

CITY OF WANNEROO

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP, ON WEDNESDAY, 28 AUGUST 1996

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor,	South West Ward
	Acting Chairman from 2041 to 2043 hrs	
	from 2046 to 2048 hrs	
	from 2121 to 2122 hrs	
	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
City Engineer:	R MCNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISHER
City Environmental Health Manager:	M AUSTIN
City Parks Manager:	F GRIFFIN
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T M TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Publicity Officer:	O DAVIDSON
Committee Clerk:	J HARRISON
Minute Clerk:	L TAYLOR

In Attendance

Cr Nanette Williams

Shire of Roebourne

The Mayor welcomed the visiting Councillors and thanked them for the plaque presented to Council. In return, a plaque was presented to the Shire of Roebourne.

There were 43 members of the Public and 1 member of the Press in attendance.

The Mayor declared the meeting open at 1934 hrs.

PUBLIC QUESTION TIME

The Mayor stated that ground rules needed to be laid down concerning public question time.

Any question not related to the meeting night's agenda should be put in writing and it will be taken on notice to be answered at the next meeting.

This is necessary due to the thousands of issues this Council deals with annually and it is unfair to expect Councillors or officers to give an immediate off-the-cuff answer.

As well, any question that reflects adversely on Councillors or officers should also be put in writing. Once again it is unjust to make allegations publicly that may later prove to have no foundation.

These rules are not intended to restrict or limit public question time, simply to give everyone a fair go.

The Mayor gave his assurance that all questions will be dealt with and answered at a later time.

Cr Major called a Point of Order, in that members of the public would have previously been unaware of this ruling. He requested that for this meeting only they be given the opportunity to raise a question on an item not listed on the agenda.

The Mayor advised he would hear any such questions prior to giving a ruling.

Mr Keith Holmes submitted the following written questions for the Council Meeting of 28 August 1996 in relation to Dwelling Under Construction - Lot 560 Manakoora Rise, Sorrento:

Q1 Can you categorically confirm to me that the plans of this home are 100% within the guidelines of the City of Wanneroo?

- A1 Council has identified a number of problems with the dwelling under construction and has served a stop-work notice on the builder and arranged meetings with affected parties.
- Q2 Being directly opposite the home in question, can you clearly state that I had no right to receive a letter from the City of Wanneroo seeking my opinions or approvals of plans for the above residence in question?
- A2 Comments were sought from a number of property owners in the area in accordance with Council policy.
- Q3 When I did visit the offices of the City of Wanneroo (well prior to construction) I was told only the houses directly in from (Ashmore Drive) had any right to appeal against the plans. Can you categorically state that this response was correct?
- A3 Council does write to affected owners seeking their comments. However, there are no third party appeal rights.
- Q4 At the same meeting at the City of Wanneroo I was also told that those same respective owners sharing the western boundary of this construction site (in Ashmore Drive) had given their approval to the plans. Can you categorically confirm to me that these two owners (de Borrello and Brislin) had given their approval to the plans?
- A4 Both Mr Del Borrello and Mr Brislin provided comments. However neither had approval powers in respect to the application.
- Q5 Can you categorically state that I being the owner of Lot 540 Manakoora Rise would have absolutely nothing to successfully appeal against concerning the plans of the residence on Lot 560 Manakoora Rise?
- A5 To the best of my knowledge you would not have anything to appeal. Further there are no third party appeal rights.
- Q6 Now that construction has commenced to an advanced stage can you categorically confirm to me that the construction is 100% in line with the approved plans (including all heights)?
- A6 See answer to Question 1.

- Q7 Can you categorically confirm to me that all owners of blocks adjoining the construction site have given their written approval to the walls along their respective boundaries?
- A7 No
- Q8 As there has already been a near miss accident whilst a car was parked on land where the crossover of driveway meets the road, can you categorically confirm the placement of the crossover on the bend in question is not a traffic hazard and is in line with the City of Wanneroo guidelines?
- A8 The City Engineer has considered and approved the location of the crossover.
- Q9 The third cement slab was poured approximately 10 days ago, was this allowed to go ahead at this time?
- A9 The City can only stop construction where works are in contravention of the Act. This was not established until after the floor slab referred to was poured.
- Q10 Has the City of Wanneroo adhered to all the regulations concerning the need to advertise for public comment with respect to this planning approval?
- A10 There are no regulations requiring advertising for public comment applicable to single residential development. Council has policies whereby it seeks comments, see answer to question 2.
- Q11 If (and only if) this construction is outside of the building and planning regulations or if (and only if) this construction has deviated from approved plans, is the City of Wanneroo aware of the enormous dangers of a precedent being established?
- A11 It is not considered there are any dangers of precedent.
- Q12 Is the City of Wanneroo satisfied with the level of inspections from the City of Wanneroo staff that transpired during construction?
- A12 The number of building approvals is approximately 7000 per annum, the number of complaints is relatively minor. Accordingly, from an administrative perspective the answer is yes.

Mr Vic Harman submitted the following written question for the Council Meeting of 28 August 1996:

- Q Has Council made any investigation into the possible effects of the Millenium Bug on its computer system in the Year 2000?
- A By way of explanation the Millenium Bug relates to the problem that some software packages were written with a two year digit. When the year changes from 99 to 00, all time and other programmes which use a time comparison will fail.

Several of the packages currently used by the City of Wanneroo have this problem. However, under the Information Systems and Technology Plan adopted by Council, all systems with this problem will be replaced by the end of 1998.

Mrs A Hine submitted the following written questions for the Council Meeting of 28 August 1996:

In relation to Proposed Road Closure - Edgewater:

- Q1 Should Council have the approval of the Minister for Lands to close and amalgamate this dedicated road reserve?
- A1 Council has not yet resolved to close the road, it has only resolved to initiate road closure procedures which involves referring it to the adjoining property owners, the Ministry for Planning, the servicing authorities and undertaking advertising. If Council resolves to close the road then it will request the Hon Minister for Lands to declare the road closed.
- Q2 Should it go up for tender or auction?
- A2 The sale of the land within a closed road is the responsibility of the Department of Land Administration. Following DOLA's normal road closure procedures it is usually offered to the adjoining property owners.
- Q3 Will this have an effect on the eventual link-up of Edgewater Drive and Lakeside Drive?
- A3 The proposed closure is being considered with the intention of preventing the link-up of Edgewater Drive and Lakeside Drive.
- Q4 What is the size of this land?

A4 Approximately 963m².

Q5 Who is the private owner who stands to benefit by the amalgamation of this land?

A5 The two adjoining property owners being the Ministry for Planning and Karinya Nominees Pty Ltd have been requested to advise if they would be interested in purchasing the land if the road closure proceeds.

In relation to Western Power Substation:

Q6 What plans are before Council for the block of land adjacent to Western Power sub-station and entry to the Edgewater Train Station?

A6 The City does not have any development applications before it for this piece of land at the present time. An application for earthworks of this site was made by Haselhurst Management in October 1995. This application was approved in January 1996 following consultation with the Department of Aboriginal Affairs. The application was conditional on there being no earthworks within 10 metres of the drip line of the three scarred trees.

Mr Whitehall, 320 Warwick Road, Warwick:

Q Why did the Building Department pass plans for retaining walls on his property which were inadequate. On approaching the Building Department, no reasonable answers have been given, and this matter has been ongoing for a number of years and answers are requested. Also the contractor did not construct the retaining walls on the boundary as shown on the plans, as the parting wall between the two houses should have had a parting fence on top following construction and this cannot be done. Cr Major has raised this issue on a number of occasions.

The Mayor advised he would take these questions on notice.

Mr Keith Holmes (Question directed to Chief Executive Officer):

Q Would a written answer be received to his earlier questions.

A Yes.

Q If and only if the construction (Manakoora Rise) does not conform and if and only if it has deviated from the plans, what likely action would be put into place.

A This matter is currently under negotiation in a legal sense, and Council is therefore not in a position to predict the likely outcome.

Mrs A Hine, Dundobar Road, Wanneroo:

Q1 Why was there no discussion on the item at the Special Council meeting of 22 August 1996.

A1 A Workshop was held prior to the Special Council meeting to discuss this matter. Councillors were satisfied with the information presented to them and asked various questions. The Special Council meeting was then held to adopt the report.

Q2 Was it necessary to spend ratepayers' money on advertising this meeting in order to comply with the Local Government Act, as there was no intention to talk to the public.

A2 Council "workshopped" the Scheme which has now gone out for public advertising. The Scheme has not been finally adopted. Members of the public will have the opportunity to have input to the Scheme.

Ms Kathy Poynter, 6 Penola Court, Clarkson:

Q1 A Policy meeting was held in relation to circuses with performing animals. Did all Councillors receive the information sent to them by Animal Liberation, and read it, and did all Councillors read the letter supporting that submission written by the President of the RSPCA. Also, not all of the Councillors attended the Policy Committee meeting.

A1 This information was circulated to Councillors. 12 Councillors attended the Policy Committee meeting.

Q2 In light of the petition that Council has received in the last week of 457 signatures from residents of the area saying they do want Council to ban circuses that continue to use performing animals on animal welfare grounds, will Council consider this petition.

A2 Council has not made a decision on this matter. It is before Council tonight and each Councillor will vote on the matter.

Mr Michael Zampogna, 5 Tuart Trail, Edgewater:

Q In light of the President of the RSPCA WA writing to Council asking that Council bans animal circuses and RSPCA Australia is about to start a television campaign urging persons to write to their Councils urging them to ban animal circuses, and the fact that the State Government's Animal Welfare Advisory Committee has recommended it should be an offence to bring a circus with exotic animals into the State, will Council undertake to deny the use of its Council land to animal circuses.

A This decision will be made shortly and is up to individual councillors to decide.

CONFIRMATION OF MINUTES

C364-08/96 MINUTES OF COUNCIL MEETING, 24 JULY 1996

MOVED Cr O'Grady, **SECONDED** Cr Freame that the Minutes of the Council Meeting held on 24 July 1996, be confirmed as a true and correct record.

CARRIED

C365-08/96 MINUTES OF SPECIAL COUNCIL MEETING, 9 AUGUST 1996

Correction

Item SC78-08/96: the words "Local Government Act 1960" be amended to read "Local Government (Miscellaneous Provisions) Act 1960".

MOVED Cr Freame, **SECONDED** Cr Taylor that the Minutes of the Special Council Meeting held on 9 August 1996, amended as above, be confirmed as a true and correct record.

CARRIED

C366-08/96 MINUTES OF SPECIAL COUNCIL MEETING, 22 AUGUST 1996

MOVED Cr Freame, **SECONDED** Cr Wight that the Minutes of the Special Council Meeting held on 22 August 1996, be confirmed as a true and correct record.

CARRIED

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Nil

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Nil

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

AWARDS

The City of Wanneroo has in the past month received acclaim in two separate areas.

The ocean foreshore dual pathway received the National Heart Foundation award for the best outdoor facility in Australia.

Deputy Mayor, Fleur Freame, may wish to say a few words on this matter as she received the award in Sydney on behalf of Council a few weeks ago.

Cr Freame then presented to Council the plaque which had been awarded on that occasion and thanked Council for the opportunity to travel to Sydney to receive the award, which was sponsored by the Bank of Hong Kong.

During the recent Local Government Week the City was named the winner of the Best Special Publication in the Effective Communication Awards for the booklet entitled Mural Arts Programme, and a plaque was presented to Council.

This publication aims to turn graffiti into an art form at specific locations and so minimise the random tagging throughout the municipality.

BUDGET

Earlier this month, Council brought down its 1996/97 Budget.

Although the Budget estimates for this financial year have increased by \$16 million to \$122 million, the collection from rates has remained practically the same - \$46 million.

Most residential property owners will have found that their rates assessment have decreased a little or remained much the same.

Council's ability to keep the rates component of the Budget at the 1995/96 level is due in part to the debt reduction strategy it has been pursuing for a number of years.

As little income is needed to service debt this year, ratepayers are reaping the benefit of this prudent planning.

Also, I would like to remind you of a new incentive Council has offered ratepayers who pay early - a 5% discount on rates if paid by 18 September 1996. As well, Council this year has introduced more flexibility in the payment of rates by offering four options to ratepayers.

MEETING WITH THE PREMIER

Recently I met with the Premier to discuss a range of issues associated with the municipality including the rationalisation of the City's boundaries.

As a result of this discussion, a further meeting is currently being arranged between the Premier, the Local Government Minister, Paul Omodei and myself to look at this issue.

The Premier agreed with me that the changing of the City of Wanneroo's boundaries is not a simple matter of drawing a few lines on a map.

He also assured me that the Government had no political agenda with regards to a split up of the municipality.

EISTEDDFOD

The City of Wanneroo Eisteddfod is on again and this year attracted 744 entrants.

Run over the last three weekends of August, the Eisteddfod's continuing popularity is a tribute to the hard work of Cr Graeme Major and his wife, Alison.

Despite her breaking her ankle last week, Alison has not allowed this to interfere with the Eisteddfod programme.

This year there will be five trophy winners' concerts held over three days from Friday, 13 September 1996 to Sunday, 15 September 1996.

PETITIONS, MEMORIALS AND DEPUTATIONS

MANAKOORA RISE, SORRENTO - [3090/560/3]

Cr Hancock believed that the ratepayers in Manakoora Rise were not given the correct opportunity to ask questions or object as they were advised that the proposed height of the building was different to its finished height.

C367-08/96

REQUEST FOR REMOVAL OF "NO STANDING" SIGNS -
ALFRETON WAY, DUNCRAIG - [510-1770]

Cr Lynn submitted a letter from Mr Greg Jones of Alfreton Way, Duncraig requesting the removal of four "No Standing" signs from the south west corner of Alfreton Way.

This letter will be referred to Engineering Department for action.

MOVED Cr Taylor, **SECONDED** Cr Healy that the letter from Mr Greg Jones of Alfreton Way, Duncraig requesting the removal of four "No Standing" signs from the south west corner of Alfreton Way be received and referred to Engineering Department for action.

CARRIED

C368-08/96

LETTER IN RELATION TO RETAINING WALL, MERUKA
RETREAT, HILLARYS - [510-2798]

Cr Lynn submitted a letter from Margaret Halid of Meruka Retreat, Hillarys in relation to the erection of a retaining wall adjacent to 20 and 22 Meruka Retreat.

This letter will be referred to Administration Department for action.

MOVED Cr Taylor, **SECONDED** Cr Healy that the letter from Margaret Halid of Meruka Retreat, Hillarys in relation to the erection of a retaining wall adjacent to 20 and 22 Meruka Retreat be received and referred to Administration Department for action.

CARRIED

C369-08/96

PROBLEMS ASSOCIATED WITH ADVERTISING SIGNS -
BURREGAH WAY/MARMION AVENUE, DUNCRAIG - [30/5160]

Cr Lynn submitted a letter from Lee Walker of the Trinity Retirement Village, Duncraig in relation to problems associated with neon advertising signs within the shopping centre at the corner of Burreгах Way and Marmion Avenue, Duncraig.

This letter will be referred to Building Department for action.

MOVED Cr Taylor, **SECONDED** Cr Healy that the letter from Lee Walker of the Trinity Retirement Village, Duncraig in relation to problems associated with neon advertising signs within the shopping centre at the corner of Burreгах Way and Marmion Avenue, Duncraig be received and referred to Building Department for action.

CARRIED

REQUEST FOR "NO SANDBOARDING" SIGNS - QUINNS ROCKS - [765-12]

Cr O'Grady advised of a verbal request from a resident for "No Sandboarding" signs to be erected at Pearce Street entrance onto the beach at Quinns Rocks.

This request will be referred to Engineering Department for action.

C370-08/96 REQUEST FOR STRUCTURED ACTIVITIES FOR YOUTH - MINDARIE - [485-13]

Cr O'Grady submitted a letter from the Manager of the Mindarie Marina Hotel requesting the provision of structured activities for the youth of Mindarie.

This letter will be referred to Recreation and Cultural Services Department for a report to Council.

MOVED Cr Taylor, **SECONDED** Cr Healy that the letter from the Manager of the Mindarie Marina Hotel requesting the provision of structured activities for the youth of Mindarie be received and referred to Recreation and Cultural Services Department for a report to Council.

CARRIED

C371-08/96 DRAINAGE SUMP - GLENCOE LOOP, KINROSS - [510-3496]

A 10-signature petition has been received from residents of Glencoe Loop, Kinross expressing their concern at the number of children entering the drainage sump area adjacent to the park to play.

Security of private properties surrounding the drainage sump is also a factor the petitioners would like addressed.

This petition will be referred to Engineering Department for a report to Technical Services Committee.

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from residents of Glencoe Loop, Kinross expressing their concern at the number of children entering the drainage sump area adjacent to the park to play be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C372-08/96 ANTISOCIAL BEHAVIOUR - MALABAR CRESCENT, CRAIGIE - [0608/428/23]

A 7-signature petition has been received from residents of Craigie expressing their concern at the level of antisocial behaviour emanating from a property in Malabar Crescent, Craigie.

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

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from residents of Craigie expressing their concern at the level of antisocial behaviour emanating from a property in Malabar Crescent, Craigie be received and referred to Environmental Health Department for action.

CARRIED

C373-08/96 CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN WESTRA WAY AND BUCCHANTE CIRCLE, OCEAN REEF - [510-3041]

A 4-signature petition has been received from adjoining residents requesting the closure of the pedestrian accessway between Westra Way and Bucchante Circle, Ocean Reef.

The petitioners state the constant vandalism and antisocial behaviour occurring in and around the laneway as reasons for requesting its closure.

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

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from adjoining residents requesting the closure of the pedestrian accessway between Westra Way and Bucchante Circle, Ocean Reef be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

C374-08/96 PETITION OPPOSING CONSTRUCTION OF DWELLING TO THE REAR OF LOT 529 (9) TYSON PLACE, QUINNS ROCKS - [30/5255]

An 18-signature petition has been received from residents of Quinns Rocks opposing the construction of a three storey dwelling to the rear of Lot 529 (9) Tyson Place, Quinns Rocks.

The petitioners feel that such a structure would dominate existing buildings and depreciate the value of properties in the area.

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

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from residents of Quinns Rocks opposing the construction of a three storey dwelling to the rear of Lot 529 (9) Tyson Place, Quinns Rocks be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

**C375-08/96 PETITION SUPPORTING PROPOSED SHOPPING CENTRE -
LOT 12 (200) MIRRABOOKA AVENUE, ALEXANDER HEIGHTS
- [30/5273]**

An 80-signature petition has been received from members of the Alexander Heights Senior Citizens Club in support of the proposed shopping centre at Lot 12 (200) Mirrabooka Avenue, Alexander Heights.

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

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from members of the Alexander Heights Senior Citizens Club in support of the proposed shopping centre at Lot 12 (200) Mirrabooka Avenue, Alexander Heights be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

**C376-08/96 PETITION OBJECTING TO THE CLOSURE OF THE
PEDESTRIAN ACCESSWAY BETWEEN EDNA WAY AND
READSHAW ROAD, DUNCRAIG - [510-0725]**

A 6-signature petition has been received from residents of Wanbrow Way, Duncraig objecting to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig.

The petitioners state this accessway forms a link between Marri Road and Readshaw Road and is the connecting pathway between the primary school and the high school.

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

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from residents of Wanbrow Way, Duncraig objecting to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

**C377-08/96 PETITION SUPPORTING THE CONNECTION OF EDGEWATER
DRIVE TO LAKESIDE DRIVE - [510-1214]**

A 37-signature petition has been received from residents of Edgewater requesting that Edgewater Drive be connected to Lakeside Drive and appropriate traffic calming treatment be installed on Edgewater Drive.

The petitioners state this connection is required to provide residents easy access to Joondalup City and the Hospital.

This petition will be referred to Engineering Department for a report to Technical Services Committee.

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition from residents of Edgewater requesting that Edgewater Drive be connected to Lakeside Drive and appropriate traffic calming treatment be installed on Edgewater Drive be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C378-08/96 PETITION OPPOSING THE USE OF PERFORMING ANIMALS
IN CIRCUSES - [260-8]

A 459-signature petition (together with a further 57-signatures) has been received opposing the use of performing animals in circuses because:

- The natural instincts of circus animals are frustrated when they are forced to spend their lives in cages or chains;
- The constant transporting of the animals is a cause of distress;
- Most of the animals involved are required to complete physical programmes which are quite unnatural for them.

The petitioners request Council to join the 11 other municipal councils in Western Australia who have implemented policies prohibiting the use of Council land by circuses who use performing animals, in line with RSPCA Australia policy.

This petition will be considered in conjunction with Item P82-08/96.

MOVED Cr Taylor, **SECONDED** Cr Healy that the petition opposing the use of performing animals in circuses be received and considered in conjunction with Item P82-08/96.

CARRIED

4 letters have been received objecting to the northern end of the Edgewater Drive road reserve being developed for housing and urging Council to integrate the land into the adjoining Yellagonga Reserve.

These letters will be referred to Town Planning Department for a report to Town Planning Committee.

MOVED Cr Taylor, **SECONDED** Cr Healy that the letters objecting to the northern end of the Edgewater Drive road reserve being developed for housing be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

A SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)
MANAGEMENT COMMITTEE - Meeting held 27 June 1996

B YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE
Meetings held 11 July and 8 August 1996

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

CARRIED

ADVISORY COMMITTEES

A MULTICULTURAL ADVISORY COMMITTEE
Meetings held 9 July and 8 August 1996

B CHILDREN'S SERVICES ADVISORY COMMITTEE
Meeting held 22 July 1996

C HISTORICAL SITES ADVISORY COMMITTEE
Meeting held 24 July 1996

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

CARRIED

OTHER COMMITTEES

A WHITFORD RECREATION ASSOCIATION

Meetings held 17 June and 15 July 1995

- B KINGSLEY-WOODVALE COMMUNITY AND RECREATION ASSOCIATION
INC
Meeting held 19 June 1996
- C BURNS RATEPAYERS & RESIDENTS ASSOCIATION (INC)
Meeting held 11 July 1996
- D BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION
Meeting held 18 July 1996
- E YANCHEP TWO ROCKS RECREATION ASSOCIATION INC
Meeting held 5 August 1996
- F JUNIOR COUNCIL
Meeting held 6 August 1996

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

CARRIED

DECLARATIONS OF PECUNIARY INTEREST

Cr Healy declared an interest in Item TS211-08/96.

Cr Wight declared an interest in Item TS217-08/96.

Cr Dammers declared an interest in Items TP177-08/86, TP186-
08/96 and C395-08/96.

Cr Duffy declared an interest in Items TP189-08/96, TP205-08/96
and C392-08/96.

Cr O'Grady declared an interest in Item CS135-08/96.

Cr Freame declared an interests in Item CS138-08/96 and C390-
08/96.

Cr Major declared an interest in Item CS140-08/96.

Cr Magyar declared an interest in Item CS140-08/96

Cr Popham declared an interest in Item C392-08/96.

Cr Hancock declared an interest in Item C392-08/96.

The Chief Executive Officer declared an interest in Item C395-
08/96.

Cr Cooper declared an interest in Item C396-08/96.

BUSINESS REQUIRING ACTION

Legend - Numbering System:

B - Business for Information	OC - Occasional Committee
C - Council	P - Policy
CS - Community Services	TP - Town Planning
FA - Finance & Admin Resources	TS - Technical Services
SC - Special Council	
C380-08/96	POLICY COMMITTEE

MOVED Cr O'Grady, **SECONDED** Cr Healy that the Report of the Policy Committee held on 12 August 1996 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY from 1805 hrs	North Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY from 1807 hrs	South Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward

P O HEALY - Observer, Deputising for	
Cr O'Grady to 1805 hrs	North Ward
A G TAYLOR - Observer; deputising for	
Cr Duffy to 1807 hrs	South Ward
T W POPHAM - Deputising for Cr Wight	South Ward
S P MAGYAR - Observer	Central Ward
M E LYNN, JP - Observer	South-West Ward
V G HANCOCK - Observer from	
1804 hrs	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Planner:	O G DRESCHER
City Engineer:	R McNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER from 1835 hrs
City Parks Manager:	F GRIFFIN
City Recreation and Cultural	
Services Manager:	R BANHAM
Executive Assistant:	P A HIGGS
Committee Clerk:	J HARRISON

APOLOGIES

An apology for absence was tendered by Cr Cooper.

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 8 July 1996 were confirmed as a true and correct record.

The Minutes of Special Policy Committee Meetings held on 10 July 1996 and 17 July 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced:	1802 hrs
Closed:	1920 hrs

REPORT NO:

P76-08/96

LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]

Counsel Assisting the Royal Commission, Mrs Narelle Johnson, presented her summing up comments to the Royal Commission during the week ending 2 August 1996. Those comments reflected adversely upon both individuals and various administrative practices of the City, and parties affected by those comments were afforded one week to make written submission to the Commission by way of clarification.

The Chief Executive Officer provides details of applications submitted for legal representation to assist in the preparation of submissions.

CHIEF EXECUTIVE OFFICER'S REPORT recommended that Council, in accordance with the provisions of Policy A2-12 **LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY;**

- 1 endorses the Chief Executive Officer's action to provide interim approval under the urgency provisions for legal representation submitted by the Mayor, Cr A Dammers, the former Town Clerk, Mr R Coffey, the City Treasurer, Mr J Turkington and Cr Brian Cooper; and
- 2 the formal submissions undertaken by Kott Gunning on behalf of Mr R Coffey and Cr B Cooper.

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

- 1 in accordance with the provisions of Policy A2-12 **LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY;**
 - (a) endorses the Chief Executive Officer's action to provide interim approval under the urgency provisions for legal representation submitted by the Mayor, Cr A Dammers, the former Town Clerk, Mr R Coffey, the City Treasurer, Mr J Turkington and Cr Brian Cooper;
 - (b) approves the formal submissions undertaken by Kott Gunning on behalf of Mr R Coffey and Cr B Cooper;
- 2 provides a copy of the Policy to past Councillors who served on Council during the time covered by the terms of Reference of the Royal Commission.

CARRIED

P77-08/96

FINANCIAL INTEREST - [702-3]

MANAGER, CORPORATE SERVICES' REPORT

The Local Government Act 1995 and Local Government regulations put in place new requirements in respect of the disclosure and recording of financial interests. These were termed pecuniary interests in the previous act.

The Manager Corporate Services reports on definition of financial interest, change in rights when a financial interest is declared, primary and annual returns of interests and additional reference material.

He advises that the change in definition of financial interest, meeting arrangements and the recording of declarations take effect from July 1, 1966 however the requirement for Councillor and designated staff members to disclose their financial interests in Primary and Annual Returns does not commence until May 3, 1997.

MOVED Cr Wight, **SECONDED** Cr Taylor that Council prepares Primary Return forms for circulation to Councillors in December 1996.

CARRIED

P78-08/96

COMPETITION PRINCIPLES AGREEMENT - [702-0]

MANAGER, CORPORATE SERVICES' REPORT

In early 1994, at a meeting of the Council of Australian Government, the Federal and State Governments entered into a Competition Principles Agreement. Clause 7 of the agreement requires State governments to negotiate with local government with a view to the implementation of competition principles.

The Manager Corporate Services outlines nominated principles of the competition policy which will be applied to local government and reports on the agreement and activities which are not the subject of the Competition Policy.

He advises that a competition policy manual is now being developed by the Western Australian Municipal Association and should be available in approximately one month and comments that this document will define industry standards and provide for uniform implementation within the industry.

MOVED Cr Wight, **SECONDED** Cr Taylor that MANAGER, CORPORATE SERVICES' REPORT P78-08/96 be received.

CARRIED

P79-08/96

AFTER HOURS CUSTOMER SERVICE - [905-3]

The Policy Committee, at its meeting on 13 May 1996 requested an investigation and report into the feasibility of establishing a "24 Hour Hot Line" (Item P47-05/96 refers).

The Acting City Engineer provides background details on the subject matter and reports on discussions held with the Manager Corporate Services, funding and implementation of an "after hours" customer information service.

He advises that initial implementation would be to install the equipment and develop effective operating procedures and comments that when these are in place, the 24 hour service would then be promoted to the community.

ACTING CITY ENGINEER'S REPORT recommended that Council approves the use of a telephone answering machine to provide an "after hours" information and request service for the Waste Management Section on telephone number 405 0112.

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

- 1 consideration of this matter be deferred;
- 2 a further report be submitted to Policy Committee on the implementation of a "Hot Line" to cover all of Council's services.

CARRIED

P80-08/96

**PUBLIC REVIEW PROCEDURES FOR MANAGEMENT PLANS:
RECONSIDERATION - [765-20]**

CITY PLANNER'S REPORT

Council, at its meeting of 26 June 1996, considered the adoption of a policy on Public Review Procedures for Foreshore Management Plans and resolved to defer and refer it back to allow further consideration to a number of amendments required by Cr Magyar (Item P61-06/96 refers).

The City Planner provides background details on the subject matter and comments on deletion of the word "foreshore", extent of public comment period and views of environmental groups.

He advises that since the public consultation process required for the Foreshore Management Plans is different to that required for the other management plans, a policy only for the Foreshore Management Plans is recommended.

Cr Magyar requested the advertising period for draft amendments to Foreshore Management Plans be amended from four to six weeks.

MOVED Cr Wight, **SECONDED** Cr Taylor that Council, in order to enhance the public consultation processes in relation to the draft Foreshore Management Plans, revised draft Foreshore Management Plans and draft amendments to the Foreshore Management Plans, adopts as policy the following public review procedures:

- 1 with regard to the draft Foreshore Management Plan:
 - (a) advertises twice in the Wanneroo Times and the West Australian providing nine weeks for public comment, indicating the venues and time of the workshops/bus tours and requesting the public to register for the workshops/bus tours;
 - (b) deposits four copies of the reports in all the City's libraries during the public consultation period, of which two can be loaned for a period of one week only;
 - (c) conducts workshops/bus tours on the Saturday afternoon of the fourth/fifth weekend of the public comment period;
 - (d) writes to the respective Presidents of the Ratepayers' Associations and Environmental Groups requesting them to invite their members to the workshops/bus tours;
 - (e) invites representatives of the consultants, where applicable, to the workshops and bus tours to assist the public on the technical matters;
 - (f) considers the views of the participants presented in the workshop/bus tours along with the written submissions submitted by the public to finalise the plan;
- 2 where a draft Foreshore Management Plan after the initial consultation period is subject to revision warranting another public consultation:
 - (a) advertises the revised draft Foreshore Management Plan twice in the Wanneroo Times and the West Australian providing six weeks for public comment;

- (b) deposits four copies of the revised reports in all the City's libraries during the public consultation period of which two can be loaned for a period of one week only;
- (c) writes to all the affected owners inviting submissions;

3 with regard to the draft amendments to Foreshore Management Plans:

- (a) advertises twice in the Wanneroo Times and the West Australian providing six weeks for public comments;
- (b) deposits four copies of the reports in all the City's libraries during the public consultation period, of which two can be loaned for a period of one week only.

CARRIED

P81-08/96 PRIVACY SCREENS - [920-9]

A report was submitted to the Policy Committee on 22 April 1996, on Privacy Screens, including a proposed policy (Item P32-04/96 refers). Consideration of the matter was deferred and a further report was requested.

The City Building Surveyor reports on privacy screens, structural issues, Dividing Fences Act, Council's By-laws and policy.

He considers that an information sheet should be produced and be made available to property owners to illustrate recommendations for the construction of privacy screens, address issues of colour, the need to consult with neighbours and other options including landscaping and indicate that the choice of the colour of the screen should be agreed to by both adjoining owners.

CITY BUILDING SURVEYOR'S REPORT recommended that Council authorises production of an information sheet on privacy screens illustrating recommended construction methods and materials and other options to provide to people desiring to construct a privacy screen.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Wight that Council authorises production of a draft information sheet on privacy screens illustrating recommended construction methods and materials and other options to provide to people desiring to construct a privacy screen.

CARRIED

On 24 July 1996, a report was requested on Council's right to ban circuses that exhibit caged animals. It was also requested that information be sought from the State Government on its progress in relation to a uniform policy for circuses.

The City Recreation and Cultural Services Manager provides background details of the subject matter and outlines comments received from the Circus Federation of Australia and the RSPCA Australia.

He advises that the Department of Local Government, through its Animal Welfare Advisory Group, is currently working on a code of practice for circuses but it is unlikely that the New Animal Welfare Act will be finalised and before Parliament until early 1997.

The City Recreation and Cultural Services Manager reports that a recent performance by Burtons Circus at Ariti Avenue Reserve in Wanneroo prompted several adverse comments in regard to the use of Council's reserves for circuses with performing animals.

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

recommended that Council, subject to honouring any standing bookings, amends its policy in regard to circuses as follows:

"The City of Wanneroo precludes the use of Council reserves for circuses which include animal acts. Applications from non traditional circuses (circuses without performing animals) shall be restricted to Ariti Avenue Park, Wanneroo and Liddell Park, Girrawheen. Neither of these reserves shall be used to accommodate a circus more than once in a twelve month period."

COMMITTEE RECOMMENDATION

That Council endorses its existing Policy - Circuses H4-03, which reads:

"Circuses affiliated with the Circus Federation of Australia, and non-traditional circuses, be permitted to use Council facilities at Ariti Avenue Reserve or Liddell Reserve South. Neither of these reserves shall be used to accommodate a circus more often than once in any 12 months period."

Cr Lynn left the Chamber at this point, the time being 2015 hrs. **MOVED** Cr Major, **SECONDED** Cr Freame that Council does not permit circuses on Council property.

Discussion ensued. Cr Major with the approval of Cr Freame advised that he wished to have his Motion **WITHDRAWN**

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

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

- 1 Council subject to honouring any standing bookings, amends its policy in regard to circuses as follows:

"the City of Wanneroo precludes the use of council reserves for circuses which include the use of non-conventional domesticated animals. Applications from non traditional circuses (circuses including conventional domesticated animals) shall be restricted to Ariti Avenue Park, Wanneroo and Liddell Park, Girrawheen. These reserves shall not be used to accommodate a circus more than once in a twelve month period;"
- 2 a further report be submitted on the suitability of the use of Central Park adjacent to the railway station, Joondalup as a venue for acceptable circuses. **LOST**

Cr Major requested that voting be recorded, with the following results:

FOR: Crs Freame, Major, Magyar, O'Grady and Healy
AGAINST: Crs Dammers, Cooper, Lynn, Taylor, Wight, Duffy, Hancock, Popham and Ewen-Chappell.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Wight that Council endorses its existing Policy - Circuses H4-03, which reads:

"Circuses affiliated with the Circus Federation of Australia, and non-traditional circuses, be permitted to use Council facilities at Ariti Avenue Reserve or Liddell Reserve South. Neither of these reserves shall be used to accommodate a circus more often than once in any 12 months period."

CARRIED

P83-08/96 POLICY FLOODLIGHTS (H4-08) - [250-9]

CITY PARKS MANAGER'S REPORT

Council at its meeting of May 1996 requested a review of Policy H4-08 - Floodlights.

The City Parks Manager provides details of the current policy and reports on the areas with floodlights currently maintained by the Parks Department and those funded by various clubs for additional lights.

He advises that all clubs and sporting bodies have over the years been made aware of the policy and as a general rule are in agreement with this policy and considers it is not necessary at this stage to alter the policy.

MOVED Cr Wight, **SECONDED** Cr Taylor that Council maintains the existing policy for floodlights (H4-08).

CARRIED

P84-08/96 USE OF SOLAR LIGHTING - [221-2]

Cr Freame referred to a previous request for a report on solar lighting for playgrounds, which was submitted to Council, but no action taken. She advised of information obtained during Local Government Week of a company in Wangara which produces solar lighting and requested that further consideration now be given to the use of solar lighting.

Chief Executive Officer advised that he had obtained brochures in this regard which had been referred to the City Engineer.

MOVED Cr Wight, **SECONDED** Cr Taylor that a report be submitted to Technical Services Committee on the feasibility of the use of solar lighting.

CARRIED

LOCKABLE STORAGE AREA - [702-0]

Cr Ewen-Chappell requested a lockable cupboard be made available on the third floor of Administration Building to secure personal items. Cr Dammers advised this request would receive attention.

P85-08/96 TWO HOUSES ON ONE LOT POLICY - [702-1]

Cr Duffy queried the need for landowners to agree to caveats being lodged on their titles prior to Council approving two houses on one lot. He believed the placing of a caveat was an imposition which caused concern to landowners and requested Council to change its policy in this regard.

MOVED Cr Wight, **SECONDED** Cr Taylor that a report be submitted to Policy Committee outlining background information to the creation of the Two Houses on One Lot Policy and the ramifications if such policy were removed.

CARRIED

SIGNAGE - BUNNINGS WAREHOUSE, JOONDALUP DRIVE, EDGEWATER -
[30/4943]

Cr Taylor queried whether an application had been received to increase the signage at the Bunnings Warehouse, Joondalup Drive, Edgewater, as he believed the signage had increased in size.

City Building Surveyor advised he would take this question on notice.

Cr Popham left the Chamber at this point, the time being 2036 hrs.

C381-08/96 TECHNICAL SERVICES COMMITTEE

MOVED Cr Wight, **SECONDED** Cr Magyar that the Report of the Technical Services Committee Meeting, held on 14 August 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 to 1921 hrs	South
	Ward	
	W D DUFFY - Observer	South Ward
	F D FREAME - Observer	South-West Ward
	M E LYNN, JP - Observer to	
	1934 hrs	South-West
	Ward	

Chief Executive Officer	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Engineer:	R McNALLY
City Building Surveyor:	R G FISCHER
Deputy City Building Surveyor:	L CANDIDO
City Parks Manager:	F GRIFFIN
Traffic Engineer:	L ROUND to 1816 hrs

Minute Clerk:

S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Cooper.

PUBLIC/PRESS ATTENDANCE

There were 4 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 10 JULY 1996

The Minutes of the Technical Services Committee Meeting held on 10 July 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - PROPOSED DWELLING: LOT 222 (8) BROOKVALE RISE, KALLAROO

Mr G McCann, Architect, and Mr and Mrs Rocci requested to address the Committee in relation to the application for the proposed dwelling to be constructed at Lot 222 (8) Brookvale Rise, Kallaroo - Item TS221-08/96 refers.

As the recommendation in relation to this item was changed due to the submission of additional information from the City Building Surveyor, the deputation no longer wished to address the Committee.

TRAFFIC SAFETY AT SCHOOLS - ROADWISE WORKSHOP - Item B122-08/96 refers)

Miss Louise Round, Traffic Engineer from the Engineering Department, gave a brief overview on the RoadWise programme, which she advised was a partnership between local government and the community to reduce road trauma.

Miss Round presented the Committee with leaflets of a road safety guide for parents of primary school children - Appendix I refers.

Appendix I refers.

DEPUTATION - KINGSWAY SPORTING COMPLEX - POWER SUPPLY

Mr Nick Trandos and Mr Harry Trandos of the Kingsway Soccer Club, addressed the Committee in relation to Kingsway Sporting Complex - Power Supply - Item TS218-08/96 refers.

Mr Nick Trandos referred to the recent report submitted by the City Building Surveyor and advised that although they accepted this report they believed the figures supplied in relation to the estimate of cost for reserve lighting would need reviewing.

In relation to the building at Kingsway, he commented that it was Council's responsibility to provide power and lighting to this building as the Soccer Club only leased the building from the City of Wanneroo.

Mr N Trandos suggested that the Council investigate the problems arising with the power supply and believed that trees planted near the cable had caused damage to the line.

He also suggested that Council call tenders to carry out the necessary work and requested that the Soccer Club be allowed to tender for the job.

Mr Harry Trandos then addressed the Committee and requested direction from Council in relation to who had responsibility for the cable as he believed the cable was the responsibility of Council.

He advised of problems they had experienced due to wrongful connection of the reserve lighting to the Soccer Club's meter and believed the cable was Council's responsibility, not the Soccer Club's.

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

DECLARATIONS OF PECUNIARY INTEREST

Cr Healy declared an interest in Item TS211-08/96.

CONFIDENTIAL BUSINESS

Cr Magyar requested the meeting be held behind closed doors to discuss an item regarding Council's liability.

MEETING TIMES

Commenced:	1804 hrs
Closed:	2017 hrs

REPORT NO:

**TS205-08/96 TENDER 51-96/97 - SUPPLY AND DELIVERY OF STREET
NAME PLATES, REGULATORY, FACILITY AND TOURIST
PLATES, ROADWORK AND SPECIAL PURPOSE SIGNS -
[208-51-96/97]**

ACTING CITY ENGINEER'S REPORT

Tender No 51-96/97 for the supply and delivery of various types of signage for the period 30 September 1996 to 30 June 1997 with two optional twelve month extensions at the discretion of Council was re-advertised in July 1996.

The City Engineer reports on the tender submissions received.

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

- 1 accepts the tender prices submitted by De Neefe Signs Pty Ltd, as shown on Attachment 1 to Report No TS205-08/96 for Contract No 51-96/97 - Supply and Delivery of Street Name Plates, Regulatory, Facility and Tourist Plates, Roadwork and Special Purpose Signs for the period 30 September 1996 to 30 June 1997;
- 2 authorises the signing of the contract documents.

CARRIED

Appendix II refers.

**TS206-08/96 TENDER NO 52-96/97 - LAYING OF BRICK PAVING -
[208-52-96/97]**

ACTING CITY ENGINEER'S REPORT

Tender No 52-96/97 for the laying of brick paving for the period 30 September 1996 to 30 June 1997 with two optional twelve month extensions at the discretion of Council was advertised in July.

The Acting City Engineer reports on the tender submissions received.

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

- 1 accepts the tender price of \$8.00 per m² from Tapps Brickpaving and Landscaping for Contract No 52-96/97 - Laying of Brickpaving for the period 30 September 1996 to 30 June 1997;

2 authorises the signing of the contract documents.

CARRIED

TS207-08/96 TENDER NO 53-96/97 - SWEEPING OF CAR PARKS -
[208-53-96/97]

ACTING CITY ENGINEER'S REPORT

Tender No 53-96/97 for the sweeping of Council car parks for the period 30 September 1996 to 30 June 1997 with two optional twelve month extensions at the discretion of Council was advertised in July.

The Acting City Engineer reports on the tender submissions received.

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

1 accepts the tender price of \$15,900 from Cruiser Road Sweepers for Contract No 53-96/97 - Sweeping of Car Parks for the period 30 September 1996 to 30 June 1997;

2 authorises the signing of the contract documents.

CARRIED

TS208-08/96 TENDER NO 54-96/97 - MATERIAL TESTING - [208-54-
96/97]

ACTING CITY ENGINEER'S REPORT

Tender No 54-96/97 for the provision of field and laboratory testing services for the period 30 September 1996 to 30 June 1997 with two optional twelve month extensions at the discretion of Council was advertised in July.

The City Engineer reports on the tender submissions received.

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

1 accepts the tender prices from Qualcon Laboratories, as shown on Attachment 1 to Report TS208-08/96 for Contract No 54-96/97 - Material Testing for the period 30 September 1996 to 30 June 1997;

2 authorises the signing of the contract documents.

CARRIED

Appendix III refers.

ACTING CITY ENGINEER'S REPORT

Council, at its meeting held on 23 June 1993, resolved to establish a new agreement with Streetside Advertising thereby enabling continuation of the supply and installation of street benches depicting advertisements within the municipal road reserve subject to various conditions (Items H10640 and H10640A refer).

The Acting City Engineer provides details and comments on the proposal.

He considers that, prior to expiration of the current contact in June 1999, Council should again review its policy in relation to street bench advertising.

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

- 1 advises Streetside Advertising that its right to exercise the option pursuant to the current agreement for the supply and maintenance of street benches for a further three (3) years commencing on 1 July 1996 is acknowledged;
- 2 undertakes a review of its policy in relation to street bench advertising prior to the expiry of the current contract in June 1999.

CARRIED

ACTING CITY ENGINEER'S REPORT

At its June meeting Council requested that a report be submitted on improvements to the line of vision at the intersection of Quinns Road and Marmion Avenue. It had been reported that ongoing accidents had been occurring at this intersection (Item P64-06/96 refers).

The Acting City Engineer provides details of accident statistics and comments on discussions held with a Main Roads Traffic Officer in relation to these accidents.

He advises that proposed improvements to the existing left turn deceleration lane into Quinns Road from Marmion Avenue would provide motorists with a more defined turning pocket and

therefore increase the visibility of the following through traffic and provides details of funding for the proposed work.

MOVED Cr Healy, **SECONDED** Cr Wight that Council approves the modification to the left turn deceleration lane in Marmion Avenue at the Quinns Road intersection as shown on Attachment 1 to Report No TS210-08/96.

CARRIED

Appendix IV refers.

TS211-08/96 SINAGRA STREET, WANNEROO - [510-263]

ACTING CITY ENGINEER'S REPORT

At its meeting in June 1996, an eight signature petition was submitted to Council requesting that Sinagra Street, Wanneroo be made into a cul-de-sac at Civic Drive (Item C272-06/96 refers).

The petitioners consider that there is excessive traffic flow on Sinagra Street and this is impacting on the safety of the street and residents.

The Acting City Engineer provides background details on the subject matter, reports on traffic volumes, speeds and accidents and comments on the effects the proposed cul-de-sac at Civic Drive would have on Jindinga Way.

He advises that there does not appear to be a major warrant for the closure of Sinagra Street at Civic Drive and approval for closure could also set a precedent for similar requests from other local street residents.

Cr Healy declared an interest in this Item as one of his business associates lives in Sinagra Street.

Cr Healy left the Chamber at this point, the time being 2037 hrs.

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

- 1 does not approve Sinagra Street to be made into a cul-de-sac at Civic Drive, Wanneroo;
- 2 advises the petitioners accordingly.

CARRIED

Cr Healy entered the Chamber at this point, the time being 2038 hrs.

ACTING CITY ENGINEER'S REPORT

At its May 1993 meeting, Council considered a report on parking prohibitions along Collier Pass, Joondalup (Item H90436 refers).

This was generated by the increase in the number of vehicles parking along Collier Pass and obstructing the free flow of traffic.

The City Engineer provides details of the issues involved in relation to motorists parking in the City Centre precinct and reports on a proposal to install parking restrictions to ban or restrict parking in areas close to junctions, pedestrian crossing points and vehicular accesses to properties.

He proposes that sign poles within the City Centre be installed by LandCorp in accordance with the standard approved by Council at its August 1995 meeting (Item TS238-08/95 refers) and provides details of the extent and type of proposed parking prohibitions for the Joondalup City Centre.

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

- 1 approves installation of 'NO STANDING ANYTIME' signs at the junction of Grand Boulevard and Boas Avenue as shown on Attachment 2 to Report TS212-08/96;
- 2 approves installation of 'NO STANDING ANYTIME' signs at the junction of Grand Boulevard and Reid Promenade as shown on Attachment 2 to Report TS212-08/96;
- 3 approves installation of 'NO STANDING ANYTIME' signs adjacent to the pedestrian refuge island on Boas Avenue East as shown on Attachment 2 to Report TS212-08/96;
- 4 approves installation of 'NO STANDING ANYTIME' signs adjacent to the pedestrian refuge island on Reid Promenade East as shown on Attachment 2 to Report TS212-08/96;
- 5 approves installation of 'NO STANDING ANYTIME' signs adjacent to the access roads on Reid Promenade East as shown on Attachment 2 to Report TS212-08/96;
- 6 approves installation of 'NO STANDING ANYTIME' signs adjacent to the access roads on Reid Promenade West as shown on Attachment 2 to Report TS212-08/96;

- 7 approves installation of 'NO STANDING ANYTIME' signs adjacent to the access roads on Boas Avenue West as shown on Attachment 2 to Report TS212-08/96;
- 8 approves installation of 'NO STANDING ANYTIME' signs at the junction of Boas Avenue West and McLarty Avenue as shown on Attachment 2 to Report TS212-08/96;
- 9 approves installation of 'NO PARKING ANYTIME' signs on the west side of McLarty Avenue as shown on Attachment 2 to Report TS212-08/96;
- 10 approves installation of 'NO STANDING ANYTIME' signs adjacent to the access roads on the east side of McLarty Avenue between Reid Promenade and Boas Avenue as shown on Attachment 2 to Report TS212-08/96;
- 11 approves installation of 'NO PARKING ANYTIME' signs on the east side of Grand Boulevard between Boas Avenue and Reid Promenade as shown on Attachment 2 to Report TS212-08/96;
- 12 approves installation of 'NO PARKING ANYTIME' signs on the west side of Grand Boulevard between Boas Avenue and Reid Promenade as shown on Attachment 2 to Report TS212-08/96;
- 13 approves installation of 'NO STANDING ANYTIME' signs at the junction of McLarty Avenue and Reid Promenade as shown on Attachment 2 to Report TS212-08/96;
- 14 approves installation of 'NO STANDING ANYTIME' signs on both sides of Grand Boulevard south of Shenton Avenue as shown on Attachment 3 to Report TS212-08/96;
- 15 approves installation of 'NO PARKING ANYTIME' signs on both sides of Grand Boulevard between Reid Promenade and Shenton Avenue as shown on Attachment 3 to Report TS212-08/96;
- 16 approves installation of 'NO STANDING ANYTIME' signs on the west side of McLarty Avenue south of Shenton Avenue as shown on Attachment 3 to Report TS212-08/96;
- 17 approves installation of 'NO STANDING ANYTIME' signs on the east side of McLarty Avenue between Shenton Avenue and Reid Promenade as shown on Attachment 3 to Report TS212-08/96;

- 18 approves installation of 'NO STANDING ANYTIME' signs at the junction of Boas Avenue and Davidson Terrace as shown on Attachment 4 to Report TS212-08/96;
- 19 approves installation of 'NO STANDING ANYTIME' signs at the junction of Reid Promenade and Davidson Terrace as shown on Attachment 4 to Report TS212-08/96;
- 20 approves installation of 'NO STANDING ANYTIME' signs at the junction of Boas Avenue and Lakeside Drive as shown on Attachment 4 to Report TS212-08/96;
- 21 approves installation of 'NO STANDING ANYTIME' signs at the junction of Reid Promenade and Lakeside Drive as shown on Attachment 4 to Report TS212-08/96;
- 22 approves installation of 'NO STANDING ANYTIME' signs adjacent to the access roads on Reid Promenade East as shown on Attachment 4 to Report TS212-08/96;
- 23 approves installation of 'NO STANDING ANYTIME' signs adjacent to the access roads on Boas Avenue East as shown on Attachment 4 to Report TS212-08/96;
- 24 approves installation of 'NO STANDING ANYTIME' signs on both sides of Davidson Terrace south of Shenton Avenue as shown on Attachment 5 to Report TS212-08/96;
- 25 authorises LandCorp to install the approved parking prohibitions in accordance with Council's previous resolution TS238-08/95;
- 26 advises LandCorp accordingly.

CARRIED

Appendices V, VI, VII and VIII refer.

**TS213-08/96 PARKING - WOODVALE DRIVE TIMBERLANE RESERVE,
WOODVALE - [510-1800, 510-2320]**

ACTING CITY ENGINEER'S REPORT

At its December 1995 meeting Council resolved to seek the opinion of nearby residents of Woodvale Drive and Shorebird Parade as to the extent and type of parking prohibitions appropriate to limit the impact of vehicles associated with weekend sporting fixtures at Timberlane Park (Item No TS384-12/95 refers).

The Acting City Engineer reports on the results of a questionnaire which was circulated to the 17 residents most

affected by the proposal and comments on a proposed extension to the existing car park at Timberlane Park which has been tentatively listed in the 1997/98 Capital Works Program.

He advises that in the interim, as Woodvale Drive has a 10m wide pavement which is sufficient to allow kerbside parking adjacent to the park the installation of parking prohibitions on the residential side of this road is supported.

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

- 1 installs "NO STANDING ANY TIME" signs on the junctions of Woodvale Drive with Justica Close, Shorebird Parade, Malus Court and Springwood Way as shown on Attachment 3 to Report TS213-08/96;
- 2 installs "NO PARKING 8AM - 6PM, SUNDAY" signs on the residential side of Woodvale Drive between Justica Close and Springwood Way as shown on Attachment 3 to Report No TS213-08/96;
- 3 installs "NO PARKING 8AM - 6PM, SUNDAY" signs in Malus Court 6m from the front boundary of Lot 261 to the eastern boundary of Lot 255 as shown on Attachment 3 to Report No TS213-08/96;
- 4 advises the affected residents accordingly.

CARRIED

Appendix IX refers.

TS214-08/96 FLINDERS AVENUE - SPEEDING VEHICLES - [510-631]

ACTING CITY ENGINEER'S REPORT

A letter from a resident of Hillarys expressing concern at traffic volume and speed on Flinders Avenue, Hillarys was tabled at the March meeting of Council. It was resolved that a report be presented to Council on this matter (Item C69-03/96b refers).

The Acting City Engineer provides background details on traffic treatments presently in Flinders Avenue, reports on a traffic survey conducted on the eastern section of Flinders Avenue and comments on a proposal to construct a roundabout at the junction of Flinders Avenue and Mawson Crescent to reduce the speed of both westbound and eastbound vehicles through this junction.

He advises it is also proposed to continue the existing pedestrian refuge island painted median treatment from Mawson Crescent to Cook Avenue and anticipates that this overall treatment will have a significant impact in reducing the 85th

percentile of vehicle speeds and increase pedestrian safety along Flinders Avenue between Marmion Avenue and Cook Avenue.

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

- 1 endorses the proposed traffic treatment of Flinders Avenue with a roundabout at the Mawson Crescent junction and a painted median island treatment between Cook Avenue and Mawson Crescent as shown on Attachment 2 to Report No TS214-08/96;
- 2 advises the residents of Flinders Avenue accordingly.

CARRIED

Appendix X refers.

TS215-08/96 **NORMAN DISNEY AND YOUNG ADMINISTERED ANNUAL
TENDERS FOR MECHANICAL SERVICES TO THE JOONDALUP
ADMINISTRATION CENTRE, JAC COMPUTER CENTRE,
CRAIGIE LEISURE CENTRE AND THE WANNEROO LIBRARY -
[208-128,129,130,131-96/97]**

CITY BUILDING SURVEYOR'S REPORT

Council endorsement is sought for the letting of mechanical services of annual contract (1/7/96 - 30/6/97) to the Joondalup Administration Centre, JAC Computer Centre, Craigie Leisure Centre and Wanneroo Library.

The City Building Surveyor reports on tender submissions received.

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

- 1 accepts the sum of \$11,711.00 from Direct Engineering Services for the annual maintenance contract work tender ref 128-96/97 applicable to the Joondalup Administration Centre;
- 2 accepts the sum of \$300.00 from Haden Engineering for the annual maintenance contract work, tender ref 129-96/97, applicable to the Joondalup Administration Centre computer room;
- 3 accepts the sum of \$6,394.00 from Haden Engineering for the annual maintenance contract work, tender ref 130-96/97, applicable to the Craigie Leisure Centre;

- 4 accepts the sum of \$2,500.00 from Haden Engineering for the annual maintenance contract work, tender ref 131-96/97, applicable to the Wanneroo Library;
- 5 acknowledges that each of the above annual maintenance contracts are from 1/7/96 to 30/6/97 with the option of contract renewal for a further one year period terminating at 30/6/98 should this option be acceptable to the City and the contractor.

CARRIED

TS216-08/96 **NORMAN DISNEY AND YOUNG ADMINISTERED ANNUAL
TENDERS FOR FIRE SERVICES TO THE CRAIGIE LEISURE
CENTRE, WHITFORDS LIBRARY, DUNCRAIG LIBRARY,
GIRRAWHEEN LIBRARY AND THE WANNEROO LIBRARY -
[208-132,133,134,135,136-96/97]**

CITY BUILDING SURVEYOR'S REPORT

Council endorsement is sought for the letting of fire services annual contracts (1/7/96 - 30/6/97) to Craigie Leisure Centre, Whitfords Library, Duncraig Library, Girrawheen Library and Wanneroo Library.

The City Building Surveyor reports on tender submissions received.

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

- 1 accepts M as the contractor providing the annual fire services for the following centres at the listed price:
- Craigie Leisure Centre - Tender Ref 132-96/97
- \$760.00
 - Whitfords Library - Tender Ref 133-96/97
- \$420.00
 - Duncraig Library - Tender Ref 134-96/97
- \$420.00
 - Girrawheen Library - Tender Ref 135-96/97
- \$420.00
 - Wanneroo Library - Tender Ref 136-96/97
- \$420.00;
- 2 acknowledges that each of the above annual maintenance contracts run from 1/7/96 to 30/6/97, with the option of contract renewal for a further one year period terminating at 30/6/98 should this option be acceptable to the City and the contractor.

CARRIED

CITY BUILDING SURVEYOR'S REPORT

The National Conference of the Australian Institute of Building Surveyors is to be held at the World Congress Centre, Melbourne, Victoria from 2 - 6 September 1996.

The City Building Surveyor provides details of the programme for the Conference, reports on officers who will be attending the Conference and suggests that a Councillor also attends.

Cr Taylor nominated Cr Wight.

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

Cr Wight left the Chamber at this point, the time being 2039 hrs.

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

- 1 endorses the attendance of Mr L Candido and Mr R Scarce at the Australian National Conference of the Australian Institute of Building Surveyors and authorises accommodation expenses for Mr Candido and Conference registration fees, accommodation and air fares for Mr Scarce;
- 2 nominates Councillor Wight to attend the National Conference of the Australian Institute of Building Surveyors to be held at the World Congress Centre, Melbourne, Victoria from 2-6 September 1996;
- 3 authorises, the payment of the conference registration fee, accommodation and air fares from Allocation 20006 Members Conferences.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Crs Wight and Popham entered the Chamber at this point, the time being 2040 hrs.

Olympic Kingsway Sports Club is seeking approval to upgrade the underground power supply from the Kingsway

transformer/switchboard to overcome problems with loss of power to the Clubrooms.

The City Building Surveyor provides background details on the subject matter and reports on the proposal, consultants advice and infrastructure responsibility.

He advises that it would be reasonable to permit the Club to upgrade the power supply and for it being responsible in the future for any additional upgrading that may be required, and for Council to contribute \$3,000 towards the cost as compensation for the reserve lighting power.

CITY BUILDING SURVEYOR'S REPORT recommended that Council:

- 1 authorises Olympic Kingsway Soccer Club Inc to upgrade the power supply between the reserves main switchboard and the Club building subject to:
 - (a) the Club accepting full responsibility for any future upgrading that may be required;
 - (b) the cable size to be not less than 50 sqmm copper and installed in underground conduit;
 - (c) the Club carrying out the works at its cost;
 - (d) the Club making no claim for the cost of power associated with the connection of reserve lighting to the Club's supply;
- 2 disconnects the reserve lighting from the Club supply;
- 3 makes a grant of \$3,000 to the Olympic Kingsway Sports Clubs (Inc).

ADDITIONAL INFORMATION

The City Building Surveyor referred to Report TS218-08/96 and advised that a site meeting was held on 13 August 1996 with the President of the Olympic Kingsway Soccer Club, the Director of Wanneroo Electrics and Alarm Service, Councils Electrical Consultant, a Club representative and myself to address concerns raised by the Soccer Club about the power supply problem.

Issues addressed related to:

- . use of existing cables to supply the Clubhouse;
- . would removing the reserve lighting improve the capacity at the Club?;

- . route of power supply from the main switch station to the Clubhouse;
- . effect of damage and breaks to the existing supply lines;
- . cost of required works;
- . cost of running the lights to the reserve incorrectly connect to the Club supply.

After discussion about intermittent power failures and determination of which fuses blew it was agreed that removal of the reserve lighting would not improve the supply to the Club. This was because the fuses that failed were not servicing the reserve lights. The explanation for the intermittent faults was with cycling high loads on the cables, lead to a gradual deterioration of the fuse so that it would then fail without warning.

The route of the power supply from the main switch room should follow a defined route to protect it from mechanical damage. There are two routes, the longer route is approximately 270m and the direct route about 200m. Whilst the longer route follows the road system, and is clearly defined, the cable route could be paralleled with the soccer field fence. This represents a significant saving.

Other options discussed included using the existing conduits. However, it is known that cable breaks due to tree roots and ground heave resulted in cable damage and heat shrinkage repairs to the conduit. This limits the use of the conduit for pulling new cables through and due to the high labour required is not a viable option.

The report to the Committee advises costs for the works. The Consultant confirms that the cost for the direct route is estimated at \$17,400.00 (say \$18,000.00) including end works.

This would provide a 50sqmm copper cable in conduit and give a supply of 100 amps. Currently the Club has a 32amp power supply and a 20amp lighting supply.

The estimate of cost does not provide for the upgrade of the Club's switchboard.

The cost of the reserve lighting has been calculated based on usage provided by the Club, Appendix XI refers. The estimate increases the estimate in the report from \$3,000 to \$5,000 to \$18,953.63. This roughly equates with the capital cost of the cable replacement.

Recommendation

That Council agrees (a) to upgrade the power supply between the reserves main switchboard and the Olympic Kingsway Soccer Club utilising 50sqmm cable in a new conduit in a direct route (b) disconnect the reserve lighting currently connected to the power cubicle (6 light standard) subject to the Club:

- (i) accepting full responsibility for any future upgrading that be required;
- (ii) accepting full responsibility for upgrading its switchboard to accommodate the power supply upgrade;
- (iii) making no claim for the cost of lighting for the cost of power associated with the connection of reserve lighting to the Club's supply.

COMMITTEE RECOMMENDATION

That Council agrees to (a) to upgrade the power supply between the reserves main switchboard and the Olympic Kingsway Soccer Club utilising 50sqmm cable in a new conduit in a direct route; (b) disconnect the reserve lighting currently connected to the power cubicle (6 light standard) subject to the Club:

- 1 accepting full responsibility for any future upgrading that is required;
- 2 accepting full responsibility for upgrading its switchboard to accommodate the power supply upgrade;
- 3 costings and respective responsibilities to be checked by both parties and submitted for Council direction at the next meeting of the Technical Services Committee;
- 4 infrastructure responsibilities to be subject to a further review and report.

MOVED Cr Wight, **SECONDED** Cr Taylor that Council agrees to (a) to upgrade the power supply between the reserves main switchboard and the Olympic Kingsway Soccer Club utilising 50sqmm cable in a new conduit in a direct route; (b) disconnect the reserve lighting currently connected to the power cubicle (6 light standard) subject to the Club:

- 1 accepting full responsibility for any future upgrading that is required;
- 2 accepting full responsibility for upgrading its switchboard to accommodate the power supply upgrade;

- 3 costings and respective responsibilities to be checked
by both parties and submitted for Council direction at
the next meeting of the Technical Services Committee;
- 4 infrastructure responsibilities to be subject to a
further review and report;
- 5 in this instance sets aside its policy in respect of
"Communication of Council Resolutions" to allow for
immediate action on this matter.

CARRIED

Appendix XI refers.

TS219-08/96 MULLALOO SURF CLUB BUILDING - BOAT SHED
EXTENSIONS - [313-05-1]

CITY BUILDING SURVEYOR'S REPORT

The Mullaloo Surf Life Saving Club has applied for a 20m x 16m boat shed extension to the South West corner of the existing club building. This would require a 10m wide cutting through the primary sand dune to access the beach.

The City Building Surveyor provides background details on the subject matter and reports on the current lease area.

He advises that the proposal is not favoured in view of the vulnerability of the coastline and comments that as the lease area does not extend to include the present building, it is believed that this situation would be exacerbated by the proposed extensions.

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

- 1 advises the Mullaloo Surf Life Saving Club that in view
of the vulnerability of the coast, it does not endorse
the proposed use of transportable sea containers as a
temporary solution;
- 2 writes to the Department of Transport, the Ministry for
Planning and the Department of Land Administration
requesting their comments on the Mullaloo Surf Life
Saving Club's proposal to construct an extension to the
existing Club building;
- 3 negotiates a new lease agreement with the Mullaloo Surf
Life Saving Club to reflect the present building
boundary.

CARRIED

TS220-08/96

PROPOSED DWELLING: LOT 748 (14) VAAL GROVE,
JOONDALUP - [2914/748/14]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a dwelling at Lot 748 (14) Vaal Grove, Joondalup with a reduced front building setback.

The City Building Surveyor provides background details and an assessment of the proposal, advises that written favourable comments of the adjoining owners have been submitted and considers that approval should be given.

MOVED Cr Healy, **SECONDED** Cr Wight that Council approves the proposed dwelling to be constructed at Lot 748 (14) Vaal Grove, Joondalup with a reduced front building setback of 1500.

CARRIED

TS221-08/96

PROPOSED DWELLING: LOT 222 (8) BROOKVALE RISE,
KALLAROO - [2351/222/8]

An application has been submitted for approval to construct a three storey dwelling at Lot 222 (8) Brookvale Rise, Kallaroo.

The City Building Surveyor provides background details and an assessment of the proposal and comments on objections received from adjoining owners. He considers that as the application does not meet Council Policy, the application should be refused.

CITY BUILDING SURVEYOR'S REPORT recommended that Council refuses the application for the proposed dwelling to be constructed at Lot 222 (8) Brookvale Rise, Kallaroo and advise the applicant of his right of appeal to the Minister for Planning.

ADDITIONAL INFORMATION

The City Building Surveyor referred to Report TS221-08/96 and advised that the report states that the front elevation is three storey, this is an error and should read that the west elevation is three storey. Since the report and attachment were prepared, amended drawings have been submitted for the west elevation which now shows an additional window to the right hand side of the chimney. The amendment is shown on Appendix XII.

The architect for the project requested that he be permitted to address the Technical Services Committee to discuss the proposed dwelling and the Chairman has given approval.

A further inspection of the property has been carried and it is considered the objections stated from the owners of the adjoining owners should be expanded.

Objection from the owner of Lot 235:

The owner of the Lot 235, the property immediately at the rear of the subject property claims that the excessive height of the proposed building and the fact that it is built very close to the rear boundary will cast a shadow over his proposed house during the winter months. The owner also wishes Council to consider not only the height but the overall large walls which appear to cover almost the entire block.

The Residential Planning Codes Clause 1.7.2 states that 'No development shall cause more than 50% of an adjoining lot to be in shadow at noon on June 21, save with the approval of Council.' The proposed dwelling will not cast such a shadow.

The reference to the height and overall large walls is subjective but Clause 1.7.1 - Amenity indicates that Council may have regard to, and may impose conditions relating to these issues.

A re-examination of the plans indicate that in order to comply with the Codes, the south side of the balconies on the first floor must be screened.

Objection from the owner of Lot 221:

The objections from the owners of Lot 221, the property on the eastern side of the subject lot include the reduced 3000 setback of the dwelling adjoining their joint boundary, the height of the wall of that elevation is out of character of the street. They also indicate that because the owners of the subject lot have six young children, they would have no playing space on the property and the only option there is, is the road.

Again the view of the eastern elevation wall is subjective, the only windows on the first floor facing Lot 221 are small windows of the bathroom. Under Clause 1.7.1, Council may have regard to, and impose conditions relating to these issues.

Objection from the owner of Lot 223

The owners of Lot 223, the property on the western side of the subject lot who will adjoin the three storey elevation, are concerned that because of the height of the walls along the full length of the block, it will have a huge effect on the natural

light into their children's bedrooms and main hall area. The incidence of sunlight will be cut down and this normal fairly light area will be turned into a gloomy place.

The owners are also concerned about the windows overlooking their bedrooms and make this point because they were not permitted to have windows overlooking the adjoining property from their second floor. They also refer to aesthetics and consider that the proposed dwelling will completely dominate their small, intimate, cul-de-sac and seems out of character, due to it's dominance.

Again, the overshadowing clause of the Codes complies in this instance. In regard to the privacy issue, the windows facing their property comply with the Codes but in order to bring this west elevation into compliance with the Codes, a screen must be provided to the western side of the balcony shown at the rear adjoining DW8 shown on the west elevation of the attachment.

As previously indicated a final check of the application to ensure compliance with the requirements of the Codes indicated that the addition of screens to the south side of the rear balconies and the western side of the south western balcony will bring the project into compliance with the Residential Planning Codes.

As Clause 1.7.1 states, that Council may have regard to the amenity issues listed in the adjoining owners complaints, it is considered that Council should decide whether the complaints are justified.

If Council does not consider the complaints to be justified, the recommendation of the report should be changed to:

That Council approve the proposed dwelling to be constructed at Lot 222 (8) Brookvale Rise, Kallaroo, subject to the provision of suitable screens to the south side of the rear balconies and the south western side of the balcony in the south west corner.

MOVED Cr Healy, **SECONDED** Cr Wight that Council approves the proposed dwelling to be constructed at Lot 222 (8) Brookvale Rise, Kallaroo, with a reduced rear setback by 700 and that screening to balconies be omitted subject to favourable written confirmation by the affected adjoining owners.

CARRIED

Appendix XII refers.

An application has been submitted for approval to use a 10,000 x 6,600 transportable timber framed, weathertex clad and steel roofed home as additional accommodation at Lot 810 (20) Gairloch Place, Joondalup.

The City Building Surveyor provides background details and an assessment of the proposal, reports on amenity issues and comments sought from the adjoining owners and considers that approval should be given.

CITY BUILDING SURVEYOR'S REPORT recommended that Council:

- 1 approves the proposed ancillary accommodation to be erected at Lot 810 (20) Gairloch Place, Joondalup;
- 2 waives the requirement for a screen to be erected in front of the accommodation unit.

COMMITTEE RECOMMENDATION

That Council:

- 1 approves the proposed ancillary accommodation to be erected at Lot 810 (20) Gairloch Place, Joondalup subject to:
 - (a) any occupier of the ancillary accommodation to be a member of the family of the occupier of the main dwelling;
 - (b) windows to be adequately screened to the satisfaction of the City Building Surveyor;
 - (c) a Caveat being lodged to ensure that future occupiers are made aware of Council's requirements under the Residential Planning Codes;
- 2 waives the requirement for a screen to be erected in front of the accommodation unit.

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

- 1 approves the proposed ancillary accommodation to be erected at Lot 810 (20) Gairloch Place, Joondalup subject to:
 - (a) any occupier of the ancillary accommodation to be a member of the family of the occupier of the main dwelling;

- (b) windows to be adequately screened to the satisfaction of the City Building Surveyor;
- (c) a Caveat be lodged at the applicant's expense to ensure that future occupiers are made aware of Council's requirements under the Residential Planning Codes;

2 waives the requirement for a screen to be erected in front of the accommodation unit.

CARRIED

TS223-08/96 PROPOSED GARAGE LOT 279 (3) ALDER WAY, DUNCRAIG - [744/279/3]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a garage at Lot 279 (3) Alder Way, Duncraig, with a reduced front building setback.

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

MOVED Cr Healy, **SECONDED** Cr Wight that Council approves the proposed garage to be constructed at Lot 279 (3) Alder Way, Duncraig with a front building setback of 1500.

CARRIED

TS224-08/96 KEY CARD AND MLAK ACCESS TO TOILET FACILITIES - [205-1]

CITY BUILDING SURVEYOR'S REPORT

This report is in response to a request arising from the May 1996 Technical Services Committee meeting regarding control of access to buildings and public access ways and reviews the logistics, costs and access disability associated with the use of a key card or Master Locksmith Access Key System (MLAK) entry by disabled people to a typical beachside toilet facility. The principles applied to this situation are also applicable to most other access situations that can be envisaged in the use of Council controlled facilities.

The City Building Surveyor provides background details of the subject matter and reports on the key card proposal and alternative access control means.

He advises that the stand alone control system key card access to disability toilets is too expensive presently to be considered for the use in any basic Council facility and comments that the MLAK is available, cost effective and being promoted as a Australia wide access system for the disabled and should be promoted for use in all Council toilet facilities.

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

- 1 takes no further action with respect to use of access control systems for public access ways;
- 2 refers the proposal from the Master Locksmith Association of Australasia to the Disability Services Officer for consideration.

CARRIED

TS225-08/96 BURBRIDGE PRE-SCHOOL, KOONDOOLA - [895-14]

CITY BUILDING SURVEYOR'S REPORT

The teacher in charge, supported by attending children's parents and the Community Nurse from the Child Health Clinic, is requesting the establishment of a children's shower within the existing children's toilet area.

The City Building Surveyor provides background details on the proposal and advises that the shower installation is supported but due to the room restrictions the delivery of water would be restricted by perimeter hobs and the use of a hand held shower rose with wall fixed brackets.

MOVED Cr Healy, **SECONDED** Cr Wight that Council agrees to the installation of a new shower at the existing Koondoola Pre-School with the work being paid for by the Burbridge Pre-School.

CARRIED

TS226-08/96 FALKLAND PARK, KINROSS - TOILET BLOCK - [061-443]

CITY BUILDING SURVEYOR'S REPORT

Approval is sought for sketch plans, building location, documentation and tendering for a new toilet building on Falkland Park, Kinross.

The City Building Surveyor provides background details of the proposal and advises that to date no comment had been received to the sign placed on site seeking public response to the proposed new building.

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

- 1 agrees to the sketch plans indicating the siting and nature of the toilet building on Falkland Park, Kinross;
- 2 agrees to the documentation and calling of tenders for the works.

CARRIED

TS227-08/96 PALOMA PARK, MARANGAROO TOILET BLOCK - [061-426]

CITY BUILDING SURVEYOR'S REPORT

Approval is sought for sketch plans, building location, documentation and tendering a toilet building on Paloma Park, Marangaroo.

The City Building Surveyor provides background details of the proposal and advises that as at 24 July 1996 no comment had been received from the sign placed on the building pad site seeking public response to the proposed new building.

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

- 1 agrees to the sketch plans indicating the siting and nature of the toilet building on Paloma Park, Marangaroo;
- 2 agrees to the documentation and calling of tenders for the works.

CARRIED

TS228-08/96 DOG WASH - HILLARYS BEACH - [898-257-5, 903-1]

**CITY BUILDING SURVEYOR'S AND ACTING CITY
ENVIRONMENTAL HEALTH MANAGER'S REPORT**

A request for commercial operatives to access community facilities to enhance a provision of their services has been considered following requests for a dog wash business and an ice cream vendor to access water, sewerage disposal and power.

The City Building Surveyor provides background details and an evaluation of the proposal, reports on licensing of vehicles under Council's By-law Relating to Trading in Public Places and concludes that it is inappropriate for commercial operatives to utilise community facilities for these purposes.

MOVED Cr Healy, **SECONDED** Cr Wight that Council endorses the refusal to provide access to water and sullage disposal for a dog wash business at Hillarys Beach submitted by Mr T Case.

CARRIED

**TS229-08/96 TENDER NO 48-96/97 - SUPPLY AND ERECTION OF CCA
TREATED PINE GELDING TYPE FENCE - [208-48-96/97]**

CITY PARKS MANAGER'S REPORT

The tender for the Supply and Erection of CCA Treated Pine Gelding Type Fence was advertised during June 1996.

The City Parks Manager reports on the tender submissions received.

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

- 1 accepts the tender submitted by Treacy Fencing Co at a price of \$105,575.00 for Tender No 48-96/97 for the Supply and Erection of CCA Treated Pine Gelding Type Fence;
- 2 arranges the signing of tender documents.

CARRIED

**TS230-08/96 LAKE GOOLLELAL DEVELOPMENT JOINT VENTURE -
MINISTRY FOR PLANNING AND COUNCIL - [745-2]**

CITY PARKS MANAGER'S REPORT

Discussions between Ministry for Planning and Council have been progressing regarding the provision of a picnic area and stabilised limestone pathways on the western side of Lake Goollelal.

The City Parks Manager provides details of the proposal and reports on projected costs for the various stages of the project.

He advises that completion of a Management Plan by Council would enable development of closer liaison with involved organisations and comments that the Ministry for Planning initially requested CALM to undertake the project however funding was not provided by either organisation.

RECOMMENDATION

That Council advises the Ministry for Planning that vesting of the area surrounding Lake Goollelal would be accepted conditional upon:

- 1 development funds being available for Stages 1, 2 and 3 of the proposal to construct pathways and picnic areas;
- 2 funds being provided to Council for completion of the Management Plan for the proposed Regional Open Space.

MOVED Cr Magyar, **SECONDED** Cr O'Grady that Council advises the Ministry for Planning that vesting of the area surrounding Lake Goollelal would be accepted conditional upon:

- 1 development funds being available for Stages 1, 2 and 3 of the proposal to construct pathways and picnic areas;
- 2 funds being provided to Council for completion of the Management Plan for the proposed Regional Open Space;
- 3 the Management Plan being submitted for public consultation at the appropriate time.

CARRIED

TS231-08/96 **OLIVE TREES - VERGE 8 HOWLAND ROAD, SORRENTO -**
[3086/ /8]

CITY PARKS MANAGER'S REPORT

On 1 July, 1996 Mr R Dohmen of 6 Ledge Place, Sorrento forwarded correspondence to the Mayor complaining about the verge planting treatment on the property two doors away from his house. Mr Dohmen's complaint is that the owner of the house on the corner of Ledge Place has planted five Olive Trees on the verge which does not conform to Council's policy. Mr Dohmen also claims that these trees would prohibit access to services and may cause sight vision problems.

The City Parks Manager reports on discussions held with the resident of the corner house where the trees are planted and comments on Mr Dohmen's verge treatment which also does not conform to the policy.

He considers that at the present moment the trees are not causing a problem and also considers that they will not block out any views in the future and recommends that the resident be allowed to retain his landscaping as it is at present.

MOVED Cr Healy, **SECONDED** Cr Wight that Council advises Mr R Dohmen of 6 Ledge Place, Sorrento and Mr K Hamilton of 8 Howland Road, Sorrento that approval of the trees on the verge adjoining

the house at 8 Howland Road, Sorrento has been granted subject to the trees being pruned in the unlikely event that the views of neighbours are adversely affected.

CARRIED

TS232-08/96 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 July 1996, building control activity, swimming pool inspections and Council's building works programme.

MOVED Cr Healy, **SECONDED** Cr Wight that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS232-08/96.

CARRIED

Appendix XIII refers.

ANTISOCIAL BEHAVIOUR - OCEANSIDE PROMENADE, MULLALOO - [510-2602]

Cr Magyar referred to Oceanside Promenade, Mullaloo and advised of complaints he had received in relation to antisocial behaviour in the northern carpark.

Cr Magyar enquired as to whether the carpark could be temporarily closed.

The City Engineer advised that traffic calming on Oceanside Promenade was being investigated and a report will be submitted on this matter.

TRAFFIC CALMING - CORNER BERRIMAN DRIVE AND PRENDIVILLE DRIVE, WANGARA - [502-16]

Cr Duffy raised his concerns in relation to traffic problems at the corner of Berriman Drive and Prendiville Drive, Wangara as he considered the situation to be dangerous and requested that a stop sign be installed.

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

TS233-08/96 TOILET FACILITIES - GREENHAVEN - [880-1]

Cr Duffy referred to Greenhaven, the community house at Neerabup, and reported there was a need for temporary toilet facilities at this house.

He requested a report be submitted in relation to this matter and also in regard to installing a bin at the play centre and the park.

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

MOVED Cr Healy, **SECONDED** Cr Wight that a report be submitted to Council in relation to installing temporary toilet facilities at Greenhaven and the provision of bins for the play centre and park.

CARRIED

REQUEST TO VIEW PLANS - PARIN RESIDENCE, MANAKOORA RISE - [3090/560/3, 210-0]

Cr Hancock referred to a telephone call she had received from Mr T Delborello who had requested to view plans of a residence in Manakoora Rise and who had also requested written confirmation in relation to this request.

The Chief Executive Officer advised of conversations held with Mr Delborello and informed Cr Hancock that discussions would be held with Mr Delborello and Mr Parin to resolve the issues.

He also advised that he would write to Mr Delborello and inform him that this matter was being investigated.

RESIDENCE - MANAKOORA RISE - [3090/560/3, 210/0]

Cr Taylor referred to a telephone call he had received from a Mr Homes in relation to receiving a written reply to his recent letters to Council.

The Chief Executive Officer advised that there was a stop work order on this residence and commented that the City Building Surveyor was drafting a reply to correspondence received from Mr Homes.

TS234-08/96 PROPOSED CLOSURE OF PUBLIC ACCESSWAY - THE RIDGE AND CHARLES COURT, WOODVALE - [520-2]

Cr Taylor submitted a 25-signature petition in relation to the proposed closure of a public accessway located between The Ridge and Charles Court, Woodvale.

MOVED Cr Healy, **SECONDED** Cr Wight that the 25-signature petition in relation to the proposed closure of a public accessway located between The Ridge and Charles Court, Woodvale be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

TS235-08/96 QUINNS ROCKS FORESHORE - [765-12]

Cr Healy raised his concerns in relation to erosion at Quinns Rocks foreshore and queried whether action could be taken by Council while awaiting developments with the Department of Transport.

The Chief Executive Officer suggested that Council seeks a deputation with the Minister for Transport in relation to this matter.

MOVED Cr Healy, **SECONDED** Cr Wight that Council seeks a deputation with the Minister for Transport in relation to work to be carried out at the Quinns Rocks Foreshore.

CARRIED

SIGNS - SANDBOARDING - [704-1]

Cr Major queried what progress was being made in relation to the issuing of sandboarding signs to control sandboarding.

Cr Dammers advised he had recently issued a press release in relation to sandboarding.

C382-08/96 TOWN PLANNING COMMITTEE

MOVED Cr Major, **SECONDED** Cr Popham that the Report of the Town Planning Committee Meeting, held on 19 August 1996 be received.

CARRIED

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
	M E LYNN, JP	South-West Ward
	P O HEALY - Observer from 1805 hrs	
	to 1949 hrs	North Ward
	A G TAYLOR - Observer from 1803 hrs	South Ward

F D FREAME - Observer
V G HANCOCK - Observer

South-West Ward
South-West 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

Apologies for absence were tendered by Crs Cooper and Popham.

PUBLIC/PRESS ATTENDANCE

There were 11 members of the Public in attendance.

PUBLIC QUESTION TIME

Pastor Wood:

Q1 Is there something going to be discussed about Kingsway.
I received a phone call advising the matter was deferred to this meeting.

A1 City Planner's response: The matter was referred back to the Committee to get advice from residents. There was a meeting held on Saturday and a report will be at the next Town Planning meeting in September.

Member of the public (gentleman's name unknown):

Q1 Is there going to be any discussion on Lot 1, Karoborup Road.

A1 Cr Major's response: Yes. This item is TP203-08/96 in the agenda.

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 15 JULY 1996

The Minutes of Town Planning Committee Meeting held on 15 July 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - PROPOSED RE-DEVELOPMENT OF SERVICE STATION AND CAR WASH TO A CONVENIENCE STORE, LOT 909 (274) ERINDALE ROAD, WARWICK - [30/277]

Ms Alison McCabe of BSD Consultants Pty Ltd addressed the Committee in relation to the proposed re-development of service station and car wash to a convenience store, Lot 909 (274) Erindale Road, Warwick - Item TP179-08/96 refers.

Ms McCabe explained that The Shell Company of Australia Limited were proposing to develop a Shell-Select convenience store which she advised was typical of the way a number of Shell stores were being developed across Perth and the Eastern States.

She stated the main reason for the deputation was to be available to respond to any questions Council may have in relation to the proposal as she understood there had been a number of objections from tenants of the Warwick Grove Shopping Centre.

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

DECLARATIONS OF PECUNIARY INTEREST

Cr Dammers declared an interest in Items TP177-08/96 and TP186-08/96

Cr Duffy declared an interest in Items TP189-08/96 and TP205-08/96

CONFIDENTIAL BUSINESS

The following Item was considered Behind Closed Doors.

TP205-08/96 PRELIMINARY DEVELOPER INFRASTRUCTURE
CONTRIBUTIONS FOR CELL 5 LANDSDALE - [740-93627,
780-21]

MEETING TIMES

Commenced: 1802 hrs
Closed: 2050 hrs

REPORT NO:

**TP177-08/96 DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE - 29 JUNE 1996 TO 2 AUGUST
1996 - [290-1]**

CITY PLANNER'S REPORT

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit from 29 June to 2 August 1996.

Cr Dammers declared an interest in this Item as an application had been made for the erection of a carport at his residence.

Cr Dammers left the Chamber at this point, the time being 2041 hrs.

Cr Freame assumed the Chair.

MOVED Cr Taylor, **SECONDED** Cr O'Grady that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP177-08/96.

CARRIED

Cr Dammers entered the Chamber at this point and resumed the Chair, the time being 2043 hrs.

Appendix XIV refers.

**TP178-08/96 PROPOSED EXTENSIONS TO NEW OFFICE TO EXISTING
CARAVAN PARK, LOC 11538 AND RESERVE 31632 (17 AND
35) OCEAN PARADE, ILUKA - [30/829]**

An application was submitted by Mr William Kell for an extension and new office to the Burns Beach Caravan Resort and subsequently deferred by Council at its June meeting following a request by the applicant (Item TP134-06/96 refers).

The City Planner provides background details to the subject matter, submits an assessment of the proposal and reports on an on-site meeting held with the applicant to discuss the proposed fence along Ocean Parade.

He comments on the relocation of the fence and advises that the other setback and bay size relaxations are supported and that all other requirements have been assessed for compliance with relevant policies.

Cr O'Grady raised her concerns in relation to the size of caravan park bays in the Ocean Reef Caravan Park due to the increase in size of caravans and believed inspections needed to be conducted.

The Chief Executive Officer will take this matter on notice.

CITY PLANNER'S REPORT recommended that Council supports the application for extensions and new office to the Burns Beach Caravan Resort Pty Ltd, Location 11538 and Reserve 31632 (17 and 35) Ocean Parade, Iluka, subject to:

- 1 suitable lease arrangements being organised with the Department of Land Administration;
- 2 the submission of amended plans to the satisfaction of the City Planner, prior to the Western Australian Planning Commission being advised of Council's support, indicating:
 - (a) a minimum bay size to be 130m²;
 - (b) a 7.5 metre wide landscape strip within the subject land adjacent to Ocean Parade;
 - (c) the relocation of the limestone pier and painted super six boundary fence to 3 metres within the property boundary to Ocean Parade;
 - (d) a 2.5 metre setback to the rear boundary;
 - (e) the deletion of any reference to renovation of existing gazebo;
 - (f) building envelopes for the proposed buildings being indicated;
- 3 standard and appropriate conditions.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council supports the application for extensions and new office to the Burns Beach Caravan Resort Pty Ltd, Location 11538 and Reserve 31632 (17 and 35) Ocean Parade, Iluka, subject to:

- 1 suitable lease arrangements being organised with the Department of Land Administration;
- 2 the submission of amended plans to the satisfaction of the City Planner, prior to the Western Australian

Planning Commission being advised of Council's support, indicating:

- (a) a minimum bay size to be 130m²;
- (b) a 7.5 metre wide landscape strip within the subject land adjacent to Ocean Parade;
- (c) the relocation of the limestone pier and painted super six boundary fence to 3 metres within the property boundary to Ocean Parade;
- (d) a 2.5 metre setback to the rear boundary;
- (e) the deletion of any reference to renovation of existing gazebo;
- (f) building envelopes for the proposed buildings being indicated;

3 all new sites and offices being connected to sewer;

4 all new caravan park bays to accommodate only one caravan, such caravan to be designed and used as a single dwelling unit;

5 standard and appropriate conditions.

CARRIED

TP179-08/96 PROPOSED REDEVELOPMENT OF SERVICE STATION AND CAR WASH TO A CONVENIENCE STORE LOT 909 (274) ERINDALE ROAD, WARWICK - [30/277]

CITY PLANNER'S REPORT

An application has been received from BSD Consultants Pty Ltd on behalf of The Shell Company of Australia Limited seeking approval to the re-development of an existing service station and car wash to a convenience store on Lot 909 (274) Erindale Road, Warwick.

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

He advises that an amended application has been submitted as the original proposal did not comply with scheme requirements in respect of car parking and recommends approval of the amended proposal.

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

- 1 approves the application submitted by BSD Consultants on behalf of The Shell Company of Australia Limited for a service station/convenience store and car wash on Lot 909 (274) Erindale Road, Warwick, subject to:
- (a) a maximum of 10m² of the convenience store being used for the preparation, sale and servicing of food to customers in a form ready to be eaten without further preparation, primarily off the premises;
 - (b) the provision of a 'No Exit' sign at the southernmost crossover and end protection bays to the car parking area adjacent to the convenience store, to the satisfaction of the City Engineer;
 - (c) the angling of the bowsters, to the satisfaction of the City Engineer;
 - (d) the provision of a 3 metre landscaped strip to all street frontages;
 - (e) a suitably screened bulk bin area is to be provided in a location suitable for collection by front loading trucks to the satisfaction of the City Engineer and City Environmental Health Manager;
 - (f) the applicant providing additional accident data and the design of the access points to Erindale Road being to the satisfaction of the City Engineer;
 - (g) a sign being placed on site immediately, stating that approval has been granted; such sign to remain until the development is completed;
 - (h) other standard and appropriate conditions;
- 2 exercises discretion under Clause 5.9 of Town Planning Scheme No 1 and reduces the 3 metre side setback requirement to nil in this case.

CARRIED

**TP180-08/96 PROPOSED WHOLESALE LANDSCAPE SUPPLIES, LOT 90
(481) WANNEROO ROAD, WOODVALE - [30/5444]**

An application has been received from Land Planning Consultants on behalf of the owners of Lot 90 (481) Wanneroo Road, Woodvale, for approval of a wholesale landscape supply business from this property.

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

He advises that landscape supply is a use not permitted in this zone, refutes the non-conforming use right claimed by the applicant and recommends that this application be refused.

CITY PLANNER'S REPORT recommended that Council:

- 1 refuses the application submitted by Land Planning Consultants for a wholesale landscape supply business on Lot 90 (481) Wanneroo Road, Woodvale for the following reasons:
 - (a) it is a use that is not permitted in a rural zone;
 - (b) the use would be a potential pollution source for Lake Joondalup;
 - (c) the proposal does not comply with Council's policy with regard to Wanneroo Road;
 - (d) the use is contrary to future plans for the area;
- 2 requires the cessation of the use and removal of all unauthorised structures associated with the use, within 28 days of notification of Council's decision;
- 3 initiates legal action against the owners of Lot 90 Wanneroo Road should they not comply with Part (2) of this recommendation.

COMMITTEE RECOMMENDATION

That Council:

- 1 refuses the application submitted by Land Planning Consultants for a wholesale landscape supply business on Lot 90 (481) Wanneroo Road, Woodvale for the following reasons:
 - (a) it is a use that is not permitted in a rural zone;
 - (b) the use would be a potential pollution source for Lake Joondalup;
 - (c) the proposal does not comply with Council's policy with regard to Wanneroo Road;

- (d) the use is contrary to future plans for the area;
- 2 requires the cessation of the use and removal of all unauthorised structures associated with the use, within 12 months of notification of Council's decision;
- 3 initiates legal action against the owners of Lot 90 Wanneroo Road should they not comply with Part 2.

Cr Taylor advised he had received correspondence on this matter which he would refer to the Chief Executive Officer.

MOVED Cr Taylor, **SECONDED** Cr Duffy that consideration of the application submitted by Land Planning Consultants on behalf of the owners for a wholesale landscape supply business on Lot 90 (481) Wanneroo Road, Woodvale be deferred pending legal advice and referred back to Town Planning Committee.

CARRIED

**TP181-08/96 PROPOSED PAINT BALL FIRING RANGE, LOT 50 (951)
PERRY ROAD, PINJAR - [30/342]**

CITY PLANNER'S REPORT

An application has been received from Mr A Anderson for approval of a paint ball firing range on Lot 50 (951) Perry Road, Pinjar.

The application was referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme as the property lies within the Lake Pinjar Planning Control Area No 29.

The City Planner provides details and an assessment of the proposal and comments on submissions received after advertising.

He outlines advice received in relation to noise, fire risk, soil contamination, impact on native flora and fauna, dieback and weed protection and greenhouse gas emissions from the Department of Environmental Protection, comments on advice received from the Firearms Branch of the WA Police and from this advice recommends that this application be refused.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council refuses the application submitted by Mr Adam Anderson for a paint ball firing range on Lot 50 (951) Perry Road, Pinjar for the following reasons:

- 1 approval would adversely affect the amenity of the area as it would cause a noise nuisance to the abutting owners;

- 2 if approval is granted, protection of the environment would rely heavily upon the compliance by the applicant with many tasks and procedures which would be impossible to regulate.

CARRIED

**TP182-08/96 VARIATION TO THE FRONT SETBACK IN THE MARINA
DEVELOPMENT ZONE, MINDARIE - [790-288]**

CITY PLANNER'S REPORT

The City Planner submits a proposal for the adoption of a policy to vary Clause (c) of the Marina Development Zone Special Provisions (Schedule 7) of Town Planning Scheme No 1 by virtue of the discretion available under Clause 5.9 of the City's Town Planning Scheme No 1.

He provides background details in relation to this policy and proposes now to adopt a policy to vary this requirement under Clause 5.11 of the Town Planning Scheme.

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

- 1 exercises discretion under Clause 5.9 of the City's Town Planning Scheme No 1 to vary the front setback requirement for Lot 18 Clarecastle Retreat and Lot 14 Clarecastle Retreat, Mindarie;
- 2 advertises the proposed policy, in accordance with Clause 5.11 of Town Planning Scheme No 1, varying Clause (c) of Schedule 7 of the Scheme to read:
- "All dwellings shall be set back from a road frontage in accordance with the Residential Planning Codes";
- 3 adopts the policy should no submissions be received during the advertising period;
- 4 delegates authority to the City Planner and the City Building Surveyor to approve applications that comply with this policy.

CARRIED

**TP183-08/96 SUBMISSION BY SUN CITY COUNTRY CLUB (INC) ON ST
ANDREWS METROPOLITAN REGION SCHEME AMENDMENT -
[319-7-1, 790-98819, 790-98818, 790-99413]**

CITY PLANNER'S REPORT

Greg Rowe & Associates, on behalf of Sun City Country Club (Inc) requests Council to support a submission it has lodged with the Western Australian Planning Commission concerning the St Andrews Metropolitan Region Scheme Amendment (relating to the Yanchep-Two Rocks area) which was initiated earlier this year.

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

He advises that as proper opportunity for public comment on such a proposal should be provided, it is recommended that Council not support the submission as such public consultation has not been undertaken, and that the appropriate mechanism for such consultation is through an application being made for an amendment to Council's Scheme.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council does not support the submission made by Greg Rowe & Associates on behalf of Sun City Country Club (Inc) to the Western Australian Planning Commission seeking Urban zoning of the three areas of land located near the edge of the Sun City Country Club golf course (as shown on Attachment No 1 to Report TP183-08/96) as it considers that proper opportunity for public comment on such a proposed change of use of this land should first be provided and that the appropriate mechanism for doing that is for an application to be made to Council, seeking an amendment to City of Wanneroo Town Planning Scheme No 1.

CARRIED

Appendix XV refers.

TP184-08/96 **CLOSE OF ADVERTISING: AMENDMENT NO 651 TO TOWN PLANNING SCHEME NO 1 TO REZONE PORTION OF LOT 35 DUFFY TERRACE/WOODVALE DRIVE, WOODVALE FROM RURAL TO RESIDENTIAL DEVELOPMENT R20 AND R40 - [790-651]**

CITY PLANNER'S REPORT

Amendment No 651 to Town Planning Scheme No 1 was advertised for a 42 day period closing on 21 June 1996. Several submissions were received on the proposal to rezone Lot 35 corner Duffy Terrace and Woodvale Drive, Woodvale, from Rural to Residential Development R20 and R30.

The City Planner provides background details on the subject land and reports on advertising and proposed modifications to the proposal.

He advises that as the proposed modifications to the coding of a portion of Lot 35 from R30 to R40 have already met with Council

support, and the issues raised in the submissions received can be dealt with at development stage, the final adoption of Amendment No 651 is recommended.

Cr Taylor left the Chamber at this point, the time being 2045 hrs.

Cr Magyar suggested that the words "submitted by the applicant" be inserted after the word "as" in Point 2.

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

- 1 rescinds Resolution TP166-05/96 viz:

 "4(b) that the portion of Lot 35 which is reserved for
 Parks and Recreation Purposes be ceded to the
 Crown free of cost without any payment of
 compensation";
- 2 finally adopts Amendment No 651 to Town Planning Scheme
 No 1 in a modified form as submitted by the applicant
 per its resolution of 26 June 1996 (TP138-06/96);
- 3 authorises the affixation of the Common Seal to, and
 endorses the signing of, the amending documents.

**CARRIED
BY AN ABSOLUTE MAJORITY**

**TP185-08/96 CLOSE OF ADVERTISING: AMENDMENT NO 717 TO TOWN
PLANNING SCHEME NO 1 - REZONING OF VARIOUS LOTS
IN ENTERPRISE PARK, WANGARA, FROM RURAL AND
GENERAL INDUSTRIAL TO LIGHT INDUSTRIAL AND
GENERAL INDUSTRIAL (LANDCORP) - [790-717]**

CITY PLANNER'S REPORT

Advertising of Amendment No 717 to Town Planning Scheme No 1 closed on 5 July 1996. The amendment seeks to rezone portions of Lots 402 and 500 Hartman Drive from General Industrial to Light Industrial; Lots 2, 9, 11, 400 and 401 Badgerup Road, Lot 10 and portion of Lot 12 Gngangara Road, and Lots 4, 20 and 21 Callaway Street, Wangara from Rural to General Industrial; and Portion Lot 12 from Rural to Light Industrial.

The City Planner submits an assessment of the proposal, reports on submissions received and recommends finalisation of the amendment.

The City Planner advised that a further submission had been received from the owner of Lot 18 Mary Street, however this did not alter the recommendation submitted in the Report.

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

- 1 finally adopts Amendment No 717 to Town Planning Scheme No 1 to:
 - (a) rezone a portion of Lots Pt 402 and 500 Hartman Drive (west of the realigned Hartman Drive Reserve) from General Industrial to Light Industrial;
 - (b) rezone a portion of Lot 12 Gngangara Road (west of the realigned Hartman Drive Reserve) from Rural to Light Industrial;
 - (c) rezone Lots 2, 9, 11, 400 and 401 Badgerup Road, Lots 10 and 12 (east of the realigned Hartman Drive Reserve) Gngangara Road and Lots 4, 20 and 21 Callaway Street, Landsdale from Rural to General Industrial;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of the amendment documents.

CARRIED

TP186-08/96 MODIFICATION TO AMENDMENT NO 720 TO TOWN PLANNING
SCHEME NO 1 TO REZONE LOT 79 GNANGARA ROAD,
LANDSDALE - [790-720]

CITY PLANNER'S REPORT

A letter has been received from the W A Planning Commission dated 28 June 1996 requesting, on behalf of the applicant, a modification to Amendment No 720 to Town Planning Scheme No 1. The request is to exclude the land not zoned Industrial in the Metropolitan Region Scheme, so as to avoid delays due to proposed changes in the North West Corridor Omnibus Metropolitan Region Scheme Amendment (No 977/33).

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

He considers it appropriate to modify the Amendment to exclude the small southern portion of the lot in order to prevent delay in the rezoning of the northern portion of the lot to General Industrial.

Cr Dammers declared an interest in this Item as the land being considered for rezoning was in an industrial area in close proximity to his factory.

Cr Dammers left the Chamber at this point, the time being 2046 hrs.

Cr Freame assumed the Chair.

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

- 1 advises Mitchell Goff & Associates that the owner of Lot 79 will need to pay the full costs associated with the preparation of a new amendment to rezone the excluded portion of Lot 79 Gngangara Road, Landsdale;
- 2 subject to the applicant's payment being received pursuant to 1 above:
 - (a) modifies Amendment No 720 to Town Planning Scheme No 1 to exclude the southern portion of Lot 79 Gngangara Road, Landsdale;
 - (b) supports Amendment No 777 to rezone the southern portion of Lot 79 Gngangara Road, Landsdale, currently zoned Urban Deferred in the Metropolitan Region Scheme, from Rural to General Industrial and Residential Development R20 generally in accordance with Attachment No 1 to Report TP186-08/96.

CARRIED

Crs Dammers and Taylor entered the Chamber at this point, the time being 2048 hrs. Cr Dammers resumed the Chair.

Appendix XVI refers.

TP187-08/96 DISCONTINUATION OF AMENDMENT NO 729 TO TOWN
PLANNING SCHEME NO 1 TO RECODE PORTIONS OF PART
LOT 7 HEPBURN AVENUE, HILLARYS FROM R20 TO R40
(PALTARA PTY LTD) - [790-729]

CITY PLANNER'S REPORT

A letter of request dated 19 July 1996 was received from Taylor & Burrell for the discontinuation of Amendment No 729 to Town Planning Scheme No 1. The consultants have indicated that the owners wish to investigate alternative subdivision designs for the subject lot.

The City Planner provides background details on the subject matter, submits an assessment of the proposal and recommends that Council discontinues the amendment.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council discontinues Amendment No 729 to Town Planning Scheme No 1 which sought to recode portions of Part Lot 7 Hepburn Avenue, Hillarys from R20 to R40.

CARRIED

TP188-08/96

**PROPOSED AMENDMENT NO 758 TO TOWN PLANNING SCHEME
NO 1 REZONING OF PORTION OF LOT 1 (39) COUNTRY
CLUB BOULEVARD, CONNOLLY FROM SPECIAL ZONE
(RESTRICTED USE) GOLF COURSE TO RESIDENTIAL
DEVELOPMENT R40 - [790-758]**

CITY PLANNER'S REPORT

Feilman Planning Consultants have submitted a request for rezoning of portion of the Joondalup Golf Course from Special Zone (Restricted Use) Golf Course to Residential Development R40. The request was withdrawn from the June 1996 Council meeting agenda, at the applicant's request, to allow the submission of further information (Item TP139-06/96 refers).

The City Planner provides a description of the site, background details of the proposal an assessment of the application.

He advises that on the basis of a recent site inspection and that further information, it is recommended that the request now be supported.

RECOMMENDATION

That Council in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) supports Amendment No 758 to Town Planning Scheme No 1 to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40.

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

- 1 consideration of Amendment No 758 to Town Planning Scheme No 1 to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40 be deferred;
- 2 a further report be submitted to Town Planning Committee giving details of the original extent of the golf course

and the extent of residential encroachment over a period of time.

CARRIED

**TP189-08/96 PROPOSED MODIFICATION TO AMENDMENT NO 762 BY
INCLUDING THE REZONING OF LOT 10 EVANDALE ROAD,
LANDSDALE - [790-762]**

CITY PLANNER'S REPORT

Council, at its meeting in March 1996, considered a request by Chapman Glendinning and Associates on behalf of a number of owners the subject of a Town Planning Scheme amendment, to delete these landholdings from Amendment No 719 and to initiate a separate amendment over those owners' landholdings (Item C97-03/96 refers).

The City Planner provides background details to the subject matter and reports on modifications to the proposal.

He advises that it is now proposed that Amendment No 762 be modified to include the rezoning of Lot 10 Evandale Road from Rural to Residential Development R20 as this was inadvertently overlooked and consequently not included in the new amendment.

Cr Duffy declared an interest in this Item as he has business interests in close proximity to the land in question.

Cr Duffy left the Chamber at this point, the time being 2051 hrs.

MOVED Cr Taylor, **SECONDED** Cr Wight that Council, in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended, modifies Amendment No 762 to include the rezoning of Lot 10 Evandale Road, Landsdale from Rural to Residential Development R20.

CARRIED

Cr Duffy entered the Chamber at this point, the time being 2052 hrs.

**TP190-08/96 PROPOSED AMENDMENT NO 770 TO TOWN PLANNING SCHEME
NO 1 TO REZONE PORTION SWAN LOCATIONS 1577 AND
1578 CORNER SYDNEY AND JOYCE ROADS, GNANGARA FROM
RURAL TO SPECIAL RURAL - GREG ROWE AND ASSOCIATES
- [790-770]**

Greg Rowe & Associates, on behalf of Mr A P Panizza, has made application for the rezoning of Swan Locations 1577 and 1578 corner Sydney and Joyce Roads, Gngangara from Rural to Special

Rural. This application is in response to the Hon Minister upholding an appeal for a 4 hectare subdivision over the site and imposing Council conditions relating to vegetation retention and building controls.

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

He recommends that Council advises the applicant that upon receipt of a revised subdivision guide plan, as well as a range of appropriate special provisions to cover issues such as the clearing of vegetation, land use control and land management, it would be prepared to support an amendment to zone the subject land to Special Rural.

CITY PLANNER'S REPORT recommended that Council advises the applicant, Greg Rowe & Associates, that upon the receipt of the following it would be prepared to consider the rezoning of portion of Swan Locations 1577 and 1578 from Rural to Special Rural:

- 1 a revised subdivision guide plan which:
 - (a) establishes a minimum lot size of 4 hectares;
 - (b) satisfies required separations between wetlands and effluent disposal systems;
 - (c) satisfies requirements relating to the location of building envelopes according to the principles contained within the general provisions relating to Special Rural Zones under Schedule 4 of Town Planning Scheme No 1;
 - (d) incorporates a re-design of both the subdivision layout and building envelopes along the northern boundary of the subject land to minimise the impact of any proposed buildings along the existing ridgeline;
- 2 a schedule of suggested special provisions designed to control the clearing of vegetation, land uses and land management.

MOVED Cr Taylor, **SECONDED** Cr Hancock that consideration of the rezoning of portion of Swan Locations 1577 and 1578 from Rural to Special Rural be deferred as requested by the applicant.

CARRIED

WANGARA FROM RURAL TO URBAN DEVELOPMENT - [790-771]

CITY PLANNER'S REPORT

Gray and Lewis Planning Consultants, on behalf of Mr Arrigo, has made application to rezone the southern portion of Lot 331 Gngara Road, Wangara from Rural to Urban Development Zone. This rezoning was previously requested, however it was considered premature until such time as the surrounding landholders requested similar zonings, or until the Wanneroo structure planning advanced further.

The City Planner provides background details to the subject matter and submits an assessment of the application.

He advises that as structure planning is currently at the stage where it is believed that rezoning can now proceed without prejudice to the overall development of this area, finalisation of the amendment is recommended.

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

- 1 in accordance with Section 7 of the Town Planning and Development Act (1928), as amended, supports Amendment No 771 to Town Planning Scheme No 1 to rezone portion of Lot 331 Gngara Road, Wangara from Rural to Urban Development Zone;
- 2 forwards the documentation for Amendment No 771 to the Minister for Planning for preliminary approval to advertise.

CARRIED

TP192-08/96 **AMENDMENT NO 772 TO TOWN PLANNING SCHEME NO 1 TO RECODE SEVEN GROUPED DWELLING SITES IN NEERABUP FROM R20 TO R40 (HOMESWEST) - [790-772]**

CITY PLANNER'S REPORT

Homeswest has made application to recode seven approved grouped dwelling sites from R20 to R40 within its Neerabup Stage 1 subdivision located west of the intersection of Pinjar and Neaves Roads, Neerabup.

The City Planner provides details of the proposal and submits an assessment of the application.

He advises that as the proposal is in accordance with the Ministry for Planning's draft Residential Densities and Housing Mix policy, Council's support is recommended.

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

- 1 in accordance with Section 7 of the Town Planning and Development Act (1928), as amended, supports Amendment No 772 to Town Planning Scheme No 1 to recode seven grouped dwelling sites, shown on Attachment No 2 to Report TP192-08/96 from R20 to R40;
- 2 forwards the amending documents to the Minister for Planning for approval to advertise.

CARRIED

TP193-08/96 **COMMERCIAL VEHICLE PARKING WITHIN RESIDENTIAL
AREA, LOT 800 (10) ROCHELE COURT, WOODVALE -
[2509/800/10]**

On 11 June 1996 the City received a written complaint concerning the noise and movement of a commercial vehicle parked at Lot 800 (10) Rochele Court, Woodvale. The vehicle was reported to leave the premises at 4am, two mornings per week and before 5am the remainder of the week.

The City Planner provides background details to the subject matter and submits an assessment of early morning movement of the vehicle.

He considers that a commercial vehicle (truck) parked in a residential area and which is required to be removed each morning before 6am affects the amenity of that residential area and therefore the vehicle should be removed.

CITY PLANNER'S REPORT recommended that Council:

- 1 advises the owners/occupiers of Lot 800 (10) Rochele Court, Woodvale that it will consider parking of the commercial vehicle on the property providing that the vehicle is not manoeuvred on the lot between the hours of 10 pm and 6 am the following day, seven days per week;
- 2 requests the owners/occupiers of Lot 800 (10) Rochele Court, Woodvale to remove the commercial vehicle from the property within 14 days notification and on a permanent basis if the movement times for the vehicle mentioned in (1) above, cannot be complied with at all times;

- 3 refers the matter to its solicitors for legal action of the matter concerning the parking of the commercial vehicle at Lot 800 (10) Rochele Court, Woodvale is not resolved within the time specified.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council defers consideration of parking of the commercial vehicle at Lot 800 (10) Rochele Court, Woodvale and seeks further advice from the complainant in relation to noise and movement modifications effected by the vehicle owners.

CARRIED

**TP194-08/96 UNAUTHORISED CLEARANCE OF TREES/VEGETATION FROM
LOT 249 (65) LORIAN ROAD, GNANGARA - [214/249/65,
30/4450]**

Lot 249 (65) Lorian Road, Gnangara being a property situated within Special Rural Zone (No 7) has been cleared to such an extent that all of the natural bush vegetation has been removed, contrary to the provisions of the City of Wanneroo Town Planning Scheme No 1.

The City Planner provides background details to the subject matter. He comments that the owners of the property have been advised that an offence has been committed and have been requested to cooperate in replanting vegetation/trees back on the land, however their cooperation has not been achieved.

CITY PLANNER'S REPORT recommended that Council:

- 1 advises the owners/occupiers of Lot 249 (65) Lorian Road, Gnangara that by stripping the land of all vegetation and trees they have breached provisions of the City's Town Planning Scheme No 1 and are subject to legal action by Council;
- 2 requests the owners/occupiers of Lot 249 (65) Lorian Road, Gnangara to provide a professionally prepared horticultural plan detailing a replanting programme and indicating plant/tree location and species to the satisfaction of Council's Parks Department within 30 days of notification;
- 3 advise the owners of Lot 249 (65) Lorian Road, Gnangara that unless a substantial replanting programme as been implemented within six months of notification by the City and to the satisfaction of Council's Parks Department, legal action will be initiated;
- 4 authorises the City Planner to initiate legal action should requests in (2) and (3) above not be satisfied.

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

- 1 advises the owners/occupiers of Lot 249 (65) Lorian Road, Gngangara that by stripping the land of all vegetation and trees they have breached provisions of the City's Town Planning Scheme No 1 and are subject to legal action by Council;
- 2 requests the owners/occupiers of Lot 249 (65) Lorian Road, Gngangara to provide a professionally prepared horticultural plan detailing a replanting programme and indicating plant/tree location and species to the satisfaction of Council's Parks Department within 30 days of notification;
- 3 advise the owners of Lot 249 (65) Lorian Road, Gngangara that unless a substantial replanting programme as been implemented within six months of notification by the City and to the satisfaction of Council's Parks Department, legal action will be initiated;
- 4 authorises the City Planner to initiate legal action should requests in 2 and 3 above not be satisfied;
- 5 seeks further reports in March 1997 and September 1997 on the progress made on the replanting programme.

CARRIED

TP195-08/96 **SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY COMMITTEE - 29 JUNE 1996 TO 2 AUGUST 1996 - [740-1]**

CITY PLANNER'S REPORT

The City Planner submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee from 29 June to 2 August 1996.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP195-08/96.

CARRIED

Appendix XVII refers.

TP196-08/96 **PROPOSED SUBDIVISION - LOT 24 (207) WANNEROO ROAD, KINGSLEY - [740-1000697]**

CITY PLANNER'S REPORT

An application has been submitted for the subdivision of Lot 24 (207) Wanneroo Road, Kingsley into 37 residential lots, ranging in size from 330m² - 575m².

The City Planner provides a description of the site, background details of the proposal and an assessment of the application.

He recommends that the application not be supported as the land is not appropriately zoned and the proposed subdivision design meets neither the established structure planning for the area nor standard subdivisional criteria.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council does not support the application submitted by Greg Rowe & Associates on behalf of F Conti for the subdivision of Lot 24 (207) Wanneroo Road, Kingsley, as the land is not zoned correctly, the design is not in accordance with the adopted structure plan and several of Council's minimum subdivision criteria have not been met.

CARRIED

TP197-08/96 PERRY'S PADDOCK - [057-4]

CITY PLANNER'S REPORT

At its meeting of 24 July 1996, Council's Historical Sites Advisory Committee considered a memorandum from the City Planner and City Recreation and Cultural Services Manager regarding the Perry's Paddock project.

The City Planner provides details of the recommendation from the Historical Sites Advisory Committee and advises that Item 1 of the recommendation relating to the draft Development and Management Plan is submitted to the Town Planning Committee for consideration as it involves matters which are most appropriately dealt with by this Committee.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council reviews and modifies the draft Development and Management Plan for Perry's Paddock, taking into account:

- 1 the concerns expressed by the National Parks and Nature Conservation Authority and Department of Environmental Protection, particularly in relation to protection of the wetland areas;
- 2 the recommendations of the draft Aboriginal Heritage Survey report;

- 3 the recommendations of the proposed Heritage Conservation Plan;
- 4 further consideration of the practical management/operational aspects of the project;
- 5 advice to be sought from the Department of Aboriginal Affairs as regards the appropriate Aboriginal groups to be consulted in relation to the project.

CARRIED

TP198-08/96 INTERNATIONAL MOTOR SPORTS SITE TASK FORCE:
PINJAR MOTOR SPORTS AREA - [319-7]

A State Government "International Motor Sports Site Task Force" is seeking Council's attitude to the possibility of the Pinjar Motor Sports Area at Wattle Avenue, Neerabup becoming the site for a number of major motor sports facilities including a Drag Raceway and a Speedway. The International Speedway Supporters Club is also seeking Council's response to the possibility of establishment of an International Speedway Complex within the City of Wanneroo.

The City Planner provides background details and an assessment of the proposals and reports on noise, land availability and road access.

He recommends that Council not support the location of these facilities at the Pinjar Motor Sports Area as they would create unacceptable noise problems, particularly for the existing Special Rural residents at Carramar Park and for the future Residential and Special Residential residents who will live in the areas immediately south of Flynn Drive and comments that possible suitable sites might exist in the north-east part of the City, however this would need to be investigated by the Government Task Force.

CITY PLANNER'S REPORT recommended that Council:

- 1 does not support the proposals received from the International Motor Sports Site Task Force and International Speedway Competitors and Supporters Club for major motor sports facilities of the Ravenswood and Claremont types to be located at the Pinjar Motor Sports Race Area because:
 - (a) it would greatly exacerbate noise problems associated with the motor sports areas;
 - (b) there is not considered to be any suitable land available within or near the motor sports area;

2 advises the International Motor Sports Task Force and International Speedway Competitors and Supporters Club that suitable sites possibly might exist in the north-east part of the City, however, this would need to be investigated by the Task Force, having regard to the following main issues:

- (a) noise buffering requirements to residences, particularly existing and proposed urban and rural-residential areas (nothing the likelihood of long-term urbanisation of the eastern part of the Nowergup-Carabooda localities);
- (b) groundwater protection requirements;
- (c) road access requirements.

Cr Magyar suggested that the words "surplus land not under current leasehold" be inserted after the words "of the" in Point 2.

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

- 1 does not support the proposals received from the International Motor Sports Site Task Force and International Speedway Competitors and Supporters Club for major motor sports facilities of the Ravenswood and Claremont types to be located at the Pinjar Motor Sports Race Area because:
 - (a) it would greatly exacerbate noise problems associated with the motor sports areas;
 - (b) there is not considered to be any suitable land available within or near the motor sports area;
- 2 reassess the long term use of the surplus land not under current leasehold set aside for motor sports in the Pinjar Motor Sports Area.

CARRIED

TP199-08/96 PROPOSED BUILDING ENVELOPE RELOCATION - LOT 251
(305) BADGERUP ROAD, WANNEROO - [0208/251/305]

CITY PLANNER'S REPORT

A letter has been received from Mrs A Rose in regard to relocating the building envelope on her property at Lot 251 (305) Badgerup Road, Wanneroo. This lot is within Special Rural

Zone No 19 which makes provision for each lot to have a building envelope of up to 2,000m².

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

He advises that as the proposal complies with Town Planning Scheme setback requirements and will serve to better protect a mature native tree from removal, the proposal is therefore supported.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council grants approval for the existing 2,000m² building envelope at Lot 251 (305) Badgerup Road, Wanneroo to be moved to a location 25 metres from the Badgerup Road road reserve subject to the submission of a professionally drawn plan indicating the new building envelope location to the satisfaction of the City Planner.

CARRIED

TP200-08/96 **CLOSURE OF 0.1 METRE PEDESTRIAN ACCESSWAY
ADJOINING LOT 6 LINTO WAY, ALEXANDER HEIGHTS -
[740-100057]**

CITY PLANNER'S REPORT

A portion of Mirrabooka Avenue is being widened as part of the subdivision of Lot 6 Linto Way, Alexander Heights. An 0.1 metre pedestrian accessway (PAW) exists along the current boundary of Lot 6 and this will need to be closed to enable the road to be widened.

The City Planner provides details of the closure and advises that a replacement 0.1 metre PAW will be created along the proposed new boundary.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council agrees to the closure of the 0.1 metre pedestrian accessway abutting Lot 6 Linto Way, Alexander Heights, to facilitate road widening subject to a replacement pedestrian accessway being created along the new property boundary.

CARRIED

TP201-08/96 **REQUEST TO PURCHASE A PORTION OF LOT 154 (19)
HAZEL AVENUE, QUINNS ROCKS (DRAINAGE SUMP) -
[413/155/17]**

CITY PLANNER'S REPORT

The owners of Lot 155 (17) Hazel Avenue, Quinns Rocks have constructed a retaining wall which encroaches onto the adjoining Lot 154 which is owned in freehold by the City for drainage purposes. It is impractical for the wall to be relocated and the owners of Lot 155 have requested the City to sell the portion of land that is affected by the retaining wall.

The City Planner provides details of the encroachment, reports on statutory requirements and submits an evaluation of the application.

He advises that subject to the applicants being required to meet all of the survey and conveyancing costs, the application should be supported.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council agrees to sell an area of approximately 2.6m² from Lot 154 (19) Hazel Avenue, Quinns Rocks for a nominal purchase price of \$250.00 to Messrs Sinclair and Todoroff for amalgamation with Lot 155 (17) Hazel Avenue, Quinns Rocks subject to the purchasers meeting all costs associated with the sale of the land including, survey, subdivision and conveyancing costs.

CARRIED

TP202-08/96 APPLICATION TO PURCHASE A PORTION OF JOONDALUP DRIVE, EDGEWATER - [1875/276/1]

CITY PLANNER'S REPORT

The owners of Lot 276 Poplar Close, Mr and Mrs Manifis have applied to purchase a portion of the Joondalup Drive road reserve to enable their property to be strata titled.

The City Planner provides details of the land, submits an evaluation of the application and advises that the application should not be supported as it will set an undesirable precedent and encroach onto the public utility service alignments.

MOVED Cr Taylor, **SECONDED** Cr Hancock that Council does not agree to the application made by the owners of Lot 276 Poplar Close, Edgewater to purchase a portion of the Joondalup Drive road reserve.

CARRIED

TP203-08/96 RESUMPTION OF LAND FOR THE REALIGNMENT OF KAROBORUP ROAD BETWEEN WANNEROO ROAD AND KILN ROAD, CARABOODA - [510-466]

The portion of Karoborup Road, Carabooda between Wanneroo Road and Kiln Road is required to be realigned. The City will need

to acquire land from five of the adjoining properties to enable the road works to be completed. The City has negotiated with the affected landowners to purchase the land required for the realignment, however one of the landowners, Mr Panagiotidis, is not prepared to sell the land to the City because he is opposed to the proposed road widening.

The City Planner provides details of negotiations with affected landowners and comments that as negotiations to purchase the land have not been successful, the only option available to Council is to resume the land under the Public Works Act.

He advises that this Act provides that the Council is to pay compensation not only for the value of the land taken, but also for the value of any improvements thereon, the cost of disruption to a business, the loss of any rents or profits, and any other matter such as loss of amenity.

CITY PLANNER'S REPORT recommended that Council requests the Hon Minister for Lands to resume the land required for the realignment of Karoborup Road, Carabooda from Lots 14, 11, 7, 8 and 1 in accordance with City Engineering Department Plans and under the provisions of the Public Works Act.

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

- 1 defers consideration of resumption of land for the realignment of Karoborup Road, Carabooda from Lots 14, 11, 7, 8 and 1;
- 2 seeks advice from the City Engineer and submits a further report to the Town Planning Committee.

CARRIED

TP204-08/96 APPEAL DETERMINATION - PROPOSED CHANGE IN
CONDITIONS OF OPERATION AND APPROVAL FOR A SECOND
PRACTITIONER AT LOT 504 (34) SEACREST DRIVE,
SORRENTO - [30/3543]

In February 1991 the Minister for Planning upheld an appeal to operate a consulting room practice from Lot 504 (34) Seacrest Drive, Sorrento. A subsequent application was considered by Council at its December 1995 meeting (Item TP429-12/95 refers) and the application was refused.

The City Planner advises that the Minister for Planning dismissed an appeal lodged by the applicant and reiterated the previous residency condition that the consulting rooms were for a sole practitioner physiotherapy practice and the approval only being valid as long as that practitioner resides in the dwelling concerned.

CITY PLANNER'S REPORT recommended that Council:

- 1 advises the owners/occupiers of Lot 504 (34) Seacrest Drive, Sorrento that the property, if not used for residential purposes only, may only be used for a sole practitioner's physiotherapy practice and the approval is only valid as long as that practitioner resides in the dwelling concerned;
- 2 requires the owners/occupiers of the property to comply with the original conditions of the development approval for the physiotherapy practice, within 30 days of notification and on a permanent basis;
- 3 authorises the City Planner to initiate legal action should the property not be used in accordance with the original development approval conditions after the time period specified;
- 4 writes to the Parliamentary Commissioner for Administrative Investigations to express its disappointment with his findings and advise him of the action now proposed if Mrs Szeto does not comply with the terms of the Hon Minister for Planning's determination.

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

- 1 advises the owners/occupiers of Lot 504 (34) Seacrest Drive, Sorrento that the property, if not used for residential purposes only, may only be used for a sole practitioner's physiotherapy practice and the approval is only valid as long as that practitioner resides in the dwelling concerned;
- 2 requires the owners/occupiers of the property to comply with the original conditions of the development approval for the physiotherapy practice, within 30 days of notification and on a permanent basis;
- 3 authorises the City Planner to initiate legal action should the property not be used in accordance with the original development approval conditions after the time period specified;
- 4 writes to the Parliamentary Commissioner for Administrative Investigations to advise him of the action now proposed if Mrs Szeto does not comply with the terms of the Hon Minister for Planning's determination.

TP205-08/96

**PRELIMINARY DEVELOPER INFRASTRUCTURE
CONTRIBUTIONS FOR CELL 5 LANDSDALE - [740-93627,
780-21]**

The Minister for Planning is currently considering an appeal by North Whitfords Estates in relation to a subdivision condition imposed on their Stage 5 subdivision in Landsdale. The condition relates to the provision of developer infrastructure contributions toward various East Wanneroo infrastructure and also specifies the basis of such contributions.

The City Planner provides background details to the subject matter and reports on the subdivision appeal and revised infrastructure contributions for Cell 5 - Landsdale.

He seeks Council endorsement to work undertaken in relation to the East Wanneroo Consultancy and also approval to refer this information to the Minister for Planning for his consideration in relation to the appeal.

CITY PLANNER'S REPORT recommended that Council:

- 1 endorses the report on the revised estimated infrastructure contribution calculations as prepared by BSD Consultants and included in Attachment No 4 to Report TP205-08/96;
- 2 supports the referral of this document to the Minister for Planning for the purposes of dealing with the appeal determination in relation to the North Whitfords Estates Stage 5 subdivision in Landsdale.

Cr Duffy declared an interest in this Item as he has business interests in close proximity to the land in question.

Cr Duffy left the Chamber at this point, the time being 2055 hrs.

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

- 1 endorses the report on the revised estimated infrastructure contribution calculations as prepared by BSD Consultants and included in Attachment No 4 to Report TP205-08/96;
- 2 supports the referral of this document to the Minister for Planning for the purposes of dealing with the appeal determination in relation to the North Whitfords Estates Stage 5 subdivision in Landsdale;

3 writes to the Premier informing him of the ramifications this appeal will have on the City of Wanneroo and asking that Council be permitted to make a presentation in relation to Report TP205-08/96.

CARRIED

Cr Duffy entered the Chamber at this point, the time being 2056 hrs.

Appendix XVIII refers.

**TP206-08/96 APPLICATION TO PURCHASE A PORTION OF PUBLIC
RECREATION RESERVE 38260 COMPASS CIRCLE, YANCHEP
- [755 38260]**

Council has received an application from Mrs Monica Dunnett as the owner of the properties that adjoin Reserve 38260 in Compass Circle, Yanchep, to purchase the reserve.

The City Planner provides background details to the subject matter and reports on issues involved and proposed sale to Mrs Dunnett.

He advises that although it was previously suggested that the applicant meet the cost of a scheme amendment to remove the Parks and Recreation Reservation of the land, as it is now recommended that the land be sold at the highest and best value, the cost of the amendment should not be passed on to the purchaser.

CITY PLANNER'S REPORT recommended that Council offers to sell to Mrs Monica Dunnett, pursuant to the provisions of Section 3.58 of the Local Government Act 1995 the portion of Reserve 38260 situated in Compass Circle, Yanchep, at a price of \$65,000.

The Chief Executive Officer referred to correspondence circulated at the Town Planning Committee meeting on 19 August 1996 by Cr Hancock, in relation to Reserve 38260 Compass Circle, being copy letter to City of Wanneroo from Department of Land Administration; copy letter from Hammond Worthington Provost, Solicitors, to City of Wanneroo; copy letter to Department of Land Administration from City of Wanneroo.

He expressed his concern at the circulation of this correspondence, which he believed should be confidential.

The Chief Executive Officer also stated that the original letter from Hammond Worthington Provost had not as yet been received by him.

Cr Hancock referred to a request she had made to the Chief Executive Officer for information relating to Item TP168-07/96 and stated this information had not been made available to her.

The Chief Executive Officer responded that a facsimile was sent to Cr Hancock advising her this information was to be tabled at the Town Planning Committee meeting of 19 August 1996. However, Cr Hancock stated she had not received the facsimile and requested confirmation of its transmission.

Discussion ensued.

A Point of Order was called by Cr Dammers as he did not believe discussion should continue in relation to confidential information submitted.

The Chief Executive Officer suggested the Committee obtain legal advice in relation to the correspondence from Hammond Worthington Provost.

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

- 1 consideration of this matter be deferred;
- 2 Council seeks legal advice in relation to correspondence submitted by Cr V Hancock.

CARRIED

TP207-08/96 PROPOSED COMMERCIAL PARK - LOT 738 (16) DUGDALE STREET, WARWICK - [30/5180]

This application from Silkchime Pty Ltd is for a Commercial Park on Lot 738 (16) Dugdale Street, Warwick. Advertising of the proposal expired on 8 June 1996 and 21 submissions were received, all of which expressed some level of concern in regard to the proposal. In addition to those submissions, a Special Electors' Meeting was held on 9 July 1996 regarding this matter.

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

He advises that a site meeting on 31 July 1996 resulted in an understanding regarding levels, car park and accessway integration that was satisfactory to all parties and has been reflected on the revised plan.

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) buildings which abut the central accessways and the pedestrian linkages from Ellersdale Road and Lot 50 addressing those accessways, and providing canopies for pedestrian use;
 - (ii) the crossovers to Ellersdale Avenue being rationalised to the satisfaction of the City Engineer;
 - (iii) location of on-site drainage disposal being shown;
 - (iv) provision of a minimum 8% landscape area;
- (b) the land occupied by the 78 car parking bay carry-over from the additional cinema approval on Lot 904 shall be amalgamated with the cinema site or alternatively a reciprocal car parking and access agreement between Lots 738 and 904 is to be entered into to the satisfaction of the City Planner;
- (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) the preparation and implementation of a traffic impact statement for Ellersdale Avenue and Dugdale Street and an internal traffic generation report for the entire Warwick Shopping precinct indicating flow routes, parking prohibitions and parking controls required, to the satisfaction of the City Engineer;

- (f) the construction of a roundabout at the junction of Ellersdale Avenue and Dugdale Street to the specification and satisfaction of the City Engineer;
- (g) the provision of traffic/pedestrian control devices along Ellersdale Avenue and Dugdale Street to the specification and satisfaction of the City Engineer;
- (h) the Council car park on Lot 931 being upgraded to the satisfaction of the City Planner and City Engineer to achieve the proposed vehicular connection;
- (i) 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 of 83 bays in this instance.

MOVED Cr Taylor, **SECONDED** Cr Hancock 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) buildings which abut the central accessways and the pedestrian linkages from Ellersdale Road and Lot 50 addressing those accessways, and providing canopies for pedestrian use;
 - (ii) the crossovers to Ellersdale Avenue being rationalised to the satisfaction of the City Engineer;
 - (iii) location of on-site drainage disposal being shown;
 - (iv) provision of a minimum 8% landscape area;

- (b) the land occupied by the 78 car parking bay carry-over from the additional cinema approval on Lot 904 shall be amalgamated with the cinema site or alternatively a reciprocal car parking and access agreement between Lots 738 and 904 is to be entered into to the satisfaction of the City Planner;
- (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) the preparation and implementation of a traffic impact statement for Ellersdale Avenue and Dugdale Street and an internal traffic generation report for the entire Warwick Shopping precinct indicating flow routes, parking prohibitions and parking controls required, to the satisfaction of the City Engineer;
- (f) the provision of traffic/pedestrian control devices along Ellersdale Avenue and Dugdale Street to the specification and satisfaction of the City Engineer;
- (g) the Council car park on Lot 931 being upgraded to the satisfaction of the City Planner and City Engineer to achieve the proposed vehicular connection;
- (h) 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 of 90 bays in this instance.

CARRIED

TP208-08/96 ZONING FOR WORSHIP CENTRES - [770-2]

Cr Duffy referred to zoning problems experienced by some worship centres and requested a report be submitted in relation to developing a policy to cover zoning for modern churches.

MOVED Cr Taylor, **SECONDED** Cr Hancock that a report be submitted to Policy Committee in relation to developing a policy to cover zoning for modern churches.

CARRIED

RURAL STRATEGY - [290-0-1]

Cr O'Grady queried the position in relation to the report on Local Rural Strategy.

The City Planner advised that meetings were currently being scheduled to deal with this issue.

SIGNS - YANCHEP/TWO ROCKS POLICE STATION - [920-19]

Cr O'Grady requested the Chief Executive Officer to investigate and inform her of the current position in relation to signs for the Yanchep/Two Rocks Police Station.

The Chief Executive Officer advised he had made enquiries and would hopefully receive an answer in the near future.

C383-08/96 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Lynn, **SECONDED** Cr Popham that the Report of the Finance and Community Services Committee Meeting, held on 21 August 1996, be received.

CARRIED

ATTENDANCES

Councillors:	M E LYNN, JP - Chairman	South-West
	Ward	
	A V DAMMERS, JP - Mayor	Central
	Ward	
	P O HEALY - From 1810 hrs	North
	Ward	
	A G TAYLOR	South
	Ward	
	F D FREAME	South-West Ward
	L O'GRADY - Deputising for Cr Healy	
	to 1810 hrs;	
	Observer to 1904 hrs	North
	Ward	
	A W WIGHT - Observer	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
City Environmental Health Manager:	M AUSTIN
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Facilities Manager, Craigie Leisure Centre:	M STANTON
Disability Access Officer:	J EDWARDS
Minute Clerk:	S BRUYN

APOLOGIES

Apologies for absence were tendered by Crs Cooper, Popham and Duffy.

PUBLIC/PRESS ATTENDANCE

There were 5 members of the Public in attendance.

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 17 JULY 1996

The Minutes of the Finance and Community Services Committee Meeting held on 17 July 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - VALUER GENERAL'S OFFICE

Mr Mike Kennedy of the Valuer General's Office was given approval to address the Committee in relation to future revaluations - Item FA106-08/96 refers.

The City Treasurer stated that receipt of advice from the Valuer General's Office to the effect that the revaluation of portion of the metropolitan area affecting this City has now been postponed until the 1998/99 financial year.

This effectively reduced the urgency of this matter. The Chairperson of Finance and Community Services Committee, Councillor M Lynn, therefore cancelled the deputation for tonight's meeting.

DEPUTATION - ROLLERBLADING - CRAIGIE LEISURE CENTRE - [680-1]

Mr Plaxton addressed the Committee in relation to rollerblading - Craigie Leisure Centre - Item CS141-08/96 refers.

Mr Plaxton introduced his son John to the Committee as he was the person who had originally developed the idea of rollerblading sessions at Craigie Leisure Centre.

Mr Plaxton submitted a letter in answer to points contained in the City Recreation and Cultural Services Manager's report - Refer Appendix XIX. Attached to the letter were extracts from the Youth Policy Recreation Management Strategies which Mr Plaxton considered relevant.

Mr Plaxton also demonstrated several rollerblades and advised he would leave these to be inspected by Councillors.

In conclusion, Mr Plaxton stated the rollerblading sessions were not only a commercial venture but were also beneficial to the children in the community.

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

Appendix XIX refers.

DECLARATIONS OF PECUNIARY INTEREST

Cr Freame declared an interest in Item CS138-08/96

CONFIDENTIAL BUSINESS

The following Items were considered Behind Closed Doors:

CS131-08/96 FOOD COMPLAINT - SAMPLE 107C - [30/35113-M3, 851-7]

CS143-08/96 CRAIGIE LEISURE CENTRE - [680-1]

MEETING TIMES

Commenced: 1806 hrs
Closed: 2004 hrs

FINANCE & ADMINISTRATIVE SECTION

REPORT NO:

FA106-08/96 FUTURE REVALUATIONS - VALUER GENERAL'S OFFICE -
[018-1]

CITY TREASURER'S REPORT

Council, at its July 1996 meeting, resolved to invite 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 the impact on the City of Wanneroo.

The City Treasurer reports on the request to local governments by the Valuer General to advance the revaluation programme and advises that advice from the Valuer General's Officer is that Mr Mike Kennedy will attend Council's Finance and Community Services Committee to outline the Valuer General's requirements.

MOVED Cr Lynn, **SECONDED** Cr Hancock that CITY TREASURER'S REPORT FA106-08/96 be received.

CARRIED

FA107-08/96 CITIZEN OF THE YEAR, YOUNG CITIZEN OF THE YEAR
AND COMMUNITY EVENT OF THE YEAR AWARDS - [301-5]

Nomination forms and selection criteria for the 1997 Citizen, Young Citizen and Community Event of the Year Awards have been distributed to all Local Government Authorities by the National Australia Day Council.

Nominees must be Australian citizens and unless there are exceptional circumstances, must be residents of Australia. All Australian citizens resident within the City of Wanneroo will be eligible.

The Chief Executive Officer outlines eligibility for each category, reports on the convening of a selection panel and advises that presentation of Awards will be made at the Australia Day Citizenship Ceremony on 26 January 1997.

CHIEF EXECUTIVE OFFICER'S REPORT recommended that:

- 1 nominations for the Awards be called for in the local media during September and October 1996;
- 2 a Councillor be appointed to the selection panel, and two other citizens approached to serve on the panel;

- 3 the appointment of the two "other" citizens be ratified
and effected by the Mayor and Chief Executive Officer;
- 4 Council hosts a cocktail party for all nominees and
their nominators in January 1997, prior to Australia Day
to announce the recipient of each category, and invites
each recipient to attend the Australia Day Citizenship
Ceremony to receive their Award.

COMMITTEE RECOMMENDATION

That:

- 1 nominations for the Awards be called for in the local
media during September and October 1996;
- 2 a Councillor be appointed to the selection panel, and
two nominations be sought to serve on the panel;
- 3 the appointment of the two selected panel members be
ratified and effected by the Mayor and Chief Executive
Officer;
- 4 Council hosts a cocktail party for all nominees and
their nominators in January 1997, prior to Australia Day
to announce the recipient of each category, and invites
each recipient to attend the Australia Day Citizenship
Ceremony to receive their Award.

Cr Duffy nominated Cr Hancock.

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

- 1 nominations for the Awards be called for in the local
media during September and October 1996;
- 2 Councillor Hancock be appointed to the selection panel,
and that the two community nominations be advertised;
- 3 the appointment of the two selected panel members be
ratified and effected by the Mayor and Chief Executive
Officer;
- 4 Council hosts a cocktail party for all nominees and
their nominators in January 1997, prior to Australia Day
to announce the recipient of each category, and invites
each recipient to attend the Australia Day Citizenship
Ceremony to receive their Award.

CARRIED

CHIEF EXECUTIVE OFFICER'S REPORT

The 1996/97 Calendar of Civic Receptions and Functions was approved at Council's Finance and Community Services Committee meeting on 19 June 1996 and ratified at full Council on 26 June 1996.

The Chief Executive Officer reports on a request from the City Librarian to change the afternoon tea for the Libraries Department Volunteers, scheduled for 3.00 pm on 5 June 1997, to a cocktail reception at 6.30 pm on the same day, due to the inability of a number of volunteers to attend a function during working hours.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council approves the changing of the Libraries Department Volunteers afternoon tea on Thursday, 5 June 1997 at 3.00 pm to a cocktail reception to be held at 6.30 pm on the same day.

CARRIED**CITY TREASURER'S REPORT**

The City Treasurer submits the Warrant of Payments for the period ending 30 September 1996, the total sum expended being \$43,042,371.55.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 July 1996, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$43,042,371.55.

<u>Funds</u>	<u>Vouchers</u>	<u>Amount</u>
Treasurer's Advance		
Account No 1	033313 - 03371	\$
5,751,626.97		
Municipal	000260 - 000260	
\$37,290,744.58	000262 - 000273	

\$43,042,371.55

CARRIED

Appendix XX refers.

FA110-08/96 OUTSTANDING GENERAL DEBTORS - JULY 1996 - [020-0]

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

He makes comments on the action being taken with long outstanding accounts and recommends the write-offs of debts totalling \$523.92 which are considered to be irrecoverable.

CITY TREASURER'S REPORT recommended that Council writes out of its General Debtors Ledger an amount of \$523.92, representing debts considered irrecoverable, as detailed in Attachment B to Report FA110-08/96.

MOVED Cr Cooper, **SECONDED** Cr Freame that Council, writes out of its General Debtors Ledger an amount of \$523.92, representing debts considered irrecoverable, as detailed in Attachment B to Report FA110-08/96

**CARRIED BY AN
ABSOLUTE**

MAJORITY

Appendix XXI refers.

**FA111-08/96 LOAN BORROWINGS - SHIRE OF WANNEROO AGED PERSONS'
HOMES TRUST (INCORPORATED) - [851-3-1]**

CITY TREASURER'S REPORT

Council is in receipt of a request from the Shire of Wanneroo Aged Persons' Homes Trust (Incorporated) to borrow the sum of \$800,000 for the purposes of completing the construction of the Wanneroo Community Nursing Home.

The City Treasurer provides details of the summarised Income and Expenditure Statements for the project and reports on annual repayments the Trust would be required to make to the National Australia Bank.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council, pursuant to the provisions of Clause 33 of the Constitution of the Shire of Wanneroo Aged Persons' Homes Trust (Incorporated), grants approval to the Trust to borrow \$800,000 from the National

Australia Bank for the purposes of completing the construction of the Wanneroo Community Nursing Home.

CARRIED

FA112-08/96 DISPOSAL OF SURPLUS ASSETS - [010-2-2]

CITY TREASURER'S REPORT

The City Treasurer submits details of an item which is surplus to the City's requirements, due to the closure of Nanovich House.

He reports on an offer to purchase this item and recommends that the offer be accepted.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council, pursuant to the provisions of Section 3.58(5) (d) of the Local Government Act 1995:

- 1 accepts the offer of \$150 from Mr Alan Connell for the purchase of a Hoover Commodore Deluxe Washing Machine;
- 2 approves the necessary amendments to the Fixed Assets Register to reflect the disposal.

CARRIED

FA113-08/96 ANNUAL SUPPLY TENDER - SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING - [209-6-95/96, 208-24-96/97]

CITY TREASURER'S REPORT

Tender 24-96/97 for the supply and delivery of protective clothing was reported on at Council's Finance and Community Services Committee Meeting of 22 May 1996 (Item FA57-05/96 refers).

Council resolved, at its meeting held on 29 May 1996, not to accept any tender for the supply of protective clothing in view of trials being undertaken on UV clothing and authorised the extension of the existing contract.

The City Treasurer reports that due to the extension of trials being undertaken on UV clothing, Council will need a further extension of the existing contract.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council, in view of trials of UV clothing being extended, authorises the further extension of the existing Contract 6-95/96, with King Gee Clothing Co Pty Ltd to continue to supply clothing to 31 December 1996, subject to its agreement.

CARRIED

FA114-08/96 WRITE OFF - RATES - [018-13]

CITY TREASURER'S REPORT

In accordance with the provisions of Section 6.12 (1)(c) of the Local Government Act 1995, Council may, by an absolute majority, write off rates which have been imposed in respect of rateable property and payment of which is in arrears.

The City Treasurer reports on a request to write off rates in relation to residential development in Joondalup City North.

He details the affected properties and comments on rates that were levied.

MOVED Cr Taylor, **SECONDED** Cr Freame that Council, in accordance with the provisions of Section 6.12 (1)(c) of the Local Government Act 1995, writes off rates levied totalling \$4,408.12 as detailed in Attachment A to Report FA114-08/96.

CARRIED BY

AN

ABSOLUTE

MAJORITY

Appendix XXII refers.

FA115-08/96 RATE EXEMPTION - 63 KINROSS DRIVE, KINROSS -
[3500/ /63]

CITY TREASURER'S REPORT

The City Treasurer submits an application for rate exemption from Perth Diocesan Trustees for land at 63 Kinross Drive, Kinross which is proposed for a Worship Centre.

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

- 1 in accordance with the provisions of Section 6.26 (2)(d) of the Local Government Act 1995, declares the property 63 Kinross Drive, Kinross exempt from rating, with effect 1 July 1996;
- 2 amends the rate book accordingly.

CARRIED

FA116-08/96 RATE EXEMPTION - 95 RAWLINSON DRIVE, MARANGAROO -
[2291/ /95]

CITY TREASURER'S REPORT

The City Treasurer submits an application for rate exemption from The Uniting Church in Australia for a 42 Bed Hostel at 95 Rawlinson Drive, Marangaroo.

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

- 1 in accordance with Section 6.26 (2)(g) of the Local Government Act 1995, declares the property at 95 Rawlinson Drive, Marangaroo exempt from rating, with effect 1 July 1996;
- 2 amends the rate book accordingly.

CARRIED

FALL17-08/96 DONATIONS - [009-1]

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

- National Rollersports Championships, Adelaide;
- Australian Soccer Championships, Geelong;
- Under 19 Basketball Team Championships, Brisbane;
- Australian School Soccer Championships, Geelong;
- National Talent Identification Championships, Brisbane;
- National Talent Identification Soccer Championships, Brisbane;
- Road Cycling, National Championships, Sydney;
- National Championships, Karate, Sydney;
- National 16's Championship, Melbourne;
- State Schoolboys Under 16 Hockey Team, Canberra;
- Australasian Catholic Netball Championships, Auckland;

Teen Challenge WA is seeking financial assistance for support of youths with drug and alcohol problems.

Australian Paralympic Federation is seeking financial support for the 1996 Australian Paralympic Team which represented our nation at the Paralympic Games in Atlanta.

Heart Foundation is seeking financial support for its research and education programs into heart and blood vessel disease.

6PR Special Children's Christmas Party is seeking financial support to stage the Special Children's Christmas Party for children who are underprivileged, disabled or suffering from life threatening diseases.

CITY TREASURER'S REPORT recommended that Council:

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

Miss Tovi Addison
Miss Cassie Boylen
Miss Lisa Curtis
Mr Tim Elliott
Miss Ashlee Heasman
Miss Kristin Jones
Miss T'Neal Maher
Miss Louise Scally
Miss Naome Semple
Miss Karen Slann
Miss Sinead Smyth
Miss Cara Williams
Miss Krystyna Borowicki
Mr Kim Hennessy
Mr Jon Hopper
Miss Sarah Castell
Miss Jeanette Bell
Mr Toby Wright
Mr Andrew Brown
Mr Barry Williamson
Mr Mark Pilbeam
Miss Louisa Wood
Miss Nicole Ord
Mr Brendan Meikle
Mr Simon Wheeler
Miss Kate Lynch
Miss Kate Wrobel
Miss Lisa Wilkinson
Miss Amber Gillies

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

2 donates \$50.00 to Teen Challenge WA;

3 donates \$50.00 to Heart Foundation;

4 donates \$100.00 to 6PR Special Children's Christmas
Party;

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

5 donates \$50.00 to Australian Paralympic Federation;

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

COMMITTEE RECOMMENDATION

That Council:

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

Miss Tovi Addison
Miss Cassie Boylen
Miss Lisa Curtis
Mr Tim Elliott
Miss Ashlee Heasman
Miss Kristin Jones
Miss T'Neal Maher
Miss Louise Scally
Miss Naome Semple
Miss Karen Slann
Miss Sinead Smyth
Miss Cara Williams
Miss Krystyna Borowicki
Mr Kim Hennessy
Mr Jon Hopper
Miss Sarah Castell
Miss Jeanette Bell
Mr Toby Wright
Mr Andrew Brown
Mr Barry Williamson
Mr Mark Pilbeam
Miss Louisa Wood
Miss Nicole Ord
Mr Brendan Meikle
Mr Simon Wheeler
Miss Kate Lynch
Miss Kate Wrobel
Miss Lisa Wilkinson
Miss Amber Gillies

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

- 2 donates \$50.00 to Teen Challenge WA;

- 3 donates \$50.00 to Heart Foundation;

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

- 4 donates \$50.00 to Australian Paralympic Federation;

donation to be from Budget Item No 26531 - Sundry
Donations - Other Welfare Services

- 5 defers consideration of a donation to 6PR Special
Children's Christmas Party pending further information
to be submitted by Cr Healy.

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

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

Miss Tovi Addison
Miss Cassie Boylen
Miss Lisa Curtis
Mr Tim Elliott
Miss Ashlee Heasman
Miss Kristin Jones
Miss T'Neal Maher
Miss Louise Scally
Miss Naome Semple
Miss Karen Slann
Miss Sinead Smyth
Miss Cara Williams
Miss Krystyna Borowicki
Mr Kim Hennessy
Mr Jon Hopper
Miss Sarah Castell
Miss Jeanette Bell
Mr Toby Wright
Mr Andrew Brown
Mr Barry Williamson
Mr Mark Pilbeam
Miss Louisa Wood
Miss Nicole Ord
Mr Brendan Meikle
Mr Simon Wheeler
Miss Kate Lynch
Miss Kate Wrobel
Miss Lisa Wilkinson
Miss Amber Gillies

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

- 2 donates \$50.00 to Teen Challenge WA;
3 donates \$50.00 to Heart Foundation;

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

4 donates \$50.00 to Australian Paralympic Federation;

donation to be from Budget Item No 26531 - Sundry
Donations - Other Welfare Services

5 donates \$100 to the 6PR Special Children's Christmas
Party - donation to be from Budget Item No 26531 -
Sundry Donations - Other Welfare Services.

CARRIED

Fall8-08/96 PERRY'S PADDOCK - [057-4]

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

At its meeting of 24 July 1996, Council's Historical Sites
Advisory Committee considered a memorandum from the City Planner
and City Recreation and Cultural Services Manager regarding the
Perry's Paddock project.

The City Planner and the City Recreation and Cultural Services
Manager provides details of the recommendation from the
Historical Sites Advisory Committee.

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

- 1 progresses the Perry's Paddock project pursuant to the
following main steps:
 - Step 1:
 - . preparation of Heritage Conservation Plan
by heritage consultant;
 - . completion of study regarding Walluburnup
Swamp and wetland edges/buffers by Dr
Semeniuk;
 - . finalisation of the Aboriginal Heritage
Survey;
 - . detailed study of project by Council
Working Group to address:
 - management/operational aspects of
project;
 - options for incorporation of Mr
Garmson's and Mr Trump's proposals;
 - preparation of guidelines for
revised draft DMP, in consultation

with main interested parties, and addressing all issues raised in submissions on the draft DMP;

- Step 2:
- . Council approval to guidelines for revised draft DMP. (In doing so, Council will be determining whether Mr Garmson's and Mr Trump's proposals will be finally accepted by Council or not);
 - . seek approval of relevant agencies (eg NPNCA, DEP, MFP) to guidelines for revised draft DMP;

- Step 3:
- . negotiate variation to contract with Whelans for it to revise the DMP document (report, Master Plan and Stage One plan) in accordance with the approved guidelines for the revision;
 - . Whelans to undertake the second phase of their contract being the preparation of detailed engineering drawings for the Stage One development;

- 2 prepares a Heritage Conservation Plan for the existing historic features within the boundaries of the land area known as Perry's Paddock, and that submissions be invited from heritage consultants for the undertaking of the Heritage Conservation Plan;
- 3 in accordance with the provisions of Section 6.8 of the Local Government Act, authorises the expenditure of up to \$20,000 for the purpose of preparing the Heritage Conservation Plan referred to in 2 above, such expenditure to be charged to the Perry's Paddock Reserve Account No 32361;
- 4 forms a Working Group of membership to be determined by the Historical Sites Advisory Committee to undertake the tasks outlined in Point 4 of Step 1 of 1 above, and to thoroughly examine the potential and options concerning possible use of proposed buildings in the historical village by community groups with ongoing accommodation demands such as youth and the elderly;
- 5 endorses the proposed sub-lease terms agreed between the Council Working Group and Mr Garmson as detailed in Report FA118-08/96, however, noting that should the proposed site for Mr Garmson's proposal be substantially different to that currently proposed, then the matter of

contribution to infrastructure will need to be renegotiated;

- 6 endorses the conclusions of the Council Working Group regarding conditional acceptance of the historical content of Mr Garmson's proposal as detailed in Report FA118-08/96, subject to verification to the satisfaction of the City Building Surveyor that the proposed architectural features of the proposed Inn building may be regarded as typical of the Kent area, particularly in the general vicinity of Chatham, with advice of the Chatham County council to be sought on this matter. However, Council further advises Mr Garmson that prior to considering giving a final commitment to acceptance of his proposal within the Perry's Paddock area, it wishes to first ensure that a suitable site for his proposal can be identified and that this matter will be examined in the next phase of study of this project;
- 7 advises Mr Trump of the Gumnut Factory that it wishes to pursue further discussions with him concerning his proposal, and that it seeks his advice as to his current intentions in light of this current Council decision on the Perry's Paddock project, particularly the matter of a further degree of endorsement now having been given to Mr Garmson's proposal.

CARRIED BY

AN

ABSOLUTE

MAJORITY

Appendix XXIII refers.

FA119-08/96 VEHICLE CROSSING SUBSIDY - [220-0]

ACTING CITY ENGINEER'S REPORT

At its meeting held on 26 June 1996 Council, when deliberating on vehicle crossing fees for the 1996/97 fiscal year, resolved inter alia that a further report on the subsidisation of vehicular crossings be submitted (Item FA63-06/96 refers).

The Acting City Engineer provides details of Regulations relating to vehicular crossings and comments that Council is obligated, pursuant to Clause 15 of the Local Government (Uniform Local Provisions) Regulations 1996, to continue to provide the 50% subsidy for a standard vehicle crossing on the first vehicular crossing to a property.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council receives the report dealing with its obligation, pursuant to Clause 15 of the Local Government (Uniform Local Provisions) Regulations 1996 to continue the 50% subsidy of a standard vehicle crossing where that crossing is the first crossing to a property.

CARRIED

FA120-08/96 ADJUSTMENT TO BALANCE SHEET - ASSET REGISTER -
[004-2]

CITY TREASURER'S REPORT

The City Treasurer submits details of assets purchased and recorded as additions and those assets sold, scrapped, traded in, stolen or written off and recorded as a disposal for the financial year ended 30 June 1996.

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

- 1 authorises the recording of assets, with a purchase value exceeding \$300 in Council's Fixed Asset Register, as summarised in Report FA120-08/96;
- 2 authorises the write-off of disposed assets with a written down value amounting to \$1,877,074, as summarised in Report FA120-08/96.

CARRIED

Appendix XXIV refers.

FA121-08/96 AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]

CITY TREASURER'S REPORT

The City Treasurer reports on various requests for authorisation to reallocate funds within the 1996/97 Budget and gives details of the necessary adjustments to Budget estimates.

The net result of these reallocations and adjustments is a budget surplus of \$10,000.00.

ADDITIONAL INFORMATION

The City Treasurer submitted an Addendum and Second Addendum to Schedule of Budget Reallocation Requests - refer Appendices II and III.

MOVED Cr O'Grady, **SECONDED** Cr Major that Council authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act, amendments to the "revised budget figures" of

the 1996/97 Budget as detailed in the Schedule of Budget Reallocations Requests - 21 August 1996 and Addendum and Second Addendum - refer Appendices XXV and XXVI.

CARRIED BY

AN

ABSOLUTE

MAJORITY

Appendices XXV and XXVI refer.

FA122-08/96 PRESENTATION LUNCHEON - LATE COUNCILLOR KIM WOOD
- [702-3-2]

MAYOR'S REPORT

In recognition of the contributions made by the late Councillor Kim Wood to the Wanneroo community, permission is sought from Council for the approval of a luncheon at which a commemorative plaque will be presented to Mrs Peggy Wood and family.

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

- 1 give approval for an appropriate presentation luncheon to be held on Friday, 6 September 1996, in honour of the Late Cr Kim Wood,
- 2 extend invitations to all Councillors, Department Heads, Mrs Peggy Wood and children, and the parents of the Late Cr Kim Wood.

CARRIED

FA123-08/96 SANDBOARDING - [704-1]

Cr Healy referred to recent complaints from Mindarie residents in relation to persons sandboarding in the dunes.

He advised that Council rangers had issued a caution to the persons involved but believed it would be more appropriate to instigate legal proceedings and requested a report be submitted in this regard.

This matter will be referred to the Municipal Law and Fire Department for action.

MOVED Cr Lynn, **SECONDED** Cr Hancock that a report be submitted to Finance and Community Services Committee in relation to instigating legal proceedings against persons cautioned for sandboarding in dunes.

CARRIED

FA124-08/96 SALARY OVERPAYMENTS - [016-0]

Cr Taylor requested a report be submitted to the Policy meeting on what action Council can take in relation to recovering salary overpayments.

MOVED Cr Lynn, **SECONDED** Cr Hancock that a report be submitted to the Policy Committee on what action Council can take in relation to recovering salary overpayments.

CARRIED

FA125-08/96 INFRINGEMENT NOTICE - [960-2]

Cr Freame submitted a letter from Mr J Wilkie in relation to an infringement notice.

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

MOVED Cr Lynn, **SECONDED** Cr Hancock that the letter from Mr J Wilkie in relation to an infringement notice be received and referred to Municipal law and Fire Department for action.

CARRIED

COMMUNITY SERVICES SECTION

CS130-08/96 IMPROPERLY DISCARDED NEEDLES AND SYRINGES
(SHARPS) - [250-1, 241-5]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

At the Council meeting of 24 July 1996 it was resolved that a report be submitted to Council on problems associated with discarded hypodermic needles, outlining suggested methods of reducing this problem.

The City Environmental Health Manager provides background details of the City's previous involvement with this community problem, outlines the finding of a recent Health Department of Western Australia survey and comments on current procedures in line with the survey recommendations.

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

- 1 Council endorses a one (1) month trial during the spring/summer months to accurately identify the areas where needles and syringes are being disposed of;
- 2 the trial findings be the subject of a further report to Council;
- 3 consideration be given to a community education programme utilising the local newspaper and/or the City Newsletter to convey safe needle and syringe collection and disposal advice to the general public.

CARRIED

CS131-08/96 FOOD COMPLAINT - SAMPLE 107C - [30/35113-M3, 851-71]

The City Environmental Health Manager reports on a complaint relating to a wire tie allegedly found in a sausage manufactured and sold by Advantage Supermarket, Joondalup.

He seeks Council approval to instigate legal proceedings against Advantage Supermarkets Pty Ltd, trading as Advantage Supermarket, Lakeside Shopping Centre, Joondalup Drive, Joondalup in accordance with Sections 246L and 246M of the Health Act.

Cr Freame submitted a letter from Advantage Shopping Centre.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against Advantage Supermarkets Pty Ltd, trading as Advantage Supermarket, Lakeside Shopping Centre, Joondalup Drive, Joondalup 6027, in respect of food complaint sample number 107C.

CARRIED

CS132-08/96 MEDICAL PRACTITIONER - IMMUNISATION - [859-2]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on tenders received to supply immunisation services to the City for the 12 months period commencing on/after 13 September 1996.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council accepts the submission from Dr C Wong/Dr J Cox for a 12 months contract to provide immunisation services to the City of Wanneroo on/after 13 September 1996 at an hourly rate of \$65.00.

CARRIED

CS133-08/96 YANCHEP BEACH HOUSE - YANCHEP BEACH ROAD - [727-8-1-3]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

Correspondence has been received from Mrs K Duncan of the Mundaring Ranger Guides seeking a refund of hire fees for the use of the Beach House, Yanchep Beach Road, on the weekend of 5-7 July 1996.

The City Recreation and Cultural Services Manager provides details of the request and reports on maintenance problems experienced with the Beach House.

He advises that in light of the extensive restoration needed, contact has been made with the Regional Manager of Department of Conservation and Land Management (CALM) with a view to handing this building back to CALM.

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

- 1 agrees to donate the sum of \$52.00 to the Mundaring Ranger Guides being reimbursement for hire fees for the use of Beach House, Yanchep on 5-7 July 1996;
- 2 relinquishes its lease with the Department of Conservation and Land Management for the use of the

property known as Beach House in Yanchep Beach Road,
Yanchep.

CARRIED

CS134-08/96 TERMS OF REFERENCE - DISABILITY ACCESS ADVISORY
COMMITTEE - [880-8-10]

MANAGER, WELFARE SERVICES' REPORT

The Disability Access Advisory Committee was established to coordinate the development of the City of Wanneroo's Disability Service Plan.

The Manager Welfare Services reports on a review of the role and membership of the Committee which necessitated changing the current Terms of Reference.

She advises that the Committee resolved that the membership be increased to include two people with a disability and one carer of a person with a disability to provide a consumer perspective on access issues.

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

- 1 adopts the redrafted Terms of Reference of the Disability Access Advisory Committee as listed in Attachment 1 to Report CS134-08/96;
- 2 approves the appointment of the Disability Access Officer to the Disability Access Advisory Committee;
- 3 approves advertising in the local newspaper for representatives from the community to fill the additional three positions.

**CARRIED BY AN
ABSOLUTE**

MAJORITY

Appendix XXVII refers.

CS135-08/96 NATIONAL LOCAL GOVERNMENT COMMUNITY DEVELOPMENT
CONFERENCE - [880-1]

MANAGER, WELFARE SERVICES' REPORT

The 6th Biennial National Local Government Community Development Conference is being held in Melbourne from 20-23 October 1996. Approval is sought from Council for the Manager Welfare Services and a Councillor to attend the conference.

The Manager Welfare Services reports that the theme for this conference is 'Developing Local Communities' and provides details of the programme for the conference.

Cr Magyar nominated Cr O'Grady.

Cr O'Grady declared an interest in this Item as she had been nominated to attend this Conference.

Cr O'Grady left the Chamber at this point, the time being 2102 hrs.

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

- 1 endorses the attendance of the Manager, Welfare Services at the National Local Government Community Development Conference in Melbourne from 20 to 23 October 1996;
- 2 nominates Councillor O'Grady to attend the National Local Government Community Development Conference in Melbourne from 20 to 23 October 1996;
- 3 authorises the payment of conference expenses for the Councillors from Allocation Number 20006 - Members' Conferences.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr O'Grady entered the Chamber at this point, the time being 2103 hrs.

CS136-08/96 **MULTICULTURAL ADVISORY COMMITTEE 1996/97 - [880-9-1]**

MANAGER, WELFARE SERVICES' REPORT

Council at its meeting of June 1996 endorsed nominations for the Multicultural Advisory Committee for the 1996/97 term of office (Item CS104-06/96 refers).

The Manager Welfare Services reports that a late nomination was received from Ms Patricia Chin due to the resignation of Mrs J Ong of the Chinese community and requests Council to formally appoint Ms Chin as the representative of the Chinese community.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council endorses the appointment of Ms Chin as the Chinese community nominee to the Multicultural Advisory Committee for 1996/97 pursuant to Section 5.10 (1) of the Local Government Act.

CARRIED BY AN

CS137-08/96 CHILDREN'S WEEK CELEBRATIONS - [303-9-10]

MANAGER, WELFARE SERVICES' REPORT

The state wide Children's Week has been programmed for the week 19-27 October 1996. The Council's Children's Services Advisory Committee has set up a sub committee to promote and coordinate activities at a local level.

The Manager Welfare Services provides details of funds available to provide grants for groups organising a special activity or event and advises that Children's Week is a time to recognise children, to reflect on their role within the community and to organise activities which involve children.

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

- 1 endorses the proposal put forward by the Childrens Services Advisory Committee to invite applications from interested groups for funds to organise activities during Childrens Week 1996;
- 2 approves grants to a maximum of \$200 to those agencies assessed by the Childrens Services Advisory Committee as proposing the most creative activity during Children's Week 1996.

CARRIED

CS138-08/96 LICENCE AGREEMENT - WANNEROO EMPLOYMENT SKILLS
TRAINING NETWORK INC - [880-1]

MANAGER, WELFARE SERVICES' REPORT

A request has been received from the Wanneroo Employment Skills Training Network to utilise a section of the Community Services Centre - Merriwa for the period 1 October 1996 until 30 June 1997.

The Manager Welfare Services provides details of this request and advises that the group has been operating a pilot project at the Jenolan Way Community Centre for the past few months and has proven a need to provide employment training, particularly for the long term unemployed in this area.

Cr Freame declared an interest in this Item as she is Chairman of the Wanneroo Skillshare Board and a Board member of the RED Group, but stated she receives no remuneration in these positions.

Cr Freame left the Chamber at this point, the time being 2104 hrs.

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

- 1 enters into a licence agreement with the Wanneroo Employment Skills Training Network Inc for sole use of an activity room and office encompassing an area of 100 square metres at the Community Services Centre - Merriwa for the period 1 October 1996 to 30 June 1997;
- 2 charges a rental of \$146.73 per week for the area as put forward in Report CS138-08/96.

CARRIED

Cr Freame entered the Chamber at this point, the time being 2105 hrs.

Appendix XXVIII refers.

CS139-08/96 REQUEST FOR FUNDING - COMMUNITY PHYSIOTHERAPY SERVICES - [858-3]

MANAGER, WELFARE SERVICES' REPORT

A request has been received from the Inner City Health Service for ongoing funding to operate an exercise programme by physiotherapists for senior citizens. The programme, which has been in operation for 17 years, runs eight classes in the City of Wanneroo and has until now been funded by the Home and Community Care Programme.

The Manager Welfare Services provides details of the request and advises that it would not be appropriate for Council to consider this request.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council advises the Inner City Health Service that it is unable to provide funds to operate community physiotherapy classes in the City of Wanneroo.

CARRIED

CS140-08/96 AUSTRALIAN INSTITUTE OF ENVIRONMENTAL HEALTH NATIONAL CONFERENCE - SYDNEY - [241-0]

Council is advised that the National Conference of the Australian Institute of Environmental Health will be convened at the Hyatt Regency Sydney Hotel, Sydney between 14-18 October 1996.

The City Environmental Health Manager provides details of the conference and advises that he has nominated to attend this conference to ensure that this local authority maintains the commitment to remain informed with current information and trends affecting the profession and the community's expectations in Environmental Health.

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT recommended that Council:

- 1 endorses the attendance of Mr M L Austin at the Australian Institute of Environmental Health National Conference in Sydney, NSW between 14-18 October 1996 and authorises his registration, air fare and accommodation expenses estimated to cost between \$2204 - \$2713;
- 2 nominates a Councillor to attend the Australian Institute of Environmental Health Conference at the Hyatt Regency Hotel, Sydney, NSW between 14-18 October 1996;
- 3 authorises, **BY AN ABSOLUTE MAJORITY**, the payment of the conference registration fee, accommodation and air fares from Allocation 20006 - Members' Conferences.

Cr Cooper nominated Cr Major.

Cr Popham nominated Cr Magyar. Cr Magyar stated he only wished to attend if Cr Major was unable to do so.

Crs Major and Magyar declared an interest in this Item as they had been nominated to attend this Conference.

Crs Major and Magyar left the Chamber at this point, the time being 2106 hrs.

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

- 1 endorses the attendance of Mr M L Austin at the Australian Institute of Environmental Health National Conference in Sydney, NSW between 14-18 October 1996 and authorises his registration, air fare and accommodation expenses;
- 2 nominates Councillor Major or in the event of his unavailability nominates Cr Magyar to attend the Australian Institute of Environmental Health Conference at the Hyatt Regency Hotel, Sydney, NSW between 14-18 October 1996;

- 3 authorises, the payment of the conference registration fee, accommodation and air fares from Allocation 20006 - Members' Conferences.
- 4 makes no nomination of a Councillor should both Crs Major or Magyar be unavailable to attend the Australian Institute of Environment Health National Conference.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Crs Major and Magyar entered the Chamber at this point, the time being 2107 hrs.

CS141-08/96 ROLLERBLADING - CRAIGIE LEISURE CENTRE - [680-1]

The City Recreation and Cultural Services Manager provides details of rollerblading conducted at Craigie Leisure Centre by John Plaxton and reports that the activity is having a detrimental impact on the parquetry sports floor, producing deep scarring in the floors.

He advises that permitting rollerblading to continue over the life of the building would necessitate the replacement of the sports floors every 10 years.

The City Recreation and Cultural Services Manager comments that alternative locations were investigated and Margaret Cockman Pavilion at the Wanneroo Showgrounds was proposed as a possible venue as it would be available almost every Saturday evening and had a concrete floor.

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

- 1 advises Mr John Plaxton, operator of rollerblading at Craigie Leisure Centre, that due to the operating losses incurred by Council and the long term cost for permitting rollerblading to be conducted at the Centre, future hire after 21 September 1996 must be refused;
- 2 offers Margaret Cockman Pavilion as an alternative venue for rollerblading sessions on a Saturday evening.

COMMITTEE RECOMMENDATION

- 1 advises Mr John Plaxton, operator of rollerblading at Craigie Leisure Centre, that due to the operating losses incurred by Council and the long term cost for permitting rollerblading to be conducted at the Centre, future hire after 30 November 1996 must be refused;

- 2 offers Margaret Cockman Pavilion as an alternative venue for rollerblading sessions on a Saturday evening;
- 3 seeks a report on the provision of a hot mix surface located in the Craigie Reserve to provide an outdoor facility for rollerblading;
- 4 seeks an independent evaluation on whether rollerblading is causing damage to the floor at the Craigie Leisure Centre and if so, possible solutions to rectify this.

Cr Wight left the Chamber at this point, the time being 2108 hrs.

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

- 1 seeks an independent evaluation on whether rollerblading is causing damage to the floor at the Craigie Leisure Centre and if so, possible solutions to rectify this;
- 2 advises Mr John Plaxton, operator of rollerblading at Craigie Leisure Centre, that due to the operating losses incurred by Council and the long term cost for permitting rollerblading to be conducted at the Centre, future hire after 30 November 1996 must be refused;
- 3 offers Margaret Cockman Pavilion as an alternative venue for rollerblading sessions on a Saturday evening;
- 4 seeks a report on the provision of a hot mix surface located in the Craigie Reserve to provide an outdoor facility for rollerblading.

CARRIED

CS142-08/96 MATTERS ARISING FROM MANAGEMENT AND ADVISORY COMMITTEES - [264-3]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The City Recreation and Cultural Services Manager reports on matters arising from a meeting of the Cultural Development Advisory Committee.

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

- 1 writes to the State Government outlining the breach of copyright in the publication entitled "Metropolitan Transport Strategy", requesting the possibility of reprinting the photograph crediting the artist;

- 2 considers using new and emerging technologies such as the Internet and World Wide Webb, in conjunction with the City Libraries Department, to further cultural development, communication and advertising of cultural events in the City of Wanneroo.

CARRIED

CS143-08/96 CRAIGIE LEISURE CENTRE - [680-1]

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

The Recreation Services Co-ordinator has been seconded to Craigie Leisure Centre for a twelve month period commencing July 1996, in an endeavour to achieve a "break even" position at the Centre.

The City Recreation and Cultural Services Manager details a number of issues that focus on this goal.

RECOMMENDATION

That Council:

- 1 agrees to reallocate expenditures associated with the management of recreation facilities within the Craigie Regional Zone out of Craigie Leisure Centre;
- 2 offers for tender the cleaning services and kiosk operation at Craigie Leisure Centre.

Cr Taylor stated that in view of the fact that this Item was considered Behind Closed Doors at the Finance & Community Services Committee Meeting, it should be dealt with in the same manner at tonight's meeting.

MOVED Cr Magyar that a further Point 3 be added as follows:

- "3 allows the staff currently employed cleaning the Craigie Leisure Centre and the staff operating the kiosk to form internal business units and to also place tenders after they have been given adequate training or assistance in preparing tenders and business plans."

There being no **SECONDER**, the Motion

LAPSED

MOVED Cr Magyar, **SECONDED** Cr Taylor that consideration of this Item should be dealt with later in the meeting Behind Closed Doors under Confidential Business.

CARRIED

Cr Wight entered the Chamber at this point, the time being 2113 hrs.

QUESTIONS TO COUNCIL - PERRY'S PADDOCK - [057-4]

Cr Major submitted the following questions at the Finance and Community Services Committee from C Tauss of 6 Spoonbill Grove, Kingsley:

- 1 How much did the City of Wanneroo pay the State Planning Commission for the land purchased (within the Perry's Paddock Study Area) on Woodvale Drive for the construction of a drainage sump?
- 2 Also was this sump constructed for the purposes of prevention of pollution of the wetlands and groundwater from water run off from surrounding roads and urban/industrial areas?

These questions will be referred to Town Planning and Engineering Departments for action.

IMPROPERLY DISCARDED DIABETIC NEEDLES - [250-1, 241-5]

Cr Major raised his concerns in relation to diabetic needles improperly discarded in Griffiths Roads.

DECLARATION OF INTEREST - [702-3]

Cr Major queried whether the deputy substituting for a Committee member who declares an interest in an item is allowed to vote while deputising.

The Chief Executive Officer explained the procedure to be followed by a Councillor declaring an interest in an item and advised that in the event of a Councillor leaving the room, the deputy would be entitled to take over their role and vote in their absence.

ADVICE TO DEPUTATIONS - [200-0]

Cr Major expressed his thanks for the standard letter sent to proposed deputations which advises people they are allowed to stay for the full procedure of the meeting and clarifying the length of time given to speak at a deputation.

DIFFERENTIAL RATING - [018-4]

Cr Major raised his concerns in relation to the cost of development within a section of Wanneroo and queried whether it

was possible to charge a differential rate of \$100 for land purchased in this area.

He requested the Chief Executive Officer and City Treasurer to take this into consideration in their discussions with the Minister for Planning on this issue.

COUNCILLOR'S CONFERENCE - CANBERRA - [702-3]

Cr Hancock queried when the new Councillor's Conference to be held in Canberra will be listed on the agenda for full Council.

The Chief Executive Officer advised that a report had been completed in relation to this matter.

QUESTIONS ON NOTICE - LOT 560 MANAKOORA RISE, SORRENTO - [210-0]

Cr Freame submitted a letter from Mr K Holmes containing questions he wished to be placed in Questions on Notice at the Council meeting to be held on Wednesday, 28 August 1996.

FINANCIAL COUNSELLING SERVICES - [880-2]

The Manager Welfare Services referred to a facsimile transmission she had received from the Office of the Minister for Small Business and Consumer Affairs which advised that while there had been a reduction in funding in the budget for Council's financial counselling services, funding was still guaranteed for the next 12 months.

She commented that although funding had fallen by 10%, the service would still be viable.

C384-08/96 BUSINESS FOR INFORMATION

MOVED Cr Cooper, **SECONDED** Cr Magyar that the Business for Information Reports be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B121-08/96 ENGINEERING CURRENT WORKS - [202-0]

ACTING CITY ENGINEER'S REPORT

The Acting City Engineer reports on current work undertaken by the Engineering Department for the period ending 30 July 1996.

Cr Taylor requested a further report from the City Engineer when Main Roads WA decided on what traffic control measure it intended to provide at the Marangaroo Drive, Templeton Crescent junction in Girrawheen.

Cr Ewen-Chappell raised her concerns in relation to the extent of brickpaving to be carried out on the median of Wanneroo Road, between Dundobar Road and Noonan Drive, Wanneroo.

The Chief Executive Officer advised he would investigate this matter.

MOVED Cr Cooper, **SECONDED** Cr Magyar that ACTING CITY ENGINEER'S REPORT B121-08/96 be received.

CARRIED

B122-08/96 **TRAFFIC SAFETY AT SCHOOLS - ROADWISE WORKSHOP - [313-7]**

ACTING CITY ENGINEER'S REPORT

A report on Traffic Safety at Schools - Shire of Swan, was presented to Council's July meeting for information. In the report it was noted that RoadWise had developed a series of one day workshops on road safety services and opportunities available to Local Government and the community.

The City Engineer provides details of the presentations given at the workshop and outlines the broad aims of various organisations including Main Roads WA, the Office of Road Safety, Bikewest, WA Police Road Safety Section, Roadwatch, Education Department and RoadWise.

He advises that the emphasis of the workshop was on community involvement to allow the community to identify its own problems and work through to a solution which would be acceptable to the community and therefore more likely to be successful.

MOVED Cr Cooper, **SECONDED** Cr Magyar ACTING CITY ENGINEER'S REPORT B122-08/96 be received.

CARRIED

B123-08/96 **GLOUCESTER LODGE: STRUCTURAL AND MAINTENANCE ISSUES - [307-1]**

CITY BUILDING SURVEYOR'S REPORT

The City Engineer reports on items raised in the June 1996 Council meeting focusing on the maintenance and structural soundness of the Gloucester Lodge including replacement of

window frames, replastering of wall, pillar roof support structure near swimming pool, length of cleaning time and portable access ramp to front steps.

He provides background information on the subject matter and reports on building maintenance, capital expenditure and operating expenditure.

The City Engineer advises that all items raised in Council have or are in the process of being addressed and outlines work initiated by Council Building staff.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY BUILDING SURVEYOR'S REPORT B123-08/96 be received.

CARRIED

B124-08/96 **PARKS DEPARTMENT MONTHLY REPORT - JULY 1996 -**
[250-1]

CITY PARKS MANAGER'S REPORT

The City Parks Manager reports on park maintenance, tree planting, tree pruning, reticulation, construction servicing of bores and pumps and general maintenance carried out during the month of July 1996.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PARKS MANAGER'S REPORT B124-08/96 be received.

CARRIED

TOWN PLANNING COMMITTEE

B125-08/96 **DEVELOPMENT ENQUIRIES - JULY 1996 - [290-0]**

CITY PLANNER'S REPORT

The City Planner submits a Schedule of Development enquiries received during July 1996, together with a resumé of advice given by the Town Planning Department.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PLANNER'S REPORT B125-08/96 be received.

CARRIED

B126-08/96 **PROPOSED AMENDMENT NO 761 TO TOWN PLANNING SCHEME**
NO 1 - COMMERCIAL VEHICLE PARKING AND TRANSPORT
DEPOTS - [790-761]

CITY PLANNER'S REPORT

Correspondence has been received from Land Planning Consultants, on behalf of the Transport Action Group (TRANSAG), advising that they are currently assessing Town Planning Scheme amendment No 761 - Commercial Vehicle Parking and Transport Depots and will advise of their progress as soon as possible.

The City Planner provides background details to the subject matter and advises that TRANSAG'S planning consultants have been requested to provide their comments and/or recommendations by the end of August so that the matter can be presented to Council at the September round of meetings.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PLANNER'S REPORT B126-08/96 be received.

CARRIED

B127-08/96 **APPEAL DETERMINATION - PROPOSED RIDING SCHOOL LOC
1976 (375) PERRY ROAD, PINJAR - [30/5287]**

CITY PLANNER'S REPORT

The City Planner reports that the appeal against Western Australian Planning Commission's refusal was not upheld as the Minister for Planning considered regard should be given to the protection of the Priority 1 Gngangara Water Mound.

He advises that the applicant will now submit additional requirements in order to proceed with the application.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PLANNER'S REPORT B127-08/96 be received.

CARRIED

B128-08/96 **APPEAL DETERMINATION - PT LOT 255 HIGHCLERE
BOULEVARD, MARANGAROO - [740-98587]**

CITY PLANNER'S REPORT

Application to subdivide Part Lot 255 Highclere Boulevard, Marangaroo into 13 lots was received by the City of Wanneroo on 5 September 1995 and conditionally supported by the City in its advice to the Western Australian Planning Commission dated 25 October 1995.

The City Planner advises that the applicant appealed certain conditions of the Western Australian Planning Commission's approval and comments that the appeal was conditionally upheld by the Minister for Planning.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PLANNER'S REPORT B128-08/96 be received.

CARRIED

B129-08/96 **APPEAL DETERMINATION - SUBDIVISION OF LOT 1
BADGERUP ROAD, GNANGARA - [740-99189]**

CITY PLANNER'S REPORT

Lot 1 is zoned Rural and is 4.8739 hectares in area. Badgerup Road divides the lot in 0.8739 ha and 4.0 ha portions of vacant land. This subdivision proposal is to separate those two portions in accordance with the existing road alignment. That existing Badgerup Road alignment is subject to a widening requirement in order to meet Engineering standards.

The City Planner advises that the Minister for Planning upheld the appeal submitted by the applicant and deleted the road widening condition on the basis that the subdivision does not contribute significantly to the requirement for realignment and upgrading of Badgerup Road.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PLANNER'S REPORT B129-08/96 be received.

CARRIED

B130-08/96 **APPEAL DETERMINATION, LOT 658 (87) EDDYSTONE
AVENUE, CRAIGIE - [30/3306]**

CITY PLANNER'S REPORT

The City Planner advises that the appeal against Council's residency condition was dismissed by the Minister for Planning and comments that the Minister's determination to reimpose the residency condition requires one of the two practitioners to use the premises as his principal place of residence.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY PLANNER'S REPORT B130-08/96 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B131-08/96 **FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE
1996 - [002-3]**

CITY TREASURER'S REPORT

The City Treasurer submits the financial report for the period ended 30 June 1996.

He advises that the 1995/96 financial year was again a successful one, with revenue gains in interim rates and interest earnings outstripping expectations.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY TREASURER'S REPORT B131-08/96 be received.

CARRIED

B132-08/96 **1996/97 - LOCAL GOVERNMENT ASSISTANCE GRANTS -**
[011-6]

CITY TREASURER'S REPORT

The City Treasurer provides details of general purpose grants and local roads grants received from the Western Australian Local Government Grants Commission and advises that these grants represent a major increase over those actually received last year.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY TREASURER'S REPORT B132-08/96 be received.

CARRIED

B133-08/96 **STAFF AND OUTSIDE WORKERS' OVERTIME - JULY 1996 -**
[404-10]

CITY TREASURER'S REPORT

The City Treasurer submits the staff overtime return for the month of July 1996, together with details of the outside workers' overtime for the same period.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY TREASURER'S REPORT B133-08/96 be received.

CARRIED

B134-08/96 **VOLUNTARY SERVICES - TWO ROCKS/YANCHEP - [858-3-**
5]

MANAGER, WELFARE SERVICES REPORT

A petition was tabled at the July 1996 Council meeting from 297 signatories objecting to the closure of the voluntary services office at the Two Rocks Recreation Centre.

The Manager Welfare Services provides background details on this service and advises that since the tabling of the petition a

meeting has been held with a representative of the Yanchep/Two Rocks volunteers, the Mayor, the Chief Executive Officer, Cr Lynn O'Grady and the Manager Welfare Services to discuss the issues.

She comments that a further meeting was held between herself and local volunteers at Two Rocks to discuss the proposed options and advises that volunteers were accepting of the new arrangement.

MOVED Cr Cooper, **SECONDED** Cr Magyar that **MANAGER, WELFARE SERVICES REPORT B134-08/96** be received.

CARRIED

B135-08/96 CLOSURE - YANCHEP/TWO ROCKS LIBRARY - [240-6]

CITY LIBRARIAN'S REPORT

The Yanchep/Two Rocks Library will be closed for recarpeting from Monday 2 to Wednesday 4 September 1996 inclusive.

The City Librarian provides details of the closure and advises that as Yanchep is Council's smallest static library, the size will enable the necessary packing, furniture movement, carpet laying and reorganisation to take place in the minimum timeframe.

MOVED Cr Cooper, **SECONDED** Cr Magyar that **CITY LIBRARIAN'S REPORT B135-08/96** be received.

CARRIED

**B136-08/96 RECREATION AND CULTURAL SERVICES DEPARTMENT
MONTHLY REPORT - [260-0]**

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

The City Recreation and Cultural Services Manager reports on the major activities of the Recreation and Cultural Services Department during the month of July 1996. These included:

- Mural Arts Programme, incorporating Hall of Fame, painting of bus shelters, writers night and LEAP course;
- formation of public art sub-committee for the future development of public art works within the City of Wanneroo;
- public art work installed in the Girrawheen Library;

- creative writing workshops scheduled for October 1996;
- other projects included learn to swim programme, fitness programme, education swimming classes, Holiday Workshop programme, Junior Sports Development Programme, leisure programme, Community Open Day planned for Yanchep/Two Rocks Recreation Centre, July Holiday Programme, Youth Forum conducted at Two Rocks Community Centre, Volunteer Training Programme.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B136-08/96 be received.

CARRIED

B137-08/96 **MERGER BREAKERS AND WANNEROO SWIMMING CLUBS - [680-2]**

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The City Recreation and Cultural Services Manager reports that the two swimming clubs based at Craigie Leisure Centre have decided to merge.

He provides background details of the merger and advises that the merger provides an opportunity to free up pool space and increase the number of participants in the Learn to Swim programme.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B137-08/96 be received.

CARRIED

B138-08/96 **KINGSLEY-WOODVALE COMMUNITY AND RECREATION ASSOCIATION - AUSTRALIA DAY BREAKFAST 1997 - [330-4, 301-5-1]**

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

In April 1996 Council received a report outlining a request from the Kingsley-Woodvale Community and Recreation Association seeking approval to conduct its 1997 Australia Day Breakfast at Craigie Leisure Centre, with entry fees being waived between 8.00 am - 10.00 am on that day.

At its meeting on 24 April 1996, Council resolved to defer consideration of this matter pending an investigation to be carried out by the parties concerned (Item CS48-04/96 refers).

The City Recreation and Cultural Services Manager provides details of the subject matter and reports that at the conclusion of recent discussions, it was agreed that it might be preferable for the Kingsley-Woodvale Community and Recreation Association to examine alternative venues for the breakfast.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B138-08/96 be received.

CARRIED

B139-08/96 **MUNICIPAL LAW AND FIRE SERVICES DEPARTMENT**
ACTIVITIES FROM 1 APRIL 1996 TO 30 JUNE 1996 -
[905-1]

MANAGER, MUNICIPAL LAW & FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services reports on the major activities carried out by the Municipal Law and Fire Services Department for the period 1 April 1996 to 30 June 1996.

MOVED Cr Cooper, **SECONDED** Cr Magyar that MANAGER, MUNICIPAL LAW & FIRE SERVICES' REPORT B139-08/96 be received.

CARRIED

B140-08/96 **MUNICIPAL LAW AND FIRE SERVICES DEPARTMENT**
ACTIVITIES FROM 1 JULY 1995 TO 30 JUNE 1996 -
[905-1]

MANAGER, MUNICIPAL LAW & FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services reports on the major activities carried out by the Municipal Law and Fire Services Department for the period 1 July 1995 to 30 June 1996.

MOVED Cr Cooper, **SECONDED** Cr Magyar that MANAGER, MUNICIPAL LAW & FIRE SERVICES' REPORT B140-08/96 be received.

CARRIED

B141-08/96 **"WA ALIVE" - FORMERLY COMMUNITY SPORTING AND**
RECREATION FACILITIES FUND - [260-0]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S
REPORT

On 7 August 1996, Council received advice that the Minister for Sport and Recreation will make \$8 million available for the "WA

Alive" programme, formerly the Community Sporting and Recreation Facilities Fund, for the 1997/98 financial year.

Local Government bodies and legally constituted, non-profit making clubs and community groups are invited to submit applications for funding to make modifications and additions to existing facilities and to construct new ones.

The City Recreation and Cultural Services Manager provides details of the procedure for making grant applications from "WA Alive" and advises that grants will be available in the 1997/98 financial year or in another financial year nominated by the applicant.

MOVED Cr Cooper, **SECONDED** Cr Magyar that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B141-08/96 be received.

CARRIED

C385-08/96 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Wight, **SECONDED** Cr Lynn that the Report of the Joondalup Civic and Cultural Facilities Occasional Committee held on 2 August 1996 be received.

CARRIED

ATTENDANCES

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

Chief Executive Officer:	L O DELAHAUNTY
City Building Surveyor:	R FISCHER
City Librarian:	N CLIFFORD
City Treasurer:	J TURKINGTON
Committee Clerk:	J HARRISON

IN ATTENDANCE

James Christou	James Christou and Partners
John Main	" " "

APOLOGIES

Nil

CONFIRMATION OF MINUTES

The Minutes of the Joondalup Civic and Cultural Facilities Occasional Committee Meeting held on 31 May 1996 were confirmed as a true and correct record.

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced: 0802 hrs

Closed: 0848 hrs

REPORTS:

OC21-08/96 PROGRESS REPORT NO 5 - [730-8-8-1]

CITY BUILDING SURVEYOR'S REPORT

The City Building Surveyor provides details of the progress of the Civic and Cultural Facilities Project and reports on construction, architect's comment and financial summary.

MOVED Cr Wight, **SECONDED** Cr Hancock that CITY BUILDING SURVEYOR'S REPORT OC21-08/96 be received.

CARRIED

OC22-08/96 TENDERS COFFEE SHOP - [730-8-8-1, 208-144-95/96]

CITY BUILDING SURVEYOR'S REPORT

The City Building Surveyor seeks approval to negotiate with the tenderers for the lease of the coffee shop in the Joondalup Library.

He provides background details on the tenders received and reports on company profiles, rental, trading name, quality assurance and financial check.

MOVED Cr Wight, **SECONDED** Cr Hancock that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council authorises the negotiation of a lease agreement with Dee Logistic Services Pty Ltd for the Coffee Shop in the Library building of the Joondalup Civic and Cultural Facilities Project.

CARRIED

OC23-08/96 TENDERS FUNCTION ROOMS CATERING AND MANAGEMENT - [730-8-8-3]

CITY BUILDING SURVEYOR'S REPORT

The City Building Surveyor reports that no tender was received for the Functions Rooms Catering and management.

He provides background details on the subject matter and proposes that a further report be submitted to the Occasional Committee addressing this issue.

MOVED Cr Wight, **SECONDED** Cr Hancock that CITY BUILDING SURVEYOR'S REPORT OC23-08/96 be received.

CARRIED

**TENDERS - CABINET WORK, LOOSE FURNITURE, WORKSTATIONS AND
LIBRARY SHELVING - [730-8-8-1, 208-138-95/96]**

Mr James Christou advised that he will submit a report of his recommendations following finalisation of tenders.

OFFICIAL OPENINGS - [730-8-8-1]

Chief Executive Officer advised that the City Building Surveyor and City Librarian will form an in-house committee in relation to the opening of the civic and library buildings, which will submit recommendations to the Occasional Committee. Councillors' views were sought. Discussion ensued regarding participation by the community and it was suggested that consideration be given to incorporating the annual Art and Craft Awards in the opening events.

City Building Surveyor will submit a tentative timetable of opening dates. It was suggested that a letter be sent to the Premier advising of the provisional opening dates and seeking his participation in the ceremony.

C386-08/96 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Freame, **SECONDED** Cr Healy that the Report of the Structural Reform Advisory Committee held on 12 August 1996 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP - Mayor -	
	Chairman from 1928 hrs	Central Ward
	L O'GRADY	North Ward
	S P MAGYAR	Central Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP	South-West Ward
	P O HEALY - Observer	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer	South Ward
	W D DUFFY - Observer	South Ward
	F D FREAME - 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
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY

Executive Assistant:
Committee Clerk:

P HIGGS
J HARRISON

APOLOGIES

An apology for absence was tendered by Cr Cooper

ELECTION OF CHAIRMAN

Cr Dammers was elected Chairman

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced: 1928 hrs
Closed: 2031 hrs

PROCESS FOR PREPARATION OF SUBMISSION

Chief Executive Officer referred to the Local Government Structural Reform Advisory Committee (SRAC) Report which had been circulated to Councillors and the need for Council to prepare a response to the Report and thereafter to formulate a detailed submission regarding the Council's views on the possible rationalisation of district boundaries.

The Mayor, Cr Dammers, reported on his discussions with the Premier, regarding the need for Council to be aware of the State Government's views in relation to rationalisation of the City's boundaries and, in particular, to population base. He advised of the Premier's suggestion that he meet with the Minister for Local Government, Cr Dammers and Council officers to discuss this matter. Accordingly, Cr Dammers will arrange this meeting.

City Planner presented various information relating to rationalisation of boundary options - Appendix XXIX refers - and advised that information will be placed on the GIS (Geographical Information System) to assist in assessing boundary options.

General discussion ensued in relation to possible boundary changes and their likely impact on rates. It was considered helpful to obtain information from the Cities of Perth and Stirling.

A suggestion was made of the possible need to appoint a consultant, or alternatively second an officer, to deal with the SRAC issue. Chief Executive Officer felt it premature to decide at this point, and advised he would initially look at in-house resources.

In conclusion, Cr Dammers advised that officers will continue compiling information and requested Councillors to submit their ideas and comments in relation to the SRAC report to the Chief Executive Officer.

Appendix XXIX refers

C387-08/96 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Freame, **SECONDED** Cr Healy that the Report of the Golf Course Occasional Committee held on 23 August 1996 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, Mayor	Central Ward
	L A EWEN-CHAPPELL	Central Ward

T W POPHAM
F D FREAME
V G HANCOCK from 0912 hrs

South Ward
South-West Ward
South-West Ward

Chief Executive Officer:	L DELAHAUNTY
City Engineer:	R MCNALLY
City Planner:	O G DRESCHER
City Parks Manager:	F GRIFFIN
Co-Ordinator, Strategic Planning:	P J THOMPSON
Committee Clerk:	J HARRISON

APOLOGIES

An apology for late attendance was tendered by Cr Hancock.

ELECTION OF CHAIRMAN

Cr Dammers was elected Chairman.

CONFIRMATION OF MINUTES

The Minutes of the Golf Course Occasional Committee Meeting held on 2 June 1995 were confirmed as a true and correct record.

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced:	0901 hrs
Closed:	0944 hrs

CITY PLANNER'S REPORT

The City's consultant, Golf Strategies, has submitted for comment a draft Preliminary Master Plan for the proposed Tamala Park Golf Course. The plan for the golf course will affect the interests of the other joint owners of Lot 17 Mindarie (ie Cities of Stirling and Perth) and it is therefore recommended that Council not determine its comments on the draft plan until the Cities of Stirling and Perth have been consulted and agreement reached on the draft plan and its land exchange/acquisition implications.

The City Planner gave an overview of his report and outlined the land exchange options in relation to the proposed Tamala Park Golf Course.

MOVED Cr Freame, **SECONDED** Cr Wight that Council defers consideration of the draft Preliminary Master Plan for the proposed Tamala Park golf course pending consultation and resolution with the Cities of Stirling and Perth on those issues relating to this project which affect them as joint owners of Lot 17 Mindarie.

CARRIED**CHIEF EXECUTIVE OFFICER'S REPORT**

MOVED Cr O'Grady, **SECONDED** Cr Healy that the Chief Executive Officer's Report be received.

CARRIED**SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Contract of Sale
Parties: City of Wanneroo & N Serra & G Tatonetti
Description: Part of Lot 73 Evandale Road, Marangaroo
Date: 22.7.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo & The Roman Catholic Archbishop
of
Perth & Davidson Pty Ltd
Description: Part Lot M1722 Burns Beach Road, Currambine

Date: 23.7.96
 Document: Withdrawal of Caveat
 Parties: City of Wanneroo & Kettas Pty Ltd & Si Pty Ltd & Menat Pty Ltd
 Description: 23 Koorana Road, Mullaloo
 Date: 29.7.96

Document: Surrender of Lease
 Parties: City of Wanneroo & Tokyu Corporation Ltd
 Description: Lots 103,104 & 109 Yanchep Super Lots
 Date: 31.7.96

Document: Withdrawal of Caveat
 Parties: City of Wanneroo & Tokyu Corporation Ltd
 Description: Pt Loc M1688 & Lot 203 Yanchep (Tandarra Yth Camp)
 Date: 31.7.96

Document: Transfer of Land
 Parties: City of Wanneroo & Gumflower & Biddenham Pty Ltd
 Description: Lot 12 Fowey Loop, Mindarie (Civic Site)
 Date: 5.8.96

Document: Service Agreement
 Parties: City of Wanneroo & Minister for Community Welfare
 Description: Family and Childrens Services
 Date: 5.8.96

Document: Transfer of Land
 Parties: City of Wanneroo & Paltara Pty Ltd
 Description: Road Widening, Lancett Court, Sorrento
 Date: 12.8.96

Document: Deed
 Parties: City of Wanneroo & Ronald Johnson
 Description: Copyright Agreement
 Date: 12.8.96

Document: Deed
 Parties: City of Wanneroo & Erica Parin
 Description: Copyright Agreement
 Date: 12.8.96

Document: Deed
 Parties: City of Wanneroo & Noel D Haddrill
 Description: Copyright Agreement
 Date: 12.8.96

Document: Deed
 Parties: City of Wanneroo & Damna Dhimitri

Description: Copyright Agreement
Date: 12.8.96

Document: Deed
Parties: City of Wanneroo & Vasil Dhimitri
Description: Copyright Agreement
Date: 12.8.96

Document: Deed
Parties: City of Wanneroo & Arthur Thomas Walters
Description: Copyright Agreement
Date: 12.8.96

Document: Deed
Parties: City of Wanneroo & Mrs J Johnson
Description: Copyright Agreement
Date: 12.8.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo & Waller, Head & Phillips
Description: Lot 9 Ashby Street, Wanneroo
Date: 14.8.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo & Peet & Co Ltd
Description: Lot 614 Lagoon Drive, Yanchep
Date: 14.8.96

Document: Security Documents
Parties: City of Wanneroo & Commonwealth Bank
Description: Overdraft Accommodation - East Wanneroo
Development Scheme
Date: 19.8.96

Document: Mortgage (Deed)
Parties: City of Wanneroo & Commonwealth Bank
Description: Mortgage - General Funds of Local Government
Date: 19.8.96

MOVED Cr O'Grady, **SECONDED** Cr Healy that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

CARRIED

C390-08/96 DONATION TO WANNAROCK - [314-4]

BACKGROUND

The Joondalup Community Foundation is a community based organisation which organises and supports community projects on a local basis. The Foundation is recognised in Council's

Cultural Policy as being an organisation that assists in Cultural development opportunities in the municipality. Council currently sponsors the two major festivals conducted by the Foundation being the Spirit of Christmas Festival and the Little Feet Festival. At its meeting of April 1995 Council resolved to support the two festivals but not to provide funds for the administration of the Foundation.

DETAIL

The Joondalup Community Foundation is staging "Wannarock" Battle of the Bands on the 5 October 1996. Wannarock is a competition for emerging bands in the northern suburbs. The competition is an opportunity for bands comprised of young people to perform on stage and provides a safe, live music concert for young people. Wannarock is a drug and alcohol free event.

A request has been received from the Joondalup Community Foundation for the donation of a shuttle bus service for Wannarock. Ideally the Joondalup Community Foundation would like Council to provide a Shuttle Bus between the Joondalup Train Station and the Arena to run at half hour intervals. This service would be provided from 10am to 11pm (the hours of the competition). The cost of running the bus and the cost of providing a driver would be approximately \$420. This donation has not been budgeted for and would require an Absolute Majority decision in accordance with Section 6.8 of the Local Government Act 1995.

COMMENT

Wannarock provides excellent opportunities for young people to develop performance skills, planning skills and project management. It is also a way of encouraging young people to participate in their community. Council does not organise an event such as Wannarock and it would therefore seem reasonable for Council to support this project. It would be appropriate to require the Joondalup Community Foundation to have an adult representative on the bus at all times.

SUMMARY

A request has been received from the Joondalup Community Foundation for the use of a bus and driver for "Wannarock" Battle of the Bands to be held on the 5 October 1996. Council has previously supported festivals organised by the Joondalup Community Foundation. The cost to Council of this service will be approximately \$420. Wannarock provides some excellent opportunities for young people and is not a duplication of an existing Council organised function.

Cr Freame declared an interest in this Item as she is Deputy Chairman of the Joondalup Community Foundation.

Cr Freame left the Chamber at this point, the time being 2117 hrs.

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

- 1 supports "Wannarock" Battle of the Bands organised by the Joondalup Community Foundation by providing a bus and driver for the 5 October 1996;
- 2 authorises the associated expenditure of \$420;
- 3 advises the Joondalup Community Foundation that a responsible adult is required to remain on the bus at all times.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Freame entered the Chamber at this point, the time being 2118 hrs.

**C391-08/96 ASSESSMENT OF REMNANT NATIVE VEGETATION WITHIN
THE CITY OF WANNEROO - [305-6]**

The City has engaged Mr Malcolm Trudgen, a consultant botanist, to undertake a quantitative and qualitative assessment of remnant native vegetation within the City of Wanneroo. This consultancy was commissioned as part of the process of developing the City's Local Conservation Strategy, but it will also provide information of use to the City's planning processes. It was funded from a \$10,000 allocation (for flora and fauna studies under Budget Account No 27609) in the City's 1995/96 budget.

In accordance with the consultancy brief, Mr Trudgen's report also provides advice regarding the conservation status of the City's remnant native vegetation (based on what proportion of the original extent of the respective vegetation types now remains). Output from the initial consultancy was intended to provide a guide for more specific remnant native vegetation-related investigations necessary to develop specific strategies and action plans (pursuant to the Local Conservation Strategy) to protect and manage remnant bushlands within the City. An amount of \$35,000 has been included in the City's 1996/97 budget to fund the further studies relating both to remnant native vegetation and other issues to receive priority attention through the Local Conservation Strategy.

Identification of those areas of remnant native vegetation within the City of greatest conservation value is the next logical step in developing the specific strategies and action plans relating to bushland protection. This will enable these areas to be reconciled with the prevailing regional land use planning strategies for the City which provide the framework for the City's more localised structure planning processes. It is almost inevitable that it will be feasible to protect only some of the high conservation value bushlands through the City's planning processes. However, identification of these areas will provide an information base for planning that has hitherto been lacking and will also help the City in its response to the Ministry for Planning's urban bushland strategy and the updating of System 6 recommendations.

The opportunity to commission Mr Trudgen to prepare maps of the high conservation value bushland areas within the City as an extension of the remnant native vegetation assessment he has undertaken has arisen. The cost of this work would not exceed \$6000. An early decision on this matter is necessary for the City to avail itself of this opportunity. Early identification of these bushland areas will also help in developing a presentation to Council on the Local Conservation Strategy and the action plan for bushland protection that is presently being developed by the City's Environmental Advisory Committee.

MOVED Cr Freame, **SECONDED** Cr Cooper that Council approves expenditure of up to \$6000 from Budget Account No 27609 to engage Mr Malcolm Trudgen to prepare maps identifying those areas within the City containing remnant native vegetation of the greatest conservation value and to prepare presentation material of a multi-media form regarding the outcome of his work for presentation to Council.

CARRIED

C392-08/96 ACRLGS ELECTED MEMBERS COURSE - [202-1-2]

BACKGROUND

The Australian Centre for Regional and Local Government Studies (ACRLGS) is inviting registrations for its Elected Members Course to be held in Canberra over the period 22 - 27 September 1996.

The course is designed for both new and experienced elected members. The course covers a range of topics but is primarily aimed at improving an elected members effectiveness in media skills, negotiation techniques, intergovernmental relations and financial management.

Sessions are presented by members of the Faculty of Management, University of Canberra as well as by leading practitioners from the industry.

DETAIL

The course fee of \$2,100 (which includes accommodation), together with the airfare of \$1,614 puts the total cost of attendance at \$3,714 per person.

Funds are available in the 1996/97 Budget, within the Members of Council Conference account to facilitate attendance.

COMMENT

Councillors Duffy and Hancock have already expressed an interest in attending this course and formal recommendations are now required.

Cr Taylor nominated Cr Popham.

Crs Duffy, Hancock and Popham declared an interest in this item as they had been nominated to attend this Conference.

Crs Duffy, Hancock and Popham left the Chamber at this point, the time being 2121 hrs.

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

- 1 nominates Councillors Duffy, Hancock and Popham to attend the ACRLGS Elected Members Course in Canberra;
- 2 authorises the payment of related expenditure from allocation 20006, Members of Council - Conferences account.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XXX refers

Crs Duffy and Popham entered the Chamber at this point, the time being 2122 hrs.

C393-08/96 NOMINATION - STATE TOURIST DRIVE COMMITTEE -
[312-2]

BACKGROUND

WAMA advise that due to the establishment of the following committee a vacancy has arisen for the position of member - State Tourist Drive Committee.

Council has been invited to nominate a Councillor or officer for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

DETAIL

Nominees should possess an interest in tourism issues. The Committee meets on the third Wednesday of each month, with meetings lasting approximately two hours. Profile details of nominees must also be forwarded.

Committee membership is comprised of representatives from a number of bodies including the Tourism Commission, the RAC and Main Roads WA.

The terms of reference for the committee include the responsibility for development of policy and guidelines for the assessment of applications for State Tourist Drives and promotion of the concept of State Tourist Drives to map makers and publishers of tourist publications.

MOVED Cr O'Grady, **SECONDED** Cr Healy that Council makes no nomination in relation to the position of member - State Tourist Drive Committee.

CARRIED

C394-08/96 REQUEST TO ATTEND 1996 RAPI CONGRESS - PERTH - **[202-1-2]**

The Royal Australian Planning Institute is inviting registrations for the Royal Australian Planning Institute Congress 1996 to be held in Perth over the period 20 - 24 October 1996.

The theme of the Congress is Implementing the Vision, Reflections and Directions. The congress is held on a biennial basis and contains an array of keynote speakers, activities and events over the five day period. The Congress will give participants the opportunity to hear about planning implementation from renowned practising planners, other professionals and persons working in associated fields.

Some of the topics for discussion include "The new urbanism: toward an architecture of community", "Strategic Planning:

Toronto's approach", and "Observations on social planning in Australia and the USA".

The course is valued at \$730 per person. Funds are available in the 1996/97 Budget, within the Members of Council Conference account to facilitate attendance.

Two departmental officers are scheduled to attend the conference and it is considered appropriate that Council be represented by a Councillor.

MOVED Cr O'Grady, **SECONDED** Cr Healy that Council makes no nomination for a Councillor to attend the 1996 Royal Australian Planning Institute National Congress in Perth.

CARRIED

C395-08/96 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT -
[202-1-1]

The Australian Local Government Association (ALGA) has invited participation in the National General Assembly of Local Government, to be held in Canberra over the period 1-4 December 1996.

The National General Assembly is held on an annual basis and covers a range of issues that affect local governments.

This year the National General Assembly will focus on three key issues:

- * Federal-Local Government relations and the impact of policy changes
- * the proposed Commonwealth-Local Government Memorandum of Understanding which will replace the 1995 Accord
- * Constitutional change and recognition of Local Government.

The Assembly will be addressed by the Prime Minister, the leader of the Opposition, the Federal Minister for Local Government, the Shadow Minister, and the Democrats' Spokesperson.

The major change to the National General Assembly in 1996 has been an extension of time for the debate of key issues as identified above. This should enable delegates to discuss these issues in more depth and will hopefully encourage more participants to contribute towards the debate.

A second change to the program is the replacement of Issue Assemblies with a smaller number of Special Interest Forums.

2 authorises the payment of related expenditure from allocation 20006, Members of Council - Conferences and 20151, General Administration Conferences, respectively.
CARRIED

Appendix XXXII refers

Cr Dammers and the Chief Executive Officer entered the Chamber at this point, the time being 2124 hrs. Cr Dammers resumed the Chair.

C396-08/96 REQUEST FOR TRANSCRIPT - [702-0, 30/300]

A request has been received from Mr John Spence of Westfield Design and Construction Pty Ltd for a transcript of debate in relation to Item TP156-07/96 Proposed Additional Six Cinemas, Whitfords City Shopping Centre: Lot 501 Whitfords Avenue, Hillarys, which was held at the Council Meeting of 24 July 1996.

Council's policy on this matter is that requests for verbatim transcripts from members of the public shall be submitted to Council for approval. An administration fee of \$20.00 shall be payable upon approval of the request, with a further charge of \$20.00 for each hour or part thereof extending beyond the first hour taken to obtain the transcript.

Cr Cooper 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 2125 hrs.

Cr Hancock entered the Chamber at this point, the time being 2125 hrs.

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

- 1 Council advises Mr John Spence that it declines his request for a transcript in this instance;
- 2 a report be submitted to Policy Committee on the issue of transcripts' availability to the public.

CARRIED

Cr Freame dissented.

Cr Major requested that voting be recorded, with the following results:

FOR: Crs Healy, O'Grady, Magyar, Ewen-Chappell, Wight, Taylor and Dammers

AGAINST: Crs Popham, Duffy, Major, Hancock and Lynn.

DISSENTING: Cr Freame

Cr Cooper entered the Chamber at this point, the time being 2139 hrs.

C397-08/96 DWELLING UNDER CONSTRUCTION: STOP WORK ORDER:
LOT 560 (3) MANAKOORA RISE, SORRENTO -
[3090/560/3]

SUMMARY

Following complaints from the immediate adjoining owners in respect to a number of issues in respect to the dwelling under construction on Lot 560 (3) Manakoora Rise, Sorrento, a preliminary investigation revealed a number of departures from the approved plans. A 'Stop Work Notice' was served on the builder under Section 401A of the Local Government (miscellaneous Provisions) Act 1960. To minimise delays, Council is requested to delegate authority to the Chief Executive Officer to withdraw the Stop Work Notice.

BACKGROUND

As a result of complaints and discussions with the adjoining owners, inspections of the dwelling under construction at Lot 560(3) Manakoora Rise were carried out.

The investigations carried out revealed that a basement store room has been expanded and two more stores added in the basement area; modifications made to the layout of the second level and adjustments were made to the upper level floor slab. In addition the structure has been raised approximately 220mm which affects the required side boundary setbacks required under the Residential Planning Codes.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960.
Clause 4 of Section 401A of the Local Government (Miscellaneous Provisions) Act 1960, states:

'A Notice under this section remains in force until-

- (a) it is withdrawn by further notice in writing given by the Council of the municipality; or
- (b) it is set aside by the Minister on appeal as provided in this section.'

The owner and builder have advised they are incurring substantial holding costs and that they are anxious for the Stop

Work Notice to be withdrawn. For this to occur it is requested that Council delegates the authority to withdraw the Stop Work Notice to the Chief Executive Officer. The Local Government Act then allows the Chief Executive Officer to delegate to other employees.

The builder and owner have provided information to Council which addresses concerns about the structural issues raised by the alterations. This has been checked by Councils checking Engineers and found to be adequate.

Council will recall concerns about issuing building approvals retrospectively. This issues requires further consideration.

RECOMMENDATION

That Council in accordance with the provisions of Section 5.42 of the Local Government Act 1995 **BY ABSOLUTE MAJORITY** delegates authority to the Chief Executive Officer to withdraw the Stop Work Notice served upon the builder of the dwelling at Lot 560(3) Manakoora Rise, Sorrento.

MOVED Cr Major, **SECONDED** Cr Duffy that this matter be brought back to a Special Council Meeting when the issue has been resolved by officers and all parties concerned. **LOST**

Cr Major requested that voting be recorded, with the following results:

FOR: Crs Lynn, Hancock, Major, Duffy, Popham, Freame.

AGAINST: Crs Healy, O'Grady, Magyar, Cooper, Ewen-Chappell, Wight, Taylor, Dammers.

MOVED Cr Taylor, **SECONDED** Cr Freame that further consideration of the item be held later in the meeting, behind closed doors. **CARRIED**

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

Cr Taylor left the Chamber at this point, the time being 2156 hrs.

DISCUSSIONS WITH CITY OF STIRLING - [312-2]

Cr Freame suggested Council have discussions with the City of Stirling with the view to establishing their thoughts on the proposed rationalisation of the boundaries and the possible "domino" effect this rationalisation may have.

Cr Freame requested that a report be submitted to Council detailing the effect on the 1996/97 Budget had Council adopted a policy to abolish the minimum rate.

She stated she would like this addressed in terms of the total rate revenue at the current rates struck and what increase in the rate in the dollar would have been necessary to achieve the current expected revenue for 1996/97.

RESOLVED that a report be submitted to Council detailing the effect on the 1996/97 Budget had Council adopted a policy to abolish the minimum rate.

EXPRESSION OF APPRECIATION TO ENGINEERING DEPARTMENT - [702-3]

Cr Hancock wished to express her appreciation to the City Engineer and his Department staff for the co-operative and efficient manner in which they have provided Cr Hancock with any information she has requested.

TRAFFIC FLOW/PARKING PROBLEMS - DAVALLIA PRIMARY SCHOOL -
[218-1-1]

Cr Lynn advised that she had attended a meeting this afternoon with Traffic Engineer, Louise Round, representatives of the Education Department and residents in Juniper Way, Carine.

She stated that severe parking difficulties and traffic flow problems had arisen as a result of locating a new demountable classroom at Davallia Primary School. Cr Lynn requested the Traffic Engineer be authorised to provide suggested plans that will go some way to alleviating the traffic flow and parking problems that currently exist in Juniper Way, Carine which have been brought about due to the location of the demountable classroom.

Cr Lynn also wished to commend Louise Round, a new member of staff, for the helpful and efficient manner in which she is dealing with this matter.

PUBLIC QUESTION TIME PROTOCOL - [702-0]

Cr Major requested that the conditions which are imposed on Public Question Time protocol be publicised for members of the public general information.

C399-08/96

YELLAGONGA REGIONAL PARK
DRAINAGE STUDY - [061-408]

Cr Magyar requested a copy of a report by Arup and Partners entitled "Yellagonga Regional Park Drainage Study" which was prepared in April 1994 be placed in the Councillors' reading room.

He also asked that a report be submitted to Council comparing the recommendations of the report by Arup and Partners with the plans for the drainage works that are currently being undertaken by Council around Yellagonga National Park.

RESOLVED that a report be submitted to Council comparing the recommendations of the report by Arup and Partners with the plans and works that are currently being undertaken by Council around Yellagonga National Park.

C400-08/96

SAFETY OF CHILDREN - MULLALOO
PRIMARY SCHOOL - [218-1-1]

Cr Magyar requested a report be prepared on the safety of children at Mullaloo Heights Primary School crossing, Charonia Road and the possibility of traffic islands being constructed to provide a safer passage for children crossing the road.

At this time Cr Magyar wished to declare that his wife teaches at Mullaloo Heights Primary School.

Cr O'Grady wished to draw to Council's attention that it was possible for a school to request an audit be carried out by Roadwise around their particular school which would deal with pathways and safe crossings.

C401-08/96

LEAVE OF ABSENCE - CR O'GRADY - [702-3]

Cr O'Grady has requested Leave of Absence from Council duties for the period Tuesday 1 October to Monday 14 October 1996.

MOVED Cr Cooper, **SECONDED** Cr Ewen-Chappell that Council approves the Leave of Absence requested by Cr O'Grady for the period Tuesday 1 October to Monday 14 October 1996.

CARRIED

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

PUBLIC QUESTION/COMMENT TIME

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS WERE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

Nil

Cr Duffy left the Chamber at this point, the time being 2202 hrs.

MOVED Cr Cooper, **SECONDED** Cr Wight that the meeting adjourn for 3 minutes, the time being 2205 hrs.

CARRIED

The public and members of the press left the Chamber at this point.

CONFIDENTIAL BUSINESS

In accordance with Section 5.23 of the Local Government Act, the meeting went behind closed doors to discuss Item CS143-08/96 (a matter affecting Council employees) and Item C402-08/96 (a matter relating to legal advice received).

MOVED Cr Cooper, **SECONDED** Cr Wight that the Meeting resume and be held behind closed doors, the time being 2208 hrs.

CARRIED

Crs Taylor and Duffy entered the Chamber at this point, the time being 2208 hrs.

CS143-08/96 CRAIGIE LEISURE CENTRE - [680-1]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

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

- 1 agrees to reallocate expenditures associated with the management of recreation facilities within the Craigie Regional Zone out of Craigie Leisure Centre;
- 2 offers for tender the cleaning services and kiosk operation at Craigie Leisure Centre;

- 3 allows the staff currently employed cleaning the Craigie Leisure Centre and the staff operating the kiosk to form internal business units and to also place tenders after they have been given assistance in preparing tenders and business plans.

LOST

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

- 1 agrees to reallocate expenditures associated with the management of recreation facilities within the Craigie Regional Zone out of Craigie Leisure Centre;
- 2 offers for tender the cleaning services and kiosk operation at Craigie Leisure Centre.

CARRIED

C402-08/96 **DWELLING UNDER CONSTRUCTION : STOP WORK ORDER :**
LOT 560 (3) MANAKOORA RISE, SORRENTO -
[3090/560/3]

MOVED Cr Major, **SECONDED** Cr Duffy that in the event of a recommendation coming forward from staff that there is good reason to lift the stop work order, that a Special Council meeting be convened.

LOST

MOVED Cr Taylor, **SECONDED** Cr Magyar that Council in accordance with the provisions of Section 5.42 of the Local Government Act 1995 delegates authority to the Chief Executive Officer to withdraw the Stop Work Notice served upon the builder of the dwelling at Lot 560 (3) Manakoora Rise, Sorrento.

**CARRIED BY AN
ABSOLUTE MAJORITY**

It was requested that voting be recorded, with the following results:

FOR: Crs Dammers, Cooper, Magyar, Ewen-Chappell,
O'Grady, Taylor, Wight and Healy

AGAINST: Crs Major, Freame, Lynn, Duffy, Popham and
Hancock.

MOVED Cr Taylor, **SECONDED** Cr Magyar that Council in this instance sets aside its policy in respect of "Communication of Council Resolutions" to allow for immediate action on this matter.

CARRIED

It was requested that voting be recorded, with the following results:

FOR: Crs Dammers, Cooper, Magyar, Ewen-Chappell,
O'Grady, Taylor, Wight and Healy

AGAINST: Crs Major, Freame, Lynn, Duffy, Popham and
Hancock.

POINT OF ORDER

Cr Dammers requested Cr Major to apologise and withdraw adverse comments he made at the conclusion of this Item, but Cr Major declined to do so.

MOVED Cr Taylor, **SECONDED** Cr Magyar that the meeting be held with the doors open, the time being 2303 hrs.

CARRIED

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for
WEDNESDAY 25 SEPTEMBER 1996.

There being no further business, the Chairman declared the Meeting closed at 2304 hrs, the following Councillors being present at that time:

COUNCILLORS: FREAME
O'GRADY
DAMMERS
COOPER
EWEN-CHAPPELL
MAGYAR
WIGHT
TAYLOR
MAJOR
LYNN
HEALY
POPHAM
DUFFY
HANCOCK