

C I T Y O F W A N N E R O O

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER
ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP,
ON WEDNESDAY, 23 OCTOBER 1996

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor	South-West Ward
	P O HEALY	North Ward
	B A COOPER from 1939 hrs	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
	D K TIPPETT	South Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP	South-West Ward
	V G HANCOCK	South-West Ward

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

An apology for absence was tendered by Cr O'Grady.

An apology for late attendance was tendered by Cr Cooper.

There were 93 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 1933 hrs.

PUBLIC QUESTION TIME

Mrs A Hine of Dundobar Road, Wanneroo submitted the following questions at the Council meeting of 25 September 1996:

Q1 Page 92, Item 9. Consultancy contract 24/4/96. Is there a proper contract in writing and who was a witness to this document?

A1 The contract was arranged by exchange of letters and as such a witness was not required.

Q2 Page 7 Legal advice. How much has it cost Council in legal fees in this financial year? Have any tenders been put out this year?

A2 Council has spent \$40,000 on legal expenses this financial year, between several law companies. Council only needs to go to tender if more than \$50,000 of expenditure is incurred with one company. Documents are currently being drafted in order that tenders may be called for legal services.

Q3 Page 7 "NewsExtra". How much was NewsExtra worth? Did this go to tender? Who is the agent who delivers NewsExtra, for how much?

A3 Council need only invite tenders for the supply of goods or services if the expenditure will be more than \$50,000. The printing and distribution cost of the 72,000 first edition copies of NewsExtra was \$16,057.

Five quotes were sought for the printing and distribution of NewsExtra. The lowest one, from Progress Printers and Distributors was accepted.

Mr Vic Harman, 1 Bounty Place, Ocean Reef on behalf of Ocean Reef Residents Association submitted the following question at the Council meeting of 25 September 1996:

Page 17, Item TS246-09/96

Q1 Mr Harman queried in respect of Item TS246-09/96 which local community would be approached for comment. He inquired whether it only related to the district of Mullaloo and pointed out that the Ocean Reef Residents Association would like to be considered as part of that local community.

Cr Cooper referred to the recently held workshop, chaired jointly by Cr Magyar and himself where it was stated that before any major decisions were made, a further public meeting would be convened.

- A1 It is confirmed that the Ocean Reef Residents Association will be invited to comment on the Traffic and Foreshore Management Plans.

Mr Vic Harman, 1 Bounty Place, Ocean Reef on behalf of Ocean Reef Residents Association submitted the following questions at the Council meeting of 23 October 1996:

- Q1 Further to an on-site meeting with an Engineering representative, can you advise me as to the progress of a report to Council regarding the extending of the "Form 1 Lane" section of the Hodges Drive carriageway on the eastern side of Marmion Avenue?
- A1 Engineering Department have completed its investigation and a report on this matter will be presented to the November meeting of Technical Services Committee.
- Q2 What progress has been made on putting the name OCEAN REEF on the community centre in the Beaumaris Shopping Centre?
- A2 No formal request has been received for the placing of the sign on the Community Centre at Beaumaris Shopping Centre. However, it can be accommodated in the building alterations which are proposed to occur in the next couple of months.

Mr Barry Higgins, 140 Bernard Road, Carabooda submitted the following questions at the Council meeting of 23 October 1996:

- Q1 Who are the Councillors and employees against whom adverse findings have been made?
- A1 Council has received legal advice that the Royal Commission has only issued an interim report. On the submission of further evidence, it is open for the Commission to amend the interim report. In some cases the Commission has decided to defer making a finding. As findings are not final, Council is not in a position to address this question.
- Q2 What is the nature of those adverse findings? (e.g. improper conduct, dishonesty, etc - summaries/explanations are not sought)

A2 Where an adverse finding has been made, it has used the term "impropriety" which it defines within the interim report.

Q3 Has Council taken any action against the above Councillors/employees?

A3 No.

Q4 (a) If so, what action?
(b) If not, why not?

A4 As stated at the Council's September meeting, the interim report does not detail any offence which would require Council action.

There was one issue which the Commissioner categorised as improper and indicated his intention to refer the matter to the Director of Public Prosecutions. This matter does not involve a current Councillor or employee.

Mr Bruce Brislin, of 71 Ashmore Way, Sorrento submitted the following question at the Council meeting of 23 October 1996:

Q1 Mr Brislin queried how Council's approval was given for schematic drawings of a partially constructed dwelling on Lot 560 (3) Manakoorra Rise, Sorrento given the fact that they did not comply with the 'R' Codes and there was a Stop Work Order on the building. He understood there were a number of breaches in terms of the construction of the building. Mr Brislin inquired what action the Council is prepared to take in relation to this building in terms of either demolition or other remedial action in regards to this matter.

A1 The Chief Executive Officer advised there had been long and protracted negotiations on this matter. It is correct that there are some problems and they have been subject to legal advice. The interested parties continue to meet with the aim of trying to negotiate a reasonable settlement without resorting to legal proceedings.

Cr Cooper entered the Chamber at this point, the time being 1939 hrs.

As late as yesterday final meetings were being held, and there is a detailed report that is listed for Council's consideration this evening under Confidential Business.

Mr Vic Parin, of 44 Mulligan Drive, Greenwood submitted the following question at the Council meeting of 23 October 1996:

Q1 In relation to the partially constructed dwelling on Lot 560 (3) Manakoora Rise, Sorrento, Mr Parin inquired of the Mayor and the Chief Executive Officer whether they had received the list of 25 questions he had submitted. Mr Parin indicated the questions were faxed today at 11.59 am and further were hand delivered and acknowledged by Courier at our Reception Desk on the Ground Floor.

A1 The Chief Executive Officer responded that as of this evening he had not received any questions from Mr Parin.

In reply to Mr Parin's query, The City Building Surveyor advised that the questions had been received but that no indication had been given to suggest they were related to this evening's Council meeting. Mr Parin stated that he had asked for these questions to be circulated to all Councillors prior to this evening's meeting.

Mr Parin wished to place on record his total dissatisfaction at the way in which this matter has been handled by Council.

Mr Bob Sharkey, of 2 Trenton Way, Duncraig on behalf of 46 residents of Juniper Way and Tandy Court submitted the following question at the Council meeting of 23 October 1996:

Mr Sharkey referred to TS267-10/96 and a public meeting that was convened some two months ago which raised a number of concerns in relation to Davallia Primary School.

He queried Point 2 of the recommendation to Item TS267-10/96 which is to construct parking on Trenton Way. He advised that given the likely certainty that the proposal in the recommendation for a car park on Trenton Way will be rejected as follows:

- 1 by the Education Department on cost sharing grounds;
- 2 by the school community and local residents as the design solution that would result from this recommendation has previously been rejected. The design is indicated in Attachment 2;

In view of the above, Mr Sharkey sought Council's agreeance to:

- 1 acceptance of the Education Department's offer to share the cost of construction on a 50/50 basis;
- 2 allow the car park to encroach on the verge by approximately 2 metres in light of the fact that the existing embayment parking which would be removed has already been built across the entire 6 metre verge.

Mr Sharkey stated that this plan had been agreed to by everybody, except Council.

Mrs Lorraine Ruile of 11 Cliffside Trail, Edgewater submitted the following question.

Mrs Ruile referred to the item listed on the agenda in relation to the proposed closure of Edgewater Drive and stated that not all residents in Edgewater wanted to see Edgewater Drive closed. She queried whether it was possible for Council to conduct an unbiased survey of all Edgewater residents?

The Mayor indicated that this matter had been advertised and that members of the public were given ample opportunity at that stage to submit their comments.

Pastor Brian Wood of Seventh Day Adventist Church, 28 St Anthony Drive, Stirling submitted the following question.

Pastor Wood informed Councillors that in order to satisfy the Residents Group, modified plans for the church complex were submitted and given approval.

He indicated that the modifications to the plans included the lowering of the roof of the church hall by 2 metres, reducing two knaves to one, 150 less seats, abandonment of the day care facility, and the before and after school care.

Pastor Wood stated the complex had been repositioned further to the east to create a 23 metre buffer between the complex and the residents' back fences.

He pointed out that a church without a church hall where children and young people could be trained and entertained was a vital component of the Church's philosophy.

CONFIRMATION OF MINUTES

C455-10/96

MINUTES OF COUNCIL MEETING, 25 SEPTEMBER 1996

Corrections

Cr Popham raised the matter of his comments he made at the September Council meeting in relation to the Item on the Retiring Town Clerk's Consultancy Agreement and wished to have the Minutes amended to reflect the comments he made.

"Cr Popham Thank you, Mr Mayor. Thank you Cr Cooper.

I'd just like to make a couple of observations. Both Cr Cooper and Cr Taylor said that the Councillors might have made a mistake in asking you to negotiate with the Town Clerk but surely we in this Council look to the officers that join us at these meetings to give us the right advice.

There must have been a conflict of interest with the Town Clerk at the time knowing that you were going to negotiate with him.

Mayor I don't see the conflict of interest, Councillor.

Cr Popham You don't see the conflict of interest in that. Well I certainly think there is a glaring one. I don't think that on your part there was any intentional improper conduct - if you'd like to put it that way but I think what the Wanneroo City Council has gone through recently, what needed to be seen to be done, was that everything should have been so squeaky clean it's not funny. And this hasn't happened. The \$500 that went to Ron Coffey every week - no-one knew about it. No-one. I mean, I stand corrected, but are there any Councillors here tonight that knew about that \$500 a week. So certainly, yes, a serious error in judgment - and I'd just like to say - yes we need to get on and do the right thing with this Council but we have to make sure that, you know, we don't allow ourselves to be put in this position. And that's what I wanted to say. Thank you."

Page 105, Cr Taylor made a request for the Committee Clerk's notes to be inserted which were read to the meeting by the Chief Executive Officer

Notes made at Council Meeting held 24 April 1996 by Committee Clerk.

2 suggest to the Town Clerk that we should look at retaining the services of the Town Clerk on an hourly rate as and when required to deal with the information

required by the Royal Commission. To be reviewed.

\$65-80 ph. Town Clerk requires fax at home.

BC/ limit to hours pw

take annual leave and work one day per week for 6/10/12 weeks

GM/FF authorises the Mayor to undertake to negotiate with R F Coffey in relation to retaining his services as consultant for the purpose of assistance in providing information required by the Royal Commission.

Council authorises the Mayor to negotiate a consultancy along the terms as discussed.

period review

refer end August/September (3 monthly review)

UNANIMOUSLY 11.27

Cr Taylor requested a correction be inserted on Page 105, where it actually states ...Section 272(4)...the relevant paragraph of the Act to be included in the Minutes, including the last paragraph:

Section 272(4) of the Act states:

"A contract which, if made by private persons, would be valid in law although not reduced into writing, or which could be proved without writing, may be made with or without writing -

- (a) in either of the two ways mentioned respectively in subsections (2) and (3) of this section; or
- (b) by the mayor personally, or president personally, or clerk personally, or personally by an officer authorised by the clerk;

when acting by the direction whether general or specific, and on behalf of the Council, and may by agreement be varied or discharged in the same manner as it was or could have been made."

MOVED Cr Popham, **SECONDED** Cr Taylor that the Minutes of the Council Meeting held on 25 September 1996, amended as above, be confirmed as a true and correct record.

CARRIED

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Nil

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Nil

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

OLYMPIC GAMES PLAQUE

The City of Wanneroo has received a plaque in appreciation of its contribution to the Australian Olympic Games Team Fund for the 26th Olympiad at Atlanta.

When the building next door is completed, the plaque along with all the other Council memorabilia will be on permanent display.

PERRY'S PADDOCK FAMILY PICNIC DAY

Despite last Sunday being the hottest October day for 17 years, the annual Perry's Paddock Picnic attracted around 8000 people.

All the events were well patronised and the array of non-stop activities and entertainment kept the crowds there for most of the day.

Cr Taylor left the Chamber at this point, the time being 1952 hrs.

RATES INCENTIVE DRAW

The rate incentive draw took place on Friday evening with eight lucky early City of Wanneroo ratepayers taking away handsome prizes.

The four major prizes of a Commonwealth Bank Streamline account of \$5,000, a Town and Country Bank holiday of your choice for \$3,000, a BankWest Complete account of \$1,000 and a United Credit Union cheque or savings account of \$1,000 was won respectively by John and Susan Turner of Neerabup, John Gorman of Hillarys, Helen and Wayne Gardiner of Marangaroo, and Brian and Fae Holloway of Clarkson.

Other winners were John Sturgess of Mosman Park, Joan and Kevin Milne of Greenwood, Christine and Graeme Uren of Woodvale and Bernard and Margaret White of Mullaloo.

PUBLIC ART

This month the City of Wanneroo has presented two new public art works to the community.

A mural at Girrawheen library and stainless steel sculptures at Jenolan Way Community Centre, Merriwa.

The public art projects not only involve the artists who are commissioned to design them, but also the local community have an input into the message the works should convey.

C456-10/96 1996 ANNUAL AWARDS: IMPROVEMENT AND MAINTENANCE
OF BUSINESS PREMISES IN INDUSTRIAL ZONES -
[701-3]

On Tuesday 15 October 1996, the Industrial Sites Evaluation Committee comprising Cr A Taylor, Mr M Day (Editor, Wanneroo Times), Mr G Beard (Manager, Joondalup Community Newspaper) and Mr R Foster (President, Wanneroo Chamber of Commerce), completed the second and final inspection of all industrial sites within Wangara, Landsdale, Canham Way, Joondalup and Flynn Drive. The response to the property improvements were considered reasonable except in Flynn Drive, hence no award being recommended for this area.

The Evaluation Committee requested that the new Enterprise Park (General Industrial estate) Wangara be separated from the Wangara Light Industry/Mixed Business estate when considering the awards. The Committee felt that the areas were vastly different in development requirements and required separate awards. In this respect they ask that the areas selected for awards separating the two estates be approved by Council.

Cr Taylor entered the Chamber at this point, the time being 1955 hrs.

I enclose a list of recommended awards, subject to ratification by Council at this evenings meeting.

If there is no objection to the creation of a new award for Enterprise Park (General Industrial Area) I would call for a Motion to this effect.

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

- 1 authorises the addition of Enterprise Park to the list of Annual Awards - Improvement and Maintenance of Business Premises in Industrial Zones;
- 2 announces the winners of the awards as attached to Report C456-10/96.

CARRIED

Appendix XXIII refers.

PETITIONS, MEMORIALS AND DEPUTATIONS

AMREX ANIMAL MANAGEMENT EXTENSION PROGRAMME

Cr Lynn tabled eight pamphlets produced by Amrex, the Animal Management Extension Programme specially for the City of Wanneroo.

All the pamphlets relate to issues affecting dog owners.

The support given to Amrex by Council recently has enabled these pamphlets to be printed. This week, 16,000 copies of each pamphlet have been placed in veterinary clinics throughout the City of Wanneroo.

Cr Lynn made mention of the new "Barkline" Programme instituted by Amrex. Over the past month, the programme has received 111 calls relating to barking dogs in Wanneroo, but less than 10 of those have required action by our Rangers. This programme has considerably saved the resources of the City's Municipal Law and Fire Services Department.

Appendix XXIV refers.

20TH ANNIVERSARY - SORRENTO BOWLING CLUB

Cr Major acknowledged the 20th anniversary of the Sorrento Bowling Club and his attendance at the opening day of their season on behalf of the Mayor.

Sorrento Bowling Club presented Council with a plaque in appreciation of the support of the City of Wanneroo over the past years.

C457-10/96

PETITION REQUESTING THE MODIFICATION OF INTERSECTION OF SHENTON AVENUE AND PONTIAC WAY, JOONDALUP - [510-1664, 510-4272]

Cr Ewen-Chappell tabled a 411-signature petition requesting Council modify the intersection of Shenton Avenue and Pontiac Way, Joondalup by extending the dual carriageway along Shenton

Avenue for approximately 500 metres and/or constructing a roundabout.

The petitioners expressed their concern at the large volume of traffic movements along this short section of Shenton Avenue due to construction of a new primary school, an access road to the Arena and the opening of a landscape supply business.

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

MOVED Cr Freame, **SECONDED** Cr Popham that the petition requesting Council modify the intersection of Shenton Avenue and Pontiac Way, Joondalup by extending the dual carriageway along Shenton Avenue for approximately 500 metres and/or constructing a roundabout be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

ENVIRONMENTAL HEALTH CONFERENCE, SYDNEY

Cr Magyar expressed his thanks to Council for the opportunity to attend the Environmental Health Conference held in Sydney.

He stated it covered a wide variety of topics from sustainability and Local Agenda 21 through to barking dogs and restoring historical buildings.

Cr Magyar indicated he would circulate speeches and notes to Councillors that he felt would be of interest.

C458-10/96 PETITION OPPOSING THE USE OF PERFORMING ANIMALS IN CIRCUSES - [260-8]

A 9-signature petition has been received from residents of Western Australia opposing the use of performing animals in circuses.

Council considered this matter at its meeting in August 1996 (Item P82-08/96 refers). This petition will be referred to Recreation and Cultural Services Department for noting.

MOVED Cr Freame, **SECONDED** Cr Popham that the petition opposing the use of performing animals in circuses be referred to Recreation and Cultural Services Department for noting.

CARRIED

C459-10/96 PETITION REQUESTING MAINTENANCE OF VERGES, GARDENS, TREES/PARKS, WATERSTON GARDENS, HORDEN

LANE, BEECHWOOD GROVE, HILLARYS - [510-2779,
510-2818, 510-3857]

A 14-signature petition has been received from Hillarys residents requesting Council's assistance in the maintenance of verges, gardens, trees and parks in the locality of Waterston Gardens, Horden Lane and Beechwood Grove, Hillarys.

The petitioners expressed their concern that the condition of the areas in question will deteriorate and in an attempt to avoid this they themselves have been weeding, fertilising and watering the subject areas.

This petition will be referred to Parks Department for action.

MOVED Cr Freame, **SECONDED** Cr Popham that the petition from Hillarys residents requesting Council's assistance in the maintenance of verges, gardens, trees and parks in the locality of Waterston Gardens, Horden Lane and Beechwood Grove, Hillarys be received and referred to Parks Department for action.

CARRIED

C460-10/96 **PETITION OBJECTING TO EXCESSIVE NOISE - PANNELL
WAY, GIRRAWHEEN - [0497/1168/23]**

A 3-signature petition has been received from Girrawheen residents objecting to excessive noise emanating from a property in Pannell Way, Girrawheen.

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

MOVED Cr Freame, **SECONDED** Cr Popham that the petition from Girrawheen residents objecting to excessive noise emanating from a property in Pannell Way, Girrawheen be received and referred to Environmental Health Department for action.

CARRIED

C461-10/96 **PETITION REQUESTING APPROVAL FOR ESTABLISHMENT OF
A COFFEE SHOP FACILITY AT NURSERY: LOT 38 (52)
LANDSDALE ROAD, LANDSDALE - [30/3787]**

A 106-signature petition has been received from residents giving their support to a request for the establishment of a coffee shop facility at Supreme Garden Nursery, Landsdale.

The petitioners feel this would be an excellent facility allowing members of the public to take refreshments whilst browsing around the nursery complex.

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

MOVED Cr Freame, **SECONDED** Cr Popham that the petition from residents giving their support to a request for the establishment of a coffee shop facility at Supreme Garden Nursery, Landsdale be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

C462-10/96 PETITION OBJECTING TO CURRENT HOURLY WAGE -
INSTRUCTORS, AQUAMOTION - [690-7, 680-18]

An 18-signature petition has been received from Instructors employed at Aquamotion objecting to their current hourly wage rate.

The petitioners feel the rate should be more in keeping with that paid by other Shire Leisure Centres, which is currently a minimum of \$30.00 per hour.

Council considered this matter at its meeting in July 1996 (CS120-07/96 refers.) This petition will be referred to Recreation and Cultural Services Department for noting.

The Chief Executive Officer advised that this matter would be dealt with administratively.

MOVED Cr Freame, **SECONDED** Cr Popham that the petition received from Instructors at Aquamotion be dealt with administratively.

CARRIED

C463-10/96 LETTER EXPRESSING CONCERNS IN REGARDS TO PROPOSED
DWELLING, LOT 22 (8) BROOKVALE RISE, KALLAROO -
[2351/222/8]

A 4-signature letter has been received from residents of Brookvale Rise, Kallaroo expressing their concern that proper duty and care has not been exercised by the appropriate Council personnel and request a meeting to air their views to Council.

This matter was considered by Council at its August 1996 meeting (TS221-08/96 refers). This letter will be referred to Building Department for noting.

MOVED Cr Freame, **SECONDED** Cr Popham that the letter from residents of Brookvale Rise, Kallaroo expressing their concern that proper duty and care has not been exercised by the appropriate Council personnel be referred to Building Department for noting.

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 29 August 1996
- B RECORDS AND INFORMATION MANAGEMENT LIAISON GROUP
 Meeting held 12 September 1996
- C YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE
 Meeting held 12 September 1996
 Meeting held 10 October 1996

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

CARRIED

ADVISORY COMMITTEES

- A CULTURAL DEVELOPMENT ADVISORY COMMITTEE
 Meeting held 26 August 1996
- B DISABILITY ACCESS ADVISORY COMMITTEE
 Meeting held 5 September 1996
- C THE ART COLLECTION ADVISORY COMMITTEE
 Meeting held 16 September 1996
- D YOUTH ADVISORY COMMITTEE
 Meeting held 23 September 1996
- E CHILDREN'S SERVICES ADVISORY COMMITTEE
 Meeting held 23 September 1996
- F HISTORICAL SITES ADVISORY COMMITTEE
 Meeting held 25 September 1996

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

CARRIED

OTHER COMMITTEES

- A OFFICE SITES SAFETY COMMITTEE
 Meeting held 23 September 1996

B THE 13TH LOTTERIES HOUSE STEERING COMMITTEE
 Meeting held 25 September 1996

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

CARRIED

DECLARATIONS OF FINANCIAL INTEREST

Cr Duffy declared an interest in Item TP247-10/96.

Cr Cooper declared an interest in Items TP257-10/96, TP258-10/96
and FA151-10/96.

Cr Wight declared an interest in Items CS170-10/96 and
C476-10/96.

BUSINESS REQUIRING ACTION

Legend - Numbering System:

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

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

MOVED Cr Freame, **SECONDED** Cr Magyar that the Report of the Policy Committee Meeting held on 7 October 1996 be received.

CARRIED

ATTENDANCES

Councillors:	F D FREAME - Acting Chairman	
	from 1805 hrs	South-West Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	A W WIGHT	South Ward
	G A MAJOR	South-West Ward
	P O HEALY - Deputising for Cr O'Grady	North Ward
	B A COOPER - Observer	Central Ward
	S P MAGYAR - Observer	Central Ward
	A G TAYLOR - Observer, Deputising for	
	Cr Duffy from 1831 hrs to 1840 hrs	South Ward
	T W POPHAM - Observer	South Ward
	M E LYNN, JP - Observer from	
	1812 hrs	South-West Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
Acting City Engineer:	D BLAIR
City Building Surveyor:	R FISCHER
Committee Clerk:	J HARRISON

APOLOGIES

An apology for absence was tendered by Cr Dammers.

An apology for absence was tendered by Cr O'Grady; Cr Healy deputised.

An apology for absence was tendered by Cr Tippet.

ELECTION OF ACTING CHAIRMAN

Cr Freame was elected Acting Chairman.

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 9 September 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced:	1803 hrs
Closed:	2040 hrs

REPORT NO:

P97-10/96

LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]

This report provides details of applications received for legal representation from former Councillors Peter Nosow and Colin Edwardes.

REPORT RECOMMENDATION: That Council:

- 1 in accordance with the provisions of Policy A2-12 LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY, approves the application for legal representation submitted by former Councillor Peter Nosow;
- 2 advises Freehill Hollingdale and Page that the Council's Policy only provides for legal representation to be provided by the Council's appointed Solicitor, Kott Gunning. If Mr Edwardes wishes to utilise this service then permission is granted subject to the initial limit of \$3,000. Any extension beyond this limit would require further consideration by the Council.

COMMITTEE RECOMMENDATION:

- 1 Council, in accordance with the provisions of Policy A2-12 LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY, approves the application for legal representation submitted by former Councillor Peter Nosow;
- 2 Council writes to its solicitors, Kott Gunning, requesting comment regarding any difficulty they perceive in representing Mr Colin Edwardes, particularly in the area of conflict of interest;
- 2 this matter be further considered at the Council meeting on 23 October 1996.

ADDITIONAL INFORMATION

Since the Policy Committee Meeting, the Chief Executive Officer sought comment from the City's Solicitors regarding any difficulty they perceive representing Mr Colin Edwardes, particularly in the area of conflict of interest.

Kott Gunning have advised that recent publicity suggests that an inquiry into the relationship between certain Councillors and the Vietnamese community seem to indicate there is a conflict of

interest within the meaning of paragraph 7 of the Policy on Legal Representation.

They have suggested that Mr Edwardes be granted Legal Representation of his choice and as there is a limit of \$3,000 the matter be reviewed after that limit has been met.

MOVED Cr Freame, **SECONDED** Cr Duffy that the Council in accordance with Policy A2-12 grant special approval for former Councillor Colin Edwardes to obtain legal representation of his choice, subject to the Policy limit of \$3,000.

CARRIED

P98-10/96 ON-SITE MEETING POLICY - [702-3]

At its meeting of the 25 September 1996, Council resolved that consideration of the proposed policy in relation to on-site meetings be deferred and referred back to the Policy Committee.

REPORT RECOMMENDATION: That Council adopts the following Policy and updates its Policy Manual accordingly:

"ON SITE MEETINGS

Objective

To keep Ward Councillors informed of proposed Site Meetings.

Statement

Any Councillor desiring to call an on-site meeting with Councillors, Electors and Officers must give the relevant Senior Officer at least 48 hours notice of the date, time, place and purpose of the meeting. The Senior Officer shall then notify other Ward Councillors of the meeting, by fax."

MOVED Cr Freame, **SECONDED** Cr Popham that Council does not adopt an On-Site Meeting Policy.

CARRIED

P99-10/96 ACCESS TO AUDIO TAPES OF COUNCIL - [702-3]

At its meeting of 25 September 1996, Council resolved that consideration of Council's policy on Access to Audio Tapes of Council be deferred and referred back to the Policy Committee.

Councillors queried the size of audio-tape which would be provided. The Chief Executive Officer advised he would take this question on notice.

REPORT RECOMMENDATION:

That Council:

1 deletes policy A1 - 06 Access to Audio-tape Recordings of Council Proceedings;

2 adopts the following policy and updates the Policy Manual accordingly:

"ACCESS TO AUDIO-TAPE RECORDINGS OF COUNCIL MEETINGS

OBJECTIVE

To provide open and accountable local government.

STATEMENT

All Ordinary and Special Council meetings shall be recorded on audio-tape. Members of the public may purchase a copy of the taped proceedings; or listen to recorded proceedings with the supervision of the Committee Clerk.

Audio-tape proceedings of "closed doors" shall not be made available to members of the public.

Councillors may listen to a recording of Council proceedings upon request, free of charge.

Councillors may obtain an audio-tape of the relevant item/items with the approval of the Chief Executive Officer, free of charge. Refusal of requests to be referred to Council.

The cost of providing taped proceedings to members of the public will be the cost of the tape plus staff time to make the copy of the proceedings. The cost of supervised listening to recorded proceedings will be the cost of staff time. The cost of staff time will be set in the Schedule of Charges each year";

3 sets the following charge for 1996/97 for Access to Audio Tape Recordings of Council Meetings:

Cost of tape	\$ 3.50
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Staff Time (per hour for the first hour or part thereof; additional hours to be pro rata)	\$30.00
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Cr Taylor expressed his concerns that this recommendation deleted the possibility of obtaining a transcript completely and requested that in the fourth paragraph under the heading

"STATEMENT", the following words be included after ...an audio-tape...

" and/or transcript"

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

- 1 deletes policy A1 - 06 Access to Audio-tape Recordings of Council Proceedings;
- 2 adopts the following policy and updates the Policy Manual accordingly:

"ACCESS TO AUDIO-TAPE RECORDINGS OF COUNCIL MEETINGS

OBJECTIVE

To provide open and accountable local government.

STATEMENT

All Ordinary and Special Council meetings shall be recorded on audio-tape. Members of the public may purchase a copy of the taped proceedings; or listen to recorded proceedings with the supervision of the Committee Clerk.

Audio-tape proceedings of "closed doors" shall not be made available to members of the public.

Councillors may listen to a recording of Council proceedings upon request, free of charge.

Councillors may obtain an audio-tape and/or transcript of the relevant item/items with the approval of the Chief Executive Officer, free of charge. Refusal of requests to be referred to Council.

The cost of providing taped proceedings to members of the public will be the cost of the tape plus staff time to make the copy of the proceedings. The cost of supervised listening to recorded proceedings will be the cost of staff time. The cost of staff time will be set in the Schedule of Charges each year";

- 3 sets the following charge for 1996/97 for Access to Audio Tape Recordings of Council Meetings:

Cost of tape	\$ 3.50
--------------	---------

Staff Time (per hour for the first hour or part thereof; additional hours to be

pro rata)

\$30.00
CARRIED BY AN
ABSOLUTE MAJORITY

P100-10/96

DISTRIBUTION OF MINUTES OF COUNCIL TO INDIVIDUALS
AND ORGANISATIONS - [702-3]

Council's current policy provides for the distribution of Council Minutes in printed format to persons who it approves.

It is appropriate for Council to review the persons approved to received the Minutes, to consider making a change to recoup printing costs and offering Minutes on computer disc.

REPORT RECOMMENDATION: That Council:

- 1 deletes its current policy - Availability of Council Minutes - A1-01 and substitutes the following new policy:

"In accordance with legislative requirements, Minute Books will be available for perusal at the Joondalup Administration Centre during normal working hours.

Copies of the Minutes of Council meetings will be available for reading at each of Council's Libraries.

Minutes on computer disc in Word 6 format or in hard copy form will be supplied to any person or organisation on the payment of the appropriate fee.

The fees set for the supply of Minutes will reflect the cost of producing the copy and the fee will be reviewed each year in conjunction with the budget process";

- 2 approves **BY AN ABSOLUTE MAJORITY** the adoption of the following charges to take effect from 1 January 1997:

Supply of Minutes in hard copy	\$15.00
Supply of Minutes on Computer disc	\$4.00

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

- 1 deletes its current policy - Availability of Council Minutes - A1-01 and substitutes the following new policy:

"In accordance with legislative requirements, Minute Books will be available for perusal at the Joondalup Administration Centre during normal working hours.

Copies of the Minutes of Council meetings will be available for reading at each of Council's Libraries.

Minutes on computer disc in Word 6 format or in hard copy form will be supplied to any person or organisation on the payment of the appropriate fee.

The fees set for the supply of Minutes will reflect the cost of producing the copy and the fee will be reviewed each year in conjunction with the budget process";

- 2 approves the adoption of the following charges to take effect from 1 January 1997:

Supply of Minutes in hard copy	\$15.00
Supply of Minutes on Computer disc	\$4.00;

- 3 writes to those persons/associations currently receiving copies of Council Minutes, advising of the above Policy change and enquiring whether they wish to purchase copies in the future.

**CARRIED BY AN
ABSOLUTE MAJORITY**

P101-10/96 EXTRACTIVE INDUSTRY BY-LAWS - [530-1]

Council considered in April 1994, a report on amending its Extractive Industry By-laws (Item I50406 refers) with particular reference to the rehabilitation bond and Extractive Industry Licence. A report was requested outlining performance bonds and the feasibility of charging on a "per metre extracted" basis.

In the meantime, the new Local Government Act has been introduced and all existing By-laws have become Local Laws, subject to review every 8 years under Section 3.16(1) of the Local Government Act.

This report addresses the issues raised by Council and then discusses the changes needed to the Local Law covering Extractive Industries.

REPORT RECOMMENDATION: That Council initiates a review with respect to the issue of Extractive Industry Licences and Development Approvals.

MOVED Cr Wight, **SECONDED** Cr Popham that Council initiates a review with respect to the issue of Extractive Industry Licences and Development Approvals, with a further report submitted to Council for consideration.

CARRIED

P102-10/96

PRIVACY SCREENS - [920-9]

A report was submitted to the Policy Committee at its meeting on 12 August 1996, addressing privacy screens. It was recommended 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.

MOVED Cr Wight, **SECONDED** Cr Popham that Council approves the Privacy information sheet as shown on Attachment A to Report P102-10/96 for hand out to any person who makes enquiries in respect to obtaining privacy.

CARRIED

Appendix I refers.

P103-10/96

REFUND OF BUILDING LICENCE FEES - [210-0]

A number of reports have been placed before Council seeking a refund of building licence fees for various reasons. It is considered that the Policy should be adopted in respect to the actual refund to provide for refunds less administrative expenses.

MOVED Cr Wight, **SECONDED** Cr Popham that Council expands its Policy on Cancellation of Permits as follows:

CANCELLATION OF PERMITS - J2-02

- (a) If following the issue of a building licence and payment of the prescribed fees, written advice is received from the builder and owner, that they will not proceed with the building, the City Building Surveyor is authorised to cancel the building licence.
- (b) No refund will be made of building licence fees except in cases of hardship when the City Building Surveyor shall submit details of the circumstances to Council.
- (c) Any refund of a building licence fee will be reduced by 25% of the initial fee for administration costs, unless Council specifically resolves to refund the total amount of the fee.

CARRIED

P104-10/96

RESIDENTIAL SLABS AND FOOTINGS STANDARD - AS2870
- 1996 - [210-13]

The issue of the amended Australian Standard, Residential Slabs and Footings - 1996, now contains details of footings suitable for use in sandy soils. It is considered that Policy J3-09 should be removed from Council's Policy Manual.

MOVED Cr Wight, **SECONDED** Cr Popham that Council deletes Policy J3-09 from the Policy Manual.

CARRIED

P105-10/96 **PETITION EXPRESSING CONCERN AT TRAFFIC SPEEDS -
MELALEUCA, BOTTLEBRUSH AND BLACKALL DRIVES,
GREENWOOD - [510-78, 510-76, 510-82]**

Cr Popham submitted a 24-signature petition from residents of Melaleuca, Bottlebrush and Blackall Drives, Greenwood expressing concern at traffic speeds in the area and requesting the installation of traffic calming devices.

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

MOVED Cr Wight, **SECONDED** Cr Popham that the petition from residents of Melaleuca, Bottlebrush and Blackall Drives, Greenwood expressing concern at traffic speeds in the area and requesting the installation of traffic calming devices be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

P106-10/96 **LETTER REQUESTING SUPPORT FOR CITIZENSHIP
CEREMONY IN TWO ROCKS - [703-1]**

Cr Healy submitted a letter from Paul Filing MP, Federal Member for Moore, seeking support for the holding of a Citizenship Ceremony on Australia Day 1997 in Two Rocks.

MOVED Cr Wight, **SECONDED** Cr Popham that Council writes to Paul Filing MP advising that it has made previous arrangements for the holding of a Citizenship Ceremony on Australia Day 1997 and will investigate the feasibility of holding a Citizenship Ceremony in Two Rocks on an alternative occasion.

CARRIED

"TODAY TONIGHT" - [404-0]

Cr Cooper raised the issue of the report of a City of Wanneroo Council worker televised on "Today Tonight" on Monday 7 October 1996 and enquired what action would be taken in this regard.

Chief Executive Officer advised that investigations were currently being undertaken with a view to urgent action being taken.

ANTISOCIAL BEHAVIOUR - WARRANDYTE RESERVE - [061-378]

Cr Lynn referred to a telephone call she had received from a resident of Savoir Court, Craigie in relation to a recent incident of antisocial behaviour within Warrandyte Reserve, which resulted in the Police being called. Cr Lynn asked what action Council could take to prevent such behaviour within its reserves.

Chief Executive Officer advised that it is anticipated a meeting will be soon be arranged between senior police officers and Council in an attempt to adopt some compatible strategies to combat these issues.

REQUEST FOR COPY OF REPORT "2029" - [702-3]

Cr Cooper requested Council obtain a copy of the report entitled "2029".

STAFF SUPERVISION - [404-0]

Cr Taylor raised his concerns at the supervision of external workforce.

The Chief Executive Officer was requested to liaise with relevant Department Heads to investigate methods of monitoring the external workforce and report back to Council accordingly.

CONSULTANCY CONTRACT - R F COFFEY - [404-0]

Cr Taylor referred to Item C431-09/96 - Consultancy Contract - R F Coffey, raised at the Council meeting held on 25 September 1996. During discussion on this item, the Chief Executive Officer made reference to Section 272(4) of the Local Government Act which authorise the Mayor to personally undertake contracts.

Cr Taylor drew attention to the last paragraph of this Section and stated he believed this matter ought to have been referred back to Council.

Chief Executive Officer made reference to Section 272(4)(b) and reiterated legal advice received which indicated there was general direction given for the Mayor to sign this contract.

Cr Taylor also believed debate had been stifled by the perceived calling of Standing Order 135 and raised his concerns in relation to the running of Council meetings.

CONCERN AT NEWSPAPER ARTICLE - [404-0]

Cr Hancock asked for information relating to the intended placement of an advertisement by a member of staff.

Chief Executive Officer stated he had been approached by a member of staff who was concerned that recent articles appearing in the Wanneroo Times might affect staff morale, and informed Councillors of the advice he had given this member of staff.

ATTENDANCE AT ACRLGS ELECTED MEMBERS COURSE - CR HANCOCK [202-1-2]

Cr Hancock reported on her recent attendance at the Australian Centre for Regional and Local Government Studies (ACRLGS) in Canberra, which she advised had been a productive trip.

ENDORSEMENT OF CONTRACTS - [001-1]

Cr Popham queried whether, under the new Local Government Act, a contract entered into had to be endorsed by Council.

Chief Executive Officer stated that delegation provisions were only provided for a Committee or the CEO.

MINUTES OF COUNCIL MEETINGS - [702-0]

Cr Popham raised his concern that minutes of Council meetings lacked sufficient detail, specifically in the area of recording debate.

The Chief Executive Officer stated that minutes were only required to record decisions of Council. He stated that other local authorities have found that recording of debate is open to misinterpretation and may lead to problems. He advised however that specific debate may be recorded at the request of a Councillor.

ITEMS OF CONCERN - CR POPHAM - [702-3]

Cr Popham referred to three items which had recently come before Council which he believed had been handled badly, and which involved the Mayor, Cr Dammers.

Cr Popham was requested to raise his concerns at a meeting of Policy Committee when the Mayor was in attendance.

COUNCILLORS' CONTACT WITH DEPARTMENT HEADS - [702-3]

Cr Popham stated that, whilst Department Heads had always been most helpful, he had been experiencing difficulty in contacting them via the telephone. He queried whether it would be advisable to contact them on their mobile telephones.

Chief Executive Officer advised he would investigate this matter and put acceptable procedures into operation.

FORMULATION OF POLICY RELATING TO PROVISION OF REFRESHMENTS - [703-5]

Cr Major requested consideration be given to the formulation of a Policy for the provision of refreshments for meetings/guests.

This matter will be referred to Administration Department for action.

PUBLIC LIABILITY CLAIM - CRAIGIE LEISURE CENTRE - [013-3-1]

Cr Major advised he had been approached by a person who had been unsuccessful in a recent Public Liability Claim following an accident at Craigie Leisure Centre. He requested that a suitable response be given to the applicant.

MOVED Cr Wight, **SECONDED** Cr Taylor that the Report of the Technical Services Committee Meeting, held on 9 October 1996, be received.

CARRIED

ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	P O HEALY	North
	Ward	
	A G TAYLOR	South
	Ward	
	T W POPHAM - From 1826 hrs	South Ward
	V G HANCOCK - From 1811 hrs	South-West
	Ward	
	G A MAJOR	South-West Ward
	A W WIGHT - Observer, Deputising	
	for Cr Popham to	
	1826 hrs	South Ward
	M E LYNN, JP - Observer, Deputising	
	for Cr Hancock to	
	1811 hrs	South-West
	Ward	
	B A COOPER - Observer to 1847 hrs	Central
	Ward	
	S P MAGYAR - Observer	Central Ward
	L O'GRADY - Observer	North Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
Acting City Engineer:	D R BLAIR
City Building Surveyor:	R G FISCHER
Design Engineer:	P PIKOR to 1830 hrs
City Parks Manager:	F GRIFFIN
Minute Clerk:	S BRUYN

APOLOGIES

Apologies for absence were tendered by Crs Dammers, Tippet, Duffy and Freame.

PUBLIC/PRESS ATTENDANCE

There was 1 member 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 11 SEPTEMBER 1996

The Minutes of the Technical Services Committee Meeting held on 11 September 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced:	1802 hrs
Closed:	1930 hrs

REPORT NO:

TS264-10/96 CLOSURE OF MATRIK BODY BUILDERS - REPORT ITEM
H10802 REFERS - [208-040-92/93]

This report provides details of a claim lodged with KPMG Receiver/Manager of Matrik Body Builders against lost warranties in respect to ten refuse collection trucks supplied to Council.

Advice received from Council's Solicitors indicates that any successful recovery of costs associated with a product liability claim is remote and it is not considered prudent for Council to pursue the claim further.

REPORT RECOMMENDATION: That Council:

- 1 accepts any proceeds from its claim lodged with KPMG Receiver/Manager of Matrik Body Builders, against lost warranties in respect to the ten (10) vehicles supplied to Council;
- 2 takes no further action in respect to Product Liability Insurance claims.

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

- 1 accepts any proceeds from its claim lodged with KPMG Receiver/Manager of Matrik Body Builders, against lost warranties in respect to the ten (10) vehicles supplied to Council;
- 2 takes no further action in respect to Product Liability Insurance claims in relation to the units supplied to Council by Matrik Body Builders.

CARRIED

TS265-10/96 DELEGATION OF AUTHORITY TO ACCEPT TENDER NO 091-
96/97 - [208-091-96/97]

Tender No 091-96/97 for the supply of three sedans closes on 14 October 1996 and to expedite the supply of these vehicles it is recommended that the November meeting of Technical Services Committee be delegated authority to accept this tender.

MOVED Cr Wight, **SECONDED** Cr Popham that Council, delegates authority to the November 1996 meeting of Technical Services Committee to accept Tender No 091-96/97 for the supply of three 1600/1800cc 4 cylinder sedans.

CARRIED BY AN

TS266-10/96 PROPOSED SANTA BARBARA PARADE PRE-FUNDING
ARRANGEMENTS - QUINNS ROCKS SUBDIVISION - [510-
403, 510-4084]

This further report addresses a motion from a Special Meeting of Electors in Quinns Rocks on 21 May 1996 that:

"Council be requested to fund the extension of Santa Barbara Parade of approximately 700 metres and recover the money from the developers when the land is developed".

The motion was in relation to concerns about traffic impact on Ocean Drive from the northern subdivision (Quinns Beach Estate).

The Design Engineer gave a slide presentation at the Technical Services Committee Meeting, highlighting the main options of access to the Quinns Beach estate.

REPORT RECOMMENDATION: That Council:

- 1 concurs to the proposal from Silverton Limited to promote the access to the estate via Marmion Avenue, Santa Barbara Parade, Morialta Avenue and Tapping Way, subject to satisfactory upgrading of Tapping Way north of Robinson Avenue;
- 2 approves the temporary installation of directional signs for two years in the road reserve of Marmion Avenue, Morialta Avenue and Tapping Way with the location and sign details to the satisfaction of the City Engineer and City Building Surveyor;
- 3 monitors the traffic generation of the development of the Quinns Beach Estate on the existing local road system;
- 4 reviews the need for advancing the extension of Santa Barbara Parade in September 1997;
- 5 authorises Silverton Limited to complete the quinn's Beach Estate subdivision access road to Ocean Drive;
- 6 authorises the City Engineer to undertake public consultation with the residents of Quinns Rocks on the future standard of Ocean Drive;
- 7 defers consideration of the closure of Ocean Drive north of Robinson Avenue until the subdivision road network

for Lots 1000, 1001, 1002, 1, 2 and 593 are fully developed.

COMMITTEE RECOMMENDATION:

- 1 concurs to the proposal from Silverton Limited to promote the access to the estate via Marmion Avenue, Santa Barbara Parade, Morialta Avenue and Tapping Way, subject to satisfactory upgrading of Tapping Way north of Robinson Avenue;
- 2 approves the temporary installation of directional signs for two years in the road reserve of Marmion Avenue, (prior to Quinns Road and Morialta Avenue), Morialta Avenue and Tapping Way with the location and sign details to the satisfaction of the City Engineer and City Building Surveyor;
- 3 monitors the traffic generation of the development of the Quinns Beach Estate on the existing local road system;
- 4 reviews the need for advancing the extension of Santa Barbara Parade in September 1997;
- 5 authorises Silverton Limited to complete the quinns Beach Estate subdivision access road to Ocean Drive;
- 6 authorises the City Engineer to engage consultants to undertake public consultation with the residents of Quinns Rocks on the future standard of Ocean Drive;
- 7 defers consideration of the closure of Ocean Drive north of Robinson Avenue until the subdivision road network for Lots 1000, 1001, 1002, 1, 2 and 593 are fully developed.

AMENDED RECOMMENDATION

That Council:

- 1 agrees with the proposal from Silverton Limited to promote the major access to the Quinns Beach Estate via Marmion Avenue, Santa Barbara Parade, Morialta Avenue and Tapping Way subject to the following conditions:
 - (a) satisfactory upgrading of Tapping Way north of Robinson Avenue;
 - (b) the cost of upgrading be met by Silverton Limited;

- (c) the upgrading to be to the satisfaction of the City Engineer in consultation with adjoining owners of Tapping Way;
- 2 approves the temporary installation of directional signs for one year in the road reserve of Marmion Avenue, Morialta Avenue and Tapping Way with the location and sign details to the satisfaction of the City Engineer and City Building Surveyor;
- 3 monitors the traffic generation of the development of the Quinns Beach Estate on the existing local road system;
- 4 requests further investigation by the City Engineer on avenues to advance the construction of Santa Barbara Parade with the view of being listed for construction in Council's 1997/98 budget;
- 5 authorises Silverton Limited to complete the Quinns Beach Estate subdivision access road to Ocean Drive;
- 6 authorises the City Engineer to undertake public consultation with the residents of Quinns Rocks on the future standard of Ocean Drive;
- 7 defers consideration of the closure of Ocean Drive north of Robinson Avenue until the subdivision road network for Lots 1000, 1001, 1002, 1, 2 and 593 are fully developed.

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

- 1 defers consideration of the proposal from Silverton Limited to promote the major access to the Quinns Beach Estate via Marmion Avenue, Santa Barbara Parade, Morialta Avenue and Tapping Way and refers it back to December 1996 Technical Services Committee meeting for further consideration;
- 2 organises a public meeting at an appropriate venue which has the capacity to accommodate approximately 600 people;
- 3 requests the City Engineer to investigate alternative sources of funding for the construction of Santa Barbara Parade.

CARRIED

It was requested that voting be recorded, with the following results:

FOR: Crs Cooper, Lynn, Freame, Ewen-Chappell, Wight,
Taylor, Popham, Duffy and Hancock

AGAINST: Crs Dammers, Healy, Magyar, Tippet and Major

TS267-10/96 DAVALLIA PRIMARY SCHOOL - JUNIPER WAY, DUNCRAIG -
[510-692, 510-683]

The Education Department's policy of locating new pre-primary units on existing school grounds is exacerbating the parking problems at these schools. The Education Department's reluctance to provide on site parking for these units has created a problem on the surrounding road network. A solution offered by the Education Department is for the City of Wanneroo to lease an area of the school's land in order to provide car parking. This will involve Council in ongoing maintenance and liability expenses.

Cr Lynn submitted a letter she had received from the Minister for Education in respect to parking and other issues relating to the transportable pre-primary classroom at Davallia Primary School.

This letter will be distributed to all Councillors for their information.

REPORT RECOMMENDATION: That Council:

- 1 supports Davallia Primary School in its investigation into staggered start times for the Pre-primaries;
- 2 requests the Department of Education to construct a car park off Trenton Way;
- 3 seeks a deputation to the Minister for Education regarding ongoing problems being experienced with parking at schools;
- 4 advises all interested parties accordingly.

MOVED Cr Freame, **SECONDED** Cr Popham that Council refers the Davallia Primary School car parking problem back to Technical Services Committee for further consideration.

CARRIED

TS268-10/96 RECONSIDERATION OF PROPOSED MODIFICATIONS TO
GRAND BOULEVARD AND REID PROMENADE INTERSECTION -
JOONDALUP CITY CENTRE - [510-3303]

A submission has been received from the Joondalup Owners and Traders Association for Council to reconsider modification to the Grand Boulevard and Reid Promenade intersections.

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

- 1 rescinds, part (1) of its Resolution TS49-03/96 that it:

 "does not approve modifications to the existing
 Reid Promenade and Grand Boulevard intersection";
- 2 approves, on an initial temporary basis to October 2001,
 the modification of the existing Reid Promenade and
 Grand Boulevard intersection to allow right turn in
 movements to both sides of Reid Promenade, subject to:
 - (a) LandCorp being fully responsible for the funding
 of all the modification works to the satisfaction
 of the City Engineer;
 - (b) LandCorp and the Joondalup Owners and Traders
 Association entering into a legal agreement
 acknowledging that the temporary approval may be
 revoked after five years without claim for
 compensation on the City.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TS269-10/96 PRIVATE SERVICES EASEMENT OVER GEORGE GREY PLACE,
JOONDALUP - [510-1665, 727-9-2]**

This report details the provision of an easement to accommodate private services in the public road of George Grey Place, Joondalup.

MOVED Cr Wight, **SECONDED** Cr Popham that Council advises Westrail that it supports the creation of an easement across George Grey Place for a services corridor for Joondalup Gate Pty Limited, subject to:

- 1 the details being to the satisfaction of the City
 Engineer;
- 2 the granting of a drainage easement from Joondalup Drive
 to the Westrail sump on Lot 9 along the southern
 boundary of Lot 3.

CARRIED

**TS270-10/96 PEDESTRIAN SIGNALS - WEST COAST DRIVE, SORRENTO -
[540-0, 510-2648]**

Council considered a request for a signal controlled pedestrian crossing for West Coast Drive, Sorrento at its June meeting (Item TS162-06/96 refers).

MOVED Cr Wight, **SECONDED** Cr Popham that Council advises the Trigg, North Beach, Waterman Community Association that Main Road WA has not acceded to the request for installation of a signal controlled pedestrian crossing of West Coast Drive, Sorrento as the pedestrians' movements and traffic volumes at this location do not meet the warrants for this type of facility.

CARRIED

TS271-10/96 PARKING PROHIBITIONS - HOCKING PARADE, SORRENTO -
[510-0032]

Council has received a 5-signature petition from residents of Hocking Parade, Sorrento seeking the installation of additional parking prohibitions in this street (Item C271-06/96 refers). The prohibitions are sought to reduce the congestion and maintain access to residences during peak traffic flow times, which are generated by parent motorists associated with the Sacred Heart College.

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

1installs "NO STANDING ANY TIME" signs at the junctions of Hocking Parade with Renown Way and Amity Close as shown on Attachment 5 to Report No TS271-10/96;

2installs "NO PARKING 8.00AM - 9.00AM, 3.00PM - 4.00PM MONDAY TO FRIDAY" signs on the west side of Hocking Parade from 10 metres north of the common boundary of Lot 900 and Sacred Heart College to 6 metres south of the St Helier junction, as shown on Attachment 5 to Report No TS271-10/96;

3extends the existing "NO STANDING ANY TIME" to 10 metres north of the common boundary of Lot 900 and Sacred Heart College, as shown on Attachment 5 to Report No TS271-10/96;

4amends the existing "NO PARKING BUS STAND 8.00AM - 6.00PM MONDAY TO FRIDAY" to read "BUS ZONE 8.00AM - 9.00AM, 3.00PM - 4.00PM MONDAY TO FRIDAY", as shown on Attachment 5 to Report No TS271-10/96;

5installs "NO STANDING ANY TIME" signs on both sides of St Helier Drive at the Hocking Parade junction, as shown on Attachment 5 to Report TS271-10/96;

6reviews the parking prohibitions, parent parking and traffic flow on Hocking Parade following the completion of the internal road works by the Sacred Heart College;

7advises the affected parties accordingly.

CARRIED

Appendix II refers.

TS272-10/96 TRAFFIC FLOW - GLENUNGA WAY, CRAIGIE - [510-1150]

This report deals with a traffic survey of Glenunga Way, Craigie to determine the impact of a Child Care Centre in this street.

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

- 1 does not approve the road closure of Glenunga Way;
- 2 advises the residents of Glenunga Way accordingly.

CARRIED

TS273-10/96 1996/97 BUS SHELTER INSTALLATION PROGRAMME - [503-3]

The 1996/97 Bus Shelter Installation Programme is fully funded by Council and \$14,000 has been made available in the budget for this purpose. The budgeted funds allow for the supply, erection and anti-graffiti coating of 6 new bus shelters within the municipality. The report details the investigation of requested sites and makes recommendations based on patronage figures, site constraints and comments from adjoining residents.

REPORT RECOMMENDATION: That Council endorses the following sites for bus shelter placement through the 1996/97 Bus Shelter Installation Programme:

Baltimore Parade, Merriwa (adjoining RAAFA Estate)	25-30 passengers boarding
West Coast Drive, Sorrento (adjoining 102 and 104)	26 passengers boarding
Dampier Avenue, Kallaroo (adjoining St Ives Retirement Village)	24 passengers boarding
Quinns Road, Quinns Rocks (adjoining Gumblossom Park)	16 passengers boarding
Warwick Road, Duncraig (north side, east of Glengarry Drive - near Hungry Jacks)	15 passengers boarding
Cook Avenue, Hillarys (south side, east of St Mark's Drive)	14 passengers boarding

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

- 1 endorses the following sites for bus shelter placement through the 1996/97 Bus Shelter Installation Programme:

Baltimore Parade, Merriwa (adjoining RAAFA Estate)	25-30 passengers boarding
West Coast Drive, Sorrento (adjoining 102 and 104)	26 passengers boarding
Dampier Avenue, Kallaroo (adjoining St Ives Retirement Village)	24 passengers boarding
Quinns Road, Quinns Rocks (adjoining Gumblossom Park)	16 passengers boarding
Warwick Road, Duncraig (north side, east of Glengarry Drive - near Hungry Jacks)	15 passengers boarding
Cook Avenue, Hillarys (south side, east of St Mark's Drive)	14 passengers boarding

- 2 lists for consideration in the 1997/98 Budget an increase in funding for the installation of 10 bus shelters.

CARRIED

TS274-10/96 **SPEED ZONING - LANDSDALE ROAD, LANDSDALE - [510-0225]**

Main Roads WA has advised that following a number of complaints in relation to the absence of speed zone signs along Landsdale Road, an assessment of the appropriate speed has been undertaken. A Main Roads WA survey concluded that the appropriate speed limit for Landsdale Road between Alexander Drive and Skeit Road is 70kms per hour. This section of Landsdale Road, while not signposted, has street lighting and therefore has an existing speed limit of 60kms per hour.

Accordingly, Council's comment on this proposal has been sought.

REPORT RECOMMENDATION: That Council:

- 1 does not concur with Main Roads WA proposed speed zoning of Landsdale Road between Alexander Drive and Skeit Road to 70kms per hour;
- 2 supports the speed zoning of Landsdale Road between Evandale Road and Rangeview Road at 70kms per hour.

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

- 1 does not concur with Main Roads WA proposed speed zoning of Landsdale Road between Alexander Drive and Skeit Road to 70kms per hour;
- 2 supports the speed zoning of Landsdale Road between Evandale Road and Rangeview Road at 70kms per hour;
- 3 requests Main Roads WA to consider signage of 60kms per hour on Landsdale Road east of Rangeview Road and west of Evandale Road.

CARRIED

TS275-10/96 CAR PARKING STRATEGY - MARANGAROO PRIMARY SCHOOL
- [510-1130]

An on site meeting was held at Marangaroo Primary School, Marangaroo on 8 August 1996 to discuss parking problems at the school. The main issue is that parent motorists wish to park their vehicles on Giralt Road, which is the main pedestrian entrance to the school.

Currently parents use part of the verge on the school side of Giralt Road to park half on the carriageway. This parking, coupled with the traffic island treatments on Giralt Road, causes congestion at school pick up and drop off times. The school is seeking parking embayments along this frontage.

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

- 1 advises the Marangaroo Primary School that its request for funding of 8 embayments on Giralt Road has a low priority;
- 2 requests the Marangaroo Primary School to consider creating a car park on the vacant bushland within the school grounds;
- 3 requests the Marangaroo Primary School to encourage more parent motorists to use the Marangaroo Golf Course car park.

CARRIED

TS276-10/96 PROPOSED TRAFFIC TREATMENTS - SUBDIVISION OF LOT
1 PRENDIVILLE AVENUE, OCEAN REEF - [740-100750]

An application has been received for the subdivision of Lot 1 Prendiville Avenue, Ocean Reef into 61 residential lots. The proposal includes the provision of traffic treatments along Constellation Drive due to high traffic volumes which currently exists on this road. A four-way roundabout is also proposed at

the intersection of Constellation Drive and Southern Cross Circle where a new access road into the subdivision will be created.

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

- 1 endorses as a condition of subdivision approval for Lot 1, Prendiville Avenue, Ocean Reef the proposed traffic treatment of Constellation Drive with a roundabout at the intersection with Southern Cross Circle, as shown on Attachment 1 to Report No TS276-10/96;
- 2 advises the existing residents affected by the proposal accordingly.

CARRIED

Appendix III refers.

TS277-10/96 **COASTAL MANAGEMENT ADVISORY GROUP (CMAG) - [303-8]**

The purpose of this report is to seek a nomination of a Councillor for membership of the Coastal Management Advisory Committee.

Cr Cooper nominated Cr Magyar.

MOVED Cr Cooper, **SECONDED** Cr Ewen-Chappell that Council nominates Councillor Magyar to be its member on the Coastal Management Advisory Group.

CARRIED

TS278-10/96 **ANNUAL CONTRACT: THE SUPPLY OF MAINTENANCE SERVICES TO SEWERAGE PUMP STATIONS - [208-60-96/97]**

A number of sewerage pumping stations associated with Council buildings are maintained by the City of Wanneroo. To streamline the process and ensure safety standards are maintained the Supply of Maintenance Services was recently tendered.

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

- 1 accepts the tender sum of \$2,830.00 per annum from Pump Works Pty Ltd for the Supply of Maintenance Services to the City's sewerage pump stations for this period ending 30 June 1997;
- 2 authorises the signing of the contract documents.

CARRIED

TS279-10/96 CHILD HEALTH CLINICS - [625-16]

Council annually provides a contribution towards the costs incurred by Centres from which Council's Child Health Clinics operate.

The Joondalup Child Health Clinic operates from the Joondalup Family Centre in Jolstra Crescent Joondalup. The management committee for the centre has requested a contribution from Council for the operating and maintenance costs incurred for provision of the Child Health Clinic facilities.

The cost for the Child Health Clinic has been accommodated within Council's Building Operating budget for 1996/97.

MOVED Cr Wight, **SECONDED** Cr Popham that Council authorises a contribution to the Joondalup Family Centre \$2,290.15 from Account No 22117 for costs associated with the Joondalup Child Health Clinic.

CARRIED

**TS280-10/96 REFURBISHMENT MILDENHALL SENIOR CITIZEN CENTRE,
PERCY DOYLE RESERVE, DUNCRAIG - [208-57-96/97,
335-3-1]**

Ten tenders were received on 18 September 1996 for the refurbishment of Mildenhall Senior Citizen Centre on Percy Doyle Reserve, Duncraig. Council endorsement is sought for the engagement of the lowest tenderer to undertake the works.

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

- 1 accepts the tender of \$210,112.00 from Pandaragan Pty Ltd for the refurbishment of Mildenhall Senior Citizen Centre, Percy Doyle Reserve, Duncraig;
- 2 agrees to the signing of the contract documents.

CARRIED

**TS281-10/96 WESTERN AUSTRALIAN CHAPTER AUSTRALIAN INSTITUTE
OF BUILDING SURVEYORS 25TH ANNUAL STATE
CONFERENCE - [202-1-2]**

The Western Australian Chapter of the Australian Institute of Building Surveyor's 25th Annual State Conference is to be held at the City of South Perth on 7 and 8 November 1996.

The theme of the conference will be Customer Service and approval is sought for Council's Building Surveyors to attend the Conference on a roster basis.

Cr Cooper nominated Cr Wight.

Cr Wight accepted the nomination, subject to his availability. Cr Wight to liaise with Chief Executive Officer in this regard.

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

- 1 endorses the attendance of the Council's Building Surveyors on a rostered basis, at the Western Australian Chapter of the Australian Institute of Building Surveyors 25th Annual State Conference to be held at South Perth on 7th and 8th November 1996, and authorises payment of the Conference registration fees from Allocation 39851;
- 2 nominates Cr Wight, subject to his availability, to attend the Western Australian Chapter of the Australian Institute of Building Surveyors 25th Annual State Conference to be held at South Perth on 7th and 8th November 1996, and authorises payment of the Conference registration fee from Allocation 20006 Members Expenses.

CARRIED

TS282-10/96 UNAUTHORISED INSTALLATION OF A PRIVATE SWIMMING POOL - [2896/338/2]

This report details a previous application received for approval to install a glass reinforced private swimming pool at Lot 338 (2) Pepin Court, Joondalup. The application was held pending a request for extra information regarding retaining at the right hand rear boundaries and an engineering certificate for the location of the pool in relation to the dwelling, and notification of completion of the dwelling.

Approval is requested to serve a notice on the builder for installing the swimming pool prior to obtaining a Building Licence.

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

- 1 the instigation of prosecution proceedings against the builder for installing a swimming pool prior to obtaining a Building Licence at Lot 338 (2) Pepin Court, Joondalup;
- 2 the service of a Notice on the builder under Section 401 of the Local Government (Miscellaneous Provisions) Act

requiring the removal of the swimming pool, such Notice to incorporate appeal right provisions.

CARRIED

TS283-10/96 TIMBERLANE PARK HALL - PERGOLA ADDITION - [061-390-2]

The Kingsley Tennis Club seeks approval to erect a pergola on the north side of the existing Timberlane Park Hall verandah.

REPORT RECOMMENDATION: That Council agrees to the construction of a pergola to the north face of the existing Timberlane Park Hall subject to:

- 1 the Kingsley Tennis Club meeting all expenses;
- 2 the work being carried out to the satisfaction of the City Building Surveyor.

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

- 1 agrees to the construction of a pergola to the north face of the existing Timberlane Park Hall subject to:
 - (a) the Kingsley Tennis Club meeting all expenses;
 - (b) the work being carried out to the satisfaction of the City Building Surveyor;
- 2 refunds the \$40 application fee upon completion of Point (b).
- 3 formulates a policy in relation to the refunding of application fees.

At the Technical Services Committee Meeting, Crs Major and Healy wished it recorded that they opposed Point 2 of the Committee's Recommendation.

CARRIED

TS284-10/96 WANNEROO SENIOR CITIZEN CENTRE - PERGOLA - [335-2-1]

Approval is sought for the construction of a roofed pergola to the activity areas 1 and 2 courtyard on the east side of the Wanneroo Senior Citizen Centre in Wanneroo.

MOVED Cr Wight, **SECONDED** Cr Popham that Council agrees to the construction of a roofed courtyard pergola to the Wanneroo Senior Citizen Centre in Wanneroo.

CARRIED

TS285-10/96 REQUEST FOR REFUND: PROPOSED DWELLING LOT 908
(12) MERION PLACE, CONNOLLY - [3006/908/12]

A letter has been received from the builder of a proposed dwelling to be constructed at Lot 908 (12) Merion Place, Connolly, requesting a refund of the building licence fees. It is considered that a refund should be given.

MOVED Cr Wight, **SECONDED** Cr Popham that Council authorises a refund of \$799.84 to the builder being 75% of the building licence fees for a proposed dwelling at Lot 908 (12) Merion Place, Connolly.

CARRIED

TS286-10/96 TENDER NO 59-96/97 - SUPPLY, INSTALLATION AND
COMMISSIONING OF AN AUTOMATIC RETICULATION SYSTEM
AT WANNEROO SHOWGROUNDS/ARITI PARK - [208-59-
96/97]

The tender for the Supply, Installation and Commissioning of an Automatic Reticulation System at Wanneroo Showgrounds/Ariti Park was advertised during August 1996.

This report provides details on the tender submissions received.

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

- 1 accepts the tender submitted by Malua Reticulation Co at a price of \$99,734 for Tender No 59-96/97 for the Supply, Installation and Commission of an Automatic Reticulation System at Wanneroo Showgrounds/Ariti Park;
- 2 arranges the signing of tender documents.

CARRIED

TS287-10/96 ALEXANDER HEIGHTS PUBLIC OPEN SPACE - NORTHERN
EXTENSION - [740-90055, 740-93453]

Parks Department has been negotiating with Homeswest regarding the development of public open space in its Stage 5 Residential Area.

Homeswest has accepted a concept and development proposal prepared by Parks Department and Parks will now proceed to arrange the appropriate quotations for various works.

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

- 1 authorises the concept proposal for development of the northern extension of Alexander Heights public open space;
- 2 acknowledges all funds totalling \$62,808 for development is provided by Homeswest and be recorded in Parks Department Capital Works projects.

CARRIED

TS288-10/96 ANNUAL LIGHT VEHICLE TENDERS PLANT REPLACEMENT
RESERVE TENDER NUMBERS: 069-96/97 - [208-069-
96/97]

Council, at its adoption of the 1996/97 Budget, approved the replacement of light vehicles as detailed in the Light Vehicle Replacement Programme.

Tender No 069-96/07 was advertised on 24 and 27 August 1996 for the supply and delivery of eighteen 1600/1800cc sedans.

This report details the tender submissions received.

MOVED Cr Wight, **SECONDED** Cr Popham that Council accepts the Tender No 069-96/97 as submitted by Skipper Hyundai for the supply of eighteen Hyundai Lantra 1.8L GL Sedans for the changeover price of \$68,910.00, in accordance with budget allocations as shown on Attachment 1 to Report No TS288-10/96.

CARRIED

Appendix IV refers.

TS289-10/96 GNANGARA ROAD DRAINAGE - [510-4]

Several complaints have been received regarding stormwater pavement flooding and scouring on sections of Gngangara road near Sydney road at Attwell Street.

REPORT RECOMMENDATION: That Council:

- 1 approves the construction of drainage improvements for 320/236 Gngangara Road as shown on Attachments 1 and 2 to Report No TS289-10/96 at a total estimated cost of \$75,705;
- 2 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with the provisions of Section 6.8(1) of the Local Government Act the reallocation of \$75,705 from the following for the construction of these drainage works in Gngangara Road:

32650	Landsdale Road	\$37,528	
33162	Ocean Reef Road - Wildlife Crossing		\$ 9,177
33181	Ocean Reef Road - Wanneroo Road to Trappers Drive		<u>\$29,000</u>
		TOTAL	<u>\$75,705</u>

ADDITIONAL INFORMATION

Following discussions with the City Treasurer regarding the Chief Executive Officer's concerns with the correct treatment for budget reallocations and unbudgeted expenditure to accord with the provisions of Section 6.8 of the Local Government Act 1995, it is appropriate that the Recommendations to this report be amended.

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

- 1 approves the construction of drainage improvements for 320/236 Gngangara Road as shown on Attachment 1 and 2 to Report No TS289-10/96 at a total estimated cost of \$75,705;
- 2 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the following unbudgeted expenditure:

Gngangara Road	\$75,705
----------------	----------

- 3 recognises that funding of this project is by savings generated on the following works:

<u>Budget</u>	<u>Project</u>	<u>Amount</u>
<u>Item</u>		
32650	Landsdale Road	\$37,528
33162	Ocean Reef Road - Wildlife Crossing	\$ 9,177
33181	Ocean Reef Road - Wanneroo Road to Trappers Drive	\$29,000
		<u>\$75,705</u>

CARRIED

Appendices V & VI refer.

TS290-10/96 TENDER NUMBER 056-96/97 - RECYCLING COLLECTION
VEHICLE - [208-056-96/97]

Tenders were advertised on 24 and 27 August 1996 for the supply and delivery of one Recycling Collection vehicle (no trade).

This report details the tender submissions received.

REPORT RECOMMENDATION: That Council:

- 1 accepts Tender No 056-96/97 submitted by Major Motors Pty Ltd for the supply of an Isuzu FFR550 PTO Truck for \$118,858.00;
- 2 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with the provisions of Section 6.8(1) of the Local Government Act the reallocation of \$18,858 to Budget Item No 26879 Sanitation Household Refuse - Recycling Truck from the Refuse Disposal Reserve.

ADDITIONAL INFORMATION:

Following discussions with the City Treasurer regarding the Chief Executive Officer's concerns with the correct treatment for budget reallocations and unbudgeted expenditure to accord with the provisions of Section 6.8 of the Local Government Act 1995, it is appropriate that the Recommendations to this report be amended.

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

- 1 accepts Tender No: 056-96/97 submitted by Major Motors Pty Ltd for the supply of an Isuzu FFR550 PTO truck for \$118,858.00;
- 2 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$18,858 for the purchase of an Isuzu FFR550 PTO truck;
- 3 authorises the reallocation of \$18,858 to Budget Item No 26879 Sanitation Refuse - Recycling Truck from the Refuse Disposal Reserve to accommodate the shortfall in funding.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TS291-10/96 VEHICLE AND PLANT PURCHASES - PLANT REPLACEMENT
RESERVE - TENDER NOS: 061-063, 065, 066 AND 068
- 96/97 - [208-061-063, 065, 066 & 068-96/97]**

Council, at its adoption of the 1996/97 Budget approved the calling of tenders for the replacement of plant and vehicles as detailed in the Plant Replacement Programme to be funded out of the Plant Replacement Reserve.

Tenders were advertised on 24 and 27 August 1996 for the supply and delivery of various plant and vehicles.

This report details the tender submissions received.

REPORT RECOMMENDATION: That Council:

- 1 accepts the following tenders as outlined in Attachments 1 to 6 to Report No TS291-10/96:

<u>Tender No:</u>	<u>Tenderer</u>	<u>Changeover</u>
061-96/97	Jetco Engineering Pty Ltd	\$ 45,250.00
"	Boya Equipment	\$ 52,169.00
062-96/97	Wattleup Tractors	\$ 25,414.00
063-96/97	Rover Mowers Ltd (supply only)	\$ 15,294.00
063-96/97	W A Machinery Brokers (outright purchase)	\$ 3,700.00CR
065-96/97	Skipper Trucks Belmont (supply only)	\$ 65,774.00
065-96/97	Raytone Motors (outright purchase)	\$ 48,787.00CR
066-96/97	Skipper Trucks Belmont	\$354,270.00
068-96/97	Titan Ford	\$ 3,876.00

- 2 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with the provisions of Section 6.8(1) of the Local Government Act the reallocation of \$32,029 from Budget Item 27074 Plant (Additional) Purchases Programme to Budget Item 27072 - Plant Replacement Reserve to accommodate the shortfall in funding for the purchase of a 51515 Beach Cleaner for Boya Equipment at Tender No 061-96/97.

ADDITIONAL INFORMATION:

Following discussions with the City Treasurer regarding the Chief Executive Officer's concerns with the correct treatment for budget reallocations and unbudgeted expenditure to accord with the provisions of Section 6.8 of the Local Government Act 1995, it is appropriate that the Recommendations to this report be amended.

COMMITTEE RECOMMENDATION:

- 1 accepts the following tenders as outlined in Attachments 1 to 6 to Report No TS291-10/96 -

<u>Tender No</u>	<u>Tenderer</u>	<u>Changeover</u>
------------------	-----------------	-------------------

061-96/97	Jetco Engineering Pty Ltd	\$46,750.00
061-96/97	Boya Equipment	\$52,169.00
062-96/97	Wattleup Tractor	\$25,414.00
063-96/97	Rover Mowers Ltd (supply only)	\$15,294.00
063-96/97	W A Machinery Brokers	\$ 3,700.00
CR	(outright purchase)	
065-96/97	Skipper Trucks Belmont	\$65,774.00
	(supply only)	
065-96/97	Raytone Motors	\$48,787.00
CR	(outright purchase)	
066-96/97	Skipper Trucks Belmont	\$354,270.00
068-96/97	Titan Ford	\$ 3,876.00

- 2 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$32,029 for the purchase of a SISIS Beach Cleaner;
- 3 authorises the reallocation of \$32,029 to Budget Item 27074 - Plant (Additional) Purchases programme from the Plant Replacement Reserve to accommodate the shortfall in funding.

Correction

Point 3 of the Committee Recommendation is incorrect and should be amended to read as follows:

- "3 authorises the reallocation of \$32,029 from Budget Item 27074 - Plant (Additional) Purchases programme to the Plant Replacement Reserve to accommodate the shortfall in funding."

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

- 1 accepts the following tenders as outlined in Attachments 1 to 6 to Report No TS291-10/96 -

<u>Tender No</u>	<u>Tenderer</u>	<u>Changeover</u>
061-96/97	Jetco Engineering Pty Ltd	\$46,750.00
061-96/97	Boya Equipment	\$52,169.00
062-96/97	Wattleup Tractor	\$25,414.00
063-96/97	Rover Mowers Ltd (supply only)	\$15,294.00
063-96/97	W A Machinery Brokers	\$ 3,700.00
CR	(outright purchase)	
065-96/97	Skipper Trucks Belmont	\$65,774.00

	(supply only)	
065-96/97	Raytone Motors	\$48,787.00
CR		
	(outright purchase)	
066-96/97	Skipper Trucks Belmont	\$354,270.00
068-96/97	Titan Ford	\$ 3,876.00

- 2 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$32,029 for the purchase of a SISIS Beach Cleaner;
- 3 authorises the reallocation of \$32,029 from Budget Item 27074 - Plant (Additional) Purchases programme to the Plant Replacement Reserve to accommodate the shortfall in funding.

CARRIED BY

AN

ABSOLUTE

MAJORITY

Appendices VII & VIII refer.

TS292-10/96 MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]

This report outlines the number and value of building licences issued during the month of September 1996, building control activity, swimming pool inspections and Council's building works programme.

MOVED Cr Wight, **SECONDED** Cr Popham that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS292-10/96.

CARRIED

Appendix XIII refers.

TS293-10/96 LONG BEACH PROMENADE, MINDARIE - PARKING PROBLEMS - [510-3322]

Cr O'Grady submitted a letter from Ms S Shipway in relation to problems she is experiencing with vehicles being parked on the road verge and footpath near her property.

This letter will be referred to Engineering Department for action.

MOVED Cr Wight, **SECONDED** Cr Popham that the letter from Ms S Shipway in relation to problems she is experiencing with

vehicles being parked on the road verge and footpath near her property be received and referred to Engineering Department for action.

CARRIED

**TS294-10/96 RESTORATION OF STEPS ACCESS, MARY STREET, QUINNS
ROCKS - [765-12]**

Cr O'Grady submitted a letter from Mr V Richards in relation to a request to restore steps access to the beach opposite Mary Street, Quinns Rocks.

This letter will be referred to Engineering Department for action.

MOVED Cr Wight, **SECONDED** Cr Popham that the letter from Mr V Richards in relation to a request to restore steps access to the beach opposite Mary Street, Quinns Rocks be received and referred to Engineering Department for action.

CARRIED

**TS295-10/96 PAID LEAVE OF ABSENCE FOR TRAINING - K HUNTER -
[902-5]**

Cr O'Grady submitted a letter from Mr P Renkin, Secretary of the Yanchep Volunteer Fire & Rescue Service in relation to a request for paid leave for Mr K Hunter to attend a Fire and Rescue Services training course.

This letter will be referred to Administration Department for action.

MOVED Cr Wight, **SECONDED** Cr Popham that the letter from Mr P Renkin, Secretary of the Yanchep Volunteer Fire & Rescue Service in relation to a request for paid leave for Mr K Hunter to attend a Fire and Rescue Services training course be received and referred to Administration Department for action.

CARRIED

**TS296-10/96 PROPOSED EXTENDED WORKING HOURS - LIMESTONE
QUARRY, LOT 6 (86) WESCO ROAD, NOWERGUP -
[30/2831]**

Cr O'Grady submitted two letters from Mr & Mrs J Selwood and Growtech Wholesale Nursery in relation to their opposition to proposed extended working hours for the limestone quarry at Lot 6 (86) Wesco Road, Nowergup.

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

MOVED Cr Wight, **SECONDED** Cr Popham that the letters from Mr & Mrs J Selwood and Growtech Wholesale Nursery in relation to their opposition to proposed extending working hours for the limestone quarry at Lot 6 (86) Wesco Road, Nowergup be received and referred to Town Planning Department for a report to the Town Planning Committee.

CARRIED

TS297-10/96 REQUESTS FOR DONATIONS - PACIFIC SCHOOL GAMES -
[009-2]

Cr Hancock submitted requests for donations from P Hill, D Rance and N Hamlett-Waller to assist with costs to participate in swimming at the Pacific School Games to be held in Perth between 6 to 13 December, 1996.

MOVED Cr Wight, **SECONDED** Cr Popham that the requests for donations from P Hill, D Rance and N Hamlett-Waller to assist with costs to participate in swimming at the Pacific School Games to be held in Perth between 6 to 13 December, 1996 be received and referred to Treasury Department for a report to the Finance and Community Services Committee.

CARRIED

TS298-10/96 REQUEST TO ESTABLISH PARKING RESTRICTIONS,
ALFRETON WAY, DUNCRAIG - [219-1]

Cr Hancock submitted a 24-signature petition in relation to establishing parking restrictions on the eastern and southern side of Alfreton Way between the houses at 11 and 19 Alfreton Way.

She advised that the petitioners had also requested trees to be planted and the provision of "No Parking" signs between 11 and 19 Alfreton Way.

This matter will be referred to Parks Department for action regarding the tree planting issue and Engineering Department for a report on parking restrictions.

MOVED Cr Wight, **SECONDED** Cr Popham that the 24-signature petition in relation to establishing parking restrictions on the eastern and southern side of Alfreton Way between the houses at 11 and 19 Alfreton Way be received and referred to Parks Department for action regarding the tree planting issue and Engineering Department for a report on parking restrictions.

CARRIED

Cr Popham submitted a letter from Mr W Martin in relation to problems he is experiencing with trucks and cars parking on the verge of his property.

This letter will be referred to Engineering Department with regard to reviewing approvals for this verge parking and any requirement to adjust parking prohibitions.

MOVED Cr Wight, **SECONDED** Cr Popham that Council the letter from Mr W Martin in relation to problems he is experiencing with trucks and cars parking on the verge of his property be received and referred to Engineering Department to review approvals for this verge parking and any requirement to adjust parking prohibitions.

CARRIED

EXPRESSION OF THANKS - SANTA BARBARA PARADE REPORT - [510-403,
510-4084]

Cr O'Grady thanked the Acting City Engineer and Design Engineer for their efforts in preparing the report on Santa Barbara Parade and advised she was very pleased with this report.

BUS SHELTER - JENOLAN WAY - [503-3]

Cr O'Grady requested a bus shelter be erected at Jenolan Way.

She referred to the bus shelter at Brazier Way and believed a request had been submitted to upgrade this shelter.

The Acting City Engineer reported that there were insufficient funds for a bus shelter at Jenolan Way but believed it would be possible to relocate another bus shelter to Jenolan Way as a temporary arrangement.

REMOVAL OF SIGNS - ALFRETON WAY - [219-1]

Cr Lynn queried the position in relation to the removal of 'No Standing' signs at Alfreton Way as she believed a request had been submitted previously to have these signs removed.

The Acting City Engineer advised a report would be submitted to the Technical Services Committee in November on parking prohibitions.

He stated that upon receipt of comments from the Glengarry Primary School on the existing parking prohibitions and after a

study of the location during the first week of school term a report will be submitted.

VANDALISM - ROBERTSON ROAD, KINGSLEY - [907-2]

Cr Wight referred to the recent provision of all night lighting at the walkway in Robertson Road, Kingsley and raised his concerns as he reported vandalism was still occurring in this area.

He requested that some of the shrubs along the fence in Robertson Road be removed as police were unable to apprehend the vandals as offenders were hiding in shrubs along the fence.

The City Parks Manager advised he had been contacted by police in relation to antisocial problems being experienced in this area.

This matter will be referred to Parks Department for action.

COLES PLACE, YANCHEP - [30/3487]

Cr Hancock queried the position in relation to concerns raised by Mrs Lumsden in respect to parties being held in the adjacent villa.

The Chief Executive Officer advised a report from the City Planner in relation to this matter had been published in the weekly news bulletin distributed to all Councillors and commented he would investigate this matter.

REQUEST FOR FACILITY TO TRAIN DISABLED PEOPLE - [404-13]

Cr Hancock referred to a request she had received for the use of a facility in the Wanneroo township area for a group of people to train disabled people to enter the workforce.

This request will be referred to the Disability Access Officer and will also be incorporated into a report being prepared on behalf of Bizlink.

PARKING - WHITFORD CITY - [502-6]

Cr Taylor referred to a recent telephone conversation with Mr Albert Sertori in relation to parking problems experienced at Whitford City.

He advised that Mr Sertori had informed him that the verge parking adjacent to Whitfords Avenue utilised by staff of the Centre will cease by Monday, 21 October 1996 and this area would be re-vegetated.

This matter will be referred to Town Planning and Engineering Departments to liaise with Mr Sertori in relation to formalising the removal of any parking prohibitions.

INSTALLATION OF BOLLARDS, WARWICK ROAD - [061-285]

Cr Major referred to the recent decision to install bollards on Warwick Road adjacent to Percy Doyle Reserve and queried the costing in respect of the bollards.

The Acting City Engineer advised he would investigate this matter.

SPEED ZONINGS AROUND SCHOOLS - [770-0]

The Acting City Engineer referred to information he had received from Main Roads WA in relation to 40km speed zoning around schools and advised he would distribute copies of this brochure to all Councillors.

MOVED Cr Lynn, **SECONDED** Cr Popham that the Report of the Town Planning Committee Meeting, held on 14 October 1996 be received.

CARRIED

ATTENDANCES

Councillors:	G A MAJOR - Chairman	South-West Ward
	A V DAMMERS, JP - Mayor - To	
	2001 hrs	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL - Deputising for	Central Ward
	Cr Magyar	
	A W WIGHT	South-Ward
	W D DUFFY - From 1806 hrs	South Ward
	M E LYNN, JP	South-West Ward
	A G TAYLOR - Observer, Deputising	
	for Cr Duffy to 1806 hrs	
	and from 1948 hrs to	
	1949 hrs	South Ward
	P O HEALY - Observer from 1806 hrs	North Ward
	T W POPHAM - Observer	South-Ward
	D K TIPPETT, JP - Observer	South-Ward
	F D FREAME - Observer from	
	1805 hrs	South-West Ward
	V G HANCOCK - Observer from	
	1805 hrs	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
City Planner:	O G DRESCHER
Committee Clerk:	J HARRISON
Minute Clerk:	S BRUYN

APOLOGIES

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

An apology for absence was tendered by Cr Cooper.

PUBLIC/PRESS ATTENDANCE

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

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 16 SEPTEMBER 1996

The Minutes of Town Planning Committee Meeting held on 16 September 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

The Chairman advised of a request received for a deputation from Landsdale Residents Association and outlined details as to why approval was not granted.

DEPUTATION - EDGEWATER DRIVE, EDGEWATER

Mr Glen Oakley of 1 Ridge Close, Edgewater and Mr Bill Duncanson of 50 Lakeview Drive, Edgewater addressed the Committee in relation to the closure of the road truncation of Lakeside Drive and Edgewater Drive junction, Edgewater - Item TP256-10/96 refers.

Mr Oakley explained he was addressing the Committee on behalf of those Edgewater residents who supported Council's recent decision to close Edgewater Drive.

He referred to the reconsideration of this proposal by the Town Planning Department following recent advertising carried out in respect of the closure and believed a decision not to close the road would affect the environmentally sensitive wetlands which were already under pressure from development and also the lifestyle of local residents.

Mr Oakley demonstrated on a map the proposed extension of the Mitchell Freeway and other routes through to Joondalup and referred to a report by the City Engineer on 12 June 1996 where he indicated that it was not intended for Edgewater Drive to link up with Lakeside Drive in the short term and where he advised its function was as a local distributor road.

He believed that if Edgewater Drive was connected to Lakeside Drive it would be the preferred route used by most people travelling to and from Joondalup City and felt it would become a major bypass and short cut to and from Joondalup City.

In conclusion Mr Oakley referred to Edgewater Drive as shown in the Universal Business Directory and Metropolitan Street Directory and believed that Edgewater Drive was not originally planned to connect to Lakeside Drive.

Mr Duncanson advised that he was one of the many residents not living on Edgewater Drive who objected to this road being connected to Lakeside Drive.

He referred to the public meetings held in relation to this issue and believed that preference was given to an engineering and planning point of view rather than the wishes of local residents.

Mr Duncanson commented on a letter sent to Edgewater residents proposing four possible options for Edgewater Drive and stated that all these options were for a connection of the road to Lakeside Drive.

He referred to the special electors meeting held on 24 May 1993 and advised that a representative of the traffic consultants had stated after questioning that if Edgewater Drive had been intended as a link it would not have been constructed on its present gradient, line and width and would be required to be widened at least 5 metres, pushing it into Yellagonga National Park.

In relation to proposed traffic calming treatments for Edgewater Drive on connection to Lakeside Drive, Mr Duncanson commented that traffic calming treatments had been removed by other Councils in the State.

He does not believe it is an issue that at present the suburb of Edgewater has only 3 entry/exit points in answer to mention in the City Planner's report that this link would provide the suburb of Edgewater with four entry/exit points.

Mr Duncanson believed that connecting Edgewater Drive to Lakeside Drive would create the same problems as experienced by Riverside Drive.

He commented that the residents of Edgewater were objecting mainly because of changes to their lifestyle if the road was connected and felt that if the lifestyle of residents was damaged by creating extra pollution on this road, the flora and fauna would also be adversely affected.

In conclusion Mr Duncanson believed that the system that had been suggested was unworkable and erroneous.

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 FINANCIAL INTEREST

Cr Duffy declared an interest in Item TP247-10/96.

CONFIDENTIAL BUSINESS

The following Item was considered Behind Closed Doors

TP258-10/96 APPEAL AGAINST CONDITIONS IMPOSED ON APPROVAL TO
PROPOSED ADDITIONAL SIX CINEMAS, WHITFORDS CITY
SHOPPING CENTRE, LOT 501 (470) WHITFORDS AVENUE,
HILLARYS - [30/300]

MEETING TIMES

Commenced: 1801 hrs
Closed: 2047 hrs

REPORT NO:

TP233-10/96

**DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE - 31 AUGUST TO 25 SEPTEMBER
1996 - [290-1]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 31 August to 25 September 1996.

Crs Freame and Taylor queried Item 30/5496 on page 4 of the Development Applications.

The City Planner advised he would investigate this matter.

ADDITIONAL INFORMATION

Extensions to Carine Glades Shopping Centre - Lot 11 (485) Beach Road, Duncraig - Page 4 of Development Applications

Additional information regarding the development approval for the abovementioned extensions, as requested at the October 1996 Town Planning Committee Meeting is now provided.

The development approval was issued under delegated authority on 10 September 1996 in accordance with Council resolution TP159-07/96. That resolution delegated authority to the City Planner to approve an application involving an extension of approximately 500m² to the shopping centre's gross leasable area and a relaxation of the car parking requirement to not less than 6.1 bays per 100m² gross leasable area.

The development application involved an extension of 564m² gross leasable area, and complied with the 6.1 bays per 100m² requirement (two bays more than necessary were provided). All other aspects of the application complied with the City's other aspects of the application complied with the City's requirements, and as such, the application was approved under delegated authority. A specific condition regarding the provision of an easement in gross in favour of the City was required in order to facilitate the desired reciprocal access between the component sites at this neighbourhood centre.

MOVED Cr Freame, **SECONDED** Cr Cooper that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP233-10/96.

CARRIED

Appendix XIV refers.

TP234-10/96 FLYNN DRIVE INDUSTRIAL AREA - DISTRICT STRUCTURE
PLAN - [730-4]

Richard Pawluk & Associates, on behalf of the landowners involved in the proposed Flynn Drive industrial area, have submitted for Council's consideration a proposed District Structure Plan for that area. It is recommended that consideration of formal support for the plan is premature as the Ministry for Planning is still to complete its investigation of a number of key aspects of the plan. In the meantime, however, the City can proceed with investigations concerning the possible merits of introducing a new, broad 'Industrial Development' zone into Town Planning Scheme No 1 and the Department of Environmental Protection can be approached regarding the likely current position of the Environmental Protection Authority concerning whether it may require an Environmental Review to be prepared when an amendment to rezone the area for industrial purposes under Council's Scheme is initiated.

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

- 1 defers consideration of the proposed Flynn Drive Industrial Area District Structure Plan submitted by Richard Pawluk and Associates on behalf of the landowners involved in the proposed Flynn Drive industrial area pending completion by the Ministry for Planning of its current investigations on the following matters:
 - (a) review of the western boundary between the Lake Neerabup reserve and the Industrial zone;
 - (b) review of the traffic modelling in light of possible higher employment densities;
 - (c) review of the desirability of having a continuous main north-south road running through the area;
- 2 advises the Ministry for Planning of 1 above and that Council is therefore anxious that the Ministry's investigations are completed as soon as possible;
- 3 requires a report upon:
 - (a) the possible merits of introducing an 'Industrial Development' zone into Town Planning Scheme No 1, along similar lines to the proposed Urban Development and Centre zones currently being introduced;

- (b) the current position regarding the likelihood of the Environmental Protection Authority requiring an Environmental Review for any amendment to Scheme No 1 proposing to rezone the Flynn Drive area for industrial purposes, with the Department of Environmental Protection being approached to determine this.

CARRIED

**TP235-10/96 PROPOSED CHANGES TO CITY NORTH DISTRICT -
JOONDALUP CITY CENTRE DEVELOPMENT PLAN AND MANUAL
- [730-8-2, 30/5502, 30/5499, 30/5498]**

Further planning and development has been progressing in the City North District of the Joondalup City Centre since the adoption of the Development Plan and Manual, giving rise to the need to update the land use map and introduce refinements to a number of provisions in the Development Manual. There are three grouped dwelling applications that would require the proposed changes to be approved and Council discretion is requested to progress these applications prior to the changes being finalised.

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

- 1 adopts the Master Plan for the Australian Institute of University Studies Campus dated February 1996 prepared by Hames Sharley, subject to the access to the campus car park being modified to the satisfaction of the City Engineer and agrees to the structure represented by the Master Plan being incorporated in the City North District section of the Joondalup City Centre Development Manual;
- 2 adopts the proposed changes to the Joondalup City Centre Development Plan and Manual as listed in Attachment No 2 to Report TP235-10/96 as draft changes, advertises the draft changes for public comment as provided for in Clause 5.11 of Town Planning Scheme No 1 and subject to no adverse comment being received, finally adopts the draft changes for inclusion in the Joondalup City Centre Development Plan and Manual in accordance with the provisions of Clause 5.42 of Town Planning Scheme No 1;
- 3 exercises its discretion under Clause 1.5.7 of the Residential Planning Codes and allows a lesser side setback of zero and approves the grouped dwelling Development Applications submitted by Steve Leopold Constructions for Zabe Nominees Pty Ltd for Lots 15 (9) and 16 (7) Moorgate Court, Joondalup, subject to the

studios not being strata subdivided or let as separate dwelling units and standard and appropriate conditions of development as determined by the City Planner;

- 4 exercises its discretion under Clause 1.5.7 of the Residential Planning Codes and allows a lesser side setback of zero and approves the grouped dwelling Development Applications submitted by J McQuade for C J Sanders for Lot 153 (51) Nottingham Street, Joondalup, subject to standard and appropriate conditions of development, as determined by the City Planner.

CARRIED

Appendix XV refers.

**TP236-10/96 KINROSS CASTLE, LOT 186 AIRDRIE CORNER (CORNER
BURNS BEACH ROAD AND CONNOLLY DRIVE), KINROSS -
[30/3587]**

Correspondence has been received from Peet & Co on behalf of Burns Beach Property Trust regarding the future of the Kinross castle. Peet & Co suggest that the castle be either excised onto its own lot and maintained by Burns Beach Property Trust or the Kinross Residents Association, be relocated to a nearby park, or demolished. Following assessment, it is recommended that of the options provided, Council accepts the demolition of the castle subject to it being replaced with a satisfactory uniform fence.

REPORT RECOMMENDATION: That Council advises Peet & Co that of the options provided, it supports the demolition of the Kinross Castle without relocation, subject to the castle being replaced by a satisfactory fence consistent with the existing fencing abutting the castle.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council advises Peet & Co that it supports the subdivision of Lot 186 Airdrie Corner, Kinross subject to Peet & Co satisfying Council that satisfactory arrangements can be effected to maintain the structure at no cost to Council.

CARRIED

**TP237-10/96 PROPOSED CHURCH COMMUNITY COMPLEX, LOT 70 (77)
QUEENSWAY ROAD, LANDSDALE - [30/2249]**

Council will recall that the determination of this application was deferred at the July 1996 meeting pending clarification of queries raised by residents. An additional submission has been received regarding this matter and Council has before it

sufficient information to be able to consider and determine the application on its merits.

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

The application was advertised for public comment by means of an on-site sign for 30 days. This advertising attracted 15 individual submissions (14 opposing and one supporting) and a 116 signature petition organised by the local Residents' Association against the proposal.

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

REPORT RECOMMENDATION: That Council approves the application submitted by Mr B Wood for a church community complex on Lot 70 (77) Queensway Road, Landsdale, subject to:

- 1 the retention of a 23m natural bush buffer along the western boundary;
- 2 the power supply to be via underground means;
- 3 external lighting to be of non-"high voltage discharge" principle;
- 4 the eastern boundary of the car park area to be surrounded by hedges or dense evergreen shrubbery to a minimum 3 metres height;
- 5 standard and appropriate conditions.

ADDITIONAL INFORMATION

The City has received an additional submission from an adjacent landowner regarding this application, which claims that Report TP157-07/96 submitted to the July round of meetings is flawed and is prejudicial to the residents and ratepayers of the Landsdale Gardens estate.

The submission concentrates on the claim of an inadequate description of the background relating to this church. The report prepared for the October round of Council meetings has been varied slightly from the July report in order to address a late submission. It is considered that both reports contain all of the relevant facts and address all of the relevant issues in a balanced manner.

The City Planner outlined a more complete background of this proposal.

8In May 1983 Council considered a proposal by the Seventh Day Adventists to develop a church and school on Lot 84 Dundobar Road/Casuarina Way, Wanneroo.

The church was designed to accommodate around 225 people and was to incorporate a chapel, sabbath school rooms, a hall, kitchen, office, library and associated amenities.

The school was designed to accommodate a maximum of 150 primary school students.

Council resolved that discussions should take place between the City Planner and the applicant's architects, with a view to defining a more suitable site.

9In December 1986, Council considered an application for the same development proposal with a recommendation for approval. Council, however, resolved to refuse the application due to adverse resident reaction and the potential for creating an unsatisfactory increase in traffic on Dundobar Road.

10In April 1987, Council considered an application from the Seventh Day Adventists to use Lot 70 Queensway Road, Landsdale, for a church and school.

The concept accompanying this application showed a church and primary school of similar capacity to the previous proposals.

Council resolved to approve the use of Lot 70 Queensway Road, Landsdale for a church and school, subject to the submission of a formal application and compliance with standard conditions. This use approval remains valid to this day.

11In June 1987 a formal development application was received and subsequently approved for a period of two years, within which development works must have been completed or a fresh approval obtained before commencing or continuing with development works.

12In July 1987 a Building Licence for the primary school was received and subsequently approved. Construction of the primary school was completed in February 1988.

13The land immediately westwards of Lot 70 has undergone urbanisation since this time.

14Since July 1996 Council has been considering the present church proposal, which has a similar capacity as the concept supporting the application to use this site for a church.

Copies of the three City Planner reports and associated Council resolutions relating to the previous Seventh Day Adventist proposals are appended hereto - refer Appendix I.

In conclusion, Council must recognise that the applicants have a current approval to use the subject site for church purposes. The present application is a development application for the construction of the church. It was always envisaged that this development application was likely to be received long after the original use approval was issued by Council. Council's decision at this stage should therefore not concentrate on the church use, rather what physical form and scale the church should take in order to preserve the amenity of the area.

The applicant has modified the church design by reducing the height, floorspace and carparking area, relocating the accesspoint away from the adjacent residential area and deleting some of the proposed activities. It is unlikely that the degree of amenity concerns expressed in the submissions will ever be realised.

On this basis the recommendation to approve the present proposal remains valid.

Cr Major read to the meeting a facsimile transmission received from Landsdale Residents Association.

COMMITTEE RECOMMENDATION:

That Council approves the application submitted by Mr B Wood for a church community complex on Lot 70 (77) Queensway Road, Landsdale, subject to:

- 1 deletion of the hall component of the application on the basis of loss of amenity to surrounding residents due to traffic congestion and noise;
- 2 the retention of a 23m natural bush buffer along the western boundary;
- 3 the power supply to be via underground means;

- 4 external lighting to be of non-"high voltage discharge" principle;
- 5 the eastern boundary of the car park area to be surrounded by hedges or dense evergreen shrubbery to a minimum 3 metres height;
- 6 a traffic impact study being undertaken at the intersection of Alexander Drive and Queensway Road to the satisfaction of the City Engineer;
- 7 standard and appropriate conditions.

MOVED Cr Major, **SECONDED** Cr Healy that the hall component be included in the application submitted by Mr B Wood for a church community complex on Lot 70 (77) Queensway Road, Landsdale.

LOST

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

FOR: Crs Healy, Magyar, Cooper, Major and Freame

AGAINST: Crs Dammers, Ewen-Chappell, Wight, Taylor, Popham, Duffy, Tippet, Lynn, and Hancock

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

That Council approves the application submitted by Mr B Wood for a church community complex on Lot 70 (77) Queensway Road, Landsdale, subject to:

- 1 deletion of the hall component of the application on the basis of loss of amenity to surrounding residents due to traffic congestion and noise;
- 2 the retention of a 23m natural bush buffer along the western boundary;
- 3 the power supply to be via underground means;
- 4 external lighting to be of non-"high voltage discharge" principle;
- 5 the eastern boundary of the car park area to be surrounded by hedges or dense evergreen shrubbery to a minimum 3 metres height;
- 6 a traffic impact study being undertaken at the intersection of Alexander Drive and Queensway Road to the satisfaction of the City Engineer;

7 standard and appropriate conditions.

CARRIED

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

FOR: Crs Dammers, Ewen-Chappell, Wight, Taylor, Popham, Duffy, Tippet, Lynn and Hancock

AGAINST: Crs Healy, Magyar, Cooper, Major and Freame

Appendix XVI refers.

TP238-10/96 **PETITION OPPOSING NON-RESIDENTIAL DEVELOPMENT**
ELLIS GROVE, WOODVALE - [30/2220, 510/2766,
2766/331/21]

Council, at its July 1996 meeting, received two copies of an 18 signature petition against the establishment of any development other than residential in Ellis Grove, Woodvale (TP176-07/96 and C331-07/96). Council resolved to refer the petitions to the Town Planning Department for a report to the Town Planning Committee. The petition is likely to be related to an application to amalgamate Lots 3 Ellis Grove and Lot 331 Timberlane Drive. Lot 3 has been developed as a consulting room proposal. Lot 331 is a residential property. Both properties are owned by the same person. The application for amalgamation was not supported by the Delegated Authority Committee, as the amalgamation would create a lot with a dual road frontage and would potentially result in commercial intrusion into Ellis Grove, a residential cul-de-sac.

The application has not yet been determined by the W A Planning Commission.

No application for non-residential development on Lot 331, or other lots within Ellis Grove, have been received to date.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council advises the head petitioner that:

- 1 an application to amalgamate Lot 331 (21) Ellis Grove with the consulting room site, Lot 3 (331) Timberlane Drive, has not been supported by Council, however is yet to be determined by the W A Planning Commission;
- 2 it has not received an application to develop any lot within Ellis Grove for non-residential purposes however should such an application be received and considered to

have merit, it would be advertised for comment prior to being determined.

CARRIED

TP239-10/96 COMMERCIAL VEHICLE PARKING WITHIN RESIDENTIAL AREA, LOT 800 (10) ROCHELE COURT, WOODVALE - [2509/800/10]

Cr Lynn left the Chamber at this point, the time being 2114 hrs.

This matter came before Council at its meeting held on 28 August 1996 (TP193-08/96 refers). Council resolved to defer the matter until noise and movement modifications regarding the commercial vehicle were considered by the complainants. Recent information received from the complainants has revealed that the noise situation regarding the vehicle movement has not been resolved and that they are not in agreement with the large commercial vehicle being parked on the property.

It is again recommended that Council considers the removal of the commercial vehicle from the residential area unless suitable movement times of the vehicle can be satisfied.

MOVED Cr Lynn, **SECONDED** Cr Healy 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 10.00pm and 6.00am 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 if the matter concerning the parking of the commercial vehicle at Lot 800 (10) Rochele Court, Woodvale is not resolved within the time specified.

CARRIED

TP240-10/96 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]

Cr Lynn entered the Chamber at this point, the time being 2116 hrs.

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 considered at the August 1996 Council meeting (TP188-08/96 refers) where it was resolved to defer consideration pending the preparation of a report detailing the extent of residential encroachment into the Joondalup Golf Course over time. That information is included in this report, which recommends that the request for rezoning be supported.

Cr Taylor left the Chamber at this point, the time being 2117 hrs.

REPORT 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 Popham that 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 until such time as the matter of the lighting is resolved.

CARRIED

TP241-10/96 PROPOSED AMENDMENT NO 778 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 193 (16) BLACKWATTLE PARADE, PADBURY FROM SPECIAL ZONE (RESTRICTED USE) MEDICAL CENTRE TO MIXED BUSINESS - [790-778]

An application has been submitted by Steve Harber Real Estate, with the written support of LandCorp, seeking to rezone Lot 193 (16) Blackwattle Parade, Padbury from Special Zone (Restricted Use) Medical Centre to Mixed Business. The applicant believes that demand is not sufficient for a medical centre on the subject property and that a mixed business zoning would be more suitable. It is considered appropriate to support the rezoning.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council in accordance with Section 7 of the Town Planning and Development Act (1928) as

amended, supports Amendment No 778 to Town Planning Scheme No 1 to:

- 1 rezone Lot 193 (16) Blackwattle Parade, Padbury, from Special Zone (Restricted Use) Medical Centre to Mixed Business;
- 2 delete reference to the Special Zone in Section 2 of Schedule 1 of the scheme text.

CARRIED

TP242-10/96 CLOSE OF ADVERTISING TO AMENDMENT NO 731 TO TOWN PLANNING SCHEME NO 1 INTRODUCING TWO NEW ZONES INTO THAT SCHEME: URBAN DEVELOPMENT ZONE AND CENTRE ZONE - [790-731]

Cr Taylor entered the Chamber at this point, the time being 2120 hrs.

Amendment No 731 to Town Planning Scheme No 1 proposes to introduce two new zones into that Scheme: Urban Development zone and Centre zone. It also proposes to introduce provisions regarding the preparation and approval of Structure Plans. The amendment was advertised for public comment with the advertising period concluding on 2 August 1996. Five submissions were received. These have been assessed, together with further advice received from Council's solicitors on the matter. It is recommended that the amendment be finalised, subject to a number of modifications being made.

REPORT RECOMMENDATION: That Council:

- 1 grants final approval to Amendment No 731 to City of Wanneroo Town Planning Scheme No 1 subject to the following modifications being made:
 - (a) Clause 5.45(b): Changing "... should be commenced or carried out otherwise than in conformity with an Agreed Structure Plan." to "... shall be commenced or carried out otherwise than in conformity with an agreed Structure Plan."
 - (b) Clause 5.46(b): Changing "... should be commenced or carried out otherwise than in conformity with an Agreed Structure Plan." to "... shall be commenced or carried out otherwise than in conformity with an agreed Structure Plan."

(c) including in Clause 10.4.1, "the community as a party which a proponent should, to the extent that it is practicable, consult with in the preparation of a Structure Plan."

(d) Clause 10.8.3(f) to include the following at the end of that sub-clause:

" , but in the event of there being any inconsistency or conflict between any provision, requirement or standard of the Scheme and any provision requirement or standard of an Agreed Structure Plan, the provision requirement or standard of the Scheme shall prevail."

(e) including Clause 10.8.3(g) as follows:

"10.8.3(g)An Agreed Structure Plan may distinguish between provisions, requirements or standards which are intended to have effect as if included in the Scheme, and provisions, requirements or standards not so intended, and it is only the provisions so intended which have that effect. Any other provisions are for guidance or information only, or such other purpose as stipulated in the Agreed Structure Plan documents."

(f) including a new Clause 10.12 as follows:

"10.12 Development Prior to Adoption of Structure Plan

10.12.1 It is the intent of Clauses 5.45(b) and 5.46(b) that no development or subdivision should occur on land in the Centre Zone or the Urban Development Zone until a Structure Plan in respect of this land has been prepared and adopted.

10.12.2 If, contrary to that intent the Council is required to consider an application in respect of a development or use proposal before a Structure Plan has been prepared and adopted, then the Council shall, in addition to any other matters required

by this Scheme to be considered, have regard to the following considerations:

- .1 as an overriding consideration, the intention
- .2 the desirability from a planning point of view
- .3 the interests of orderly and proper planning

(g) including a new 10.13.6 as follows:

"10.13.6 Where after an appeal any requirement of the Council or the appeal body in the case, the preparation and adoption of a Structure Plan remains to be complied with, the requirement shall be complied with before the process of preparation and adoption is continued."

(h) modifying Schedule 9 (matters to be included in Structure Plans), Item (b), by replacing "significant trees and area of natural beauty" with "areas of high conservation value."

and adding

- (aa) provision for vehicular access and parking;
- (ab) provision for the size, location, orientation and design of buildings and open spaces;
- (ac) provision for the design and location of signage, landscaping, and street furniture.

2 subject to 1 above, authorises affixation of the Common Seal to, and endorses the amendment documents for Amendment No 731.

COMMITTEE RECOMMENDATION:

That Council defers consideration of Amendment No 731 to Town Planning Scheme No 1 introducing two new zones into that scheme: Urban Development zone and Centre zone pending presentation of a report to Council by Mr Malcolm Trudgeon.

ADDITIONAL INFORMATION

Report Nos TP242-10/96 and TP243-10/96 to the October Town Planning Committee meeting recommended finalisation of Amendment Nos 731 and 739 respectively to Town Planning Scheme No 1 with a number of modifications being also recommended in the case of Amendment No 731.

The Committee recommended that both of the above items be deferred pending presentation of a report to Council by Mr Malcolm Trudgeon. Mr Trudgeon will be presenting the findings of his study undertaken for Council on remnant vegetation in the City of Wanneroo. (The presentation has been arranged for 30 October 1996). The Committee considered that Mr Trudgeon's study may have implications on the issue of designation of a proposed conservation area link between Neerabup and Yanchep National Parks and that the finalising of Amendment No 739 in particular may prejudice the designation of the most suitable link.

Correspondence has been received from Feilman Planning Consultants advising, on behalf of LandCorp and Eglinton Estates, of their extreme concern and disappointment that the Committee has recommended deferral of the items concerned on the basis referred to above. Feilmans advise that the issue concerned can be properly dealt with at the time of preparation of the District Structure Plan for the Alkimos-Eglinton area (this is already well underway). They also advise that on the basis of structure planning work done to date, it is likely that amendments to the Metropolitan Region Scheme (MRS) will be sought in due course and that if assessment of the environment/conservation issues relating to the area warrants change to the MRS (eg to alter Parks and Recreation Reserve boundaries), then such changes can be dealt with in the one MRS amendment.

There are a number of reasons why it is felt that Council should consider resolving to finalise Amendment Nos 731 and 739 at its October meeting:

- 1 When Council resolved to initiate Amendment No 739 at its meeting of 29 November 1995 (Item TP361-11/95), it identified the issues which were to be addressed to its satisfaction as part of the process of preparation and approval of the District Structure Plan. One of these issues was "assessment of the conservation status and significance of native vegetation as a basis for setting aside and protecting representative areas of significant vegetation and integrating such areas into the development pattern (including their linkage with other areas of remnant native vegetation such as the

Neerabup and Yanchep National Parks and Public Open Space Reserves)."

Council also resolved at that time that "the addressing and resolution of the above district issues may indicate that changes to the proposed extent of urban development are appropriate; in which case amendments to the current Urban/Urban Deferred Zone boundaries may be sought. The extent of the Urban Development Zone boundaries should therefore not be construed as confirming the suitability of all of the subject land for urban purposes."

- 2 Report No 242-10/96 recommended a number of changes to Amendment No 731. The recommended changes to Clauses 5.45(b) and 5.46(b) in particular are essential if a planning control system retaining a similar degree of certainty as the current system is to be retained. If Council does not finalise Amendment No 731 and 739 at its October meeting, it is very likely that the applicants will request the Hon Minister for Planning to finalise the amendments using powers introduced under recent changes to planning legislation. It is also likely the Hon Minister would agree to such a request. In such an event, Council would be in a poor position to seek the changes to Amendment 731 referred to earlier and may find itself with most unsatisfactory Scheme provisions.

Given Council's previous acceptance that assessment of conservation issues would occur at the District Structure Plan stage and considering the importance of achieving the changes to Amendment 731 referred to above, it is recommended that Council finalise Amendment No 731 and 739 in accordance with the recommendations of the relevant reports, subject to a number of minor changes being made to the recommendation relating to Amendment 731 to rectify a number of minor omissions which have been subsequently found, and subject to Council's previous qualifications regarding Amendment No 739 referred to above being reiterated.

The following amended recommendation are therefore submitted for Council's consideration.

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

1. grants final approval to Amendment No 731 to City of Wanneroo Town Planning Scheme No 1 subject to the following modification being made:

- (a) Clause 1.8 : in the definition of 'Proponent', inserting after the words 'The term includes the Council...' the following: 'proposing development or otherwise opting to initiate the preparation of a Structure Plan';
- (b) Clause 5.45(b) : changing '...should be commenced or carried out otherwise than in conformity with an Agreed Structure Plan.' to '...shall be commenced or carried out otherwise than in conformity with an agreed Structure Plan.'
- (c) Clause 5.46(b) : changing '...should be commenced or carried out otherwise than in conformity with an Agreed Structure Plan.' to '...shall be commenced or carried out otherwise than in conformity with an agreed Structure Plan.'
- (d) Clause 10.4.1 : insert after 'consultation with the Council, the Commission...' the following: '..., other relevant statutory agencies and the community';
- (e) Clause 10.5.2 : insert after 'all affected landowners...' the following: '..., relevant Government agencies and the general public';
- (f) Clause 10.8.3(f) to include the following at the end of that sub-clause:

' , but in the event of there being any inconsistency or conflict between any provision, requirement or standard of the Scheme and any provision requirement or standard of an Agreed Structure Plan, the provision requirement or standard of the Scheme shall prevail.';
- (g) including Clause 10.8.3(g) as follows:

'10.8.3(g) An Agreed Structure Plan may distinguish between provisions, requirements or standards which are intended to have effect as if included in the Scheme, and provisions, requirements or standards not so intended, and it is only the provisions so intended which have that effect. Any other provisions are for guidance or information only, or such other purpose as stipulated in the Agreed Structure Plan documents.';

- (h) including a new Clause 10.12 as follows:

'10.12 Development Prior to Adoption of
Structure Plan

10.12.1 It is the intent of Clauses 5.45(b)
and 5.46(b) that no development or
subdivision should occur on land in
the Centre Zone or the Urban
Development Zone until a Structure
Plan in respect of this land has been
prepared and adopted.

10.12.2 If, contrary to that intent the
Council is required to consider an
application in respect of a
development or use proposal before a
Structure Plan has been prepared and
adopted, then the Council shall, in
addition to any other matters required
by this Scheme to be considered, have
regard to the following
considerations:

- .4 as an overriding consideration, the intent
- .5 the desirability from a planning point of
- .6 the interests of orderly and proper planning

- (i) including a new 10.13.6 as follows:

'10.13.6 Where after an appeal any requirement
of the Council or the appeal body in
the case, the preparation and adoption
of a Structure Plan remains to be
complied with, the requirement shall
be complied with before the process of
preparation and adoption is
continued.'

- (j) modifying Schedule 9 (matters to be included in
Structure Plans), Item (b), by replacing
'significant trees and area of natural beauty'
with 'areas of high conservation value.'

and adding

(aa) provision for vehicular access and parking;

- (ab) provision for the size, location, orientation and design of buildings and open spaces;
- (ac) provision for the design and location of signage, landscaping, and street furniture.

2 subject to 1 above, authorises affixation of the Common Seal to, and endorses the amendment documents for Amendment No 731."

CARRIED

TP243-10/96 CLOSE OF ADVERTISING: AMENDMENT NO 739 TO TOWN PLANNING SCHEME NO 1 TO REZONE THE ALKIMOS- EGLINTON AREA FROM RURAL TO URBAN DEVELOPMENT, CENTRE AND PRIVATE RECREATION/CLUBS ZONES AND MODIFY THE TOWN PLANNING SCHEME TEXT - [790-739]

Amendment No 739 proposes to rezone the Alkimos-Eglinton area from its current Rural zoning to Urban Development, Centre and Private Recreation/Clubs zones, and to include a new clause 5.27(b) into the Scheme text to ensure that in the event that the golf course proposed as part of the former Ocean Dunes Resort project does not proceed, then a review of the current Parks and Recreation Reserve in that vicinity is to be undertaken. The amendment was advertised for public comment with the advertising period concluding on 2 August 1996. Five submissions have been received. These have been assessed and it is recommended that the proposed amendment be finalised in its advertised form.

REPORT RECOMMENDATION: That Council, subject to the finalisation of Amendment No 731:

- 1 finally adopts Amendment No 739 to Town Planning Scheme No 1 to:
 - (a) rezone land at Alkimos and Eglinton from Rural zone to Urban Development, Centre and Private Recreation/Clubs zones, as follows:
 - (i) portion Location M1503, portion Lot 11, portion Location M1482, portion Lot 102, portion of Part Lot 6, portion Lot 3 and portion Reserve 20561 to Urban Development zone;
 - (ii) portion Lot 102, portion Lot 3, portion Location M1482, portion Loc 6285, portion Reserve 22031, portion Reserve 31237 to Centre zone;

- (iii) portion Lot 102 to Private Recreation/Clubs zone;
 - (b) modify Clause 5.27 of Town Planning Scheme No 1 which relates to the protection of coastal areas in accordance with Council's Resolution TP83-04/96;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;
- 3 forwards Quinns Rocks Environmental Group's submission to Feilman Planning Consultants for consideration in the preparation of the regional structure plan.

COMMITTEE RECOMMENDATION:

That Council defers consideration of Amendment No 739 to Town Planning Scheme No 1 to rezone the Alkimos-Eglinton area from Rural zoning to Urban Development, Centre and Private Recreation/Clubs zones pending presentation to Council of a report by Mr Malcolm Trudgeon.

ADDITIONAL INFORMATION

The comments made under Additional Information to Report TP242-10/96 also relate to this Item.

The following amended recommendation is therefore submitted for Council's consideration.

MOVED Cr Duffy, **SECONDED** Cr Cooper that Council subject to the finalisation of Amendment No 731:

- 1 finally adopts Amendment No 739 to Town Planning Scheme No 1 to:
- (a) rezone land at Alkimos and Eglinton from Rural zone to Urban Development, Centre and Private Recreation/Clubs zones, as follows:
 - (i) portion Location M1503, portion Lot 11, portion Location M1482, portion Lot 102, portion of Part Lot 6, portion Lot 3 and portion Reserve 20561 to Urban Development zone;
 - (ii) portion Lot 102, portion Lot 3, portion Location M1482, portion Loc

6285, portion Reserve 22031, portion Reserve 31237 to Centre zone;

(iii) portion Lot 102 to Private Recreation/Clubs zone;

(b) modify Clause 5.27 of Town Planning Scheme No 1 which relates to the protection of coastal areas in accordance with Council's Resolution TP83-04/96;

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

3 forwards Quinns Rocks Environmental Group's submission to Feilman Planning Consultants for consideration in the preparation of the regional structure plan.

4 reiterates its resolution of 29 November 1995 relating to this matter, namely that Council 'advises Feilman Planning Consultants that:

(a) the issues which require addressing and resolution at the District level include the following:

(i) groundwater and wetlands issues, relating in particular to Pipidinnny and Beonaddy Swamps, Yanchep and Neerabup National Parks and Karli Spring; which require the preparation of a regional management plan for maintaining water quality and water balance for the area as specified in EPA Bulletin No 729;

(ii) assessment of the conservation status and significance of native vegetation as a basis for setting aside and protecting representative areas of significant vegetation and integrating such areas into the development pattern (including their linkage with other areas of remnant native vegetation such as the Neerabup and Yanchep National Parks and Public Open Space Reserves);

(iii) further information/documentation detailing the criteria for, and justifying the specific location of, the

Coastal Parks and Recreation reserve alignment; in particular:

- . in areas where the foreshore reserve is less than 200m in width, particularly where the coastline is receding;
 - . around Karli Spring;
 - . on Lot 11 in the event that the proposed golf course on this land does not proceed.
- (iv) the adequacy of the WAWA buffer should be established by more fully describing the computer modelling that determined the size of the revised buffer. Permitted landuses within the WAWA buffer and limitations on landuses or development should be specified. Staging of urban development within 1km of the proposed WWTP should be specified, and any urban development occurring in this area in advance of WWTP construction should be justified;
- (v) agreement of provision for regional reserves and physical and social infrastructure, ie major roads, foreshore reserves, district level community facilities etc;
- (vi) treatment of the dunal ridge traversing the Alkimos City Centre and its vesting;
- (vii) further justification for the proposed location of the Eglinton District Centre;
- (viii) the location for the 125ha of industrial land required as part of the North West Corridor Structure Plan; either as part of, or in addition to proposed Mixed Business zonings.
- (ix) the provision of district and local level social and community infrastructure in relation to staging (particularly for the early stages) of development.

- (b) the issues which require addressing at the Local Structure Plan level are those identified in the Ministry for Planning's "Guidelines for the preparation of Local Structure Plans for Urban Release Areas". In this regard, Section 1.4 of the Guidelines is of particular note: "The structure plan is only part of the planning process and may be influenced by higher or lower levels of plan-making. LSPs have been traditionally used to give physical form to neighbourhoods and help in the determination of land use functions. They rely upon broader scale regional and district planning already being in place and the major environmental, engineering, health and safety questions having been resolved" (emphasis added).
- (c) the issues identified in (a) above should be addressed as part of the process of preparation and approval of the District Structure Plan and in this regard, Council will not consider approving a District Structure Plan for the area pursuant to the provisions proposed under Amendment No 731 until these issues have been addressed and resolved to Councils' satisfaction;
- (d) the addressing and resolution of the above district issues may indicate that changes to the proposed extent of urban development are appropriate; in which case amendments to the current Urban/Urban Deferred zone boundaries may be sought. The extent of the Urban Development zone boundaries should therefore not be construed as confirming the suitability of all of the subject land for urban purposes.'

CARRIED

TP244-10/96

CLOSE OF ADVERTISING: AMENDMENT NO 757 TO TOWN PLANNING SCHEME NO 1 TO 'REZONE LOTS 1795 AND 1796 CORNER OF POLGLASE FAIRWAY AND VICTORSEN PARADE, CLARKSON FROM RESIDENTIAL DEVELOPMENT TO RESIDENTIAL DEVELOPMENT SPECIAL ZONE (ADDITIONAL USE) CORNER STORE - [790-757]

Amendment No 757 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 27 September 1996. This amendment seeks to rezone Lots 1795 and 1796 on the corner of Polglase Fairway and Victorsen Parade, Clarkson from Residential Development to Residential Development, Special Zone (Additional Use) Corner Store. One submission in support

of the proposal and one objection to the proposal were received. These submissions have been considered and final adoption of the proposed amendment is recommended.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council, subject to the amalgamation of Lots 1795 and 1796 corner of Polglase Fairway and Victorsen Parade, Clarkson:

- 1 finally adopts Amendment No 757 to Town Planning Scheme No 1 to rezone Lot 1795 and 1796 corner of Polglase Fairway and Victorsen Parade, Clarkson from Residential Development to Residential Development, Special Zone (Additional Use) Corner Store excluding the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;
- 3 advises the applicant, Ms L Herber, that a sign should be placed on site advising of the proposal.

CARRIED

**TP245-10/96 CLOSE OF ADVERTISING: AMENDMENT NO 765 TO TOWN
PLANNING SCHEME NO 1 TO REZONE LOT 69 HIGH ROAD,
WANNEROO FROM RURAL TO RESIDENTIAL DEVELOPMENT
R20 - [790-765]**

Amendment No 765 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 27 September 1996. This amendment seeks to rezone Lot 69 High Road, Wanneroo from Rural to Residential Development R20. Three submissions in support of, and two objections to the proposal were received. These submissions have been considered and final adoption of the proposed amendment is recommended.

ADDITIONAL INFORMATION

Further to Council Item TP245-10/96, eight submissions have been received. Seven of the submissions support the proposal and the other submission objects to the proposal. The objection is from two nearby residents who believe the amendment will lead to suburban development which is not in keeping with the surrounding area and will cause an increase in traffic. As indicated in the report, residential zoning and subsequent urban development is supported in this area. The subject land is already surrounded by urban land to the north and west. In respect to traffic, future structure planning will address vehicular movements and transport issues.

On the basis of the submissions, it is not considered necessary to modify the recommendation to Council.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council, subject to the finalisation of a Metropolitan Region Scheme amendment rezoning the subject land to Urban:

- 1 finally adopts Amendment No 765 to Town Planning Scheme No 1 to rezone Lot 69 High Road, Wanneroo from Rural to Residential Development R20;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.

CARRIED

**TP246-10/96 SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY
COMMITTEE - 31 AUGUST 1996 TO 25 SEPTEMBER 1996
- [740-1]**

This report provides a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee during the period 31 August - 25 September 1996.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP246-10/96.

CARRIED

Appendix XVII refers.

**TP247-10/96 REIMBURSEMENT OF ROAD CONSTRUCTION AND PUBLIC
OPEN SPACE COSTS - MEADOWLANDS SPECIAL RURAL
ZONE MARIGINIUP - W D DUFFY & L M SCHOFIELD -
[790-94000]**

In the establishment of the Meadowlands Special Rural Zone at Mariginiup the first subdividers, W D Duffy and L M Schofield as the owners of Swan Locations 1866, 1584 and 2314 constructed certain subdivisional roads and provided the sole area of public open space. A second subdivider, being S & R Lucisano, as the owners of Swan Location 1739 have now subdivided their landholding and have paid to the City their proportion of the common subdivisional road construction costs and public open space land value.

Cr Duffy declared an interest in this Item as it related to him.

Cr Duffy left the Chamber at this point, the time being 2121 hrs.

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

- 1 authorises payment of \$24,459.61 to William David Duffy in settlement of the reimbursement due for the construction of part of Meadowlands Drive, Mariginiup;
- 2 authorises payment of \$27,140 to Laurel May Schofield in settlement of the reimbursement of cash in lieu of land for public open space at Lot 67 Via Vista Drive, Mariginiup.

CARRIED

Cr Duffy entered the Chamber at this point, the time being 2122 hrs.

TP248-10/96 PROPOSED CLOSURE OF A PORTION OF OLD BURNS BEACH ROAD, JOONDALUP - [510-239]

The owners of Lot 53 and 50 Joondalup Drive, Joondalup have requested the City to close a portion of the Old Burns Beach Road to accommodate the subdivision of the adjoining land.

Burns Beach Road has now been realigned and the old alignment is no longer required. The proposed closure is required to be advertised to gauge the opinion of the local community.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council advertises the proposed closure of the old portion of Burns Beach Road, Joondalup for a period of 35 days in accordance with Section 288A of the Local Government Act (Miscellaneous Provisions) 1960.

CARRIED

TP249-10/96 PROPOSED CLOSURE OF PORTION OF NICHOLAS ROAD, HOCKING - [510-0270]

Council, at its meeting on 24 July 1996 (Item TP166-07/96 refers), resolved to advertise the proposed closure of the portion of Nicholas Road adjoining Lot 24 Nicholas Road, Hocking. The proposed closure of the road was advertised for a period of 35 days and at the close of the advertising period no objections were received. Closure of the road should therefore be supported.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council requests the Hon Minister for Lands to close the portion of Nicholas Road, Hocking adjoining Lot 24 Nicholas Road, Hocking in accordance

with the provisions of Section 288A of the Local Government Act (Miscellaneous Provisions) 1960.

CARRIED

**TP250-10/96 AMENDMENT TO PLANNING AND ENVIRONMENTAL
LEGISLATION - [780-0]**

In January this year, the Government made several changes to the Town Planning Regulations 1967. More recently, on 4 August 1996, the Planning Legislation Amendment Act 1996 took effect.

The purpose of this report is to advise Council upon the main effects of this new legislation.

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

- 1 seeks written advice from the Minister for Planning as to his understanding of the current process of preparing Town Planning Schemes and amendments to such Schemes with particular reference to the point in that process at which the Minister is empowered to require that the proposed Scheme or Scheme Amendment is seen through to finalisation;
- 2 solicits the support of Western Australian Municipal Association, in pursuing clarification on this matter, as this will affect the local government industry.

CARRIED

**TP251-10/96 REPORT ON "DEVELOPMENT OF A METHODOLOGY
APPLICABLE TO THE OCEAN COASTLINE OF THE PERTH
METROPOLITAN REGION TO ASSESS THE IMPACTS ON
FUTURE SEA-LEVEL AND CLIMATE CHANGE: - A
SUBMISSION - [765-20]**

The report on the "Development of a Methodology Applicable to the Ocean Coastline of the Perth Metropolitan Region to Assess the Impacts of Future Sea-level and Climate Change" is an outcome of a contract between the Commonwealth Department of the Environment, Sport and Territories and the Western Australian Government. Overseen by a Coastal Management Co-ordinating Committee, a team of State Government officials from the Ministry for Planning, Environmental Protection Authority and Department of Transport prepared this report.

This report aims to assist the State Government to develop guidelines for the assessment and mitigation of future climate and sea-level change effects in South-Western Australia by supporting strategic and statutory decision-making processes including the preparation of coastal plans and strategies. For the purposes of this study the coastal area of the City of

Wanneroo was chosen as a part of the study area - the other areas being in the Cities of Rockingham and Stirling. This study assessed the vulnerability and sensitivity of selected beaches of these study sites.

Although the Ministry did not call for the City's submission, it is recommended that certain concerns noted can be forwarded to the Ministry.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council forwards a submission to the Western Australian Planning Commission on the report "Development of a Methodology Applicable to the Ocean Coastline of the Perth Metropolitan Region to Assess the Impacts of Future Sea-Level of Climate Change" in accordance with the following:

- 1 given that this report aims to assist the State Government to develop guidelines for the assessment and mitigation of future climate and sea-level change effects in South-Western Australia by supporting strategic and statutory decision making processes including the preparation of coastal plans and strategies, it is proposed that these guidelines should provide a mechanism to translate the vulnerability and sensitivity scores into development standards to assist in the determination, for example, of the coastal reserve widths. Furthermore as the vulnerability and sensitivity scores were based on the annual erosion/accretion rate, a methodology to convert these scores into annual erosion/accretion rate is considered necessary to understand the severity of the foreshores;
- 2 since this report considers only certain foreshores as case study sites and does not include other foreshores, prior to developing the proposed guidelines it would be essential to evaluate all these foreshores too.

CARRIED

TP252-10/96 CONTRIBUTION TOWARDS CITY OF SUBIACO'S SUPREME COURT ACTION - [009-1, 290-0]

The City of Subiaco is seeking a financial contribution towards the cost of a Supreme Court action to challenge an appeal decision made by the Minister for Planning.

REPORT RECOMMENDATION: That Council, **BY AN ABSOLUTE MAJORITY:**

- 1 offers a financial contribution of \$500 towards the City of Subiaco's Supreme Court action against the Minister for Planning;

- 2 refers the matter of financial contributions by individual local government authorities to legal challenges by other Councils, to the Western Australian Municipal Association, along with its offer of \$500;
- 3 approves the expenditure, not in the current approved budget.

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

- 1 offers a financial contribution of \$500 towards the City of Subiaco's Supreme Court action against the Minister for Planning subject to the Western Australian Municipal Association establishing and controlling a reserve account fund;
- 2 refers the matter of financial contributions by individual local government authorities to legal challenges by other Councils, to the Western Australian Municipal Association, along with its offer of \$500;
- 3 approves the expenditure, not in the current approved budget.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TP253-10/96 WESTERN AUSTRALIAN PLANNING COMMISSION'S
DISCUSSION PAPER ON "COASTAL PLANNING AND
DEVELOPMENT IN WESTERN AUSTRALIA - TOWARDS A
POLICY FRAMEWORK" - A SUBMISSION - [765-20]**

The Western Australian Planning Commission (WAPC) is currently reviewing the existing coastal planning policy to provide a consistent approach to land use planning, development and subdivision along the Western Australian coast. This review will formalise the existing practices that have evolved over a period of time. WAPC released a discussion paper on "Coastal Planning and Development in Western Australia - Towards a Policy Framework" outlining the relevant issues relating to coastal planning and now seeks comments on this paper by 29 October 1996. The discussion paper has been examined with reference to the City's current coastal planning practices and it is recommended that a submission be forwarded to WAPC.

Cr O'Grady commented that at present no fines are imposed for sandboarding and requested the Municipal Law and Fire Department to review this matter.

MOVED Cr Lynn, **SECONDED** Cr Healy that Council forwards a submission to the Western Australian Planning Commission in

response to the discussion paper on "Coastal Planning and Development in Western Australia - Towards a Policy Framework" in accordance with the following:

1 TALL BUILDINGS AND STRUCTURES

The suggested policies for tall buildings and structures should apply to every building irrespective of their height as matters relating to visual amenity, wind velocity and natural landscape would apply to all buildings and structures proposed in the coastal areas;

2 LAND USE

As currently practised by the City, the issue on "Land Use" should address two levels of coastal plans, namely Local Area Coastal Management Plans at rezoning stage and Foreshore Management Plans after rezoning and subdivision has occurred. While the former would provide the conceptual plans including identification of the Foreshore Reserve Widths and the Building Setbacks, the latter would provide more details based on the former, including implementation and management of the plan.

As regards requiring the proponent to carry out the works proposed in the Foreshore Management Plans and to maintain the foreshore for a specific period of time, in practice the City has required the proponents to implement essential management works as determined by the City and they are not required to maintain them. Unless the developers propose to develop and maintain the foreshore by entering into an agreement with the City as done in the case of public open spaces in subdivisions, it may not be appropriate to require them to carry out all the works and maintain them for a period of time, in all instances;

3 COASTAL RESERVE WIDTH AND BUILDING SETBACKS

The suggested policies indicate that the reserve width should be measured from the seaward line of permanent vegetation. It is noted that this may not be always the case as some permanent vegetation may be found within the reserve width. Further, the coastal reserve width depends on various factors and therefore the line of measurement will vary from coast to coast;

4 OTHER MATTERS

Sandboarding

This discussion paper does not make reference to sandboarding on the beaches as in the case of four-wheel driving. Sandboarding results in degradation of the dunes and therefore Council has banned sandboarding in the City of Wanneroo. This matter has also been discussed by the WAMA Coastal Management Working Committee who have indicated that this is a problem present elsewhere in the State. Some of the Coastal Councils have expressed concern over this activity. Therefore, it is considered appropriate that this policy considers banning sandboarding altogether in the State's coastal areas.

CARRIED

TP254-10/96

**DRAFT FORESHORE MANAGEMENT PLAN FOR YANCHEP-TWO
ROCKS - CONSIDERATION OF SUBMISSIONS - [765-11]**

Council, at its meeting of 28 February 1996, considered the draft Foreshore Management Plan for Yanchep-Two Rocks and resolved to advertise it, inviting public comments for a period of nine weeks and to hold a public workshop/bus tour during the public consultation period. The last date for receiving submissions was 21 May 1996. Council received thirteen written submissions from the public. Submissions were also received from the Ministry for Planning and the City's Parks, Building and Engineering Departments.

The draft proposals have been evaluated with reference to these submissions and the proceedings of the workshop/bus tour. As a result, a few changes have been proposed to the draft plan. It is now recommended that the revised draft Foreshore Management Plan be subject to another public consultation period of six weeks prior to finalisation.

Cr Healy was requested to inform Mr Jeff Howe of the Two Rocks Volunteer Sea Rescue Group that Council had no objection to Option 6, namely a site at the northern side of the Marina.

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

- 1 requests Bill James Landscape Architects to make the following changes to the draft Foreshore Management Plan, including the report for the Yanchep-Two Rocks area;

Study Area:

deletion of the old Atlantis site and the land between Jordan Street and Lisford Avenue at Two Rocks and the residential area to the west of Brazier Road from the

primary study areas since these areas are zoned Urban in the Metropolitan Region Scheme.

deletion of Part Lot 35 Two Rocks Road, Two Rocks proposed Urban zone in the MRS Amendment for St Andrews, subject to its finalisation.

Primary Study Areas:

Yanchep:

Indication of the proposed closure of the ungazetted road in the Yanchep Lagoon area and the proposed link road to connect Two Rocks Road and Brazier Road and the associated access road and vehicular look-out as possible long-term proposals.

deletion of the proposed car parks off Brazier Road and Compass Circle and upgrading the existing car parks off these roads.

Two Rocks:

deletion of the site for the Two Rocks Volunteer Sea Rescue Group on part of the Old Atlantis site for this matter requires further research in order to consider the other possible sites. This matter will be dealt with by Council in-house;

deletion of the proposal to batter the steep sand cliffs to the north of the Two Rocks Marina since this beach is subject to periodic erosion;

deletion of the proposed car parks off Sovereign Drive, Two Rocks;

Secondary Study Area:

Extension of the dual use pathway proposed between the Leeman's Landing and the Spot up to Capricorn Resort;

General:

to propose limestone based car parks and pathways where gravel surface car parks and pathways are proposed;

to provide dual use pathways 2.4 metres wide and 3.0 metres wide if used as a fire access or a fire break and beach accessways 2.0 metres wide;

- 2 advertises the revised draft Foreshore Management Plan twice in the West Australian and in the Wanneroo Times for further public comment, for a period for six weeks;
- 3 requires a further report on this subject following the advertising period which will give further consideration to the various matters raised in Report TP254-10/96;
- 4 advises the Two Rocks Volunteer Sea Rescue Group that Council is investigating their request in further detail so as to identify a site for their building and that since Council is keen to finalise this Foreshore Management Plan as soon as possible, this matter will be dealt with separately and will not form part of this plan;
- 5 advises Alan Tingay and Associates that the Old Atlantis site and the land between Jordan Street and Lisford Avenue in Two Rocks and the residential area to the west of Brazier Road in Yanchep have been deleted from the study area and therefore will not form part of the Foreshore Reserve. In view of the Parks and Recreation reservation in respect of Yanchep Lagoon area in the MRS the Yanchep Lagoon area will be part of the Foreshore Reserve width. Additionally, subject to finalisation of MRS Amendment for St Andrews relevant areas of Lot 35 and Reserve 30959 at Two Rocks, proposed to be reserved Parks and Recreation will form part of the Foreshore Reserve width;
- 6 requests the Minister for Lands to require Yanchep Sun City Pty Ltd, under Clause 6 of the Crown Lease 558/1994 between the Crown and the Yanchep Sun City Pty Ltd over Swan Location 8796 known as Two Rocks Marina, to check, investigate and report on the natural seasonal and long term movement of the coastline within distances of 2km and 1km of the respective abutments of the north and south breakwaters of the Marina as these coasts have been experiencing periodic changes;
- 7 prepares appropriate traffic calming proposals in respect of the ungazetted road and Brazier Road in Yanchep.

CARRIED

TP255-10/96

PROPOSED ALEXANDER HEIGHTS SHOPPING CENTRE, LOT 12 (200) MIRRABOOKA AVENUE AND LOT 337 (19) GRIFFON WAY, ALEXANDER HEIGHTS AND SCHEME AMENDMENT NO 776 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 337 GRIFFON WAY, ALEXANDER HEIGHTS

FROM RESIDENTIAL DEVELOPMENT TO COMMERCIAL -
[30/5273, 790-776]

An application has been received from Brian Adcroft Architect on behalf of Erceg Finance Pty Ltd seeking approval to develop a shopping centre, medical centre, child care centre, two take-away food outlets and a convenience store/service station on Lot 12 (200) Mirrabooka Avenue and Lot 337 (19) Griffon Way, Alexander Heights. The current design is the result of negotiations between Council officers and the applicant and achieves a satisfactory integration with the community centre, drop-in centre, future library and church to the north of the site. The applicant is seeking a concession in the parking requirement for the total development.

This development further requires the lot boundary rationalisation of the drainage reserve located at Lot 337 Griffon Way to reshape the existing drainage sump. Lot 337 Griffon Way is currently zoned Residential Development and the applicant has also requested a rezoning to accommodate the development. This reserve will also need to be cancelled and the land required for the reshaped drainage sump transferred to the City and then leased to the shopping centre land owners for car parking purposes.

REPORT RECOMMENDATION: That Council:

- 1 in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended, supports Amendment No 776 by rezoning Lot 337 (19) Griffon Way, Alexander Heights from Residential Development to Commercial;
- 2 undertakes review of car parking standards applying to shopping centres and invites submissions from suitably qualified and experienced consultants for the undertaking of the review;
- 3 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the expenditure of up to \$30,000 for the purpose of undertaking the review of shopping centre car parking standards referred to in Report TP255-10/96;
- 4 recognises that the funding of this project is by utilising funds allocated for other projects within Account 27753 - Professional Retainer/Consultancy Fees;
- 5 agrees in principle to the leasing of the new drainage site in accordance with the provisions of Section 3.58 of the Local Government Act 1995, at a rental value that

reflects the proposed commercial use of the land and on the basis that the shopping centre landowner/s are responsible for the full costs associated with maintaining the drainage and car parking proposed to be located on this site;

6

approves the application submitted by Brian Adcroft Architect, on behalf of Erceg Finance Pty Ltd, for the development of a shopping centre, medical centre, child care centre, two take-away food outlets and a convenience store/service station on Lot 12 (200) Mirrabooka Avenue and Lot 337 (19) Griffon Way, Alexander Heights, subject to:

- (a) the finalisation of Amendment No 776 to Town Planning Scheme No 1 prior to the issue of a building licence;
- (b) the cancellation and disposal, to the Lot 12 landowners, of the drainage reservation located at Lot 337 (19) Griffon Way, Alexander Heights, prior to the issue of a building licence;
- (c) the amalgamation and re-subdivision of Lots 12 and 337 to conform with the design of the replacement drainage sump prior to the issue of a building licence;
- (d) the freehold transfer of the replacement drainage sump site to the City of Wanneroo at nil consideration prior to the issue of a building licence;
- (e) the landowners entering into a lease with the City of Wanneroo in accordance with the provisions of Section 3.58 of the Local Government Act 1995 prior to the issue of a building licence. This lease is to cover the use by the shopping centre landowners of the replacement drainage sump site for car parking purposes and to be based on a rental value that reflects the proposed commercial use of the land and on the basis that the shopping centre landowners are responsible for the full costs associated with maintaining the drainage and car parking proposed to be located on this site;
- (f) the provision of seven car parking bays per 100m² GLA, or alternatively, the provision of at least 6.38 bays per 100m² GLA with sufficient land being set aside to accommodate the shortfall of bays up

to the ratio of seven bays per 100m² GLA, the payment of a bond/bank guarantee to cover the cost (as determined by the City Planner) of constructing the shortfall of bays and following finalisation of the City's car parking study, the construction of any shortfall of bays between those provided and the City's adopted ratio;

- (g) the detailed design, construction and ongoing maintenance of the replacement drainage sump and deck car parking area being to the satisfaction of the City Engineer;
- (h) the design of the vehicular access point to Mirrabooka Avenue and any car park modifications required to accommodate this design, being to the satisfaction of the City Engineer;
- (i) the provision of a Crown Easement in Gross in favour of the City of Wanneroo over that portion of the 10 metre wide pedestrian accessway to the north of Lot 12 to facilitate a vehicular accessway linking the car parking areas of Lots 4 and 12 prior to the issue of a building licence;
- (j) the construction of a vehicular accessway to the satisfaction of the City Engineer, to link to car parking areas of Lots 4 and 12;
- (k) the granting of an easement in gross in favour of the City of Wanneroo to the satisfaction of the City Planner over the proposed parking bays and vehicular accessways thereto, in order to facilitate reciprocal vehicular access and carparking between Lots 4, 5 and 12;
- (l) the provision of pedestrian linkages from the surrounding street system to the building entrances, to the satisfaction of the City Planner;
- (m) the provision of a pedestrian path to the satisfaction of the City Planner to link the proposed car park adjacent to Hillcrest Road with the pedestrian accessway to the north of Lot 12;
- (n) the construction of an entry statement and canopy within the pedestrian accessway to the north of Lot 12 to the satisfaction of the City Planner;

- (o) approval being granted by the Department of Land Administration for the construction of the proposed entry statement and canopy within the pedestrian accessway to the north of Lot 12 prior to the issue of a building licence;
- (p) the service/loading areas being screened to the satisfaction of the City Planner;
- (q) the building elevation to Hillcrest Road being of a high architectural standard and complemented with landscaping to the satisfaction of the City Planner;
- (r) the playground area to the child care centre being fenced, using high quality materials, to the specification and satisfaction of the City Planner;
- (s) other standard and appropriate conditions of development as determined by the City Planner;

7 exercises its discretion under Clause 9.1(1) of Town Planning Scheme No 1 and relaxes its car parking requirements by 108 bays in this instance.

ADDITIONAL INFORMATION

An additional submission has been received, with regard to the above development, objecting to the child care centre component of this application. The objection is from the staff of two nearby child care centres and the issues raised relate to the commercial viability of an additional child care centre in the area.

The commercial viability of proposed developments is generally not considered a valid objection to a planning application.

The recommendation remains unchanged.

Cr Taylor queried Point 3 of the Motion and requested the deletion of the words "shopping centre". Point 3 should then read as follows:

"3 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the expenditure of up to \$30,000 for the purpose of undertaking the review of car parking standards applying to the Town Planning Scheme referred to in Report TP255-10/96."

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

- 1 in accordance with the provisions of Section 7 of the
Town Planning and Development Act (1928) as amended,
supports Amendment No 776 by rezoning Lot 337 (19)
Griffon Way, Alexander Heights from Residential
Development to Commercial;
- 2 undertakes a comprehensive review of car parking
standards applying to the Town Planning Scheme and
invites submissions from suitably qualified and
experienced consultants for the undertaking of the
review;
- 3 authorises, in accordance with the provisions of Section
6.8(1) of the Local Government Act 1995, the expenditure
of up to \$30,000 for the purpose of undertaking the
review of car parking standards referred to in Report
TP255-10/96."
- 4 recognises that the funding of this project is by
utilising funds allocated for other projects within
Account 27753 - Professional Retainer/Consultancy Fees;
- 5 agrees in principle to the leasing of the new drainage
site in accordance with the provisions of Section 3.58
of the Local Government Act 1995, at a rental value that
reflects the proposed commercial use of the land and on
the basis that the shopping centre landowner/s are
responsible for the full costs associated with
maintaining the drainage and car parking proposed to be
located on this site;
- 6 approves the application submitted by Brian Adcroft
Architect, on behalf of Erceg Finance Pty Ltd, for the
development of a shopping centre, medical centre, child
care centre, two take-away food outlets and a
convenience store/service station on Lot 12 (200)
Mirrabooka Avenue and Lot 337 (19) Griffon Way,
Alexander Heights, subject to:
 - (a) the finalisation of Amendment No 776 to Town
Planning Scheme No 1 prior to the issue of a
building licence;
 - (b) cancellation and disposal, to the Lot 12
landowners, of the drainage reservation located
at Lot 337 (19) Griffon Way, Alexander Heights,
prior to the issue of a building licence;
 - (c) the amalgamation and re-subdivision of Lots 12
and 337 to conform with the design of the

replacement drainage sump prior to the issue of a building licence;

- (d) the freehold transfer of the replacement drainage sump site to the City of Wanneroo at nil consideration prior to the issue of a building licence;
- (e) the landowners entering into a lease with the City of Wanneroo in accordance with the provisions of Section 3.58 of the Local Government Act 1995 prior to the issue of a building licence. This lease is to cover the use by the shopping centre landowners of the replacement drainage sump site for car parking purposes and to be based on a rental value that reflects the proposed commercial use of the land and on the basis that the shopping centre landowners are responsible for the full costs associated with maintaining the drainage and car parking proposed to be located on this site;
- (f) the provision of seven car parking bays per 100m² GLA, or alternatively, the provision of at least 6.38 bays per 100m² GLA with sufficient land being set aside to accommodate the shortfall of bays up to the ratio of seven bays per 100m² GLA, the payment of a bond/bank guarantee to cover the cost (as determined by the City Planner) of constructing the shortfall of bays and following finalisation of the City's car parking study, the construction of any shortfall of bays between those provided and the City's adopted ratio;
- (g) the detailed design, construction and ongoing maintenance of the replacement drainage sump and deck car parking area being to the satisfaction of the City Engineer;
- (h) design of the vehicular access point to Mirrabooka Avenue and any car park modifications required to accommodate this design, being to the satisfaction of the City Engineer;
- (i) the provision of a Crown Easement in Gross in favour of the City of Wanneroo over that portion of the 10 metre wide pedestrian accessway to the north of Lot 12 to facilitate a vehicular accessway linking the car parking areas of Lots 4 and 12 prior to the issue of a building licence;

- (j) the construction of a vehicular accessway to the satisfaction of the City Engineer, to link to car parking areas of Lots 4 and 12;
- (k) the granting of an easement in gross in favour of the City of Wanneroo to the satisfaction of the City Planner over the proposed parking bays and vehicular accessways thereto, in order to facilitate reciprocal vehicular access and carparking between Lots 4, 5 and 12;
- (l) the provision of pedestrian linkages from the surrounding street system to the building entrances, to the satisfaction of the City Planner;
- (m) the provision of a pedestrian path to the satisfaction of the City Planner to link the proposed car park adjacent to Hillcrest Road with the pedestrian accessway to the north of Lot 12;
- (n) the construction of an entry statement and canopy within the pedestrian accessway to the north of Lot 12 to the satisfaction of the City Planner;
- (o) approval being granted by the Department of Land Administration for the construction of the proposed entry statement and canopy within the pedestrian accessway to the north of Lot 12 prior to the issue of a building licence;
- (p) the service/loading areas being screened to the satisfaction of the City Planner;
- (q) the building elevation to Hillcrest Road being of a high architectural standard and complemented with landscaping to the satisfaction of the City Planner;
- (r) the playground area to the child care centre being fenced, using high quality materials, to the to the specification and satisfaction of the City Planner;
- (s) other standard and appropriate conditions of development as determined by the City Planner;

exercises its discretion under Clause 9.1(1) of Town Planning Scheme No 1 and relaxes its car parking requirements by 108 bays in this instance.

Appendix XVIII refers

TP256-10/96 EDGEWATER DRIVE, EDGEWATER - [510-1214]

Council, at its meeting on 26 June 1996 (Item TS151-06/96 refers), resolved to initiate road closure procedures in respect of the truncation of Lakeside Drive at the future Edgewater Drive junction. The proposed closure was advertised in the Wanneroo Times and referred to the relevant authorities and the adjoining property owners. Objections have been received from residents, the Ministry for Planning and LandCorp and closure of the truncation should therefore be reconsidered. Two petitions representing 885 residents have been received supporting the road closure and requesting the construction of the Mitchell Freeway to Hodges Drive.

REPORT RECOMMENDATION: That Council:

- 1 does not agree to close the road truncation of Lakeside Drive and Edgewater Drive junction, Edgewater;
- 2 reiterates its previous resolution (Item H10904 refers) that consideration of the future connection of Edgewater Drive to Lakeside Drive be deferred pending development of the Joondalup City Centre and the overall road network, including the Mitchell Freeway extension.

COMMITTEE RECOMMENDATION:

That Council agrees to close the road truncation of Lakeside Drive and Edgewater Drive junction, Edgewater.

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

- 1 does not agree to close the road truncation of Lakeside Drive and Edgewater Drive junction, Edgewater;
- 2 reiterates its previous resolution (Item H10904 refers) that consideration of the future connection of Edgewater Drive to Lakeside Drive be deferred pending development of the Joondalup City Centre and the overall road network, including the Mitchell Freeway extension. **LOST**

Cr Taylor requested that voting be recorded, with the following result:

FOR: Crs Wight, Taylor, Popham, Duffy, Tippet and Hancock

AGAINST: Crs Dammers, Freame, Lynn, Major, Cooper, Magyar, Ewen-Chappell and Healy

MOVED Cr Magyar, **SECONDED** Cr Ewen-Chappell that Council agrees to close the road truncation of Lakeside Drive and Edgewater Drive junction, Edgewater.

CARRIED

TP257-10/96 **CLOSE OF ADVERTISING : AMENDMENT NO 768 TO TOWN PLANNING SCHEME NO 1 TO REZONE PORTION OF LOT 3 (182) WANNEROO ROAD, LANDSDALE FROM COMMERCIAL AND SERVICE STATION TO SPECIAL ZONE (RESTRICTED USE) TAKEAWAY FOOD OUTLETS AND FROM COMMERCIAL TO SPECIAL ZONE (RESTRICTED USE) MOTOR REPAIR STATION AND CAR WASH - [790-768]**

Amendment No 768 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 4 October 1996. This amendment seeks to rezone portion of Lot 3 (182) Wanneroo Road, Landsdale from Commercial and Service Station to Special Zone (Restricted Use) Takeaway Food Outlets and from Commercial to Special Zone (Restricted Use) Motor Repair Station and Car Wash. As a result of advertising, one submission was received.

The submission is from an adjoining property owner who opposes the proposed amendment. This submission has been considered and final adoption of the proposed amendment is recommended.

Cr Cooper declared an interest in this Item, as the company he is involved in is carrying out work on the Kingsway Shopping Centre.

Cr Cooper left the Chamber at this point, the time being 2205 hrs.

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

- 1 finally adopts Amendment No 768 to Town Planning Scheme No 1 to rezone portion of Lot 3 (182) Wanneroo Road, Landsdale from Commercial and Service Station to Special Zone (Restricted Use) Takeaway Food Outlets and from Commercial to Special Zone (Restricted Use) Motor Repair Station and Car Wash;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.

CARRIED

TP258-10/96 **APPEAL AGAINST CONDITIONS IMPOSED ON APPROVAL TO PROPOSED ADDITIONAL SIX CINEMAS, WHITFORDS CITY**

**SHOPPING CENTRE, LOT 501 (470) WHITFORDS AVENUE,
HILLARYS - [30/300]**

Council at its July meeting (TP156-07/96 refers) resolved to approve, subject to conditions, an application for a six cinema complex in addition to the six currently under construction at the Whitfords City Shopping Centre. The applicant has lodged an appeal in the Town Planning Appeal Tribunal of Western Australia, against conditions 2 and 3 as imposed on the Approval to Commence Development. It is recommended that the appeal not be contested.

Cr Cooper declared an interest in this Item, as the company he is involved in is carrying out work on the Whitford City Shopping Centre.

Cr Hancock left the Chamber at this point, the time being 2207 hrs.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council does not contest the appeal by Permanent Trustee Australia Limited against conditions 2 and 3 of its approval dated 24 July 1996 for the proposed additional six cinemas at Whitfords City Shopping Centre, Lot 501 (470) Whitfords Avenue, Hillarys, and advises the Town Planning Appeal Tribunal, by letter, Council's reasons for imposing the conditions.

CARRIED

Cr Cooper entered the Chamber at this point, the time being 2208 hrs.

**TP259-10/96 PROPOSED TEMPORARY PRIMARY SCHOOL, LOT 695 (11)
SAVONA GROVE, MINDARIE - [30/5525]**

An application has been received from Mindarie Keys Project Management Pty Ltd on behalf of the Education Department of WA seeking Council's approval for a temporary primary school on Lot 695 (11) Savona Grove, Mindarie.

The site was originally required for a permanent primary school, however, the Education Department of WA has now deemed the site excessive to its requires. This temporary primary school proposal is intended to be constructed in the form of housing and will convert to residential development when a permanent facility is constructed in Mindarie in five years time. Approval to the proposal is recommended.

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

- 1 endorses a modification to the approved Mindarie Structure Plan by replacing reference to the

southernmost primary school with reference to residential development and a temporary primary school;

2 approves the application submitted by Mindarie Keys Project Management on behalf of the Education Department of WA for a temporary primary school on Lot 695 (11) Savona Grove, Mindarie, subject to:

- (a) the use of the subject land for a temporary primary school ceasing by 31 December 2001 unless a further application for approval to commence development is lodged and approved by the City prior to that date;
- (b) a maximum of 210 students and ten staff being present at any one time;
- (c) conditions deemed necessary by the City Planner and City Engineer to facilitate the proposal.

CARRIED

REQUEST FOR A COUNCILLOR TO BE GRANTED A DEPUTATION - [702-3]

Cr Duffy queried whether a Councillor, after declaring an interest in an item, could then request a deputation to speak on behalf of that item as a ratepayer.

The Chief Executive Officer advised that this would be admissible as a Councillor had the same rights as a ratepayer and commented that Councillors should not be penalised, provided that the rules are strictly adhered to.

Cr Duffy was requested to make an application in writing to the Chief Executive Officer.

LACK OF PARKING - McDONALD'S RESTAURANT, EDDYSTONE AVENUE, BELDON - [910-2]

Cr Ewen-Chappell raised her concerns in relation to the lack of car parking at the McDonald's Restaurant in Eddystone Avenue and requested parking at the restaurant be investigated.

Cr Major suggested this could be included in the proposed study to be undertaken on car parking.

Cr Freame advised that tow trucks are frequently parked near the restaurant.

This matter will be referred to the Town Planning Department and Municipal Law and Fire Department for action.

ABANDONED CAR - HESTER AVENUE - [905-1]

Cr O'Grady referred to an abandoned car at the roundabout on Hester Avenue and advised this car was being vandalised as it had been abandoned for nearly a week.

This matter will be referred to the Municipal Law and Fire Department for action.

REMOVAL OF GRAFFITI - [210-7]

Cr Major queried whether Council had a policy in relation to removal of graffiti from underpasses.

This will be referred to the City Engineer for a response to Cr Major.

LAND TENURE STATUS - WALDECKS NURSERY - [203-1]

Cr Major referred to a query received from Mrs Antelov who wished to know the land tenure status of Waldecks Nursery.

The City Planner advised that this land was owned by a private individual and was leased by Waldecks.

HOLIDAY ACCOMMODATION, YANCHEP - [30/3487]

Cr Major referred to a report on holiday accommodation in Yanchep published in the 4 October 1996 edition of the weekly news bulletin 'Desk of the CEO' and queried the definition of holiday stay as opposed to residential stay.

The City Planner reported that this matter has been referred to Council's Solicitors for their advice.

PROPOSED CONSULTING ROOM, ELLERSDALE ROAD, DUNCRAIG - [770-17]

Cr Major referred to a previous application for medical consulting rooms in Ellersdale Road, Duncraig which was refused by Council and advises that one of the houses designed to be part of those rooms has now had an offer from a real estate agent who require it for consulting rooms for an architect.

Cr Major queried whether the definition of consulting rooms applied to medical use only.

The City Planner advised this was correct.

MOVED Cr Lynn, **SECONDED** Cr Freame that the Report of the Finance and Community Services Committee Meeting, held on 16 October 1996, be received.

CARRIED

ATTENDANCES

Councillors:	M E LYNN, JP - Chairman	South-West Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L A EWEN-CHAPPELL - Deputising for Cr Cooper	Central Ward
P O HEALY -	From 1808 hrs	North Ward
A G TAYLOR		South Ward
D K TIPPETT, JP		South Ward
F D FREAME	South-West Ward	
L O'GRADY -	Observer, Deputising for Cr Healy to 1808 hrs	North Ward
T W POPHAM -	Observer from 1816 hrs	South Ward
A W WIGHT -	Observer	South Ward
G A MAJOR -	Observer from 1820 hrs	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
City Treasurer:	J TURKINGTON
Acting City Environmental Health Manager:	P SWAIN

City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Minute Clerk:	S BRUYN

APOLOGIES

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

Apologies for absence were tendered by Crs Magyar and Hancock.

An apology for late attendance was tendered by Crs Major and Healy.

PUBLIC/PRESS ATTENDANCE

There were 3 members of the Public in attendance.

PUBLIC QUESTION TIME

Mr B Rice of Henry Court, Connolly:

Q1 Mr Rice made mention of a letter he had received following the late payment of his rates, requesting that payment of the \$30 balance incorrectly taken as discount be made within 7 days. He queried if Council was going to develop a policy with regard to this matter and if interest would be payable on the amount.

A1 The City Treasurer responded that it was quite clearly stated in our budget and all documentation that went out with the rates, where it indicated that to obtain that discount the rates must be paid before 4.30 pm on 18 September. Under legislation we cannot charge interest.

Q2 Mr Rice queried why payment within 7 days was requested.

A2 The City Treasurer explained that it was to clear all small balances.

Q3 Mr Rice inquired as to why he could not receive a refund if he didn't pay the small balance remaining, as it was only necessary for him to pay half at this time.

A3 The City Treasurer stated that there was no legislative power for Council to do that apart from a write off.

Cr Healy entered the Room at this point, the time being 1808 hrs.

Q4 Mr Rice queried as to why it was no longer possible to pay rates at the post office?

A4 The City Treasurer stated that it had become too expensive and that Council was saving ratepayers funds by not paying at the post office. He advised that accounts could be paid at any Commonwealth Bank within Australia, or by phone or bankcard.

Q5 Was there a reason for the cut off to be mid week?

A5 The City Treasurer state the concern regarding weekends and it coinciding with when it was possible to get the rates out.

A6 Mr Rice stated he could accept not gaining the discount but understood interest would be charged if not paid within 7 days.

A6 The City Treasurer stated that the letter did not say that. It was a standard letter within the system.

Cr Freame questioned whether either Chief Executive Officer or City Treasurer would follow up people who had paid their rates on or about the deadline date with regards to the discount allowed.

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 18 SEPTEMBER 1996

The Minutes of the Finance and Community Services Committee Meeting held on 18 September 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIDENTIAL BUSINESS

The following Item was considered Behind Closed Doors:

FA153-10/96 REQUEST BY CR POPHAM TO DISCUSS CONFIDENTIAL MATTERS - [702-3]

MEETING TIMES

Commenced: 1802 hrs
Closed: 2004 hrs

FINANCE & ADMINISTRATIVE SECTION

REPORT NO:

FA143-10/96 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30
SEPTEMBER 1996 - [021-1]

This report details the cheques drawn on the funds during the month of September 1996. It seeks Council's approval for the payment of the September 1996 accounts.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 30 September 1996, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$41,254,684.12:

<u>FUNDS</u>	<u>VOUCHERS</u>	<u>AMOUNT</u>
Treasurer's Advance Account No 1035253 - 036458		\$ 7,570,556.7
Municipal	000283 - 000302A	\$32,513,325.1
Trust	000032A	\$ 1,873.1
East Wanneroo Development Area Cell 1	905735 - 905735A	\$ 9,229.3
East Wanneroo Development Area Cell 2	905729 - 905729A	\$ 4,801.7
East Wanneroo Development Area Cell 3	905721B - 905721C	\$ 1,853.3
East Wanneroo Development Area Cell 4	905718	\$ 3,623.7
East Wanneroo Development Area Cell 5	905711	\$ 4,277.1
East Wanneroo Development Area Cell 6	905709 - 905709A	\$ 101,935.5
East Wanneroo Development Area Cell 7	905743 - 905743A	\$ 3,138.6
East Wanneroo Development Area Cell 8	905738 - 905738A	\$ 4,835.5
Town Planning Scheme 7A(2)	905766B - 905766C	\$ 5,628.8
Town Planning Scheme 7A(4)	905761B	\$ 2,340.1
Town Planning Scheme 5	905756B	\$.0
Berkley Road Local Structure Plan	905746C - 905746D	\$ 66,860.3
Reserve Account	905751	\$ 960,404.5
		<hr/>
		\$41,254,684.1
		<hr/>
		CARRIED

Appendix XIX refers.

FA144-10/96 OUTSTANDING GENERAL DEBTORS - SEPTEMBER 1996 -
[020-0]

This report details the outstanding general debtors as at 30 September 1996.

MOVED Cr Wight, **SECONDED** Cr Popham that Council, writes out of its General Debtors Ledger an amount of \$900.00, representing debts considered irrecoverable, as detailed in Attachment B to Report FA144-10/96

CARRIED BY

AN

ABSOLUTE

MAJORITY

Appendix XX refers.

FA145-10/96 1996/97 RATES DISCOUNT - [018-1]

This report details issues relating to ratepayers claiming a discount on rates which were paid subsequent to the "cut off" date to be eligible for the discount. It formulates various strategies to deal with the issues.

REPORT RECOMMENDATION: That Council:

- 1 does not accede to ratepayer requests to refund any portion of the rate/refuse payments received after 18 September 1996;
- 2 seeks to recover the outstanding amount on rate assessments which were paid subsequent to 18 September 1996 and where the discount was claimed;
- 3 delegates to the Chief Executive Officer the authority to consider whether a rates discount should be permitted to those "borderline" cases where there is some doubt on the date of rates/refuse payments.

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

- 1 does not accede to ratepayer requests to refund any portion of the rate/refuse payments received after 18 September 1996;
- 2 seeks to recover the outstanding amount on rate assessments which were paid subsequent to 18 September 1996 and where the discount was claimed;

- 3 delegates to the Chief Executive Officer the authority to consider whether a rates discount should be permitted to those "borderline" cases where there is some doubt on the date of rates/refuse payments;
- 4 advertises more extensively for the 1997/98 rates to advise ratepayers of the "cut off" dates for payment of rates.

CARRIED

FA146-10/96 AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]

Various requests have been received for authorisation, in accordance with Section 6.8 (1) of the Local Government Act, to incur unbudgeted expenditure. In most instances, a source of funding has been identified to accommodate the additional expenditure. A number of necessary adjustments to the budget estimates have also been identified. These are detailed on Attachment A to this report. Items approved by Council, but not previously listed in the Schedule, are also included for consistency and to facilitate presentation of an accumulated balance.

MOVED Cr Freame, **SECONDED** Cr Lynn 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 - 16 October 1996.

CARRIED BY

AN

ABSOLUTE

MAJORITY

Appendix XXI refers.

FA147-10/96 DONATIONS - [009-1]

This report details requests for financial donations during the month of September, 1996.

REPORT RECOMMENDATION: That Council:

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

Mr Toby Wright
Miss Leigh Tempest
Miss Kristie Georgeff
Miss Megan Drewett
Miss Janine Furtado

Mr Michael Williams
Mr Brodie Cullen
Mr Aaron Corner
Mr Aaron Ritchie
Mr Chris Benfield
Mr Brendan Currie
Mr Tristan Duke
Miss Renee Jones
Miss Laura Walthaus
Miss Elodie Fahie
Miss Sara Patrick
Miss Emma Dowd
Mr Ian Cavill
Mr David Jansen
Miss Jean Webb
Miss Angela Caple
Miss Jaymie Barretto
Mr Matthew Albrecht
Miss Rianda Mills
Mr Mark Sutton
Miss Ryoka Elton

such donations to be from Budget Item No 294

- 2 donates \$75.00 to Belridge Senior High School to purchase
a book voucher;

donation to be from Budget Item No 21964 - Donations -
Student Book Awards/Prizes;

- 3 donates \$100 to Australian Red Cross;

- 4 donates \$100 to Starlight Foundation;

- 5 donates \$100 to Anglicare;

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

- 6 does not contribute to the Youth International Suicide
Prevention Seminar;

- 7 does not accede to the request for assistance to the
Polish Language School.

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

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

Mr Toby Wright

Miss Leigh Tempest
Miss Kristie Georgeff
Miss Megan Drewett
Miss Janine Furtado
Mr Michael Williams
Mr Brodie Cullen
Mr Aaron Corner
Mr Aaron Ritchie
Mr Chris Benfield
Mr Brendan Currie
Mr Tristan Duke
Miss Renee Jones
Miss Laura Walthaus
Miss Elodie Fahie
Miss Sara Patrick
Miss Emma Dowd
Mr Ian Cavill
Mr David Jansen
Miss Jean Webb
Miss Angela Caple
Miss Jaymie Barretto
Mr Matthew Albrecht
Miss Rianda Mills
Mr Mark Sutton
Miss Ryoka Elton

such donations to be from Budget Item No 294

- 2 donates \$75.00 to Belridge Senior High School to purchase
a book voucher;

donation to be from Budget Item No 21964 - Donations -
Student Book Awards/Prizes;

- 3 donates \$100 to Australian Red Cross;

- 4 donates \$100 to Starlight Foundation;

- 5 donates \$100 to Anglicare;

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

- 6 defers consideration of a contribution being made to the
Youth International Suicide Prevention Seminar;

- 7 does not accede to the request for assistance to the
Polish Language School.

CARRIED

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ons.

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

- 1 approves the use of Council tip truck, Plant Number 96 380 for a float display at the 1996 Christmas Pageant organised by the Joondalup Community Foundation to be held on Sunday, 1 December 1996;
- 2 gives permission for Cr Taylor to drive Council's vehicle at the Christmas Pageant with the cost of truck hire to be funded from Budget Item 32173 - Joondalup Community Foundation;
- 3 endorses the inclusion of a recycling "REECO" truck at the Christmas Pageant on a recycling promotion basis with the estimated cost of \$280.00 funded from Budget Item 26849 - Recycling Promotions.

CARRIED

Cr Hancock entered the Chamber at this point, the time being 2209 hrs.

FA150-10/96 1996 INTER-MUNICIPAL "FAIR GO" GAMES - [260-0]

This report details the anticipated shortfall in funds for the 1996 Inter-Municipal "Fair Go" Games and seeks Council to underwrite the expected shortfall of \$2,300.

MOVED Cr Freame, **SECONDED** Cr Wight that Council authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the unbudgeted expenditure of \$2,300 to assist with the hosting of the 1996 Inter-Municipal "Fair Go" Games.

CARRIED BY

AN

ABSOLUTE

MAJORITY

**FA151-10/96 INSTALLATION OF CHRISTMAS TREE - CORNER OF
WHITFORD AVENUE AND MARMION AVENUE, HILLARYS -
[510-1287]**

The Chief Executive Officer advised of a facsimile transmission received on 16 October 1996 from the Marketing Manager for Whitfords City Shopping Centre requesting approval to install a Christmas tree on the verge of Whitford Avenue and Marmion Avenue, Hillarys.

He commented that the shopping centre management would install a security fence around the tree and take full responsibility for the tree and queried if the Committee would be agreeable to this request.

Cr Cooper declared an interest in this Item, as the company he is involved in is carrying out work on the Whitford City Shopping Centre.

Cr Cooper left the Chamber at this point, the time being 2210 hrs.

MOVED Cr Freame, **SECONDED** Cr Healy that Finance and Community Services Committee agrees to the request submitted by the Whitfords City Shopping Centre to install a Christmas tree on the verge of Whitford Avenue and Marmion Avenue, Hillarys on the proviso that there was no cost to Council.

CARRIED

Cr Cooper entered the Chamber at this point, the time being 2211 hrs.

COMMUNITY SERVICES SECTION

CS164-10/96 OFFENSIVE TRADE APPLICATION - FISH PROCESSING - **[C30/222-2]**

Council is advised of an application from Tyson Green and Fiona Hine of 108 Whitfield Drive, Two Rocks to establish an offensive trade (fish processing establishment) at Shop 2, Two Rocks Shopping Centre, Lot 50 (10) Enterprise Avenue, Two Rocks.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council approves the establishment of an offensive trade (fish processing establishment) at Shop 2, Two Rocks Shopping Centre, Lot 50 (10) Enterprise Avenue, Two Rocks subject to:

- 1 the premises complying in all respects with the Health Act Regulations and By-laws made thereunder;
- 2 the applicant obtaining a Form 2 Building Licence approval for the proposed shop fit-out.

CARRIED

CS165-10/96 REFUSE ADVERSELY AFFECTING PROPERTY AND THE **KEEPING OF POULTRY - [1351/11465/6]**

Council is advised of a complaint regarding accumulated materials on the verge and within the curtilage of Lot 11465 (6) Mulloway Court, Burns Beach, owned/occupied by Mr George Watts Matthews.

The backyard also includes a poultry enclosure which is not constructed in accordance with the Health By-laws Series 'A'.

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

- 1 serves a Notice on the owner/occupier of Lot 11465 (6) Mulloway Court, Burns Beach, Mr George Watts Matthews, to remove all materials listed from the lot and dispose of them at an approved site within twenty-one (21) days;
- 2 serves a Notice on the owner/occupier of Lot 11465 (6) Mulloway Court, Burns Beach, Mr George Watts Matthews, to remove the poultry from the lot or construct an enclosure in accordance with the Health By-laws Series "A" within twenty-one (21) days;
- 3 authorises legal action against Mr George Watts Matthews of Lot 11465 (6) Mulloway Court, Burns Beach, in the event of failure to comply with either Notice.

CARRIED

**CS166-10/96 NON-COMPLIANCE OF LOCAL GOVERNMENT ACT, SEWERAGE
(LIGHTING, VENTILATION AND CONSTRUCTION)
REGULATIONS AND CITY OF WANNEROO MODEL BY-LAWS -
EX CS3-02/96 - [2780/594/19]**

This report advises of successful legal action on 22 July, 1996 against Reynolds Homes for a breach of Section 670 of the Local Government Act, Section 8 (3) of the Sewerage (Lighting, Ventilation and Construction) Regulations, and By-Law 60 of Part 1 of the City of Wanneroo Model Health By-laws.

Despite Mr Reynold's assurance that the work would be completed by 27 August 1996, an inspection of 19 Bearley Mews on 26 September, 1996 revealed that no further work has been conducted.

Cr Popham left the Chamber at this point, the time being 2212 hrs.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council authorises further legal proceedings against Reynolds Homes, including daily penalties for non-compliance with the statutes detailed in Report CS166-10/96.

CARRIED

Appendix XXII refers.

**CS167-10/96 SMOKE EMISSIONS - SOLID FUEL COMBUSTION STOVES -
PERTH HAZE STUDY - EX H40905, H61010, I60315,
H60517, CS122-07/95 - [305-5, C865-3]**

Since 1993 the City has endeavoured to take some action to control what has been perceived as unacceptable levels of air pollution from solid fuel combustion stoves within the City of Wanneroo. No progress is currently being made on this issue due to a Council resolution requiring the release of a State Government report, The Perth Haze Study, which is expected to contain research and recommendations relating to the issue. It is recommended that the City writes to the Minister for the Environment requesting the relevant information contained within the now completed report.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council writes to the Minister for the Environment requesting that findings and recommendations relating to solid fuel combustion stoves, contained within the Perth Haze Study Report, be made available to the City of Wanneroo.

CARRIED

CS168-10/96 MATTERS ARISING FROM ADVISORY COMMITTEES - [264-31]

This report details items extracted from the minutes of the Historical Sites Advisory Committee for Council endorsement.

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

- 1 approaches the owners of Ashby House seeking permission to access their property for purposes of documenting the physical remains of the limestone cottage known as Ashby House;
- 2 forwards correspondence to the Department of Conservation and Land Management requesting the issues of inefficient drainage in the grounds of the Gloucester Lodge Museum, Yanchep National Park, Yanchep, be addressed;
- 3 includes the former Luisini Winery building on the City's Municipal Inventory of Heritage Places.

CARRIED

CS169-10/96 REALLOCATION OF ART RESERVE FUNDS FOR ART PURCHASES - [429-1-13]

The Art Collection Advisory Committee, at its meeting on Monday, 16 September 1996, recommended the purchase of an art work by renowned Western Australian artist, Robert Juniper, utilising funds from the Art Purchases Reserve Fund. The piece is titled "Christmas Trees on the Bay Track" and the purchase price \$9,500.00.

This report seeks a reallocation from Council's Reserve Fund to enable the purchase to be made from Allocation 29471 Art Purchases.

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

- 1 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$8,500 for the purchase of the art work - Robert Juniper's "Christmas Trees on Bay Track";
- 2 authorises the reallocation of \$8,500 to Budget Item 29471 - Art Purchases from the Art Purchases Reserve to accommodate the shortfall in funding.

CARRIED BY AN

ABSOLUTE MAJORITY

CS170-10/96 WA ALIVE GRANTS - SUBMISSION PRIORITISATION -
[323-1-1]

The Minister for Sport and Recreation has allocated \$8 million from the WA Alive grant fund for the 1997/98 round of applications.

This report details applications received by the City of Wanneroo for Forward Planning Grants and Annual Grants.

The Minister for Sport and Recreation will announce the approved applications in early February 1997. The grants will become available in the 1997/98 financial year or in another financial year nominated by the applicant.

REPORT RECOMMENDATION: That Council:

- 1 endorses the applications for Community Group Projects WA Alive grants with the following rankings and ratings:

Ranking	Organisation	Rating
1	Beaumaris Sports Association	High
2	Wanneroo Baseball Club	Medium/High
3	Penistone Users Group	Medium/Low
4	Olympic Kingsway Sports Club	Medium/Low
5	Wanneroo Districts Cricket Club	Low

- 2 forwards all the applications to the Ministry of Sport and Recreation.

Cr Wight declared an interest in this Item as he had recently been re-elected Vice President of the Hockey Club involved with this.

MOVED Cr Taylor, **SECONDED** Cr Magyar that as this was a trivial matter Cr Wight be afforded the opportunity of remaining in the Chamber to explain his knowledge of the current situation in regard to this matter.

CARRIED

ADDITIONAL INFORMATION

The Chief Executive Officer made mention of a query regarding Olympic Kingsway Sports Club in regards to the verification of a tender and quotation.

Documentation has now been received from Olympic Kingsway Sports Club that the fabrication company who tendered have agreed to hold their price at the quoted price given.

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

- 1 endorses the applications for Community Group Projects WA Alive grants with the following rankings and ratings, subject to verification of costs supplied by Olympic Kingsway Sports Club:

Ranking	Organisation	Rating
1	Beaumaris Sports Association	High
2	Wanneroo Baseball Club	Medium/High
3	Penistone Users Group	Medium/Low
4	Olympic Kingsway Sports Club	Medium/Low
5	Wanneroo Districts Cricket Club	Low

- 2 forwards all the applications to the Ministry of Sport and Recreation.

CARRIED

CS171-10/96 DISCUSSION PAPER - MAJOR SPORTING FACILITIES IN THE PERTH METROPOLITAN REGION - [260-0]

In April 1994, the State Planning Commission resolved to prepare a strategy for the provision of international and state sport and recreation facilities, major functions and major exhibitions within the Perth Metropolitan Region.

This report assesses the discussion paper prepared by the Commission and circulated to all metropolitan local authorities for comment.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council advises the State Planning Commission that it supports the location of:

- 1 regional sporting complexes in the Joondalup City Centre (Arena Joondalup), Alkimos City Centre, and the Two Rocks City Centre;
- 2 sub-regional facilities of the Kingsway and/or Percy Doyle type at Alkimos/Eglinton and Yanchep/Two Rocks;
- 3 district facilities of the type envisaged at Lot 7, Butler be resolved at the District Structure Planning Stage for the various districts within the City of Wanneroo.

CARRIED

At its meeting on 26 June 1996, Council resolved that a report be submitted outlining a suitable site for a youth centre in the northern suburbs. A Youth facility was one of the suggested outcomes from the Youth Forums sponsored by Council in Merriwa and Yanchep in May/June 1996. Consultation with representatives from Town Planning, Building, Recreation Services, Youth Services and the Human Services Planning Co-ordinator has identified a number of possible sites; the most appropriate of which appears to be Clarkson District Shopping Centre.

REPORT RECOMMENDATION: That Council:

- 1 recognises the community purpose site in the mixed business/showrooms area at Clarkson District Shopping Centre as an appropriate location for a venue designed to service the needs of young people in the surrounding area;
- 2 establishes a working party to clarify Council involvement and role in the provision of localised youth service centres in the City of Wanneroo.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council establishes a working party to investigate the feasibility of establishing an appropriate community purpose site in the northern suburbs for the provision of recreation/youth facilities in the City of Wanneroo.

CARRIED

Due to an increasing amount of diverse entries within the City of Wanneroo Art and Craft Awards, the necessity for a review became evident. Recommendations were made by the Awards Curator and a questionnaire was direct mailed to all previous entrants of the Art and Craft Awards. The feedback from artists was collated and the proposed programme for future exhibitions is outlined below:

1997	May/June	Award Exhibition
1997	September/October	Community Art and Craft Exhibition

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

- 1 endorses the mediums associated with the Award Exhibition and the Community Art and Craft Exhibition;
- 2 agrees to hold the Award Exhibition in May/June 1997 and the Community Art and Craft Exhibition in September/October 1997.

CARRIED

CS174-10/96 ROLLERBLADING - CRAIGIE LEISURE CENTRE - [680-1]

At its meeting 28 August 1996, Council resolved to seek an independent evaluation on whether rollerblading is causing damage to the floor at Craigie Leisure Centre and, if so, possible solutions to rectify this (Item CS141-08/96 refers).

Mr George Vassiliou, Planning and Architectural Consultant (formerly with the Ministry for Sport and Recreation) was engaged to conduct the evaluation.

Cr Taylor requested that Cr Tippettt liaise with the City Recreation and Cultural Services Department to clarify points raised by Cr Tippettt in relation to the Roller Blading Cost Analysis for Craigie Leisure Centre.

REPORT RECOMMENDATION: That Council:

- 1 receives the evaluation from Mr George Vassiliou on rollerblading at Craigie Leisure Centre;
- 2 reaffirms its Resolution CS141-08/96 that, due to the operating losses incurred, rollerblading be relocated to Margaret Cockman Pavilion from 1 December 1996.

Cr Popham entered the Chamber at this point, the time being 2215 hrs.

ADDITIONAL INFORMATION

Cr Popham tabled a fax received from Leeming Recreation Centre, which read as follows:

"As discussed, our rollerblading program runs on Sat evenings, 6 pm - 9 pm \$5.00 entry, ramps, jumps and organised games;

5.30 pm - 6.30 pm a free for beginners coaching session (40 spectators, kids non skating);

Average approximately 100 per night. One of the few activities we run for early teens who are not into organised sports.

This activity has created an 'in-line' hockey competition with 17 teams on a Sunday afternoon and a coaching session 4 - 5 pm, Wednesday evenings - 30 kids \$35.00 per term.

The activity does contribute to accelerated ageing of floor surface, but is certainly no larger a contributor than school use i.e. dragging sand in and around the courts.

We consider the programme to be a resounding success.

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

- 1 defers consideration of relocating rollerblading to Margaret Cockman Pavilion for one month pending confirmation of figures submitted in Roller Blading Cost Analysis for Craigie Leisure Centre;
- 2 extends the time for rollerblading to continue at Craigie Leisure Centre to 1 January, 1997.

CARRIED

CS175-10/96 PROVISION OF STRUCTURED ACTIVITIES FOR YOUTH IN MINDARIE AND SURROUNDING SUBURBS - [485-13]

At the Council meeting on 28 August 1996, Cr O'Grady tabled a letter from the Manager of the Mindarie Marina Hotel requesting the provision of structured activities for the youth of Mindarie and surrounding suburbs.

Council resolved that this correspondence be referred to the Recreation and Cultural Services Department for a report.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council responds to the Manager of the Mindarie Marina Hotel advising him of the range of recreational activities available in the surrounding area and the initiatives being undertaken by Family and Childrens Services to facilitate appropriate local programmes for young people who are experiencing boredom, isolation, family conflict and a lack of alternative recreational opportunities.

CARRIED

CS176-10/96 NEIGHBOURHOOD DISPUTE MEDIATION - [880-2]

A request has been received from both the Duncraig Information and Care Centre and Mr Paul Filing, Federal Member for Moore for Council to assist in the establishment of a Neighbourhood Dispute Mediation Service.

The proposal put forward is modelled on the Gosnells Information Service which is staffed by volunteers.

This report provides details of a survey carried out by the City on what services existed in the City, what particular areas they were involved in and any future plans they had to develop further in response to the proposal.

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

- 1 informs the Duncraig Information and Care Centre that at this time it will not assist in the establishment of a volunteer mediation service;
- 2 writes to Mr Paul Filing, Federal Member for Moore informing him of its decision not to proceed with the establishment of a mediation service and what alternative strategies it will carry out;
- 3 through its Welfare Department coordinates a programme of promotion for mediation services in various venues throughout the City of Wanneroo.

CARRIED

CS177-10/96 MEMBERSHIP - DISABILITY ACCESS ADVISORY COMMITTEE
- [880-8-10]

Endorsement is being sought from Council to formally appoint three nominated community representatives to the Disability Access Advisory Committee.

MOVED Cr Freame, **SECONDED** Cr Cooper that Council, endorses the appointment of Ms Eileen Webster, Mr Keith Martin and Mr Steve Deschamp to the Disability Access Advisory Committee for 1996/97 pursuant to Section 5.10(1) of the Local Government Act.

CARRIED BY AN
ABSOLUTE

MAJORITY

CS178-10/96 DONATION TO THE COMMONHEALTH GAMES - MOBILE DAY
CARE SERVICE - [880-7]

The Planning Committee for the 1996 Commonwealth Games is requesting that Council approves a donation of \$250.00 as contribution towards the running of the games.

The Commonwealth Games is an event held annually between five local government authorities who receive Home and Community Care funding for aged and disabled day care services.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council approves a donation of \$250.00 to the 1996 Commonwealth Games Planning Committee as a contribution towards the running costs of the

games. Donations to be allocated from Allocation Number 26531133 - Sundry Donations.

CARRIED

CS179-10/96 DONATION - NORTHERN SUBURBS SENIOR CITIZENS ASSOCIATION - [870-1]

An application has been received from the Northern Suburbs Senior Citizens Association for a financial contribution towards the Association's activities for Senior's Week.

Senior's Week is a state wide celebration of the contribution seniors make to our community and is scheduled for the week of 13-19 October 1996.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council approves a donation of \$500 to the Northern Suburbs Senior Citizens Association as a contribution towards activities for Senior's Week. Funds to be allocated from Account No 25760 - Senior Citizens Week Expenses.

CARRIED

ROAMING DOMESTIC CAT PROBLEM - GREENWOOD - [901-2]

Cr Tippet submitted a letter from Mr W O'Neil in relation to problems he is experiencing with roaming domestic cats in the Greenwood area.

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

PROPOSED HELICOPTER FLIGHT - PRESTON HELICOPTER SERVICES PTY LTD - [727 - 1-1]

Cr Taylor queried the position in relation to a request received by the Engineering Department from Preston Helicopter Services Pty Ltd for a helicopter flight from Legana Park, Kingsley to be approved.

He was concerned that as the flight was proposed for Sunday, 20 October 1996 it might distract from Perry's Paddock Picnic Day which was scheduled for the same day.

The Chief Executive Officer advised he was unaware of this request.

Cr Taylor advised he would contact the Engineering Department for more information.

WORKING PARTY - RECREATION/YOUTH CENTRE IN THE NORTHERN SUBURBS
-]485-2]

Cr O'Grady advised that she would not be present at the next meeting of Council to be held on Wednesday, 23 October 1996 and requested that in her absence she be nominated for a position on the proposed working party to be established to investigate a community/youth centre in the northern suburbs.

RESPONSIBILITY FOR ABANDONED CARS - [905-1]

Cr O'Grady reported on a request received from a policeman in Clarkson in relation to clarifying who was responsible for the removal of abandoned cars.

The Manager Municipal Law and Fire Services advised that Council had responsibility for abandoned vehicles if they were unregistered but that current registered vehicles were the responsibility of the Police Department to find the owner and remove the vehicle.

He also advised that vandalised vehicles were to be removed by Council. These vehicles were to be kept in the City pound and auctioned at a later date.

On Cr O'Grady's request, the Manager Municipal Law and Fire Services will draw the attention of the Police Department to Council's policy and powers to deal with abandoned vehicles.

C468-10/96 BUSINESS FOR INFORMATION

MOVED Cr Freame, SECONDED Cr Hancock that the Business for Information Reports be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B160-10/96 ENGINEERING CURRENT WORKS - [202-0]

The City Engineer reports on current work undertaken by the Engineering Department for the period ending 20 September 1996.

MOVED Cr Freame, SECONDED Cr Hancock that REPORT B160-10/96 be received.

CARRIED

B161-10/96 PARKS DEPARTMENT MONTHLY REPORT -
AUGUST/SEPTEMBER 1996 - [250-1]

This report details parks maintenance, play equipment, mowing, tree pruning, construction, reticulation, servicing of bores and pumps and general maintenance carried out during the month of September 1996.

MOVED Cr Freame, SECONDED Cr Hancock that REPORT B161-10/96 be received.

CARRIED

TOWN PLANNING COMMITTEE

B162-10/96 DEVELOPMENT ENQUIRIES - SEPTEMBER 1996 - [290-0]

This report lists those enquiries received in September 1996 and where possible indicates the area suggested by the enquirer to be preferred location for such development, together with a resumé of advice given by the department.

Cr Freame requested the City Planner to provide further information in relation to the proposed child care centre at Kallaroo.

MOVED Cr Freame, SECONDED Cr Hancock that Report B162-10/96 be received.

CARRIED

B163-10/96 GROUNDWATER AND LAND USE PLANNING CONFERENCE -
[202-1]

A number of Councillors and Council officers attended the recent Groundwater and Land Use Planning Seminar. Brief information about the conference and the papers presented is provided, and it is suggested that the matter be noted by Council.

MOVED Cr Freame, **SECONDED** Cr Hancock that Report B163-10/96 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B164-10/96 **FINANCIAL REPORT FOR THE QUARTER ENDED 30
SEPTEMBER 1996 - [002-3]**

This report details the financial statements for the period ended 30 September 1996.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT B164-10/96 be received.

CARRIED

B165-10/96 **STAFF AND OUTSIDE WORKERS' OVERTIME - SEPTEMBER
1996 - [404-10]**

This report details the staff and outside workers' overtime for the month of September 1996.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT B165-10/96 be received.

CARRIED

B166-10/96 **MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON -
[006-1]**

A comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year is submitted for Council's information.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT B166-10/96 be received.

CARRIED

B167-10/96 **ANNUAL REPORT - CITY OF WANNEROO PUBLIC LIBRARY
AND INFORMATION SERVICE, 1995-1996 - [240-2]**

The Libraries Department annual report details the operations of the City of Wanneroo Libraries during the period 1 July 1995 to 30 June 1996.

Two major developments of the year were commencement of the Joondalup Library building and commissioning of the new Mobile Library.

The annual report is comprehensive as it is intended for wide distribution and increasingly used as a performance measurement record.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT B167-10/96 be received.

CARRIED

B168-10/96 RECREATION AND CULTURAL SERVICES DEPARTMENT
MONTHLY REPORT - [260-0]

This report details the major activities of the Recreation and Cultural Services Department during the month of September 1996.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT B168-10/96 be received.

CARRIED

B169-10/96 1996/97 RATE INCENTIVE SCHEME - PRIZEWINNERS -
[018-20]

This report details the names of those persons who were successful winners in the 1996/97 rates incentive scheme. The matching of winners with the various prizes on offer will be undertaken at a cocktail party to be held on 18 October 1996.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT B169-10/96 be received.

CARRIED

MOVED Cr Cooper, **SECONDED** Cr Popham that the Report of the Joondalup Civic and Cultural Facilities Committee held on 18 October 1996 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP - Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	T W POPHAM	South Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
City Building Surveyor:	R FISCHER
City Treasurer:	J TURKINGTON
City Librarian:	N CLIFFORD
Branch Librarian - Joondalup:	L SALVATORELLI
Minute Clerk:	S BRUYN

IN ATTENDANCE

James Christou	James Christou and Partners
John Main	" " "
Peter Carla	Peter Carla and Associates
Bob Brittain	Ralph and Beattie Bosworth

APOLOGIES

Nil

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

The Minutes of the Joondalup Civic and Cultural Facilities Occasional Committee Meeting held on 13 September 1996 were confirmed as a true and correct record.

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced: 0805 hrs
Closed: 0925 hrs

REPORTS:

OC32-10/96 PROGRESS REPORT NO 7 - [730-8-8-1]

This report provides information about the progress of the Civic & Cultural Facilities Project and details the construction, architect's comment and financial summary.

MOVED Cr Freame, **SECONDED** Cr Hancock that REPORT OC32-10/96 be received.

CARRIED

OC33-10/96 EXTERNAL HARD LANDSCAPING - [730-8-8-1]

The project has an extensive external hard landscaping component comprising a total of approximately 3900m².

It is important that the selected material provides a long term solution at a low maintenance cost. A poor selection based on a cheaper capital cost may lead to higher maintenance cost which far exceeds the initial saving in capital cost.

This report provides information from the Architect on Hard Landscaping including estimates of cost and advises he is seeking direction from the Committee on the selection of the paving.

MOVED Cr Freame, **SECONDED** Cr Hancock that the Joondalup Civic and Cultural Facilities Project Committee, as empowered by Council, authorises the calling of tenders for external hard landscaping, such tenders to include the options of 40mm Urbanstone, bricks, sealant and an underbase of mortar.

CARRIED

OC34-10/96 FINANCIAL STATUS - [730-8-8-1]

This report details information from the Quantity Surveyor on costs incurred and forecasts an over expenditure of \$428,321 to the completion of the project. A budget adjustment is recommended.

MOVED Cr Wight, **SECONDED** Cr Ewen-Chappell that Council authorises in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, unbudgeted expenditure of \$428,321 to accommodate the shortfall in funding for the Joondalup Civic and Cultural Facilities Project.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Various options for the management of the function rooms and catering services have been explored and it is proposed that the tender be readvertised.

MOVED Cr Freame, **SECONDED** Cr Hancock that the Joondalup Civic and Cultural Facilities Project Committee, as authorised by Council:

- 1 authorises the engagement of Klaus Rickter to review the tender documents;
- 2 endorses the readvertising of the Function Centre Management and Catering contract;
- 3 advises the Wanneroo Chamber of Commerce and the Regional Development Group of the tender dates and asks them to promote the function rooms and catering tender to local business.

CARRIED

At the meeting of the Committee on 2 August 1996, the Chief Executive Officer advised that an in-house Committee was to be established to address the opening of the civic and library buildings.

The Civic and Cultural Project Promotions Working Party has now met on two occasions and submits information on the name, budget, programme and Junior Council participation.

COMMITTEE RECOMMENDATION:

That a suggested name for the Civic and Cultural complex be 'Joondalup Civic and Cultural Precinct'.

MOVED Cr Freame, **SECONDED** Cr Hancock that consideration of an appropriate name for the civic and cultural complex be deferred to the November meeting in order that the City Building Surveyor may circularise to all Councillors suggested names for the complex in order that they may have input.

CARRIED

SELECTION OF CHAIRS FOR DINING ROOM - [703-8-8-1]

The Committee viewed two chairs presented by James Christou as possible selections for the dining room.

The City Building Surveyor was requested to investigate the feasibility of recovering the chairs and refurbishing the tables presently used in the dining room.

MOVED Cr Freame, **SECONDED** Cr Tippet that The Chief Executive Officer's Report be received.

CARRIED

C471-10/96

**SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document:	Deed
Parties:	City of Wanneroo and Jack Brody
Description:	Oral History - Copyright Agreement
Date:	19.9.96
Document:	Deed
Parties:	City of Wanneroo and Reginald George Johns
Description:	Oral History - Copyright Agreement
Date:	19.9.96
Document:	Deed
Parties:	City of Wanneroo and Zena Brody
Description:	Oral History - Copyright Agreement
Date:	19.9.96
Document:	Deed
Parties:	City of Wanneroo and Theo and Hanneke (Piuk)
Description:	Oral History - Copyright Agreement
Date:	19.9.96
Document:	Deed
Parties:	City of Wanneroo and Ken Jennler
Description:	Oral History - Copyright Agreement
Date:	19.9.96
Document:	Deed
Parties:	City of Wanneroo and Rosina Gurgone
Description:	Oral History - Copyright Agreement
Date:	19.9.96
Document:	Deed
Parties:	City of Wanneroo and M Ravi
Description:	Second Dwelling Agreement, Lot 52 Susan Road, Landsdale
Date:	3.10.96
Document:	Easement
Parties:	City of Wanneroo and Tokyo City Pty and Denkey Pty Ltd
Description:	Lot 526 Burragah Way, Duncraig
Date:	4.10.96

Document: Agreement
Parties: City of Wanneroo and Westside Services
Description: Fire Maintenance Services - Various Libraries
Date: 4.10.96

Document: Agreement
Parties: City of Wanneroo and Westside Services
Description: Fire Maintenance Services - Craigie Leisure Centre
Date: 4.10.96

Document: Agreement
Parties: City of Wanneroo and Haden Engineering Pty Ltd
Description: Mechanical Maintenance - Wanneroo Library
Date: 4.10.96

Document: Agreement
Parties: City of Wanneroo and Haden Engineering Pty Ltd
Description: Mechanical Maintenance - Craigie Leisure Centre Computer Suite
Date: 4.10.96

Document: Agreement
Parties: City of Wanneroo and Haden Engineering Pty Ltd
Description: Mechanical Maintenance - Joondalup Admin Centre
Date: 4.10.96

Document: Agreement
Parties: City of Wanneroo and Direct Engineering Services Pty Ltd
Description: Mechanical Maintenance - Wanneroo Admin Centre
Date: 4.10.96

Document: Deed
Parties: City of Wanneroo and Eclipse Resources Pty Ltd and Bank of WA Ltd and Monte Paschi Aust Ltd
Description: Finalised rezoning of Lots 1 and 2 Flynn Drive, Neerabup
Date: 4.10.96

Document: Deed
Parties: City of Wanneroo and Wally Cooper
Description: Copyright Agreement
Date: 10.10.96

Document: Deed
Parties: City of Wanneroo and Phillip James Clover
Description: Copyright Agreement
Date: 10.10.96

Document: Deed

Parties:	City of Wanneroo and Paul Conti
Description:	Copyright Agreement
Date:	10.10.96
Document:	Deed
Parties:	City of Wanneroo and Reginald Johns
Description:	Copyright Agreement
Date:	10.10.96
Document:	Deed
Parties:	City of Wanneroo and Ailsa Hasken
Description:	Copyright Agreement
Date:	10.10.96
Document:	Deed
Parties:	City of Wanneroo and Paul Conti
Description:	Copyright Agreement
Date:	10.10.96
Document:	Deed
Parties:	City of Wanneroo and Roy Ostle
Description:	Copyright Agreement
Date:	10.10.96
Document:	Easement
Parties:	City of Wanneroo and St Ives Development Pty Ltd
Description:	Lot 109 Dampier Avenue, Kallaroo
Date:	11.10.96
Document:	Easement
Parties:	City of Wanneroo and Minister for Lands
Description:	Lot 117 and 118 Hickory Road, Quinns Rocks
Date:	11.10.96
Document:	Service Agreement
Parties:	City of Wanneroo and Minister for Community Welfare
Description:	Family and Children's Services
Date:	15.10.96
Document:	Deed of Positive Covenants
Parties:	City of Wanneroo and R B and D F Campbell
Description:	Lot 810 (20) Gairloch Place, Joondalup
Date:	16.10.96
Document:	Easement
Parties:	City of Wanneroo and McDonalds Properties (Australia) Pty Ltd
Description:	Lot 6 Bergen Way, Mindarie
Date:	16.10.96

MOVED Cr Freame, **SECONDED** Cr Tippet that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

CARRIED

C472-10/96

MUNICIPAL WORKCARE SCHEME BOARD OF MANAGEMENT -
[312-2]

SUMMARY

WAMA has invited Councillors to nominate for the position of Member - Municipal WorkCare Scheme Board of Management. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. The Committee is responsible for overseeing the affairs of the Scheme in the pursuit of the following objectives; (a) provide advice in respect of minimising injuries, (b) assist in the administration, investigation and resolution of claims, (c) assist the rehabilitation of employees and (d) legal representation. The Board is seeking nominees who have the ability to understand workers compensation insurance and have a commitment to a co-operative self management approach to workers compensation risks. Meetings are held on a quarterly basis, with a meeting fee of \$500 per meeting applicable.

BACKGROUND

WAMA advise that due to the retirement of the present incumbent a vacancy has arisen for the position of Member - Municipal WorkCare Scheme Board of Management.

DETAIL

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

The terms of reference for the position are to oversee the affairs of the Scheme in the pursuit of the following objectives;

To provide members of the Scheme assistance in respect of their potential and actual liabilities for the rehabilitation and compensation of their employees for injuries and illness compensable under the Workers Compensation Act 1981 including:

- (a) advice in respect of minimising the occurrence and severity of all compensable injuries and illness;

- (b) assistance in the administration, investigation and resolution of claims by employees in respect of compensable injuries and illness;
- (c) assistance in the rehabilitation of employees from compensable injuries or illness; and
- (d) legal representation in respect of any claims by employees in respect of compensable injuries or illness.

It is preferable that nominees have the ability to understand workers compensation insurance, risk management and rehabilitation concepts and procedures. Further, the Board is seeking a person with a commitment to a co-operative self management approach to workers compensation risks. Committee membership is comprised of representatives from a number of local governments including the Town of Cottesloe, Shire of Gnowergup as well as the Western Australian Municipal Association.

COMMENT

Meetings are held quarterly with special meetings scheduled from time to time. Members are entitled to receive a meeting fee of \$500 per meeting, plus travel expenses (if applicable).

MOVED Cr Freame, **SECONDED** Cr Tippet that Council resolved not to make a nomination for this position.

CARRIED

The Chief Executive Officer advised that Council already had a representative on the Municipal WorkCare Scheme Board of Management, being Mr Turkington, City Treasurer.

C473-10/96 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 1-6 December 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 member's 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 \$1,610 puts the total cost of attendance at \$3,710 per person.

Funds are available in the 1996/97 Budget, within the Members of Council Conference account to facilitate attendance.

MOVED Cr Freame, **SECONDED** Cr Tippet that Council makes no nomination of Councillors to attend the Elected Members Course of the Australian Centre for Regional and Local Government Studies (ACRLGS).

CARRIED

C474-10/96 REGIONAL ECONOMIC DEVELOPMENT GROUP - [320-0]

Councillor Margaret Lynn has expressed concerns about her own attendance at RED Group meetings. Councillor Lynn has found it increasingly difficult to attend such meetings as they often interfere with her other commitments.

Councillor Lynn has since resigned as member of the RED Group and as a result there is a position vacant for a Councillor.

Councillor Vicki Hancock has expressed an interest in this item.

Cr Lynn nominated Cr Hancock.

MOVED Cr Lynn, **SECONDED** Cr Freame that Council appoints Cr Hancock for appointment to the position of Member of the Regional Economic Development (RED) Group.

CARRIED

C475-10/96 NORTHERN METROPOLITAN REGIONAL DEVELOPMENT ORGANISATION - 312-2]

SUMMARY

WAMA have invited Councillors to nominate for the position of Member - Northern Metropolitan Regional Development Organisation. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. The Board is seeking an elected member with an interest and/or experience in regional economic development initiatives/regional and industrial growth.

Meetings are held on a monthly basis with a sitting fee and a travelling allowance payable.

BACKGROUND

WAMA advise that due to the retirement of the present incumbent a vacancy has arisen for the position of Member - Northern Metropolitan Regional Development Organisation.

DETAIL

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

The board is seeking an elected member with an interest and/or experience in regional economic development initiatives/regional and industrial growth.

Committee membership is comprised of representatives from Business, Education and Training, Unions and State and Federal Government.

COMMENT

Meetings are held on the first Tuesday of each month. A sitting fee together with a travelling allowance is payable.

MOVED Cr Freame, **SECONDED** Cr Tippet that Council makes no nomination in relation to the position of Member - Northern metropolitan Regional Development Organisation.

CARRIED

C476-10/96

BUSH FIRES BOARD OF WA - [312-2]

SUMMARY

WAMA has invited Councillors to nominate for the position of Member - Bush Fires Board of WA. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. The Board is seeking an elected member with an interest and/or experience in bush fire control. Meetings are held on a monthly basis with a sitting fee and a travelling allowance applicable.

BACKGROUND

WAMA advise that due to the retirement of the present incumbent a vacancy has arisen for the position of Member - Bush Fires Board of WA.

DETAIL

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

The board is seeking an elected member with and interest and/or experience in bush fire control.

Committee membership is comprised of representatives from a number of groups including Conservation and Land Management, WA Fire & Rescue and the Police Department.

COMMENT

Meetings are held on the second Thursday of each month. A half day sitting fee together with a travelling allowance is applicable.

Cr Ewen-Chappell nominated Cr Wight.

Cr Wight declared an interest in this Item as he had been nominated for consideration of appointment to the position of Member - Bush Fires Board of WA.

Cr Wight left the Chamber at this point, the time being 2225 hrs.

MOVED Cr Taylor, **SECONDED** Cr Ewen-Chappell that Council nominates Cr Wight for appointment to the position of Member - Bush Fires Board of WA.

CARRIED

Cr Wight entered the Chamber at this point, the time being 2226 hrs.

C477-10/96

**PRESENTATION TO COUNCIL ON THE RESULTS FROM THE
ASSESSMENT OF REMNANT NATIVE VEGETATION IN THE
CITY OF WANNEROO - [305-6]**

Council has agreed to a workshop of Councillors and Environmental Advisory Committee members to present the results from the assessment of remnant native vegetation within the City of Wanneroo (Resolution TP226-09/96 refers).

In view of the decision at the October Town Planning Committee to defer action on the Town Planning Scheme amendments for Alkimos-Eglinton (ie Amendments 731 and 739) pending the presentation, the workshop needs to be arranged as a priority.

In this regard, it is recommended that the workshop be held on Wednesday 30 October in the Function Area, commencing at 6.00pm (finishing at about 7.30pm). This arrangement does not clash with any other Council event.

It is also recommended that internal departmental representatives be invited to the workshop, and that representatives from the Ministry for Planning and Department of Environmental Protection also be invited to the workshop (the former because of the urban bushland strategy initiative and the assistance it provided during the assessment, and the latter because of the current review of the System 6 areas and recommendations). Assuming that internal departmental and external agency representatives do attend, a total of about 40 participants could be expected.

Because of the timing of the workshop (suggested as finishing at about 7.30pm), it would be appropriate for Council to provide a (buffet) meal for participants.

Accordingly, it would be appreciated if you could include this matter in your report to the October meeting of Full Council, seeking approval for -

- . the workshop being held on Wednesday 30 October 1996 (in the Function Area) from 6.00pm to 7.30pm;
- . invitation of representatives from the City's internal departments and the Ministry for Planning and Department of Environmental Protection to attend the workshop; and
- . provision of a buffet meal for participants following the workshop.

MOVED Cr Magyar, **SECONDED** Cr Major that Council approves the following arrangements for the workshop presentation on the results from the assessment of remnant native vegetation in the City of Wanneroo:

- . the workshop being held on Wednesday 30 October 1996 (in the Function Area) from 6.00pm to 7.30pm;
- . invitation of representatives from the City's internal departments and the Ministry for Planning and Department of Environmental Protection to attend the workshop; and
- . provision of a buffet meal for participants following the workshop.

CARRIED

MOVED Cr Taylor, **SECONDED** Cr Cooper 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

C478-10/96

**NOMINATIONS FOR COUNCILLORS TO ATTEND THE
NATIONAL CONFERENCE ON ACCESS - [202-1-2]**

Councillor O'Grady, who is the Chairperson of the Disability Access Committee, has expressed an interest in attending the National Conference on Access. In addition, she has requested that Councillors Lynn and Hancock who serve on the Committee be afforded the same opportunity.

BACKGROUND

The Disability Services Commission ACROD Limited (WA Division) has invited registrations for its National Conference on Access to be held in Fremantle on 12 November 1996.

The conference will be exploring practical ways of creating accessible communities to ensure that people with disabilities can access the services and facilities that others take for granted.

The conference will showcase examples from both the Australian and American experience regarding accessible communities. Participants will have the opportunity to gain insights and share information and ideas on access issues and achievements.

Sessions are presented by Mr Barry MacKinnon, Chair, Disability Services Commission Board, Hon Kevin Minson MLA, as well as by leading practitioners from the industry.

DETAIL

The conference costs \$60.00 per person. Funds are available in the 1996/97 Budget, within the Members of Council Conference account to facilitate attendance.

MOVED Cr Cooper, **SECONDED** Cr Major that Council approves of Councillor O'Grady and other interested Councillors attending the National Conference on Access which is to be held in Fremantle on 12 November 1996.

CARRIED

C479-10/96

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

Reference is made to Council's approval in August 1996 (TP207-08/96) and a subsequent memorandum from the City Planner dated 22 October 1996 in regard to the above. Further advice on this matter has now been received and it would be appropriate that the advice contained in the memorandum of 22 October 1996 be superseded by the following:

The Warwick Commercial Park development approval was issued subject to a number of conditions which require the neighbouring Warwick Shopping Centre landowner's consent. These conditions relate to any works on the shopping centre land (Lot 928), the construction of a retaining wall adjacent to the boundary of Lot 928 and the preparation and implementation of a traffic impact statement for the overall Warwick Shopping precinct as well as Ellersdale Avenue and Dugdale Street.

It was anticipated that such an approval would be a formality, as the approved site and earthworks plans had been prepared in consultation with representative of the owner of Lot 928, after they had lodged an objection on the basis of a perceived lack of integration between the two sites.

Correspondence has been received which indicates that the shopping centre landowner's approval will be delayed. The Commercial Park developers, Westpoint Corporation, is however, anxious to proceed with the development and subdivision of its site and wish to revert to the original proposed plan which provides for a vehicular/pedestrian link via the City's community purpose land, Lot 931, to the shopping centre land and in the event that the shopping centre landowners consent is not forthcoming, construct an earthbank or a retaining wall along the shopping centre boundary.

It is however, considered that Westpoint Corporation's original plan does not adequately provide for integration with the adjoining shopping centre site and therefore it is considered that the development should be constructed in the form approved by Council, if possible.

A temporary connection through the City's Lot 931 could only be supported on the basis that negotiations regarding the connection cannot be resolved between Westpoint and the shopping centre landowners.

It is considered that the City could issue a series of building licences that do not directly connect with the shopping centre land. No connection should proceed until such time as an approved traffic impact study is in place.

If the two landowners are unable to negotiate the early construction of the vehicular link between the two sites (on the

shopping centre land) it is considered appropriate that the City place appropriate conditions on subsequent approvals of Warwick shopping centre site to achieve the connection in the longer term.

MOVED Cr Taylor, **SECONDED** Cr Duffy that Council advises Westpoint Corporation on behalf of Silkchime Pty Ltd that:

- 1 only in the event that negotiations regarding the vehicular connection between Lots 738 and 928 as shown on the approved plan cannot be resolved that it would allow a temporary vehicular connection to its community purpose site, being Lot 931, on the basis that:
 - (a) the connection is designed and constructed to the satisfaction of the City Planner and City Engineer;
 - (b) the approved vehicular connection is constructed as close as possible to the common boundary of the Commercial Park and shopping centre sites;
 - (c) arrangements are made to the satisfaction of the City Planner for the construction of the remaining portion of the accessway on Lot 738 when required by the City Planner;
- 2 land levels in the vicinity of the shopping centre land should conform to the levels indicated on the approved plan and the land be battered or retained in the event that the shopping centre landowner's approval cannot be obtained;
- 3 building licences for development that, in the opinion of the City Planner, would not comprise the construction of the approved vehicular connection between the Commercial Park and the shopping centre site may be issued prior to the resolution of the vehicular connection link to the shopping centre site.

CARRIED

Appendix XXV refers.

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

WOMEN IN LOCAL GOVERNMENT CONFERENCE - [483-1]

Cr Freame thanked Council for the opportunity to attend the Women the Local Government Conference and advised she would table her report during the next few weeks.

C480-10/96 LEAVE OF ABSENCE - CR F FREAME - [702-3]

Cr Freame requested leave of absence from Council duties for the period from Tuesday 5 November to Monday 11 November 1996, inclusive.

MOVED Cr Lynn, **SECONDED** Cr Cooper that Council approves the leave of absence requested by Cr Freame for the period Tuesday 5 November to Monday 11 November 1996, inclusive.

CARRIED

ELECTED MEMBERS' COURSE, CANBERRA - [702-3]

Cr Hancock wished to thank Council for the opportunity to attend the recent Conference in Canberra.

Cr Hancock stated she found the Conference both very informative and successful. She made mention of the fact that she had extensive notes from the Conference that all Councillors were welcome to read.

PRINCIPLES TO TOWN PLANNING SEMINAR - [702-3]

Cr Tippettt advised he and Cr Hancock had attended a Principles of Town Planning day long seminar conducted by MTS. The course was presented by Warren Anderson, Town Planner, Town of Jarrahdale-Serpentine.

Several topics were discussed, including contemporary issues in town planning, new legislation and implications of the new Local Government Act.

Cr Tippettt thanked Council for the opportunity of attending this seminar, which he found very informative.

ELECTED MEMBERS' COURSE, CANBERRA - [702-3]

Cr Duffy wished to thank Council for the opportunity to attend the recent Conference in Canberra.

Cr Duffy stated he found the Conference particularly informative and advised his report is pending.

C481-10/96

FEASIBILITY REPORT ON ROUNDABOUTS - [510-0-1]

Cr Ewen-Chappell requested a feasibility report on roundabouts, in particular in relation to the corner of Joondalup Drive and Cord Street, Joondalup, Cord Street and Winton Road, Joondalup, Shenton Avenue and Pontiac Way, Joondalup.

Cr Ewen-Chappell drew attention to the traffic lights along Joondalup Drive, which combined with the 'U' Turn at Bunnings caused constant traffic problems. She suggested Bunnings be approached with a view to seeking their assistance for the access point south of Westwood Drive to be an "entrance only" area and that an "exit only" area be created into George Grey Place, Edgewater.

She also made mention of the condition of the verge on the corner of Wedgewood Drive and Joondalup Drive and stated that this required attention.

RESOLVED that a feasibility report on roundabouts, in particular in relation to the corner of Joondalup Drive and Cord Street, Joondalup, Cord Street and Winton Road, Joondalup, Shenton Avenue and Pontiac Way, Joondalup be prepared and submitted to Technical Services Committee.

C482-10/96

GRAFFITI STANDARDS - [210-7]

Cr Cooper referred to a report in the Wanneroo Times this week and the adverse comments made against the City of Wanneroo in relation to graffiti.

He suggested both State and Federal Governments should be encouraged to brand all cans of spraypaint that is produced. This could be achieved by imprinting a number on the can. A person wishing to purchase a can of spraypaint would then need to produce a licence or suchlike, thereby creating a trace system.

RESOLVED that Council liaises with both State and Federal Governments in relation to graffiti and investigates a registration system for selling spray cans of paint.

LOCAL RURAL STRATEGY, AREA NO 2 - [290-7-2]

Cr Healy made mention of a recent meeting held with members of the public and that clarification was sought from the Ministry of Planning regarding the meaning of "landscape protection zoning" in relation to the Pippidiny area.

The Mayor advised that a letter has been sent to the Ministry of Planning, but to date no reply had been received.

MINUTES IN LIBRARIES - [702-0]

Cr Taylor expressed concern regarding the availability of Agendas and Minutes in libraries and asked for this matter to be investigated.

RESOLVED that a report be submitted to Policy Committee on the distribution of agendas and minutes to all branch libraries.

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 TIME

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION TIME, DURING WHICH QUESTIONS WERE PUT BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

Mr Vic Parin, of 44 Mulligan Drive, Greenwood requested Council to investigate and report back why the Schedule of Questions he submitted did not reach Councillors this evening and why Chief Executive Officer denied receiving these.

Mr Vic Harman, 1 Bounty Place, Ocean Reef on behalf of Ocean Reef Residents Association:

- Q1 In relation to P100-10/96 regarding the supplying of Minutes, Mr Harman queried from the City Treasurer what the Council's budget was for this year?
- A1 The City Treasurer advised Council's budget was \$122 million.
- Q2 Has there been any estimate on how much these recommendations would save Council?
- A2 The Mayor inquired whether Mr Harman was referring to the tapes. Mr Harman indicated he was referring to the supply of the hard copy of Council Minutes.

Q3 How much will Council save by deleting organisations from mailing lists for receiving Minutes unless they are paid for?

A3 Chief Executive Officer stated that it was some years since the mailing lists were reviewed by Council. It has been found that in some cases more than one copy was going to one location, particularly where people were representatives of community groups or organisations. Council is not stopping the supply of Minutes, but rather covering its costs. A review is currently being undertaken with those organisations to ascertain whether they still require copies.

Q4 Mr Harman queried whether the charge of \$15.00 for a hard copy of the Minutes was per month? This meant his Association, if they continued receiving these copies, would be charged \$165.00 per year. Is this correct? This would be against \$44.00 for the disk.

A4 The Mayor stated he believed this to be correct.

Cr Hancock left the Chamber at this point, the time being 1140 hrs.

Mr M Costello of Quinns Rocks:

Page 15, TS266-10/96

Mr Costello referred to the proposed public meeting in relation to Santa Barbara Parade and reiterated that it would be necessary to be held in Quinns Rocks.

Mr Costello queried whether any of the Councillors had travelled through Santa Barbara Parade? Mr Costello stated the roundabout was particularly narrow and finished with a very sharp turn into Morialta Avenue. He requested Councillors' to inspect Santa Barbara Parade before a decision was made.

Cr Hancock entered the Chamber at this point, the time being 1142 hrs.

Mr John Plaxton of Ocean Reef:

In relation to rollerblading at Craigie Leisure Centre and an extension of time to 1 January 1997, could the Centre Manager be advised of this, with a view to extending booking times for rollerblading until 1 January 1997 to avoid re-hiring to other users.

The Mayor advised that this decision was only made this evening and that the Centre Manager would be advised in due course.

Mrs A Hine of Dundobar Road, Wanneroo:

Q1 Mrs Hine stated she submitted questions for this evening's Council meeting prior to 11.30 am this morning and inquired as to whether these were received.

A1 The Chief Executive Officer advised that he had read out certain questions earlier in the evening, but was of the opinion that those questions were received prior to 11.30 am. He was not aware of questions that may have been received today.

The Chief Executive Officer stated that those questions, including the ones Mr Parin asked earlier, if they had come to his attention would have been answered this evening.

Mrs Hine stated all the questions she raised were on this evening's Agenda and she was assured she was in adequate time for the submission of these questions.

The Mayor apologised for this oversight and advised Councillors that the submission of questions for a Council Meeting needed to be readdressed. He planned to put this matter before Policy Committee in order that future guidelines may be set.

Cr Tippet left the Chamber at this point, the time being 1146 hrs.

Cr Tippet entered the Chamber at this point, the time being 1150 hrs.

MOVED Cr Popham, **SECONDED** Cr Mayor that the meeting adjourn for 3 minutes, the time being 1150 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 C483-10/96 (a matter relating to former Town Clerk's Employment Contract) and Item C484-10/95 (a matter relating to Lot 560 (3) Manakoora

Rise, Sorrento). Both Items be judged to be of a confidential nature referring to staff matters and legal opinions.

MOVED Cr Popham, **SECONDED** Cr Major that the Meeting resume and be held behind closed doors, the time being 1153 hrs.

CARRIED

Cr Taylor made reference to the fact that it is a requirement under the Act that when we come out from behind closed doors, we read any Motions that are passed and asked that any such Motions be communicated to members of the public still present in the foyer area.

C483-10/96

**EXAMINATION OF ISSUES RELATED TO THE FORMER TOWN
CLERK'S EMPLOYMENT CONTRACT - [PERSONAL - R F
COFFEY]**

MOVED Cr Freame, **SECONDED** Cr Cooper that Council endorses the action undertaken regarding converting the car component of the former Town Clerk's contract to cash at a value of \$38,500.

MOVED Cr Taylor, **SECONDED** Cr Duffy that this matter be referred with all relevant documentation to the Department of Local Government for further investigation and report.

**CARRIED
UNANIMOUSLY**

MOVED Cr Ewen-Chappell, **SECONDED** Cr Wight that tape-recording of this evening's Council meeting be discontinued at this time and the tape turned off, the time being 24.00 hrs (midnight).

CARRIED

Cr Popham requested voting be recorded, with the following result:

FOR: Crs Dammers, Freame, Magyar, Ewen-Chappell, Wight, Taylor, Healy and Tippet

AGAINST: Crs Cooper, Popham, Duffy, Lynn, Major and Hancock.

Cr Cooper left the Chamber at this point, the time being 0033 hrs.

Cr Cooper entered the Chamber at this point, the time being 0035 hrs.

Cr Duffy left the Chamber at this point, the time being 0054 hrs.

Cr Duffy entered the Chamber at this point, the time being 0056 hrs.

**C484-10/96 DWELLING UNDER CONSTRUCTION, LOT 560 (3)
MANAKOORA RISE, SORRENTO - STOP WORK NOTICE -
[3090/560/3]**

Cr Wight left the Chamber at this point, the time being 0114 hrs.

MOVED Cr Hancock, **SECONDED** Cr Lynn that a full inquiry through the Ministry of Planning be sought to investigate the relevance of the 'R' Codes in relation to the dwelling under construction at Lot 560 (3) Manakoora Rise, Sorrento. **LOST**

Cr Wight entered the Chamber at this point, the time being 0116 hrs.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council in respect to the dwelling under construction at Lot 560 (3) Manakoora Rise, Sorrento:

- 1 endorses the action of the Chief Executive Officer in writing (letter dated 23 October 1996) to Mr and Mrs Parin proposing the lifting of the Stop Work Notice subject to conditions;
- 2 requests its Insurers to deal expeditiously with Messrs Brislin and Del Borello in the matter of compensation;
- 3 reserves its right to pursue the issue of non-compliance with the Residential Planning Codes;
- 4 seeks a report on the steps necessary to require a development application under Town Planning Scheme 1 for single residences and the implications of such a change.

CARRIED

It was requested that voting be recorded, with the following result:

FOR: Crs Dammers, Major, Cooper, Magyar,
Ewen-Chappell, Wight, Taylor, Tippet and Healy

AGAINST: Crs Freame, Lynn, Popham, Duffy and Hancock

MOVED Cr Taylor, **SECONDED** Cr Wight 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

MOVED Cr Taylor, **SECONDED** Cr Magyar that the meeting be held with the doors open, the time being 0134 hrs.

Cr Healy again raised Item TS266-10/96 at this point.

TS266-10/96 PROPOSED SANTA BARBARA PARADE PRE-FUNDING
ARRANGEMENTS - QUINNS ROCKS SUBDIVISION -
[510-403, 510-4084]

MOVED Cr Healy, **SECONDED** Cr Magyar that Council authorises the City Engineer to engage the services of a consultant in order that reinstatement works be carried out by WA Water Authority for deep sewerage works to be undertaken, in accord with good design.

CARRIED

At this point in the meeting, the members of the public still present re-entered the Chamber in order that the Motions in relation to Items C483-10/96 and C484-10/96 may be communicated to them.

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for
WEDNESDAY 27 NOVEMBER 1996.

There being no further business, the Chairman declared the Meeting closed at 0140 hrs, the following Councillors being present at that time:

COUNCILLORS : FREAME
DAMMERS
COOPER
LYNN
EWEN-CHAPPELL
MAGYAR
WIGHT
TAYLOR
MAJOR
HANCOCK
DUFFY
HEALY
POPHAM
TIPPETT

