) submission of design levels for the site;
- (xi) provision of a minimum 8% landscape area;
- (b) implementation of a reciprocal parking and access agreement covering the whole site, and applied by way of caveats, at the applicant's expense;
- (c) the applicant preparing a policy statement for the development to the satisfaction of the City Planner and meeting the cost of that policy being advertised;
- (d) conditions deemed appropriate by the City Planner;

2 exercises its discretion under Clause 9.1(1) of Town Planning Scheme No 1 for a relaxation of car parking from 706 bays to 623 bays in this instance.

#### **COMMITTEE RECOMMENDATION**

That the application submitted by Westpoint Corporation on behalf of Silkchime Pty Ltd to establish a Commercial Park on Lot 738 (16) Dugdale Street, Warwick be referred for consideration at the Council meeting to be held on 24 July 1996 to allow submission of additional information in relation to the proposal by the City Planner.

#### **ADDITIONAL INFORMATION**

The City Planner advised in Report TP155-07/96, a Special Electors' Meeting was held on 9 July 1996 with regard to this matter. Minutes of that meeting have been circulated separately to all Councillors.



A number of issues were raised with regard to the application, and those which had not been raised previously (and noted in the report) are listed below:

.  
Increased noise levels may have a negative impact upon the aged persons accommodation, primary school and residences.

This issue would be dealt with using a standard condition of development approval which requires all noise emissions to comply with the Environmental Protection Act 1986.

.  
Security arrangements used at the cinemas on Lot 904 should be implemented for this development.

The City cannot require the developer to provide security for the development.

.  
Signage should be harmonious and in keeping with the residential environment.

All signage shall be required to comply with Council's signage by-laws.

.  
The developer should consider alternative "passive" commercial uses which would complement the residential environment.

The proposed uses conform with Town Planning Scheme No 1.

.  
The proposed bowling centre should not be permitted to sell alcohol.

The Scheme definition of Public Amusement does not restrict the sale of alcohol, for which the City's Planning Department issues a Section 40 Approval.

.  
The 24 hour operation of the Petrol Filling Station/Convenience Store should be deleted.

This last point is not considered to be a problem as there is minimum 65 metre separation between the petrol filling station/convenience store and the nearest residential use (aged persons' accommodation). Convenience store hours have been de-regulated in any case and Council has not in the past controlled that aspect of this type of use.

Following further concerns expressed at that meeting about the impact of additional traffic created by this development, the City Planner advised that Council will negotiate with residents regarding this ongoing issue. That negotiation has taken the form of a preliminary meeting held on 16 July 1996 between a residents' committee, staff and the applicant's traffic consultant. It is recommended that Council formally endorses creation of that committee, as the process will be an ongoing one.

The applicants have submitted a further set of revised plans which go part way to addressing the design issues raised both in the previous report and the Special Electors' Meeting. The points which have been addressed have been left in the recommendation, and a few additional points of clarification also added.

Further correspondence has been received on behalf of the Warwick Grove Shopping Centre, advising that Council should not determine this application on the basis of a revised plan which has not been advertised, and if it does so, the decision will be flawed and may be subject to a Supreme Court challenge. Verbal advice received from Council's Solicitors indicates that such a challenge would not be successful.

Recommended conditions shall address the shopping centre's concerns regarding integration of the two developments in any case.

At the July Town Planning Committee meeting, the Committee raised the issue of security problems in the car parking area behind the amusement centre. The applicant should further consider this requirement.

Another issue raised by Committee regarded the parking requirement for this development. As previously mentioned in the report, both the reciprocation of parking and the 83 bay under-provision are supported on the basis of the proposed day time/night time use mix, which would generate peak demand at different times. The total parking requirement was derived from totalling the scheme's requirement for the individual uses which are proposed.

With regard to the report's discussion of amalgamating the cinema parking carry-over with the cinema lot, the applicant has submitted correspondence advising that such an arrangement, while being most desirable, may not be approved by the W A Planning Commission. As that may be the case, the relevant condition has been modified to incorporate alternative arrangements, if necessary.

## **RECOMMENDATION**

That Council:

1

approves the application submitted by Westpoint Corporation on behalf of Silkchime Pty Ltd to establish a Commercial Park on Lot 738 (16) Dugdale Street, Warwick subject to:

(a)

the submission of a modified plan which addresses the following points, to the satisfaction of the City Planner, prior to the issue of a formal approval:

- (i) the central accessways being widened sufficiently to incorporate the anticipated traffic flows, pedestrian paths on either side, shade trees, light poles and pedestrian refuges;
- (ii) buildings which abut the central accessways addressing those accessways, and providing a minimum 2-metre wide canopy for pedestrian use;
- (iii) no buildings backing onto the central accessways;
- (iv) the three abovementioned points - (i)-(iii) (with the exception of width to accommodate traffic flows) also applying to the pedestrian linkages from Ellersdale Road and Lot 50 to the central accessways. Those linkages being incorporated into the modified plan;
- (v) an additional row of car parking bays being provided in the accessway which runs parallel to Ellersdale Avenue;
- (vi) additional parking being provided in the south western corner of the development. That additional parking should form the 78 bay carry-over from the additional cinema approval, which shall either be amalgamated with the cinema site when subdivision occurs or alternative arrangements be entered into to protect the City's interests;
- (vii) relocation of the proposed crossovers away from existing road intersections,

pedestrian refuges and crossovers, which should also be shown on the plan;

- (viii) the crossovers to Ellersdale Avenue being rationalised to the satisfaction of the City Planner and City Engineer;
- (ix) the completion of a traffic impact study to the satisfaction of the City Engineer;
- (x) the implementation of such measures as are required by the City Engineer following the receipt of the traffic impact study prior to the occupation of the buildings;
- (xi) the Council car park on Lot 931 being modified and upgraded so as to incorporate pedestrian and vehicular through traffic, to the satisfaction of the City Planner and City Engineer;
- (xii) location of on-site drainage disposal being shown;
- (xiii) submission of design levels for the site and the proposed levels of the development making allowance for additional future linkages to the Warwick Grove Shopping Centre;
- (xiv) provision of a minimum 8% landscape area;
- (xv) the development being integrated with the adjoining sites to the satisfaction of the City Planner.
- (xvi) the amusement centre being relocated southwards to eliminate the rear car park which would be difficult to police.

(b) implementation of a reciprocal parking and access agreement between the applicant's Lots 738 and 904, the City's Lot 931 and Lot 928 Beach Road, Warwick;

(c) implementation of a reciprocal parking, servicing and access agreement covering the whole site, and applied by way of caveats as staging of the development requires, at the applicant's expense;

(d) the applicant preparing a policy statement for the development to the satisfaction of the City Planner and meeting the cost of that policy being advertised;

(e) conditions deemed appropriate by the City Planner;

2 exercises its discretion under Clause 9.1(1) of Town Planning Scheme No 1 for a relaxation of car parking from 706 bays to 623 bays in this instance.

3 authorises the City Engineer to form a residents' committee comprising Dugdale Street, Ellersdale Avenue and Warwick representatives to undertake a traffic management analysis on Dugdale Street and Ellersdale Avenue.

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

1 defers consideration of the application submitted by Westpoint Corporation on behalf of Silkchime Pty Ltd to establish a Commercial Park on Lot 738 (16) Dugdale Street, Warwick;

2 instigates a meeting between Westpoint Corporation, Greg Rowe & Associates, City Planner, City Engineer, Chairman of Town Planning and South Ward Councillors to forward progress on this matter.

**CARRIED**

**PROPOSED ADDITIONAL SIX CINEMAS, WHITFORDS CITY SHOPPING  
CENTRE: LOT 501 WHITFORDS AVENUE, HILLARYS - [30/300]**

An application has been received from Westfield Design & Construction Pty Ltd on behalf of Permanent Trustee Australia Ltd for a six cinema addition to the six cinema complex currently under construction at the Whitford City Shopping Centre. The applicant proposes 100% reciprocal parking arrangements (no addition to parking supply) which requires Council consideration under Part 9.1 of Town Planning Scheme No 1.

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

He advises that the application's approval is recommended as it is an extension of an existing use and the traffic impact statement has addressed the requested parking relaxations.

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

1  
exercises discretion under Part 9.1(1) of the City's Town Planning Scheme No 1 and permits the proposed additional six cinemas on Lot 501 (470) Whitfords Avenue, Hillarys to operate without extension to the existing car parking;

2  
approves the application submitted by Westfield Design & Construction Pty Ltd for an additional six cinemas on Lot 501 (470) Whitfords Avenue, Hillarys, subject to:

(a)  
the submission of a traffic management plan showing exact car bay numbers available at the completion of this application and the measures required to be undertaken to prevent verge parking and to encourage the use of the north-western car park area during peak demand periods, to the satisfaction of the City Planner and City Engineer, prior to the issue of a building licence;

(b)  
a minimum of 3,526 car parking bays to be provided on site to the satisfaction of the City Planner;

(c)

the implementation of such measures as are required by the City Engineer following the receipt of the traffic management plan, prior to the occupation of the building;

(d)  
building elevations to the north, west and south to be consistent with the existing cinema, to the satisfaction of the City Planner;

(e)  
the comment and approval of Main Roads Western Australia on the signalised intersection on Whitfords and Marmion Avenues;

(f)  
standard and appropriate conditions.

#### **COMMITTEE RECOMMENDATION**

That Council approves the application submitted by Westfield Design & Construction Pty Ltd for an additional six cinemas on Lot 501 (470) Whitfords Avenue, Hillarys, subject to:

1  
the submission of a traffic management plan showing exact car bay numbers available at the completion of this application and the measures required to be undertaken to prevent verge parking and to encourage the use of the north-western car park area during peak demand periods, to the satisfaction of the City Planner and City Engineer, prior to the issue of a building licence;

2  
the provision of an additional 307 on-site car parking bays to the satisfaction of the City Planner and City Engineer;

3  
the implementation of such measures as are required by the City Engineer following the receipt of the traffic management plan, prior to the occupation of the building;

4  
building elevations to the north, west and south to be consistent with the existing cinema, to the satisfaction of the City Planner;

5  
the comment and approval of Main Roads Western Australia on the signalised intersection on Whitfords and Marmion Avenues;

standard and appropriate conditions.

Cr Cooper declared an interest in this Item as he is involved in a company that is carrying out work on this project.

Cr Cooper left the Chamber at this point, the time being 2025 hrs.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that Point 2 be amended to read as follows:

"2

a minimum of 3,526 car parking bays to be provided on site to the satisfaction of the City Planner".

**LOST**

**MOVED** Cr Wight, **SECONDED** Cr Ewen-Chappell that Council approves the application submitted by Westfield Design & Construction Pty Ltd for an additional six cinemas on Lot 501 (470) Whitfords Avenue, Hillarys, subject to:

1  
the submission of a traffic management plan showing exact car bay numbers available at the completion of this application and the measures required to be undertaken to prevent verge parking and to encourage the use of the north-western car park area during peak demand periods, to the satisfaction of the City Planner and City Engineer, prior to the issue of a building licence;

2  
the provision of an additional 307 on-site car parking bays to the satisfaction of the City Planner and City Engineer;

3  
the implementation of such measures as are required by the City Engineer following the receipt of the traffic management plan, prior to the occupation of the building;

4  
building elevations to the north, west and south to be consistent with the existing cinema, to the satisfaction of the City Planner;

5  
the comment and approval of Main Roads Western Australia on the signalised intersection on Whitfords and Marmion Avenues;



standard and appropriate conditions.

**CARRIED**

Cr Cooper entered the Chamber at this point, the time being 2039 hrs.

**TP157-07/96**

**PROPOSED CHURCH COMMUNITY COMPLEX, LOT 70 (77) QUEENSWAY ROAD, LANDSDALE - [30/2249]**

An application has been received from Mr B Wood on behalf of the Western Australian Conference of the Seventh Day Adventist Church, for approval to construct a church community complex on Lot 70 (77), Queensway Road, Landsdale.

The City Planner provides background details, submits an assessment of the proposal and reports on submissions received after advertising and a petition submitted by the local Residents' Association against the proposal.

He advises that the applicant has met with the Residents' Association and has submitted amended plans designed to address some issues raised by the objectors and therefore the revised application is supported.

**CITY PLANNER'S REPORT** recommended that Council approves the application submitted by Mr B Wood for a church community complex on Lot 70 (77) Queensway Road, Landsdale, subject to:

1  
the retention of a 23m natural bush buffer along the western boundary;

2  
the power supply to be via underground means;

3  
external lighting to be on non-"high voltage discharge" principle;

4  
the eastern boundary of the car park area to be surrounded by hedges or dense evergreen shrubbery to a minimum 3 metres height"

standard and appropriate conditions.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council defers consideration of the application submitted by Mr B Wood for a church community complex on Lot 70 (77) Queensway Road, Landsdale pending clarification of queries raised by residents.

**CARRIED**

**CARRIED**

Appendix VIII refers.

TP159-07/96

PROPOSED REZONING AND REDEVELOPMENT OF LOT 10 DAVALLIA ROAD,  
DUNCRAIG, I R AND E F MARSHALL AND ADDITIONS TO SHOPPING  
CENTRE, LOT PT 11 BEACH ROAD, DUNCRAIG - R DUFFIELD - [30/129,  
790-766]

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

An application has been submitted by I R and E F Marshall to rezone Lot 10 Davallia Road, Duncraig, to redevelop the squash courts and R Duffield has requested consideration of the principle of additions to the shopping centre involving a reduced car parking provision.

The City Planner advises that the three matters are presented together because of the agreement from which they derive and provides background details of the subject matter.

He reports on previous consideration of this matter, negotiations between Council and the landowners, the agreement

reached, rezoning of squash courts, squash court redevelopment and comments on issues raised.

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

1  
supports Amendment No 766 to Town Planning Scheme No 1 to rezone Lot 10 Davallia Road, Duncraig from the Commercial Zone to Special Zone (Restricted Use - Consulting Rooms, Educational Establishment, Health Centre, Health Studio, Launderette, Medical Clinic, Office, Private Recreation, Public Amusement, Restaurant, Service Industry, Showroom, Veterinary Consulting Rooms, Video Library, Warehouse);

2  
approves the application for the redevelopment of the squash courts on Lot 10 Davallia Road, Duncraig and the parking area on Lot Pt 3 submitted by I R and E F Marshall, subject to:

(a)  
the submission of a modified Form 1 application with correct details of both lots;

(b)  
the submission of plans of the elevations of the re-developed building showing finishes and access details to the satisfaction of the City Planner;

(c)  
the re-developed building only being used for the purposes set out in proposed Amendment No 766;

(d)  
the granting of an easement in gross in favour of the City of Wanneroo, to the satisfaction of the City Planner over the proposed parking bays and accessways on Lot 10 and Lot Pt 3;

(e)  
such additional conditions as the City Planner considers appropriate;

3  
advises Mr R Duffield it confirms the advice of planning staff that subject to the removal of the metal fence on the boundary of Lot 10 and Lot Pt 11 and the granting of an easement in gross in favour of the City of Wanneroo, a relaxation of the parking requirements for an addition to the shopping centre

would be acceptable but that any further relaxation beyond that agreed should be the subject of a separate application, including a detailed assessment of parking use in the area generally;

4

delegates to the City Planner the authority to approve an application for additions to the shopping centre on Lot Pt 11 Beach Road, Duncraig, involving approximately 500m<sup>2</sup> of gross leasable area and a relaxation of the car parking requirement to not less than 6.1 bays per 100m<sup>2</sup>.

**CARRIED**

**TP160-07/96**

**AMENDMENTS TO THE WHITFORDS BEACH FORESHORE MANAGEMENT PLAN -  
CONSIDERATION OF SUBMISSIONS - [765-18]**

**CITY PLANNER'S REPORT**

Council, at its meeting of 28 February 1996 considered a draft amendment to the Whitfords Beach Foreshore Management Plan in respect of relocating the proposed car park and toilet/change room to another suitable site and resolved to advertise the amendment proposal for a period of nine weeks.

The City Planner provides background details on the subject matter, comments on the submissions received and reports on management strategies and the car park.

He advises that the submissions have been evaluated resulting in a recommendation that Council adopts the proposed amendment to the Whitford Beach Foreshore Management Plan.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council after consideration of the submissions received in respect of the toilet/change room and car park;

1

finally adopts the proposed amendment to the Whitfords Beach Foreshore Management Plan in respect of the relocation of the proposed car park and the toilet/change room as proposed, since these amenities are considered to be very essential to the general beach goer and that Whitfords Beach is a Regional Beach attracting beach goers from far and wide;

2

supports the Town of Cambridge's request to the Western Australian Municipal Association to investigate the matter regarding the misuse of the toilet blocks in the foreshores by the antisocial elements, on behalf of those local government authorities who are currently experiencing this problem.

**CARRIED**

**TP161-07/96**

**CLOSE OF ADVERTISING: AMENDMENT NO 752 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOTS 30, 31 AND 39 LANDSDALE ROAD FROM RURAL TO RESIDENTIAL DEVELOPMENT, R20 - J & P TILBROOK - [790-752]**

**CITY PLANNER'S REPORT**

Advertising of Amendment No 752 to rezone Lots 30, 31 and 39 Landsdale Road, Landsdale from Rural to Residential Development R20, closed on 14 June 1996 and two submissions were received.

The City Planner provides background details of the subject matter, reports on advertising and recommends finalisation.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council, subject to the applicant demonstrating to the satisfaction of the Department of Environmental Protection, the Western Australian Planning Commission and Council, that the pig farm located on Lot 24 Landsdale Road, Landsdale, will not adversely affect the amenity of the proposed residential area:

1

finally adopts Amendment No 752 to Town Planning Scheme No 1 to rezone Lots 30, 31 and 39 Landsdale Road, Landsdale from Rural to Residential Development R20;

2

authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents.

**CARRIED**

TP162-07/96

**CLOSE OF ADVERTISING: AMENDMENT NO 754 TO TOWN PLANNING SCHEME  
NO 1 TO REZONE LOTS 5 AND 47 GNANGARA ROAD, LANDSDALE FROM  
RURAL TO RESIDENTIAL DEVELOPMENT R20: FEILMAN PLANNING  
CONSULTANTS - [790-754]**

**CITY PLANNER'S REPORT**

Advertising of Amendment No 754 to rezone Lots 5 and 47 Gngangara Road, Landsdale from Rural to Residential Development R20 closed on 14 June 1996 and three submissions were received.

The City Planner provides background details on the subject matter, reports on advertising and recommends finalisation.

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

1  
finally adopts Amendment No 754 to Town Planning Scheme No 1 to rezone Lots 5 and 47 Gngangara Road, Landsdale from Rural to Residential Development R20;

2  
authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;

3  
advises the applicant that the matter of determining the Snake Swamp boundary over Lots 5 and 47 Gngangara Road, Landsdale, will need to be resolved to the satisfaction of the Department of Environmental Protection and Council prior to any subdivision and/or development of the land.

**CARRIED**

TP163-07/96

**UNAUTHORISED DEVELOPMENT (USE) LANDFILL, LOT 34 (111) TRICHET  
ROAD, JANDABUP - [268/34/111]**

The City of Wanneroo received a complaint on 5 June 1996 concerning suspect landfill being deposited on Lot 34 (111) Trichet Road, Jandabup.

The City Planner provides background details on the subject matter and reports that investigation by Council's Town

Planning Liaison Officer revealed that the landfill being deposited on the property was not only unsuitable landfill but no approval of Council to landfill the property had been obtained by the owners.

He recommends that Council requires the owner of Lot 34 to remove the unsuitable fill under supervision and have the owner apply for development (use) landfill of the site.

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

1  
advises the owner/occupiers of Lot 34 (111) Trichet Road, Jandabup that they are in breach of the City's Town Planning Scheme No 1 by carrying out development on the site (landfill) without approval;

2  
advises the owners/occupiers of Lot 34 (111) Trichet Road, Jandabup that they are to cease all landfill on the site immediately and to remove all unsuitable landfill from the lot to the satisfaction of the City Engineer and within 28 days of notification;

3  
advises the owner/occupiers of the lot that once the above requests have been satisfied, they are to apply for Council consideration of a development approval (use) landfill of the site within 30 days of notification. Any approval of Council to landfill the property is to be strictly supervised by Council's City Engineer until completion;

4  
refers the matter to Council's solicitors for legal action should provisions (b) and (c) above not be satisfied within the required time.

Cr Duffy declared an interest in this item as he has a similar business.

Cr Duffy left the Chamber at this point, the time being 2040 hrs.

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

1  
advises the owner/occupiers of Lot 34 (111) Trichet Road, Jandabup that they are in breach of the City's Town Planning Scheme No 1 by carrying out development on the site (landfill) without approval;

2  
advises the owners/occupiers of Lot 34 (111) Trichet Road, Jandabup that they are to cease all landfill on the site immediately and to remove all landfill material from the lot to the satisfaction of the City Engineer and within 28 days of notification;

3  
refers the matter to Council's solicitors for legal action should provision 2 above not be satisfied within the required time.

#### **CARRIED**

Cr Duffy entered the Chamber at this point, the time being 2041 hrs.

**TP164-07/96**

**UNAUTHORISED USE OF KINROSS DISPENSARY: REQUEST TO RECONSIDER REZONING A PORTION OF A MEDICAL CENTRE TO ACCOMMODATE A PHARMACY, LOT 1256 (23) EDINBURGH AVENUE, KINROSS - [790-745]**

Council, at its meeting of 20 May 1996 resolved to defer Item TP115-05/96 pending a further report, following a written request by the owner for reconsideration of a previously refused application to rezone portion of the medical centre to accommodate a pharmacy. Council again deferred this matter at its meeting on 26 June 1996 (Item TP132-06/96 refers).

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

He advises that as the circumstances have not altered since a similar request was refused by Council in November 1995 (Item TP385-11/95 refers) the application cannot be supported and legal action to remove the illegal pharmacy is recommended.

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

1  
advises the applicant that it does not support rezoning a portion of Lot 1256 (23) Edinburgh Avenue, Kinross, to permit a pharmacy;



2  
advises the owners/occupiers of Lot 1256 (23) Edinburgh Avenue, Kinross, that the use of the medical centre dispensary as a pharmacy is in breach of the City's Town Planning Scheme No 1 and that the unauthorised use is to cease on a permanent basis, within twenty-one days of notification;

3  
authorises the City Planner to initiate legal action should Item (b) of this resolution not be complied with.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council advise the applicant that prior to supporting the application to rezone a portion of Lot 1256 (23) Edinburgh Avenue, Kinross, to permit a pharmacy that the prescribed payment for five commercial car bays in accordance with Council's Cash-in-Lieu of Car Parking Policy is required to be finalised by an agreement or pre payment.

**CARRIED**

**TP165-07/96**

**ENVIRONMENTAL ADVISORY COMMITTEE MEMBERSHIP - [305-6]**

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

Appointment of community representative members to the City's Environmental Advisory Committee, and of a representative of the land development industry to the Committee, are necessary.

The City Planner provides background details on the subject matter, reports on nominations and advises that appointment of particular community representatives, and a mechanism for achieving input from the perspective of the land development industry, are recommended.

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

1  
appoints the following as community representatives on the City of Wanneroo Environmental Advisory Committee:

- Mr David Wake, representing the Coalition for Wanneroo's Environment
- Mrs Peta Rakela
- Ms Cate Tauss
- Mr Allen Carmen-Brown
- Mr Vic Harman
- Mr Darryl Stevens

2 advises the W A Division of the Urban Development Institute that it will continue to provide the Institute with copies of papers relating to the Environmental Advisory Committee's operation, and invites it to attend meetings of the Committee, and/or provide it with input from an industry perspective as appropriate.

**CARRIED BY AN  
ABSOLUTE**

#### **MAJORITY**

**TP166-07/96      PROPOSED CLOSURE OF PORTION OF NICHOLAS ROAD,  
HOCKING - [510-0270]**

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

The Ministry for Planning has approved the subdivision of Lots 23 and 24 Nicholas Road, Hocking and a portion of Nicholas Road will need to be closed to accommodate the subdivision and allow a Certificate of Title to be issued for one of the lots within the subdivision.

The City Planner reports on the proposal and statutory requirements and advises that in accordance with the provisions of Section 288A of the Local Government Act the proposed closure is required to be advertised in a newspaper circulating in the district for a period of 35 days.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council advertises the proposed closure of the portion of Nicholas Road adjoining Lot 24, Nicholas Road, Hocking for a period of 35 days in accordance with Section 288A of the Local Government Act (an Act to deal with certain matters concerning local government - Miscellaneous Provisions).

**CARRIED**

**TP167-07/96      REMOVAL OF GRAFFITI - [210-7, 780-1]**

## **CITY PLANNER'S REPORT**

Draft provisions requiring the removal of graffiti are requested for consideration for inclusion into Council's Town Planning Scheme.

The City Planner provides background details on the subject matter, comments on issues relating to graffiti and requests that advice be sought from Council's solicitors regarding the possibility of including appropriate provisions in Council's Town Planning Scheme.

Cr Major declared an interest in this Item as he manufactures graffiti paints and graffiti removing solvents.

Cr Major left the Chamber at this point, the time being 2042 hrs.

**MOVED** Cr Taylor, **SECONDED** Cr Magyar that Council requests its solicitors to prepare draft Town Planning Scheme provisions requiring the removal of graffiti from buildings and structures in the Scheme Area for consideration by Council in a Town Planning Scheme Amendment.

**CARRIED**

Cr Major entered the Chamber at this point, the time being 2043 hrs.

**TP168-07/96      APPLICATION TO PURCHASE A PORTION OF PUBLIC RECREATION RESERVE 38260 COMPASS CIRCLE, YANCHEP - [755-38260]**

Council at its meeting on 28 February 1996 resolved to agree to the cancellation of Public Recreation Reserve No 38260, Compass Circle, Yanchep and the amalgamation of the land with the adjoining Lot 603 (Item TP27-02/96 refers).

The City Planner provides background details on the subject matter and reports on disposal of the reserve.

He advises that the Department of Land Administration has advised that it would be beneficial to the City if the reserve could be sold as a single lot rather than amalgamated with the adjoining lot as a higher purchase price would be received and Council should therefore rescind its resolution and agree to sell the reserve as a single lot.

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

- 1 agrees to the portion of Reserve 38260 in Compass Circle, Yanchep being cancelled and requests the Department of Land Administration to dispose of the reserve as a single lot;
- 2 requests Department of Land Administration to advise all prospective purchasers that a Scheme amendment will be required, at the purchaser's cost, to remove the Parks and Recreation Reservation from the land;
- 3 advises Greg Rowe & Associates of the advice from the Department of Land Administration and Council's present position.

#### **COMMITTEE RECOMMENDATION**

That Council:

- 1 disposes of portion of Reserve 38260 in Compass Circle, Yanchep by offering it for sale at auction;
- 2 requests Department of Land Administration to advise all prospective purchasers that a Scheme amendment will be required, at the purchaser's cost, to remove the Parks and Recreation Reservation from the land;
- 3 advises Greg Rowe & Associates of the advice from the Department of Land Administration and Council's present position.

#### **ADDITIONAL INFORMATION**

The Chief Executive Officer advised Councillors that following the Town Planning Committee meeting held 15 July 1996, further consideration has been given to this Item.

As the recommendation listed on the agenda is in direct conflict with the resolution moved by Council at its meeting held 28 February 1996, and the receipt of new information from Council's Solicitors, he recommended the item be referred back to the originating Committee in accordance with Standing Order Clause 166 for further consideration.

**MOVED** Cr Wight, **SECONDED** Cr Major that consideration of disposal of portion of Reserve 38260 in Compass Circle, Yanchep be deferred and referred back to Town Planning Committee for further consideration.

**CARRIED**

TP169-07/96

REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN  
CLIFFTOP COURT AND HILLSIDE CLOSE, EDGEWATER -  
[510-1220]

**CITY PLANNER'S REPORT**

The residents adjoining the pedestrian accessway between Clifftop Court and Hillside Close, Edgewater have requested Council to close the accessway on the grounds of vandalism and antisocial behaviour.

The City Planner makes comments on this application and reports on services affected and advertising carried out.

He advises that based on the comments received from the Ministry for Planning and the number of objections that have been received from residents who use the accessway, closure of the accessway cannot be supported.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council does not agree to the closure of the pedestrian accessway between Clifftop Court and Hillside Close, Edgewater.

**CARRIED**

TP170-07/96

REVIEW OF PROPOSED CHANGES TO ENVIRONMENTAL  
CONDITIONS GNANGARA MOUND GROUNDWATER RESOURCES  
(SECTION 46) - [322-18]

**CITY PLANNER'S REPORT**

The Minister for the Environment has forwarded a draft of the proposed modified conditions relating to management of the Gngangara Mound groundwater resources, seeking comment on them from the City.

The City Planner provides background details on the subject matter and comments on the proposals for modifying the management strategies for the Gngangara Mound.

He advises that because of the deadline for comment, an officer level submission has been forwarded and endorsement is sought of the comments already submitted.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council endorses the comments already forwarded to the Minister for the Environment in response to the draft amended conditions for the Gngangara Mound (refer to Attachment No 2 to Report TP170-07/96).

**CARRIED**

Appendix IX refers.

Council, at its meeting of 28 February 1996 (Item TP36-02/96 refers) considered the draft Foreshore Management Plan for Lot 614 Yanchep, prepared by O'Brien Planning Consultants on behalf of Peet & Co and resolved to advertise it, inviting public comments, for a period of nine weeks and to hold a public workshop/bus tour.

The City Planner provides background details on the subject matter, makes comments and reports on the submissions received.

He advises that the submissions have been evaluated leading to a revised draft Foreshore Management Plan being recommended for release for a further public submission period.

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

- 1 requests Peet & Co to request O'Brien Planning Consultants to make the following changes to the draft Foreshore Management Plan for Lot 614 Yanchep:
  - (a) deletion of the northernmost and middle car parks and providing in their place a car park opposite the junction of Trumpeter Parade and Longfin Vista;
  - (b) locating the resulting two car parks close to Trumpeter Parade to achieve better visibility;
  - (c) provision of three beach accessways instead of four proposed;
  - (d) limiting the number of look-outs to two as against five provided, and locating them one near each of the car parks;
  - (e) deleting the pedestrian pathway;to the satisfaction of the City Planner;
- 2 advertises the revised draft Foreshore Management Plan twice in the Western Australian and in the Wanneroo Times for further public comment, for a period of four weeks, and writes to all the land owners on Trumpeter Parade who are most likely to be affected by the changes, drawing the matter to their attention;

- 3 requires a further report on this subject following the advertising period which will give further consideration to the various matters raised in Report TP171-07/96;
- 4 requests Peet & Co to provide the infrastructure for water and sewerage in respect of the proposed toilet/changeroom, when it undertakes the second stage of Lot 614 Yanchep subdivision development.

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

- 1 requests Peet & Co to request O'Brien Planning Consultants to make the following changes to the draft Foreshore Management Plan for Lot 614 Yanchep:
- (a) deletion of the northernmost and middle car parks and providing in their place a car park opposite the junction of Trumpeter Parade and Longfin Vista;
  - (b) locating the resulting two car parks close to Trumpeter Parade to achieve better visibility;
  - (c) provision of three beach accessways instead of four proposed;
  - (d) limiting the number of look-outs to two as against five provided, and locating them one near each of the car parks;
  - (e) deleting the pedestrian pathway;
- to the satisfaction of the City Planner;
- 2 advertises the revised draft Foreshore Management Plan twice in the Western Australian and in the Wanneroo Times for further public comment, for a period of six weeks, and writes to all the land owners on Trumpeter Parade who are most likely to be affected by the changes, drawing the matter to their attention;
- 3 requires a further report on this subject following the advertising period which will give further consideration to the various matters raised in Report TP171-07/96;
- 4 requests Peet & Co to provide the infrastructure for water and sewerage in respect of the proposed toilet/changeroom, when it undertakes the second stage of Lot 614 Yanchep subdivision development.

Appendix XI refers.

TP172-07/96      PROSECUTION - SALE OF TAKEAWAY FOOD FROM CORNER  
STORE, LOT 158 (2) SOMERSBY GARDENS, CURRAMBINE -  
[30/4614]

**CITY PLANNER'S REPORT**

Council's solicitors, McLeod & Co, have requested confirmatory instructions regarding Council's resolution of 28 February 1996 (Item TP32-02/96 refers) to instigate legal proceedings against the proprietor of the corner store on Lot 185 (2) Somersby Gardens, Currambine for unauthorised sale of Chinese takeaway food.

The City Planner provides background details on the subject matter, reports on the current situation and believes that as the proprietor of the corner store will continue to sell takeaway Chinese food and as the matter has proceeded thus far, legal proceedings should be instituted.

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

- 1            instructs McLeod & Co to proceed with the issuance of a complaint in the Court of Petty Sessions against the proprietor of Lot 158 (2) Somersby Gardens, Currambine, with regard to the conduct of a Chinese takeaway use at the premises;
- 2            authorises McLeod & Co to send a letter to the landlord (Ho Wan Investments Pty Ltd) of Lot 158 (2) Somersby Gardens, Currambine, as per the draft letter attached to Report TP172-07/96;
- 3            instructs McLeod & Co to include the landlord (Ho Wan Investments Pty Ltd) in the complaint against the proprietor of Lot 158 (2) Somersby Gardens, Currambine, if a response is not received within fourteen days of the letter sent by McLeod & Co on behalf of Council.

**CARRIED**

Appendix XII refers.

TP173-07/96      YANCHEP-TWO ROCKS : MULTI MEDIA PRESENTATION  
JONES LANG WOOTTON/TOKYU CORPORATION PTY LTD -  
[702-3]

**CITY PLANNER'S REPORT**



Over recent months, negotiations between Government and Tokyu Corporation Pty Ltd have achieved the sale of several parcels of land to the Government.

The City Planner provides background details on the subject matter and reports that Jones Lang Wootton, on behalf of Tokyu Corporation, has sought Council's approval for a multi media presentation of present and future proposals for Yanchep-Two Rocks, which is recommended for approval.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council authorises a multi media function to be held in the Function Area of Council's Administration Building, as well as a dinner for approximately 30-40 people, on Tuesday 13 August 1996.

**CARRIED**

**TP174-07/96**      **MCDONALD'S TAKEAWAY RESTAURANT WITH DRIVE-THROUGH FACILITY, LOT 526 (14) BURRAGAH WAY, CORNER MARMION AVENUE, DUNCRAIG - [30/5160]**

**CITY PLANNER'S REPORT**

Council, at its meeting of 24 April 1996, resolved to endorse a number of conditions of approval for the above development, subject to the concurrence and support of the Hon Minister for Planning (Item C158-04/96 refers).

The City Planner reports that the Minister has replied that he is not in a position to accede to Council's request to support the conditions and outlines the conditions conveyed to the applicant on 31 May 1996.

He advises that Council has also undertaken to monitor the traffic volumes on Marmion Avenue and Burragah Way to determine whether any remedial traffic management measures may need to be introduced to ameliorate any unsatisfactory traffic movements or congestion that may occur in the immediate vicinity of the centre.

**MOVED** Cr Major, **SECONDED** Cr Popham that CITY PLANNER'S REPORT TP174-07/96 be received.

**CARRIED**

**TP175-07/96**      **PROPOSED SHOPPING CENTRE AND MEDICAL CENTRE : LOTS 232 AND 1448 RENSHAW BOULEVARD, CORNER AINSBURY PARADE, CLARKSON - [30/5342]**

Council, at its meeting of 26 June 1996, resolved to defer consideration of this application until such time as a

satisfactory design solution had been arrived at with the applicants (Item TP152-06/96 refers).

The City Planner provides details of amended plans received and advises that it is considered that the amended plans now meet the design objectives of the Clarkson Neighbourhood Centre Planning Policy and can be approved subject to appropriate conditions including a satisfactory detailed design of various components of the centre such as the Town Square, pedestrian and servicing facilities.

**CITY PLANNER'S REPORT** recommended that Council approves the application submitted by Penman Holdings Pty Ltd for a retail and consulting room development on Lots 232 and 1448 Renshaw Boulevard, corner Ainsbury Parade, Clarkson, subject to standard and appropriate conditions as deemed necessary by the City Planner, including a requirement for the satisfactory detailed design of the various components of the development.

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

- 1 approves the application submitted by Penman Holdings Pty Ltd for a retail and consulting room development on Lots 232 and 1448 Renshaw Boulevard, corner Ainsbury Parade, Clarkson, subject to standard and appropriate conditions as deemed necessary by the City Planner, including a requirement for the satisfactory detailed design of the various components of the development;
- 2 advertises the amended plans on site for 30 days at the applicant's cost to inform residents of the changes and to advise that the plans were changed as a result of negotiations and can be viewed at the Administration Office of the City of Wanneroo.

**CARRIED**

**TP176-07/96      PETITION OPPOSING NON-RESIDENTIAL DEVELOPMENT -**  
**ELLIS GROVE, WOODVALE - [30/2660, 510-2766]**

Cr Taylor submitted an 18-signature petition from residents of Ellis Grove, Woodvale requesting Council to cease the establishment of any development other than residential in Ellis Grove.

The petitioners state no indication was given that a development other than residential would be established in Ellis Grove. Residents are concerned at the possible increase in traffic and believe a non-residential development would amount to visual pollution.

**MOVED** Cr Major, **SECONDED** Cr Popham that the 18-signature petition requesting Council to cease the establishment of any development other than residential in Ellis Grove be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**BUILDING APPLICATION - LOTS 262, 263 AND 264 BERRIMAN DRIVE, WANNEROO - [019-2]**

Cr Taylor queried the progress of investigations being carried out in relation to the mound of dirt accumulating on Lots 262, 263 and 264 Berriman Drive, Wanneroo.

The City Planner advised Cr Taylor that following a development application lodged last year, the applicants had assumed they had been granted development approval. When informed no approval had been granted, they ceased work and were to re-submit plans.

The City Planner commented that the Delegated Authority Committee recently considered this application and are waiting to receive detailed plans.

Cr Taylor queried what would happen to the sand that had been accumulated and requested the City Planner to consult with the Building Department.

This matter will be referred to the Building Department and Town Planning Department for action.

**CRISAFULLI RECTANGLE - [740-94006,290-7]**

Cr Duffy queried the current position in relation to the Crisafulli rectangle.

The City Planner advised this was part of the Wanneroo Townsite Study and a workshop was planned for 23 July 1996.

**FEED LOT - T-JUNCTION OF ZIATUS AND PERRY ROADS - [901-1]**

Cr Duffy referred to recent complaints received in relation to a feed lot operating at the junction of Ziatus Road and Perry Road.

He requested this matter be investigated and action taken if required.

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

REZONING OF PORTION OF LOT 1 (39) COUNTRY CLUB BOULEVARD,  
CONNOLLY FROM SPECIAL ZONE (RESTRICTED USE) GOLF COURSE TO  
RESIDENTIAL DEVELOPMENT R40 - [790-758]

Cr Magyar raised his concerns in relation to the proposed rezoning from special purpose golf course to residential of portion of Lot 1 (39) Country Club Boulevard, Connolly and advised that earthworks have commenced on site.

The City Planner advised the earthworks are related to a subdivision approval which was granted in 1995.

**MOVED** Cr Popham, **SECONDED** Cr Freame that the Report of the Finance and Community Services Committee Meeting, held on 17 July 1996, be received.

**CARRIED**

# **ATTENDANCES**

Councillors:	M E LYNN, JP - Chairman	South-West Ward
	A V DAMMERS, JP - Mayor	Central Ward
	P O HEALY	North Ward
	L A EWEN-CHAPPELL - Deputising for Cr Cooper	Central Ward
	A G TAYLOR	South Ward
	T W POPHAM - From 1833 hrs	South Ward
	F D FREAME	South-West Ward
	A W WIGHT - Observer, Deputising for Cr Popham to 1833 hrs	South Ward
	L O'GRADY - Observer	North Ward
	S P MAGYAR - Observer from 1812 hrs	Central Ward
	W D DUFFY - Observer from 1813 hrs	South Ward
	G A MAJOR - Observer	South-West Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Treasurer:	J TURKINGTON
Acting 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**

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

An apology for late attendance was tendered by Cr Popham; Cr Wight deputised to 1833 hrs.

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

There was 1 member of the Public in attendance.

#### **PUBLIC QUESTION TIME**

Nil

#### **CONFIRMATION OF MINUTES**

#### **MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 19 JUNE 1996**

The Minutes of the Finance and Community Services Committee Meeting held on 19 June 1996, were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

Nil

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

Cr Freame declared an interest in Item FA101-07/96.

#### **CONFIDENTIAL BUSINESS**

Nil

#### **MEETING TIMES**

Commenced:	1803 hrs
Closed:	1944 hrs

## FINANCE & ADMINISTRATIVE SECTION

### REPORT NO:

FA91-07/96      PRINTING OF 1996/97 COMMUNITY DIRECTORY - [208-040-96/97]

#### MANAGER - CORPORATE SERVICES' REPORT

Tenders for the printing of Council's 1996/97 Community Directory closed on 26 June 1996.

The Manager Corporate Services reports on the tender submissions received and advises that recent past editions of the directory have been produced in two colour format and it is proposed the same apply again this year.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council appoints Pilpel Printing Company to print its 1996/97 Community Directory in two spot colour throughout for the tendered price of \$34,100.

**CARRIED**

FA92-07/96      ORDERS FOR GOODS AND SERVICES -  
APPROVING/REQUISITION OFFICERS - [010-0-1]

#### CITY TREASURER'S REPORT

The City Treasurer provides details of requested amendments to the list of Orders for Goods and Services - Approving and Requisition Officers submitted by Parks Department, Recreation and Cultural Services and the Treasury Department.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council authorises the amendments, as detailed on Attachment A to Report FA92-07/96, to the list of Orders for Goods and Services - Approving and Requisitioning Officers.

**CARRIED**

Appendix XIII refers.

FA93-07/96      OUTSTANDING GENERAL DEBTORS - JUNE 1996 - [020-0]

#### CITY TREASURER'S REPORT

The City Treasurer reports on the outstanding general debtors at the end of June 1996.

He makes comments on the action being taken with long outstanding accounts and recommends the write-offs of debts totalling \$670.75 which are considered to be irrecoverable.

The City Treasurer advised the Committee that Olympic Kingsway Sports Club (Inc) was having trouble meeting its commitment due to a requirement to replace power cables.

The Mayor, Cr Dammers, informed the Committee that there were problems with Council's underground power cables into the Complex and that it was possible that they would need to be replaced. He indicated that he had been liaising with the City Building Surveyor in this regard.

**MOVED** Cr Cooper, **SECONDED** Cr Wight that Council writes out of its General Debtors Ledger an amount of \$670.75, representing debts considered irrecoverable, as detailed in Attachment B to Report FA93-07/96.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XIV refers.

**FA94-07/96      EX GRATIA PAYMENT - MARMION SORRENTO DUNCRAIG  
PROGRESS AND RATEPAYERS ASSOCIATION INCORPORATED  
- McDONALD'S DUNCRAIG VILLAGE - [009-1]**

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

At the June meeting of Council, Councillor Lynn tabled a letter from the Marmion Sorrento Duncraig Progress and Ratepayers Association Incorporated regarding the McDonald's takeaway facility in Burragah Way, Duncraig.

The City Treasurer reports on a request from the Association for a non statutory donation to cover costs of obtaining a legal opinion to support the City in an appeal against the Minister's decision in this matter.

He advises that in view of Council's previous decision not to appeal the Town Planning Minister's decision in this matter, it would be improper for it to accede to the Association's request for a non statutory donation.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council advises the Marmion Sorrento Duncraig Progress and Ratepayers Association Incorporated that it would be improper for it to accede to the Association's request for a non statutory donation of \$1,070 to cover costs of obtaining a legal opinion on the McDonald's facility in Burragah Way, Duncraig.



FA95-07/96

**FUTURE REVALUATIONS - VALUER GENERAL'S OFFICE -**  
**[018-1]**

**CITY TREASURER'S REPORT**

The City is in receipt of a letter from the Valuer General advising of changes to the timing and cost of revaluations for Gross Rental Values.

The City Treasurer provides details of initiatives implemented by the Valuer General in an endeavour to minimise the financial burden to Local Government and reports on changes to the revaluation cycle, the programme for General Valuations for the next three years and the impact the revaluation programme for 1996/97 will have on the City of Wanneroo.

He comments on the advantages and disadvantages of various options for Council to consider in relation to the impact the revised Local Government revaluation programme will have on the City of Wanneroo.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council invites the Valuer General or his nominee to address Council's Finance and Community Services Committee at its August 1996 meeting on the revised Local Government revaluation programme and its impact on Local Government and, in particular, the City of Wanneroo.

CARRIED

FA96-07/96

**CONSTRUCTION OF NEW COUNCIL CHAMBERS/REGIONAL**  
**LIBRARY IN THE JOONDALUP CITY CENTRE - [210-2]**

**CITY TREASURER'S REPORT**

At the June meeting of Council, Councillor Popham tabled a 428 signature petition from residents of the City of Wanneroo, calling on Council to immediately curtail the expenditure for the construction of the new Council Chambers and Regional Library as the petitioners believe these funds would be better allocated to much needed services to the benefit of the community as a whole.

The City Treasurer advises that in view of Council's contractual obligation, no action can be taken in regard to this petition without incurring considerable expense to the City.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council in view of its contractual obligations on the construction of the new Council

Chambers and Regional Library, takes no action in relation to the petition received.

**CARRIED**

**FA97-07/96      DISPOSAL OF SURPLUS COMPUTER EQUIPMENT - [010-0-2]**

**CITY TREASURER'S REPORT**

The City Treasurer submits details of surplus equipment due to a major replacement programme of computer equipment and seeks approval for the Computer Services Manager to dispose of such equipment in the best way possible.

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

- 1        disposes of the equipment detailed in Report FA97-07/96;
- 2        approves the necessary amendments to the Fixed Assets Register and Financial Records of the City;
- 3        reflects the necessary changes with effect 30 June 1996.

**CARRIED**

Appendix XV refers.

**FA98-07/96      DONATIONS - [009-1]**

**CITY TREASURER'S REPORT**

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

- Soccer - Australia-Japan Friendship Tournament, Japan;
- U19 State Women's Soccer Team, Perth;
- U15 State Soccer Team 'Kanga Cup', Canberra;
- National Soccer Championships, Geelong;
- U19 Lacrosse Team World Championships, Japan;
- National State Calisthenics Championships, Sydney;
- WA Little Athletics International State Team, Malaysia;
- Australasian Catholic Netball Championships, New Zealand;
- U18 Women's Basketball Championships, Adelaide;
- National Netball Carnival, Sydney;
- National Netball Carnival, Adelaide.

Asbestos Diseases Society of Australia Inc is seeking financial support to enable it to provide services and benefits for asbestos disease victims, their families and fund asbestos disease medical research.

Greenwood Senior High School is seeking sponsorship for its Book Award.

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

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

Mr Zidio Pasetti  
Mr M Carlin  
Mr Darren Broxton  
Mr Anthony Danze  
Mr Robert Lovett  
Mr Ashwin Nair  
Mr Chris Ritson  
Mr Shaun Kilkelly  
Mr Oliver Hilton  
Mr James Polodna  
Mr Matthew Donlevy  
Mr Chris Townsend  
Miss Yolanda Panting  
Mr Ben Adams  
Mr Andrew McMurdo  
Miss Novella Avezzu  
Miss Sara Gawned  
Mr Bradley Smith  
Mr Mark Griffiths  
Mr David Toy  
Miss Casey Gerreyn  
Miss Alida Daniele  
Miss Aurelia Gliski  
Miss Marisa Leddin  
Miss Andrea Phillips  
Mr Richard Marian  
Miss Lisa Westwood  
Miss Kelly Illingworth  
Miss Jonelle Burns  
Miss Lisa Berry  
Miss Kerri Duff  
Miss Rebecca Buzzard

such donations to be from Budget Item No 29470 - Sundry Donations - Recreation and Sport - Other;

- 2        donates \$50 to Asbestos Diseases Society of Australia;

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

3 donates \$50 to the Greenwood Senior High School to sponsor the Book Award for the top student in Economics; donation to be from Budget Item No 21962 - Education Donations - Miscellaneous.

**CARRIED**

**FA99-07/96      PERRY'S PADDOCK/WALLUBURNUP SWAMP: REPORT BY DR VIC SEMENIUK - [057-4]**

**CITY PLANNER'S REPORT**

Council's Historical Sites Advisory Committee has recommended to Council that consultant Dr Vic Semeniuk of the V & C Semeniuk Research Group be engaged to prepare a brief report on the geomorphology and related conservation values of Walluburnup Swamp.

The City Planner provides background details of the subject matter, reports on discussions held in relation to preparation of the report and recommends that Dr Semeniuk be engaged to prepare a report and also to define/delineate the wetland edges affecting the Perry's Paddock Historical Village plan.

**MOVED** Cr Freame, **SECONDED** Cr Taylor that Council, in accordance with the provisions of Section 6.8 of the Local Government Act authorises the expenditure of up to \$3,000 for the purpose of engaging Dr Vic Semeniuk of V & C Semeniuk Research Group to provide a report on the geomorphology and related conservation values of Walluburnup Swamp, and to define and delineate the wetland edges relating to the Perry's Paddock Historic Village site, such expenditure to be charged to the Perry's Paddock Reserve Account No 32361.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA100-07/96      TENDERS - PERSONAL COMPUTERS - [208-39-96/97]**

**MANAGER - CORPORATE SERVICES' REPORT**

In accordance with Council resolution C140-04/96, tenders for the supply of Personal Computers were called before adoption of the 1996/97 Draft Budget.

The Manager Corporate Services reports on the tender submissions received.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that the tender for the supply of personal computers for 1996/97 be awarded to Todaytech

Computers Australia Pty Ltd at a price of \$1,390 per unit, subject to funding being provided in the 1996/97 Budget.

**CARRIED**

**FA101-07/96      HEALTHY HEARTS LOCAL GOVERNMENT AWARDS  
PRESENTATION DINNER - [260-0]**

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

At its meeting on 26 June 1996, Council was advised that the City of Wanneroo had been declared the winner for the Outdoor Recreation Facility category in the WA Local Government Heart Foundation Awards. Council's entry highlighted the development of the coastal dual use pathways in the South West Ward of this municipality.

The City Recreation and Cultural Services Manager provides details of the subject matter and reports that the National Heart Foundation of Australia have advised that as the City of Wanneroo is a State winner its entry is automatically placed in the national titles in Sydney on 2 August 1996 and a Council representative has been invited to attend the Award Ceremony Dinner at the Botanic Gardens Restaurant on that evening.

Cr Freame declared an interest in this item as she was nominated to represent the City of Wanneroo at the Awards.

Cr Freame left the Chamber at this point, the time being 2046 hrs.

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

- 1        endorses the nomination of Councillor Freame as the City of Wanneroo's representative at the National Healthy Hearts Local Government Awards Presentation Dinner, at the Botanic Gardens Restaurant in Sydney on 2 August 1996;
- 2        authorises the payment of two days travel allowance to Councillor Freame in accordance with Council policy, to be drawn from Allocation No 20006 Councillors Conference Expenses.

**CARRIED**

Cr Freame entered the Chamber at this point, the time being 2047 hrs.

**FA102-07/96      HEADS OF AGREEMENT - WANNEROO DISTRICTS NETBALL  
ASSOCIATION, KINGSWAY - [260-2]**

Council has agreed to lease a portion of Kingsway Reserve (No 28058), Landsdale, to the Wanneroo Districts Netball Association for an international standard netball stadium, subject to the Association obtaining sufficient funding. The Association has advised verbally that its banker is prepared to advance the funding required for the project and proposes to call for expressions of interest for the partial lease of the complex in August 1996.

The City Planner provides background details of the subject matter and reports on the lease agreement and heads of agreement.

He advises that as the preparation of the lease agreement will take some time to prepare, the Association has requested the City to prepare a Heads of Agreement to enable the works to commence prior to the lease documentation being finalised and comments that this request is reasonable and should be supported by Council.

**CITY PLANNER'S REPORT** recommended that Council agrees to enter into a legal agreement with the Wanneroo Districts Netball Association for the proposed International Netball Stadium at Kingsway Reserve No 28058, Landsdale with the Heads of Agreement to be generally those outlined in Report No FA102-07/96.

#### **ADDITIONAL INFORMATION**

The Chief Executive Officer referred to a memorandum he had received from the City Building Surveyor in relation to the Heads of Agreement for the Wanneroo Districts Netball Association (WDNA) project at Kingsway.

He reported that advice had been received from Council's legal advisors that the proposed Heads of Agreement should incorporate a licence to the WDNA and its contractor to enter land and commence construction works in anticipation of the lease being granted and requested that Council agree to incorporate this requirement into the Heads of Agreement.

Cr Freame nominated Cr Taylor.

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

- 1 agrees to enter into a legal agreement with the Wanneroo Districts Netball Association for the proposed International Netball Stadium at Kingsway Reserve No 28058, Landsdale with the Heads of Agreement to be generally those outlined in Report No FA102-07/96;

- 2        nominates Cr Taylor and the City Building Surveyor or his nominee to represent Council on the Building Committee;
- 3        convenes a meeting with the Mayor, Deputy Mayor, Chairman of Finance and Community Services Committee, Chief Executive Officer and relevant officers to deal with matters arising from the legal agreement.

**CARRIED**

Appendix XVI refers.

**FA103-07/96        WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 1996 - [021-1]**

**CITY TREASURER'S REPORT**

The City Treasurer submits the Warrant of Payments for the period ending 30 June 1996, the total sum expended being \$29,398,194.97.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 30 June 1996, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$29,398,194.97:

<u>Funds</u>	<u>Vouchers</u>	<u>Amount - \$</u>
Advance Account No 1 \$11,649,776.26	031185 - 033402	
Municipal \$17,288,090.26	000248 - 000259	
Trust 2,242.35	000261	
East Wanneroo Development Area - Cell 1 140,944.16	00031 - 00031A	\$
East Wanneroo Development Area - Cell 2 72,677.81	905733 - 905734	\$
East Wanneroo Development Area - Cell 6 139,297.42	905727 - 905728	\$
East Wanneroo Development Area - Cell 7 35,659.08	905707	\$
East Wanneroo Development	905742	\$

Area - Cell 8	905737	\$
55,507.63		
Berkley Road Local		
Structure Plan	905746 - 904757	\$
<u>14,000.00</u>		

\$29,398,194.97

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**CARRIED**

Appendix XVII refers.

**FA104-07/96      PARKING INFRINGEMENT - [910-5]**

Cr Freame referred to recent phone calls she had received from a Mr Wilke in relation to concerns he had in regard to a parking infringement he had received for illegally parking on a Sunday on the verge of the staff car park at Whitford City.

She advised that Mr Wilke queried the City of Wanneroo allowing cars to be parked on the verge of used car lots in Wangara as he believed this was illegal.

Cr Freame raised her concerns in relation to Council's policy for parking in public places, in particular Wangara, and requested a further report on this matter.

The Chief Executive Officer advised he would investigate this matter.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that a report be submitted to Council in relation to Council's policy for parking in public places, and in particular Wangara.

**CARRIED**

**FA105-07/96      DONATION - BROOKE NIVEN - [009-1]**

Cr Popham submitted a letter from Mr and Mrs Niven requesting a donation for their daughter Brooke Niven to assist with costs to participate in the under 15 division of the W A All Schools Cross Country Running team.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council donates \$50 to Miss Brooke Niven to assist with costs to participate in the under 15 division of the WA All Schools Cross Country Running team, such donation to be from Budget item No 29470 - Sundry Donations - Recreation and Sport - Other.

**CARRIED**



## COMMUNITY SERVICES SECTION

CS105-07/96      FOOD COMPLAINT - SAMPLE 112C - [851-1, 30/3795-9]

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

The City Environmental Health Manager reports on a complaint regarding a rodent faeces found within a sealed 200g pack of desiccated coconut, packed by Anchor Foods and purchased from Foodland, Candlewood Shopping Centre, Joondalup.

He seeks Council approval to instigate legal proceedings against Anchor Foods Pty Ltd and/or Foodland, Candlewood Shopping Centre, Joondalup.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against Anchor Foods Pty Ltd, Grosvenor Place, 222 George Street, Sydney NSW 2000, trading from 148 Carrington Street, O'Connor and/or Foodland, Candlewood Shopping Centre, Candlewood Boulevard, Joondalup with respect to food complaint sample number 112C.

**CARRIED**

CS106-07/96      POLLUTION ABATEMENT NOTICE SERVED ON LOT 165 (19)  
SMOOTHSTONE COURT, JOONDALUP - [2664/165/19]

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

On 11 June 1996 a Pollution Abatement Notice was served on the occupier of Lot 165 (19) Smoothstone Court, Joondalup in regard to stereo music emanating from his premises.

The Acting City Environmental Health Manager provides background details of the subject matter and seeks Council approval to initiate legal proceedings against Garry Wilson for a breach of the Pollution Abatement Notice.

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

- 1      endorses the issue of the Pollution Abatement Notice served on 11 June 1996 upon Garry Wilson in regard to noise emanating from Lot 165 (19) Smoothstone Court, Joondalup;
- 2      authorises legal action under the provisions of the Environmental Protection Act, 1986 against Garry Wilson for breach of the Pollution Abatement Notice issued on 11 June 1996.

CS107-07/96      POLLUTION ABATEMENT NOTICE 28 NAPIER ROAD,  
MARANGAROO - [229/26/28]

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

On 24 June 1996 a Pollution Abatement Notice was served on the owner/occupiers of Lot 26 (28) Napier Road, Marangaroo in regard to stereo music emanating from their premises.

The Acting City Environmental Health Manager provides background details of the subject matter and seeks Council approval to initiate legal proceedings against Mr and Mrs Basil Vassiliou for a breach of the Pollution Abatement Notice.

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

- 1            endorses the issue of the Pollution Abatement Notice served on 28 June 1996 upon Basil Vassiliou and Helen Vassiliou in regard to noise emanating from Lot 26 (28) Napier Road, Marangaroo;
- 2            authorises legal action under the provisions of the Environmental Protection Act, 1986 against Basil Vassiliou and Helen Vassiliou for breach of the Pollution Abatement Notice issued on 28 June 1996.

CARRIED

CS108-07/96      POLLUTION ABATEMENT NOTICE SERVED ON 3 LEANDER  
STREET, BELDON - [1894/159/3]

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

On 14 June 1996 a Pollution Abatement Notice was served on the owner/occupiers of Lot 159 (3) Leander Street, Beldon in regard to noise emanating from their spa motor.

The Acting City Environmental Health Manager provides background details of the subject matter and seeks Council approval to initiate legal proceedings against Mr and Mrs Joseph Fagan for a breach of the Pollution Abatement Notice.

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

- 1            endorses the issue of the Pollution Abatement Notice served on 14 June 1996 upon Joseph Nicholas Fagan and

Sharon Mary Fagan in regard to noise emanating from Lot 159 (3) Leander Street, Beldon;

- 2 authorises legal action under the provisions of the Environmental Protection Act, 1986 against Joseph Nicholas Fagan and Sharon Mary Fagan for breach of the Pollution Abatement Notice issued on 14 June 1996.

**CARRIED**

**CS109-07/96      HEALTH ACT 1911 NOTICE SERVED ON 111 MARINE TERRACE, SORRENTO - [0012/73/111]**

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

Council is advised of a Notice issued pursuant to the Health Act 1911 and served on Mr Cristiano Cabassi, owner/occupier of Lot 73 (111) Marine Terrace, Sorrento with regard to repairs to the property's septic system.

The Acting City Environmental Health Manager provides background details of the subject matter and advises that as the problem is likely to be ongoing, a Notice under the provisions of the Health Act 1911 was deemed necessary to prevent future incidents of this nature.

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

- 1 endorses the issue of a Health Notice made pursuant to the Health Act, 1911 and served on Mr Cristiano Cabassi of Lot 73 (111) Marine Terrace, Sorrento on 21 June 1996;
- 2 authorises legal action against Mr Cristiano Cabassi for failure to comply with the requirements of the Health Notice issued on 21 June 1996.

**CARRIED**

**CS110-07/96      APPEAL - KEEPING OF PIGEONS - [447/199/28]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

Council is advised that an Appeal by Mr S Harding of Lot 199 (28) Kaiber Avenue, Yanchep to keep pigeons was recently upheld by the Executive Director, Public Health.

The City Environmental Health Manager submits an assessment of the Appeal finding and comments that it may be prudent to re-examine the current Council Policy on pigeons to incorporate

social protection into a local law under the Local Government Act 1995.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council addresses the issue of keeping of pigeons in urban areas in its review and formulation of "local laws" under the Local Government Act 1995.

**CARRIED**

**CS111-07/96      STAFF ABLUTION BLOCK - 212 GNANGARA ROAD,**  
**LANDSDALE - [4/100/212]**

Council is advised of a Health Act Notice issued on 17 June 1996 to the owners of Lot 100 (212) Gnangara Road, Landsdale.

The City Environmental Health Manager provides background details of the subject matter, reports that an inspection on 2 July 1996 revealed two items listed on the Notice yet to be rectified and seeks Council approval to initiate legal proceedings against Jarodi Pty Ltd for non compliance with the Notice.

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT** recommended that Council:

- 1            endorses the Health Act Notice of 17 June 1996 issued to Jarodi Pty Ltd, owner of Lot 100 (212) Gnangara Road, Landsdale;
- 2            authorises initiation of legal action for non compliance with the Notice.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council endorses the Health Act Notice of 17 June 1996 issued to Jarodi Pty Ltd, owner of Lot 100 (212) Gnangara Road, Landsdale.

**CARRIED**

**CS112-07/96      HEALTH (FOOD HYGIENE) REGULATIONS 1993 -**  
**GLENGARRY BAKERY - [30/653-5]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

Council is advised of a Health Notice served on 27 June 1996 on the proprietor of Glengarry Bakery, Shop 5, 59 Arnisdale Road, Duncraig in regard to maintenance items required to his premises.

The City Environmental Health Manager provides background details of the subject matter and advises that the new proprietor has verbally acknowledged that the Notice items are

now his responsibility as outlined in Section 355 of the Health Act.

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

- 1 endorses the Health Notice issued on 27 June 1996 served on Mr C Logan the proprietor of Glengarry Bakery, Shop 5, 59 Arnisdale Road, Duncraig;
- 2 authorises the initiation of legal action against the proprietor should the necessary works not be undertaken within the specified time periods.

**CARRIED**

**CS113-07/96      APPOINTMENT OF MANAGEMENT AND ADVISORY COMMITTEES**  
**- [264-3]**

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

The City Recreation and Cultural Services Manager seeks Council approval to appoint the newly elected members for 1996/97 of the Buckingham House Management Committee, Gloucester Lodge Museum Management Committee and the Youth Advisory Committee.

**MOVED** Cr Freame, **SECONDED** Cr Lynn that Council, pursuant to Section 5.10 of the Local Government Act (1995) appoints the following committee members for 1996/97:

- 1 Mrs C Buchanan  
Miss M Cockman  
Ms J MacKay  
Mrs M Munro  
Mr C Harrison  
Mrs I Harris  
  
to the Buckingham House Management Committee;
- 2 City Recreation and Cultural Services Manager or Nominee  
Youth Services Co-ordinator  
Manager Welfare Services or nominee  
Ms M Provost  
Mr D Milovchevich  
Mr G McCavanagh  
Ms M Rauschenberger  
Ms C Vye  
Mr C Notarpietro  
Mr J Stewart  
Ms G Masters

to the Youth Advisory Committee;

3	J Hill	J Price
	J MacKay	A Paley
	C Paley	J Gloudemans
	M Cockman	S Daley
	K Austin	L Gibbs
	E Gibbs	

to the Gloucester Lodge Museum Management Committee.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**CS114-07/96      CRAIGIE LEISURE CENTRE SWIM COACHING PROGRAMME -  
GUIDELINES FOR PARTICIPATION - [680-1]**

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

The current demand for access to Craigie Leisure Centre's swim coaching programme has necessitated the need for firm guidelines on this issue.

The City Recreation and Cultural Services Manager provides background details on the subject matter and advises that clear guidelines will ensure potential participants are aware of the eligibility criteria for entry into the programme.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council adopts the proposed "Swim Coaching Programme Guidelines for Entry" as detailed in Attachment 1 to Report No CS114-07/96.

**CARRIED**

Appendix XVIII refers.

**CS115-07/96      CASUAL USAGE, CLUBS AND SCHOOLS - CRAIGIE LEISURE  
CENTRE - [680-1]**

Sporting clubs and schools are requesting services or facilities such as the Fitness Centre or aerobics separately or in combination at Craigie Leisure Centre. They do this on a casual basis without wishing to make a long term booking. It is necessary to set guidelines and determine fees for this type of usage.

The City Recreation and Cultural Services Manager provides background details on the subject matter and outlines draft fee rates for a range of programme options.

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT** recommended that Council endorses the draft guidelines in Report No

CS115-07/96 for casual use by clubs or schools of services or facilities at Craigie Leisure Centre.

Manager, Corporate Services advised that Council is required to adopt fees by an absolute majority if it is not done in conjunction with the adoption of the Budget, and a schedule of new fees is required to be advertised in the local newspaper. The Committee resolved to accept in principle the modified charges and a schedule of fees will be presented to the Council meeting to be held on 24 July 1996.

#### **RECOMMENDATION**

That:

- 1 Council accepts in principle the modified charges as outlined in Report CS115-07/96;
- 2 the City Recreation and Cultural Services Manager submit a modified Schedule of Charges for consideration by Council at its meeting to be held on 24 July 1996.

#### **ADDITIONAL INFORMATION**

##### **SUMMARY**

At its meeting on 17 July 1996, the Finance and Community Services Committee accepted in principle the modified charges for casual usage of Craigie Leisure Centre by clubs and schools as outlined in Report CS115-07/96. As these new fees are required to be advertised in the local newspaper, it was resolved that a modified schedule of charges be submitted to Council on 24 July 1996 for approval.

##### **DETAIL**

As indicated in Report CS115-07/96, sporting clubs and schools are requesting services or facilities separately or in combination at Craigie Leisure Centre. The bookings are made on a casual basis and the current Schedule of Hire Charges is not structured to accommodate that approach.

It is necessary, therefore, to determine specific fees for this type of usage.

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

- 1 receives City Recreation and Cultural Services Manager's Report CS115-07/96;

- 2 endorses the draft guidelines in Report CS115-07/96 for casual use by clubs or schools of services or facilities at Craigie Leisure Centre; and
- 3 adopts the schedule of charges for casual group bookings by clubs and schools at Craigie Leisure Centre as detailed below:

Sessions with Instructors (Minimum payment of \$40.00).

\$3.50 per person, per hour, for groups of 15 or more  
\$4.00 per person, per hour, for groups of less than 15

Multiple Activity Bookings

Swimming Pool \$1.20 (if part of booking)

Half Day Bookings (minimum of 3 hours and 30 students)

\$2.00 per student per hour

Fitness Suite (15 to 25 members plus prepayment)

Maximum of two visits per week (\$2.50 per person per visit)

Pre-payment	\$16 per person	2 months
	\$24 per person	4 months
	\$32 per person	6 months
	\$40 per person	8 months
	\$48 per person	10 months
	\$56 per person	12 months

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XIX refers.

**CS116-07/96      SWIMFIT CLINICS - CRAIGIE LEISURE CENTRE - [450-2, 680-1]**

The Western Australian Swimming Association with assistance from Healthway and the Asthma Foundation is holding a series of Swimfit Clinics in the metropolitan area. They have requested free use of Craigie Leisure Centre for this purpose.

The City Recreation and Cultural Services Manager provides background details of the subject matter and reports on the estimated cost of the programme.

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



- 1 makes a non statutory donation to the West Australian Swimming Association for use of the Circuit Room and pool entry for participants in the Swimfit Clinic at Craigie Leisure Centre from Account Number 29470 "Sundry Donations - Recreation and Sport Other" subject to the Association recognising Council's support on any promotional material associated with the Clinic;
- 2 charges spectators attending the Swimfit Clinic the usual spectator fee of \$1.00 per person.

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

- 1 makes a non statutory donation of \$200 to the West Australian Swimming Association for use of the Circuit Room and pool entry for participants in the Swimfit Clinic at Craigie Leisure Centre from Account Number 29470 "Sundry Donations - Recreation and Sport Other" subject to the Association recognising Council's support on any promotional material associated with the Clinic;
- 2 charges spectators attending the Swimfit Clinic the usual spectator fee of \$1.00 per person.

**CARRIED**

**CS117-07/96      SWIMMING LESSONS - CRAIGIE LEISURE CENTRE - [680-18]**

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

A request has been received from Mrs S Bunney seeking permission for a friend who is a qualified swimming instructor to privately teach her two young children at Craigie Leisure Centre.

The City Recreation and Cultural Services Manager provides background details of the subject matter, reports on Council's By-Law 10 relating to Swimming Pools and advises that similar requests would ultimately have a significant detrimental impact on the "Learn to Swim" programme at Aquamotion and Craigie Leisure Centres.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council advises Mrs S Bunney that private swimming lessons cannot be conducted at Council swimming pools.

**CARRIED**

**CS118-07/96      PERSONAL TRAINERS AND HEALTH PROFESSIONALS USE OF  
CITY OF WANNEROO RECREATION FACILITIES - [330-0]**



- 2        endorses a review of the lease fee at the end of the second year of operation, subject to the annual turnover being in excess of \$250,000;
- 3        advises the Steering Committee for this project accordingly.

**CARRIED**

**CS120-07/96        REVIEW OF THE RATES OF PAY - CASUAL PROGRAMME**  
**STAFF IN RECREATION FACILITIES - [330-0]**

Council employs a large number of casual staff in a diverse range of leisure programmes. Benchmark rates at other local government facilities indicate the City of Wanneroo's maximum rate is below market standards for some casual programme staff and a revised schedule of pay rates is proposed.

The City Recreation and Cultural Services Manager provides background details on the subject matter and submits an assessment of the proposal.

He advises that the proposed schedule of casual pay rates ensures flexibility and accountability of the Managers in operating the various programmes under their control.

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

- 1        endorses the Schedule of Pay Rates for Leisure Course Teachers, Instructors, Coaches, Umpires, Referees and Leisure Programme staff attached to Report No CS120-07/96;
- 2        delegates authority to the Recreation Facility Managers to negotiate individual pay rates for casuals in line with this schedule.

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

- 1        defers consideration of the Schedule of Pay Rates for Leisure Course Teachers, Instructors, Coaches, Umpires, Referees and Leisure Programme staff;
- 2        further considers this matter for inclusion in the 1997/98 draft Budget.

**CARRIED**

**CS121-07/96        BEAUMARIS SPORTS ASSOCIATION - [260-5-1]**

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

In a letter dated 6 June 1996 the Chairman of the Beaumaris Sports Association requested information, comment and clarification from Council on a number of concerns relating to the Association's proposed facility at Miami Boulevard Reserve, Iluka.

The City Recreation and Cultural Services Manager provides background details on the subject matter and reports on lease fee, separate lease for bowling greens, area available for hockey fields, maintenance of turf wickets and oval maintenance.

Cr Wight declared an interest in this Item, as he was on the Executive of the Joondalup Hockey Club.

Cr Wight left the Chamber at this point, the time being 2050 hrs.

**MOVED** Cr Freame, **SECONDED** Cr Taylor that Council provides written confirmation to the Beaumaris Sports Association of the issues raised in Report No CS121-07/96.

**CARRIED**

Appendix XXI refers.

Cr Wight entered the Chamber at this point, the time being 2051 hrs.

**CS122-07/96      NORTHERN METROPOLITAN COLLEGE OF TAFE - CRAIGIE:  
CONTEMPORARY MUSIC CONCERT - [429-1-12]**

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

The Northern Metropolitan College of TAFE - Craigie has received a grant from "Ausmic Showcase" to the value of \$1,000 and has requested assistance from Council towards hire fees at Craigie Leisure Centre for one concert due to be held on 24 August 1996.

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

He advises that in view of the fact that an entry fee is being charged it would seem that the Northern Metropolitan College of TAFE should be expected to contribute something towards the hire of the venue and comments that a fee equal to 50% of the function rate would appear appropriate.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council advises the organisers of "Aussie Showcase" that it is prepared to donate 50% of the scheduled hire fee for the Function Room at Craigie Leisure Centre on 24 August 1996; however, it will require Northern Metropolitan College of TAFE to meet the remaining costs of \$167.00.

**CARRIED**

**CS123-07/96      PROGRESS ON DEVELOPMENT OF FORMER LUISINI WINERY**  
**- [050-15]**

At its meeting on 27 March 1996, Council endorsed a recommendation regarding the progression of development associated with the former Luisini Winery site (Item C102-03/96 refers).

The City Recreation and Cultural Services Manager provides background details on the subject matter and advises that the commitment required by the City of Wanneroo on the administration of the project has proceeded to a point where direct input from Council is necessary at the meetings of the working group.

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT** recommended that Council appoints a Councillor representative to the Working Group.

Cr Ewen-Chappell nominated Cr Magyar.

**MOVED** Cr Freame, **SECONDED** Cr Lynn that Council appoints Cr Magyar to serve on the Committee established by the Ministry of Planning to consider the development and future use of the former Luisini Winery.

**CARRIED**

**CS124-07/96      LANGUAGE LEARNING RESOURCE CENTRE GRANT - [240-5,**  
**240-14]**

**CITY LIBRARIAN'S REPORT**

The City of Wanneroo has been advised by the Hon Paul Omodei, Minister for Multicultural and Ethnic Affairs that a grant application to establish Language Learning Resource Centres at the Girrawheen and Central libraries has been successful.

The City Librarian provides background details of the subject matter and reports on the Girrawheen Library, Joondalup Library and centre objectives.

She advises that following establishment, it is proposed Council host a launch to promote the existence of the centres to all City of Wanneroo residents.

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

- 1 corresponds acceptance of the grants to establish two Language Learning Resource Centres to the Minister for Multicultural and Ethnic Affairs;
- 2 hosts a function to launch the Language and Resource Centres.

**CARRIED**

**CS125-07/96      JOINT LIBRARY SERVICES WITH VIETNAMESE COMMUNITY**  
**- [240-5]**

**CITY LIBRARIAN'S REPORT**

The Vietnamese community has approached Council with a verbal proposal for a joint library service housed in the Vietnamese Community Centre, Lot 91, Evandale Road, Marangaroo.

The City Librarian provides details and an evaluation of the proposal and reports on other options available, including computer enquiry, deposit collection, language learning resource centre and resource sharing.

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

- 1 does not proceed with the joint-use library proposed by the Vietnamese community;
- 2 promotes information resource sharing between the Vietnamese community and the Girrawheen Library.

**CARRIED**

**CS126-07/96      CANCELLATION OF DOG REGISTRATION - MR J LAMBERT,**  
**42 URAWA ROAD, DUNCRAIG - [60/560/42]**

**MANAGER, MUNICIPAL LAW & FIRE SERVICES' REPORT**

The Manager Municipal Law and Fire Services provides details of complaints received in relation to a male Staffordshire Bull Terrier wandering at large and its aggressive nature towards people and other dogs.

He reports on Section 16(3) of the Dog Act 1976 and advises that subsequent to Council resolving to cancel the dog licence a

notice pursuant to Section 16(4) must forthwith be served on him 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 Lynn, **SECONDED** Cr Popham that Council:

- 1 in accordance with Section 16(3) of the Dog Act 1976 directs that the registration held by Mr John David Lambert of 42 Urawa Road, Duncraig, namely licence no 14839 of 1996 relating to a male Staffordshire Bull Terrier dog be cancelled;
- 2 gives effect to the cancellation of the dog licence by serving a Notice on Mr J D Lambert 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 Mr Lambert 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 Mr Lambert's dog;
- 4 gives notice in writing to Mr Lambert of the seizure and subsequent destruction of his dog in accordance with the Order given by a Justice of the Peace.

**CARRIED**

**CS127-07/96      APPOINTMENT OF HONORARY PARKING INSPECTORS FOR  
WHITFORD CITY SHOPPING CENTRE - [910-1]**

The Manager Municipal Law and Fire Services nominates Sean Whiteside, Graeme Brook Boyd, Mark Andrew O'Donnell, Eric Patterson, Kim Martanovic, Simon Joseph Carroll and Anthony Peter Fisk for the Whitford City Shopping Centre for a 12 month period. The applicants are of good character and there appears to be no impediment to their honorary appoints.

The positions, if approved under Section 669DA, will confer the authority for Honorary Inspectors to serve infringement notices or modified penalties under Section 669D (Local Government Act) of which parking, standing or leaving of a vehicle are an element. However, the power to withdraw a modified penalty or infringement notice is not conferred on Honorary Parking Inspectors by Section 669DA.

**MANAGER, MUNICIPAL LAW & FIRE SERVICES' REPORT** recommended that Council:

- 1 in accordance with Section 669DA of the Local Government Act 1960 appoints Sean Whiteside, Graeme Brook Boyd and Mark Andrew O'Donnell and re-appoints Eric Patterson, Kim Martanovic, Simon Joseph Carroll and Anthony Peter Fisk as Honorary Parking Inspectors for the Whitford City Shopping Centre, Hillarys for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking By-laws for the City of Wanneroo only within the boundaries of the Whitfords City Shopping Centre, Hillarys as detailed hereunder:
- (a) Parking Facilities By-laws No 19;
- (b) Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

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

- 1 in accordance with Local Government Act 1995 9.10(1) appoints Sean Whiteside, Graeme Brook Boyd and Mark Andrew O'Donnell and re-appoints Eric Patterson, Kim Martanovic, Simon Joseph Carroll and Anthony Peter Fisk as Honorary Parking Inspectors for the Whitford City Shopping Centre, Hillarys for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking By-laws for the City of Wanneroo only within the boundaries of the Whitfords City Shopping Centre, Hillarys as detailed hereunder:
- (a) Parking Facilities By-laws No 19;
- (b) Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

**CARRIED**

**CS128-07/96** **CITY OF WANNEROO FREE FAMILY CONCERT - [429-1-3]**

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

The City of Wanneroo recently received correspondence from the Festival of Perth conveying the Lotteries Commission had decided, that after six years, sufficient profile and need for



the free family concert had been established. Therefore, the Festival of Perth has suggested the City of Wanneroo could raise the necessary monies for future events.

The City Recreation and Cultural Services Manager provides background details on the subject matter and comments that it is envisaged that negotiations will continue with the Festival of Perth Administration regarding future performances potentially suitable for a City of Wanneroo audience and the relevant expenditure required by Council.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council advises the Festival of Perth administration that due to budgetary constraints it is unable to provide the necessary funds to stage a concert in Joondalup in February 1997.

**CARRIED**

**CS129-07/96      REQUEST FOR DONATION OF HIRE FEE - COMMITTEE FOR  
THE PREVENTION OF CHILD ABUSE IN THE CITY OF  
WANNEROO - CRAIGIE LEISURE CENTRE - [261-2, 680-  
3]**

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

A request has been received from the Committee for the Prevention of Child Abuse in the City of Wanneroo for a donation of hire fees for the parent education forum to be held on 27 August 1996, in the Function Room at Craigie Leisure Centre.

The City Recreation and Cultural Services Manager provides background details to this request and advises that it would seem appropriate to make a further \$100 donation to the Committee for the Prevention of Child Abuse in the City of Wanneroo to assist in the operation of the creche for the forum at Craigie Leisure Centre.

**MOVED** Cr Lynn, **SECONDED** Cr Popham that Council makes a non statutory donation of \$266.80 to cover:

- 1            hall hire of \$166.80
- 2            creche subsidy of \$100.00

from Account No 26531 Sundry Donations, Other Welfare to the Committee for the Prevention of Child Abuse in the City of Wanneroo, for the hire of the Function Room at Craigie Leisure Centre on 27 August 1996 with the proviso that it duly acknowledges the sponsorship of the City of Wanneroo.

**CARRIED**

#### QUINNS ROCKS FORESHORE - [765-12]

Cr Healy raised his concerns in relation to damage occurring to trees due to recent storms and queried the position in relation to protecting the Quinns Rocks foreshore.

The Chief Executive Officer advised that permission is required from the Department of Marine and Harbours to undertake permanent work on the foreshore and when received the Engineering Department will investigate the feasibility of constructing a sea wall to protect the foreshore.

#### REGISTRATION OF PECUNIARY INTEREST - [702-3]

Cr Taylor referred to the requirement under the new Local Government Act for Councillors to register any pecuniary interests and queried the time limit for doing this.

The Chief Executive Officer advised there was a transition period and registration of pecuniary interests would not be needed until after the May 1997 elections.

#### IMPOUNDED DOGS - [930-5]

Cr Taylor raised his concerns in relation to the recent impounding of four dogs awaiting destruction and queried their length of stay in the pound as an appeal had been lodged prohibiting destruction of the dogs for 21 days.

He requested that restitution be sought for the up-keep of these dogs.

The Manager Municipal Law and Fire Services advised that the dogs would be removed from the pound on Thursday, 18 July 1996.

#### CIRCUSES IN THE CITY OF WANNEROO - [260-8]

Cr Magyar referred to the recent article in the Wanneroo Times protesting against caged animals being used in a proposed circus in the City of Wanneroo.

He requested a report on Council's right to ban circuses as he commented that a number of other Councils have banned them.

Cr Dammers requested that information be sought from the State Government on its progress in relation to a uniform policy for circuses.

#### WESTPOINT DEVELOPMENT, WARWICK - [30/5180]

Cr Major referred to the proposed commercial park development in Warwick and queried whether any consideration had been given to operating a library in the Warwick area.

The City Librarian advised that this was given consideration but informed Cr Major that as there is a library in Duncraig this was considered sufficient for the area.

#### **SKATEBOARD RAMP - [468-2]**

Cr O'Grady queried the position in relation to using the skateboard ramp presently held in Council's Depot as she wished to use it on 15 September 1996.

The Chief Executive Officer advised Cr O'Grady that information would need to be sought from Council's insurance brokers in relation to the safety aspect of using skateboard ramps.

#### **TRAVEL ACQUITTANCES - [702-3]**

The City Treasurer advised the members that the accounting procedures for travel acquittances was being tightened.

He advised that a memorandum detailing the requirements would be forwarded to each member and senior officer.

**MOVED** Cr Lynn, **SECONDED** Cr Cooper that the Report of the Special Policy Committee held on 17 July 1996 be received.

**CARRIED**

#### **ATTENDANCES**

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward
	A W WIGHT	South Ward
	P O HEALY - Observer	North Ward
	S P MAGYAR - Observer from 1950 hrs	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer	South Ward
	M E LYNN, JP - Observer	South-West Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Minute Clerk:	S BRUYN

#### **APOLOGIES**

An apology for absence was tendered by Cr Cooper.

#### **PETITIONS AND DEPUTATIONS**

Nil

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

Nil

#### **MEETING TIMES**

Commenced:	1949 hrs
Closed:	2050 hrs

## REPORTS

P75-07/96

### LEGAL REPRESENTATION - COUNCILLORS AND OFFICERS - [702-8]

#### CHIEF EXECUTIVE OFFICER'S REPORT

Following discussions with the Town Clerk and Chief Executive Officer, Kott Gunning presented a draft policy on legal representation for present and former Councillors and staff of the City.

#### COMMITTEE RECOMMENDATION

That Council:

- 1 instructs Mr Laurie James of Kott Gunning to amend the draft policy on legal representation to include the following amendments:
  - (a) should a Councillor or an officer subsequently be found guilty of a crime in a Court of Law, Council would take action to recover any sums advanced by way of legal assistance;
  - (b) that in making a judgment under Clause 4 to provide legal assistance to a present or former Councillor or officer, Council's judgment is by an absolute majority decision;
  - (c) to avoid a possible conflict of interest, the Chief Executive Officer be authorised to seek advice on whether a person should be provided legal assistance from a legal advisor other than the normal legal firm retained by Council;and to re-submit a further draft policy to the Chief Executive Officer;
- 2 following receipt of the draft policy, the Chief Executive Officer seeks Ministerial approval for exemption to allow the five Councillors summonsed to appear before the Royal Commission to vote on this matter;
- 3 further considers this matter at the next Council meeting to be held on Wednesday, 24 July 1996.

#### ADDITIONAL INFORMATION

The Manager, Corporate Services circulated a copy of draft policy to Councillors in respect to the funding of legal representation for present or former Councillors and staff. The draft incorporates the changes which were requested at the Policy committee meeting of 17 July 1996 - Appendix XXIV refers.

He stated that as several Councillors indicated they would declare a pecuniary interest when the matter came before Council, an exemption was sought from the Minister for Local Government.

In granting the exemption, the Minister has required the Councillors involved to declare an interest and outline the nature of the interest before speaking or voting on the issue.

Councillors Dammers, Freame, Major, Cooper and Duffy declared an interest in this Item as they had been called to give evidence at the Royal Commission.

**MOVED** Cr Popham, **SECONDED** Cr Taylor that the Recommendation be amended to read:

"that in making a judgment under Clause 4 to provide legal assistance to a present or former Councillor or officer, Council's judgment is by a special majority decision" **LOST**

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

- 1 adopts the Policy for Legal Representation for present and former Councillors and staff of the City of Wanneroo as outlined on Appendix XXIV hereto;
- 2 amends its policy manual accordingly.

**CARRIED**

Appendix XXIV refers.

**C345-07/96      ATTENDANCE OF LEGAL REPRESENTATIVE - 29 JULY 1996**  
**- [702-0]**

Crs Dammers, Freame, Major, Cooper, and Duffy together with the City Treasurer, City Planner and City Building Surveyor declared an interest in this Item as they had been called to give evidence at the Royal Commission.

Crs Dammers, Freame, Major, Cooper, and Duffy together with the City Treasurer, City Planner and City Building Surveyor left the Chamber at this point, the time being 2117 hrs.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Taylor that Cr Lynn be elected Acting Chairman.

**CARRIED**

Cr Lynn assumed the Chair, the time being 2118 hrs.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr O'Grady that Council have its legal representative in attendance at the Royal Commission to hear the findings on Monday 29 July 1996.

**CARRIED UNANIMOUSLY**

Crs Dammers, Freame, Major, Cooper, and Duffy together with the City Treasurer, City Planner and City Building Surveyor entered the Chamber at this point, the time being 2126 hrs.

Cr Dammers resumed the Chair at this point, the time being 2126 hrs.

**C346-07/96 BUSINESS FOR INFORMATION**

**MOVED** Cr Lynn, **SECONDED** Cr Freame that the Business for Information Reports be received.

**CARRIED**

#### **TECHNICAL SERVICES COMMITTEE**

**B104-07/96 ENGINEERING CURRENT WORKS - [202-2]**

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

The City Parks Manager reports on current work undertaken by the Engineering Department for the period ending 28 June 1996.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B104-07/96 be received.

**CARRIED**

**B105-07/96 DEPUTATION - CONTROL OF TRAFFIC SPEEDS ON LOCAL ROADS - [312-2]**

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

Cr Taylor left the Chamber at this point, the time being 2126 hrs.

Council has previously resolved to seek a deputation with the Premier in relation to the control of traffic speeds on local roads (Item TS366-12/95 refers). The Premier requested the Minister for Police to consider this matter. In response, the Minister for Police advised that the Commissioner of Police did not support Council in enforcing the control of speed limits.

Cr Magyar left the Chamber at this point, the time being 2129 hrs.

The City Engineer comments on some of the issues raised by the City in a recent request for the State Government to approve the enforcement of traffic regulations through the use of speed cameras in local streets, including police resources, outsourcing of speed radar camera operations and local roads.

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

- 1 CITY ENGINEER'S REPORT B105-07/96 be received;
- 2 a copy of Report B105-07/96 together with the response from the Minister for Police be forwarded to those people who submit petitions relating to speeding traffic on local roads within the City of Wanneroo.

**CARRIED**

Crs Taylor and Magyar entered the Chamber at this point, the time being 2133 hrs.

**B106-07/96**      **TRAFFIC SAFETY AT SCHOOLS - SHIRE OF SWAN - [313-7]**

**CITY ENGINEER'S REPORT**

A report has been requested on the strategy adopted by the Shire of Swan on traffic management at schools. Traffic flow around schools is a constant cause of concern to parent motorists, students, P & C Associations, school officials and Local Authorities.

The City Engineer provides details of a traffic strategy established by the Shire of Swan and comments on their traffic safety committee, enforcement - parking wardens and roadwise safety programmes and funding.

He also reports on traffic safety strategies of Main Roads WA, current City strategies and in summary advises of the need for traffic safety at existing and new schools and further liaison to be undertaken with Roadwise on possible funding for a "Schools Road Safety Officer".

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B106-07/96 be received.

**CARRIED**

**B107-07/96**      **STATUS OF RURAL ROADS IN WANNEROO - [510-465, 510-466, 510-456, 510-2097]**



## **CITY ENGINEER'S REPORT**

Council resolved at its May 1996 meeting that a report be submitted on the current maintenance programmes in relation to Carabooda Road, Karoborup Road, Old Yanchep Road and Reinhold Place (Item C260-05/96 refers).

The City Engineer provides details of the maintenance programmes for Carabooda Road, Karoborup Road, Old Yanchep Road and Rheinhold Place.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B107-07/96 be received.

**CARRIED**

**B108-07/96**      **PROPOSED INTERSECTION MODIFICATIONS - WARWICK ROAD/COOLIBAH DRIVE AND BEACH ROAD/DAVALLIA ROAD - [510-0003]**

## **CITY ENGINEER'S REPORT**

At its 24 April 1996 meeting, Council considered a report on the proposal by Main Roads WA to install traffic signals at the intersection of Warwick Road and Coolibah Drive, Greenwood. The safety of this intersection has previously been addressed by Council and the installation of traffic signals was supported. On this basis, Council subsequently resolved to concur with the Main Roads WA proposal to install traffic signals at this intersection (Item TS99-04/96 refers).

The City Engineer provides details of advice received from the Project Managers in relation to the proposed works schedule for modifications at the intersections of Warwick Road and Coolibah Drive, Greenwood and Beach Road and Davallia Road, Carine.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT B108-07/96 be received.

**CARRIED**

**B109-07/96**      **1995/96 POOL INSPECTION PROGRAMME - [210-8]**

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

Section 25A of the Local Government Act requires Council to re-inspect all private swimming pool enclosures at least once every four years. The second mandatory inspection of pools installed prior to July 1, 1995, has been completed.

The City Building Surveyor provides details of a review of the programme, inspection procedures and continuation of inspections.

In conclusion he comments on fees charged for inspection of pools and comments that where the costs of pool inspections are directly borne by pool owners the fee is considerably larger than that of the City of Wanneroo.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY BUILDING SURVEYOR'S REPORT B109-07/96 be received.

**CARRIED**

#### **TOWN PLANNING COMMITTEE**

**B110-07/96      DEVELOPMENT ENQUIRIES - JUNE 1996 - [290-0]**

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

The City Planner submits a Schedule of Development enquiries received during June 1996, together with a resumé of advice given by the Town Planning Department.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B110-07/96 be received.

**CARRIED**

**B111-07/96      REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN CALEY ROAD AND JASON PLACE, PADBURY - [510-1084]**

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

Council, at its meeting on 29 May 1996 (Item C261-05/96 refers), requested a report to be submitted in relation to the status of the pedestrian accessway between Padbury Hall, Caley Road and Jason Place, Padbury as it was believed that the accessway was created from the Community Purposes site.

The City Planner reports that the accessway was created at the same time as the adjoining residential lots and was not subdivided from the Community Purpose site and advises of procedures involved in applying to close the accessway.

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that Council waives the \$100 application fee in relation to the request for the closure of the pedestrian accessway between Caley Road and Jason Place, Padbury.

**CARRIED**

B112-07/96

**COSTS OF SIGNS FOR DEVELOPMENT AND REZONING  
APPLICATIONS - [261-2-2]**

**CITY PLANNER'S REPORT**

Council at its meeting of 24 April 1996 (Item FA48-04/96 refers) resolved that a report should be submitted on the cost of signs for development and rezoning applications.

The City Planner reports that all signs for development and rezoning applications are erected by signwriters on behalf of the applicants or by the applicants themselves at their expense with no cost to Council.

He advises that signs for rezoning applications are a statutory requirement of the advertising process for amendments and are requested by the Western Australian Planning Commission.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B112-07/96 be received.

**CARRIED**

B113-07/96

**APPEAL DETERMINATION - SUBDIVISION OF LOT 51  
(122) BERNARD ROAD, CARABOODA - [740-95078]**

**CITY PLANNER'S REPORT**

This application submitted by Chappell & Lambert on behalf of J A Burnett was for the subdivision of Lot 51 Bernard Road, Carabooda into 3 lots of 3.7 hectares (ha), 4ha and 4ha.

The City Planner advises that this application has been conditionally upheld with the Minister for Planning approving the subdivision of Lot 51 into 2 lots on the basis that there is a historic house (George Gibbs' House) on Lot 51, and the portion of the lot which the house is on can be distinguished from the remainder of the land which can be identified as being within the agricultural area.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B113-07/96 be received.

**CARRIED**

B114-07/96

**APPEAL DETERMINATION - PROPOSED ARCHERY COMPONENT  
AT THE PITCH AND PUTT GOLF AND ARCHERY PARK, LOT  
152 (135) LAKELANDS DRIVE, GNANGARA - [30/5027]**

**CITY PLANNER'S REPORT**

Council approved the pitch & putt component of an application submitted by Greg Rowe & Associates on behalf of Mr T Fedys for a Pitch & Putt Golf and Archery Park.

The City Planner advises that the appeal against Western Australian Planning Commission's refusal was not upheld, with the Minister for Planning supporting Council's view that the application was inconsistent and too commercially intensive for the area.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B114-07/96 be received.

**CARRIED**

**B115-07/96      APPEAL DETERMINATION - PROPOSED SUBDIVISION, LOTS 1 AND 2 WANNEROO ROAD, WANGARA - [740-98481]**

**CITY PLANNER'S REPORT**

This subdivision application submitted by Wright Development & Property Consulting on behalf of Gaza Nominees Pty Ltd proposed the amalgamation and re-subdivision of Lots 1 and 2 Wanneroo Road, Wangara into five lots, one having an area of 1.8155 hectares and containing the Wangara Tavern, and four other lots of areas ranging between 3346m<sup>2</sup> and 3477m<sup>2</sup>.

The City Planner advises that the appeal against Western Australian Planning Commission's refusal was not upheld, with the Minister for Planning quoting both the non-compliance with the Local Structure Plan and additional access to Wanneroo Road as his reasons for not upholding the appeal.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY PLANNER'S REPORT B115-07/96 be received.

**CARRIED**

**FINANCE AND COMMUNITY SERVICES COMMITTEE**

**B116-07/96      FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 1996 - [002-3]**

**CITY TREASURER'S REPORT**

The City Treasurer provides details of Regulation 34 of the Local Government (Financial Management) Regulations 1996 which require a local government to prepare and present financial reports to the Council and advises that the financial report for the 1995/96 financial year will be presented in August 1996.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY TREASURER'S REPORT B116-07/96 be received.

**CARRIED**

**B117-07/96      1996/97 DIFFERENTIAL RATING - [018-4]**

**CITY TREASURER'S REPORT**

Pursuant to the provisions of Section 6.36 of the Local Government Act, it was a requirement for the City's proposed differential rates for the forthcoming financial year to be advertised.

The City Treasurer reports that no written submissions in relation to these rates were received and only one counter enquiry and two telephone enquiries were taken during the advertised period.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY TREASURER'S REPORT B117-07/96 be received.

**CARRIED**

**B118-07/96      STAFF AND OUTSIDE WORKERS' OVERTIME - JUNE 1996 - [404-10]**

**CITY TREASURER'S REPORT**

The City Treasurer submits the staff overtime return for the month of June 1996, together with details of the outside workers' overtime for the same period.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY TREASURER'S REPORT B118-07/96 be received.

**CARRIED**

**B119-07/96      RECREATION AND CULTURAL SERVICES DEPARTMENT MONTHLY 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 July 1996. These included:

- mural arts programme;

- 1996 Craft Award and Exhibition held at Lakeside Shopping Centre, Joondalup;
- Heart Foundation's 1996 Healthy Hearts Local Government Award for Best Outdoor Recreation Facility won by the City of Wanneroo's Coastal Dual Use Paths;
- other projects included Creative Horizons Leisure Courses, programmes in both aerobics and aquarobics, health and fitness programmes, adventure based activities, enrolments for Term 3 Leisure Courses, enrolments for Bookweek 1996, July Holiday Programme, "One Drum Different Beats" Youth Fest, youth forum at Yanchep-Two Rocks, Fast Track programmes and Try a New Craft programme.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT B119-07/96 be received.

**CARRIED**

**B120-07/96      SPORTS CLUB - KINGSWAY SPORTING COMPLEX - [061-198-6-1]**

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

Council, at its meeting on 28 February 1996, resolved to revoke Wanneroo Football and Sporting Club's lease on the clubrooms at Reserve No 28058, Kingsway Sporting Complex, once the formation of a sports club capable of assuming management responsibilities is completed.

The City Recreation and Cultural Services Manager provides background details on progress made towards this objective and reports on the clubs that have emerged as prospective members.

**MOVED** Cr Lynn, **SECONDED** Cr Freame that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT B120-07/96 be received.

**CARRIED**

**C347-07/96      CHIEF EXECUTIVE OFFICER'S REPORT**

**MOVED** Cr Cooper, **SECONDED** Cr Wight that The Chief Executive Officer's Report be received.

**CARRIED**

**C348-07/96      SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]**

Document:      Agreement

Parties:	City of Wanneroo and Ertech Pty Ltd
Description:	Contract No 94-95/96 Order No 144315
Date:	24.5.96
Document:	Deed
Parties:	City of Wanneroo and Peet and Co
Description:	Pt Lot 614 and 612, Yanchep
Date:	25.6.96
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and P W and J Maloney
Description:	Lot 1 (1) Taronga Place, Carabooda
Date:	28.6.96
Document:	Lease
Parties:	City of Wanneroo and Wanneroo Country Club Inc
Description:	Reserve 27744 Crisafulli Avenue, Wanneroo
Date:	28.6.96
Document:	Lease Surrender
Parties:	City of Wanneroo and Tokyu Corporation
Description:	Lots 101 and 102 Mitchell Freeway, Yanchep
Date:	26.6.96
Document:	Lease
Parties:	City of Wanneroo and Olympic Kingsway
Description:	Reserve 32242 Kingsway
Date:	2.7.96
Document:	Transfer
Parties:	City of Wanneroo and Roman Catholic Archbishop of Perth and Davidson Pty Ltd
Description:	Moore Drive between Marmion and Connolly, Currambine
Date:	3.7.96
Document:	Surrender of Easement
Parties:	City of Wanneroo and R A and M R Godfrey
Description:	Lot 143 Kaufman Avenue, Ocean Reef
Date:	3.7.96
Document:	Deed
Parties:	City of Wanneroo and Anchor Holdings Pty Ltd
Description:	Lot 11 Ocean Reef Road, Beldon (Belridge S/C)
Date:	3.7.96
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and Burns Management Pty Ltd
Description:	Pt Lot 3 Cnr MacNaughton and Selkirk, Kinross
Date:	10.7.96

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and Landcorp  
Description: Lot 722 (Padmount) Joondalup Drive, Joondalup  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and Michael Hayes  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and Reta Farmer  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and Maitland Lloyd  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and Charles Searson  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and Edward Pearsall  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and Margaret Paternoster  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

Document: Deed  
Parties: City of Wanneroo and William Marwick  
Description: Copyright Agreement - Oral History  
Date: 10.7.96

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

**CARRIED**

**C349-07/96      HUMAN RESOURCES MATTERS - [404-0]**

This report gives details of staff appointments and resignations.

**STAFF APPOINTMENT**



<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
Building Surveyor - Building	Bradley JOHN	17.06.96
Stores Supervisor - Treasury	Douglas FARMER	24.06.96
Day Centre Co-ord - Welfare	Averil TILSED	01.07.96
Engineer (Temp) - Engineering	Harminder SINGH	01.07.96
Prog Supervisor - Recreation	Judith BUNTING	24.06.96
Clerk/Encoder - Treasury	Diane HASLAM	19.06.96
Lib Clerk (Temp) - Libraries	Ralie ROGERS	24.06.96
Branch Librarian - Libraries	Chris PEPPER	18.07.96
Disability Access Officer -	Jeff EDWARDS	15.07.96
Administration (Temp)		
Co-ord Yanchep Community House	Leanne BOWRING	29.07.96
- Welfare		
Library Clerk Gr 3 - Libraries	Jan SALVATI	22.07.96

#### RESIGNATIONS

Engineer - Engineering	Ah Lek TANG	14.06.96
Day Centre Co-ord - Welfare	Karen MASON	03.06.96
Env Health Officer (Temp)	David ASHBY	19.07.96
- Health		
Rec Facilities Manager (Ocean	Christine IRVINE	02.08.96
Ridge) - Recreation		
Rec Facilities Manager Warwick	Simon BEAUMONT	24.07.96
Leisure Centre - Recreation		
Payroll Clerk - Treasury	Cheryl FARLEY	06.09.96

**MOVED** Cr Lynn, **SECONDED** Cr Taylor that Council notes the staff changes as detailed in this report.

**CARRIED**

#### **C350-07/96      FIRST NATIONAL CONFERENCE ON GRAFFITI CONTROL -** **[210-7]**

#### Background

The Chairman of the Graffiti Programme Steering Committee has advised that following the recommendations of the Working Party established by the Premier in 1993 a comprehensive programme has been developed to reduce graffiti in the State. This has achieved some significant successes. In order to maintain the momentum the Graffiti Programme has organised the first National Conference on Graffiti Control which will be held on Wednesday, 4 September 1996 at the All Seasons Freeway Hotel in South Perth from 8.30am to 4.30pm.

#### Details

The Conference will be opened by the Premier, the Hon Richard Court MLA and a keynote address on the national perspective will

be presented by Senator Ian Campbell, Parliamentary Secretary to Ministers for the Environment, Sport, Territories and Local Government.

The morning session paper presentations comprise:

What is the problem?

Who are graffitists?

Role of the Graffiti Programme

- (a) Overview - a comprehensive approach
- (b) Law enforcement
- (c) Cleanup and volunteers
- (d) Urban art
- (e) Education
- (f) Building design

The afternoon session will comprise workshop topics on:

- (a) Remove, coat, cover or ignore
- (b) Law enforcement
- (c) Urban art - how to do it
- (d) The role of volunteers
- (e) Local Government
- (f) Mobilising government

The cost of registration is \$30.00.

#### Comment

The Council has taken a proactive approach in supporting the State Government's Graffiti Programme. It will also be considering a report recommending that it participates in the Graffiti Programme by providing materials and supervision/coordination to young offenders who have been issued work orders from the Ministry of Justice to clean up graffiti on Saturday mornings within the municipality.

Taking cognisance of the above, it is considered that Council should nominate an interested Councillor to attend the Conference with senior officers from the Engineering, Building and Cultural Services Departments.

Cr Major declared an interest in this Item as he manufactures graffiti paints and graffiti removing solvents.

Cr Major left the Chamber at this point, the time being 2133 hrs.

Cr Cooper nominated Cr Ewen-Chappell.

**MOVED** Cr Taylor, **SECONDED** Cr Popham that Council approves the attendance of Cr Ewen-Chappell at the First National Conference on Graffiti Control to be held at the All Seasons Freeway Hotel, South Perth on Wednesday, 4 September 1996 at a total cost of \$30.00 and that the expenditure be charged to the Conferences Account in the 1996/97 Budget.

**CARRIED**

Cr Major entered the Chamber at this point, the time being 2134 hrs.

**C351-07/96      LOCAL GOVERNMENT WOMEN'S ASSOCIATION - [312-7]**

The Australian Local Government Women's Association Conference will be held in Perth from 29 August to 2 September 1996.

The theme of the conference is Adapting to Change and some of the issues for discussion will be; Women in Decision Making Roles, Handling Print Media, Auditing under AAS27, Local Government Restructure/Reforms and Legal Perspectives for Local Government. The conference programme is attached - Appendix XXII refers.

The cost of the conference is \$330.00 and this includes the formal conference dinner for the delegate. There are sufficient funds in Account 20006 (Members - Conference Expenses) to cover the expenditure associated with this conference

Cr O'Grady nominated Cr Freame.

Cr Freame declared an interest in this item as she was nominated as delegate to the Australian Local Government Women's Association conference.

Cr Freame left the Chamber at this point, the time being 2135 hrs.

**MOVED** Cr O'Grady, **SECONDED** Cr Hancock that Council nominates Cr Freame as delegate to the Australian Local Government Women's Association Conference to be held in Perth from 29 August to 2 September 1996 such funds to be allocated from Account 20006 (Members - Conference Expenses).

**CARRIED**

Appendix XXII refers

Cr Freame entered the Chamber at this point, the time being 2137 hrs.

The Western Australian Municipal Association has invited member Councils to submit nominations for the following vacancies;

Local Government Association Member - Local Government Road Safety Council

Western Australian Municipal Association Member - Chairman of the Local Government Road Safety Council (The Chairman of the Local Government Road Safety Council will automatically be appointed as a member of the Road Safety Council of Western Australia)

The Local Government Road Safety Council's terms of reference are;

To recommend the Local Government position to the Road Safety Council of WA  
To support and forward recommendations on Local Government's role in relation to road safety issues, including funding requirements  
To provide a structure for the implementation of Road Safety Council initiatives through the Roadwise Programme in local communities

The Local Government Council is comprised of representatives from Main Roads WA, Department of transport, Police Department, Country Women's Association, BikeWest and other bodies. The Committee meets monthly and the day and time is still to be determined. Meetings last about three hours and there is no meeting fee.

Nominees need to be a Councillor with experience and/or demonstrated knowledge of road safety initiatives in Western Australia. The term for this appointment expires in July 1997.

Cr O'Grady nominated Cr Magyar.

Cr Major nominated Cr Cooper. Cr Cooper declined the nomination.

**MOVED** Cr O'Grady, **SECONDED** Cr Healy that Council nominates Cr Magyar for consideration of appointment to the Local Government Road Safety Council.

**CARRIED**

The Western Australian Municipal Association has invited member Councils to submit nominations for consideration to the position of WAMA Member - National Cultural Network Working Party.

The Committee's Terms of Reference are to consider the most appropriate methods of accessing Federal Government Funding to provide access to the Internet in public libraries, to develop a model of how best to provide access to Internet to public libraries and to develop and manage pilot Internet projects for public libraries.

The Committee will be comprised of representatives from the Library and Information Services of WA, the Local Government Librarians Association and Local Government.

The Committee will meet monthly and meetings will be held in Perth at a time to be decided by the Committee. The meetings will last approximately three hours and there is no meeting fee. Nominees must be Councillor of a Local Government and should have a general knowledge of information technology and communications issues. Cr Magyar nominated Cr Lynn. Cr Lynn declined the nomination.

**MOVED** Cr Lynn, **SECONDED** Cr Taylor that Council makes no nomination in relation to the appointment to the position of WAMA Member - National Cultural Network Working Party.

**CARRIED**

**C354-07/96      NATIONAL URBAN ANIMAL MANAGEMENT CONFERENCE -**  
**[312-7]**

The Australian Veterinary Association will be hosting the Urban Animal Management National Conference in Sydney from the 6 - 8 November 1996.

The theme of the conference is "Pets and People living in Harmony". The conference will provide information on new programmes and schemes on Animal Management. The conference will be conducted in a series of interactive workshops featuring internationally recognised speakers. The conference will be divided into three parts - Legislation/Strategic Change; Services, Aids and Tools; and Companion Animals. The conference program is attached for information - Appendix XXIII refers.

Cost associated with this conference are approximately;

Air fare	\$1 700
Registration	\$ 360
Accommodation	\$ 465
Allowance	\$ 200

**TOTAL**

**\$2 725**

Provision has not been made in the 1996/97 budget for this conference, however sufficient funds are available in the contingency amount of Account 20006 (Members Conference Expenses) to send a councillor.

Cr O'Grady nominated Cr Lynn.

Cr Popham nominated Cr Duffy.

Crs Lynn and Duffy declared an interest in this Item, as they had been nominated to attend the Urban Animal Management Conference.

Crs Lynn and Duffy left the Chamber at this point, the time being 2137 hrs.

As two nominations were made, a secret ballot was conducted and the Chief Executive Officer and Manager, Corporate Services left the Chamber at this point in order to count the votes.

On their return, the Mayor declared Cr Lynn duly elected as delegate to the Urban Animal Management National Conference.

**MOVED** Cr Freame, **SECONDED** Cr Hancock that Council nominates Cr Lynn as delegate to the Urban Animal Management National Conference to be held in Sydney from 6 - 8 November 1996, such funds to be allocated from Account 20006 (Members - Conference Expenses).

**CARRIED**

Appendix XXIII refers

Crs Lynn and Duffy entered the Chamber at this point, the time being 2141 hrs.

**C355-07/96      LOCAL GOVERNMENT WEEK CONVENTION - [312-7]**

The Local Government Week Convention 1996 will be held in Perth, at the Burswood Hotel from 4-6 August.

At its meeting of 26 June 1996 Council nominated three Councillors to attend the Local Government Week Convention. Two more Councillors have now indicated an interest and it is considered appropriate that these Councillors be given the opportunity to attend this convention.

Crs Popham and Hancock declared an interest in this Item as they had been nominated to attend the Local Government Week Convention.

Crs Popham and Hancock left the Chamber at this point, the time being 2142 hrs.

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

- 1       nominate Crs Popham and Hancock to attend the Local Government Week Convention to be held from the 4-6 August 1996 in Perth;
- 2       authorise the expenditure of \$790 from Account 20006 to allow the attendance Crs Popham and Hancock to attend the Local Government Week Convention.

**CARRIED**

Cr Popham entered the Chamber at this point, the time being 2143 hrs.

A Special Meeting of Electors was held on Tuesday 9 July 1996. This meeting had been called in accordance with the provisions of Section 5.28 of the Local Government Act 1995, in response to a petition of Electors.

The purpose of the meeting was to discuss the proposed Warwick Commercial Park at Lot 738 (16) Dugdale Street, Warwick.

There were 65 Electors in attendance.

At the conclusion of the meeting the following Motions were put:

"MOVED Mr Tony Cocks SECONDED Ms Bev Gerdtz that the proposal for the approval for the development at Lot 738 (16) Dugdale Street, Warwick be consistent with the following community concerns:



- 1 close attention be given to possible increase  
noise level taking into account community needs  
with regards to the existing aged persons  
village, the local primary school and the close  
proximity to existing residences;
- 2 number of entrances onto both Ellersdale Avenue  
and Dugdale Street being minimised to take  
account of the school crosswalks, other  
pedestrian traffic including the senior citizens;
- 3 security arrangements present at the Warwick  
Cinema complex be duplicated within the new  
development;
- 4 strong attention be given to increasing the  
vehicular access between the existing shopping  
centre car park and the proposed centre;
- 5 clear delineation between the proposed Commercial  
Centre and the residential area utilising  
effective landscape screening;
- 6 all signage to be harmonious and in keeping with  
the residential environment;
- 7 minimising vandalism throughout through proper  
attention being given to the kinds of businesses  
approved adjacent to the school and the  
residential areas;
- 8 developers to look into alternative passive  
businesses complementing the residential area;
- 9 effective traffic calming measures along both  
Ellersdale Avenue and Dugdale Street be  
incorporated into the approval of the  
development;
- 10 the developers consult with residents.

CARRIED UNANIMOUSLY"

"MOVED Mr Max Mahoney SECONDED Ms Gay Brooker that the  
Bowling Centre not be permitted to have a full bar  
licence.

CARRIED UNANIMOUSLY"

"MOVED Mr Trethowen SECONDED Ms Bev Gerdtz that the 24 hour content of convenience stores not be allowed on the site of the service station.

CARRIED"

"MOVED Mr Bruce Cameron SECONDED Ms Susan Cocks that Council considers establishing a public library in the area if it is to be continued as a commercial site.

CARRIED UNANIMOUSLY"

**MOVED** Cr Lynn, **SECONDED** Cr Taylor that the information regarding the Special Meeting of Electors held on 9 July 1996 in relation to the proposed Warwick Commercial Park at Lot 738 (16) Dugdale Street, Warwick be received.

**CARRIED**

**C357-07/96      REQUEST FOR TRANSCRIPT - CR T POPHAM - [702-3,  
702-0]**

Cr Popham has requested a transcript of the Special Council Meeting held on Monday 8 July 1996.

**MOVED** Cr Taylor, **SECONDED** Cr Duffy that Council in accordance with its Policy, provides Cr Popham with a transcript of the Special Council Meeting held on Monday 8 July 1996.

**CARRIED**

Cr Hancock entered the Chamber at this point, the time being 2144 hrs.

**C358-07/96      LEAVE OF ABSENCE - CR LYNN - [702-3]**

Cr Lynn has requested Leave of Absence from Council duties for the period from Thursday 5 September to Monday 30 September 1996.

**MOVED** Cr Taylor, **SECONDED** Cr Freame that Council approves the Leave of Absence requested by Cr Lynn for the period from Thursday 5 September to Monday 30 September 1996.

**CARRIED**

**C359-07/96      MOTIVATION CAMP FOR JUNIOR COUNCIL - [702-2]**

**SUMMARY**

Identification of difficulties associated with bringing together a number of young people to work as a cohesive group has prompted Junior Council members to suggest that a motivational camp be provided to assist in development of effective group processes.

**DETAIL**

At the Junior Council meeting held on Wednesday 3 July 1996 it was resolved that a camp be organised to foster more effective working of the group.

The Department of Family and Children's Services has offered Council its Youth Camp facility at Port Kennedy for the weekend of Friday, 30 August 1996 through to Sunday, 1 September for this purpose. There are no costs associated with the use of this venue. A professional personal development youth motivator, David Hovell from Perth City Mission, has been engaged to conduct workshops with Junior Council. Two to three volunteers will be available to support this process and to supervise the group throughout the weekend. Transport can be

made available through Council's HACC programme. The following is a breakdown of the costs that will be incurred.

Facilitator	\$ 350
Food for approximately 23 people	\$ 400
Transport	\$ 250
<hr/>	
Total	\$1,000

It is envisaged that a further camp will take place in March or April next for the incoming Junior Council, and that this will become an annual event.

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

- 1 endorses the suggestion that a motivational camp be organised for Junior Council members to foster more effective processes within the group;
- 2 approves plans for this camp to take place over the weekend of 30 August to 1 September 1996 at Port Kennedy camp site;
- 3 approves planning of a further camp for incoming Junior Council in March 1997;
- 4 allocates \$2,000 for this purpose in the 1996/97 budget.

**CARRIED**

**MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT**

**C360-07/96 BUS TRIP - SATURDAY 27 JULY 1996 - [702-0]**

Cr Hancock asked for details in relation to a bus trip which had been arranged for Saturday 27 July 1996.

Cr Dammers advised that Geoffrey Curtis had issued invitations to attend a "think tank" meeting, and requested Council assistance in this regard. This function had been arranged at short notice and Cr Dammers had given approval for the use of the Council bus and a room at the Wanneroo Civic Centre. Cr Freame would be attending on behalf of the Mayor

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council endorses the action of the Mayor in approving the use of the Council bus and a function room at the Wanneroo Civic Centre on Saturday 27 July 1996 for the meeting arranged by Mr Geoffrey Curtis, such meeting to be attended by Cr Freame on behalf of the Mayor.

**CARRIED**

**USE OF DUNCRAIG VILLAGE SHOPPING CENTRE CAR PARK BY SKATE BOARDERS - [468-2]**

Cr Lynn advised that the car parking area within the Duncraig Village Shopping Centre, corner of Marmion Avenue and Burreegah Way, Duncraig is being used for skate boarding. Shop keepers within the centre report this is a common occurrence and Cr Lynn enquired whether Council's officers could investigate the matter and whether signs could be erected.

Cr Lynn was advised that this was private property and therefore a matter for the Centre Management. Cr Dammers said that Council would write to the developers/owners to ask either that they erect signs or give permission for Council's rangers to enter the property.

**SACRED SITE - EDGEWATER - [050-4]**

Cr Taylor referred to a sacred site adjacent to the SECWA power station in Edgewater. He advised that works are being undertaken (ie tree pruning and felling) and requested urgent action to investigate who is responsible for this work.

Chief Executive Officer will investigate this matter and advise Councillors accordingly.

**C361-07/96DISCARDED HYPODERMIC NEEDLES - [250-1, 241-5]**

Cr Ewen-Chappell raised concern at hypodermic needles being discarded throughout all parks and enquired what measures Council could introduce to reduce this problem.

**RESOLVED** that a report be submitted to Council on problems associated with discarded hypodermic needles outlining suggested methods of reducing this problem.

**C362-07/96 FUTURE AIRPORTS NORTH OF PERTH - [727-1]**

Cr Magyar referred to the issue of the proposed development of a second general aviation airport within the City of Wanneroo which was raised at the June 1996 Council meeting, and requested that Council develop a position paper on any future airports north of Perth.

**RESOLVED** that a report be submitted to Council on the feasibility of Council developing a position paper on future airports north of Perth.

Cr Wight left the Chamber at this point, the time being 2200 hrs.

## **SKATEBOARDING AREAS - [468-2]**

Cr O'Grady reiterated her concern at the need for designated skate boarding areas and requested that consideration be given in this regard when new parks are developed.

Cr Cooper suggested that Cr O'Grady seek advice from City of Stirling on its experiences with skateboard areas.

Cr Ewen-Chappell left the Chamber at this point, the time being 2202 hrs.

## **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

### **C363-07/96RESCISSION OF RESOLUTION P45-07/96 - [702-0]**

Cr Taylor advised that he wishes to proceed with his proposed rescission motion put forward for consideration at Council's last meeting held on 26 June 1996.

The motion reads as follows:

"That Council rescinds its resolution P45-05/96, viz:

"That Council applies to the Minister for Local Government for approval under Section 529(e) of the Local Government Act to pay Cr Arnold Dammers' legal expenses to defend the Writ issued by Mr Wayne Bradshaw."

This resolution is of no further value due to advice from Cr Dammers that he wishes to withdraw the request.

**MOVED** Cr Taylor, **SECONDED** Cr Dammers that Council rescinds its resolution P45-05/96, viz:

"That Council applies to the Minister for Local Government for approval under Section 529(e) of the Local Government Act to pay Cr Arnold Dammers' legal expenses to defend the Writ issued by Mr Wayne Bradshaw."

**CARRIED**

Crs Ewen-Chappell and Wight entered the Chamber at this point, the time being 2205 hrs.

## **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.

Mr J Fanderlinden, 39 Maradu Crescent, Wanneroo:

Mr Fanderlinden reiterated his views as raised earlier in the meeting under Public Question Time - Page 4 refers. He stated his amazement at the Mayor's response to Cr Hancock by saying the report from the patrol officer has answered her questions, and complained at the Mayor's misconduct.

Mr Fanderlinden made reference to the letter from the Mayor to Cr Hancock. He believed the accusations reflected not only on himself but also on the position of Mayor and felt the Mayor should answer the questions and not lay the blame on the Patrol Officer. He further stated the comments in the Patrol Officer's letter was not language he would use. He objected to himself and his family being called offenders and asked the Mayor to make an apology.

At this point the Mayor asked Mr Fanderlinden whether he wished to ask a question. Mr Fanderlinden stated he was entitled to make comments, as this was listed on the Agenda, and advice was sought from the Chief Executive Officer.

The Chief Executive Officer advised that Council had this evening, under Item P71-07/96, adopted a policy to provide for Public Question Time at the beginning and end of Council meetings.

Cr Taylor raised a point of order as any decisions made during this meeting would not be in force until 3.00 pm on Friday 26; and further that Council's agenda for this evening's meeting listed Question and Comment time.

The Mayor ruled that Mr Fanderlinden continue with his comments.

Mr Fanderlinden gave his views of the allegations, which he stated are supported by adult witnesses who were in attendance at the time, and then read from his letter sent to Cr Hancock.

He stated that apart from the gazetted sign there were no signs displayed in the area which suggested that he breached any act or regulations, and stated that the Patrol Officer's report does not indicate he committed any offence and he believed the unloading of motorcycles created no offence. In conclusion, Mr Fanderlinden stated that if he does not get an appropriate apology he would take this matter further.

Cr Ewen-Chappell asked why this gentleman had taken so long to bring this matter to Council.

Cr Dammers took leave to make a personal explanation. He stated that six years ago, he had received a complaint of antisocial behaviour in a car park, and had arranged an on-site meeting with the City Planner, the complainant, Mr Alan Briggs from CALM and Kevin Smith of Council's Security Department. CALM subsequently closed the car park and placed signs on Pinjar Road at the corner of Wattle Avenue and Wesco Road, indicating the motorbike area and these signs are still in place. Cr Dammers stated that as far as he is concerned the gentleman had no right to be in the car park. Cr Dammers advised he had no influence in the report by the Patrol Officer had merely asked for the report to be written.

#### **DATE OF NEXT MEETING**

The next Ordinary Meeting of Council has been scheduled for **WEDNESDAY 28 AUGUST 1996.**

There being no further business, the Chairman declared the Meeting closed at 2224 hrs, the following Councillors being present at that time:

COUNCILLORS:  
O'GRADY  
DAMMERS  
COOPER  
EWEN-CHAPPELL  
MAGYAR  
WIGHT  
TAYLOR  
MAJOR  
LYNN

FREAME

HEALY  
POPHAM  
DUFFY  
HANCOCK