

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, 27 NOVEMBER 1996

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor; Acting Chairman from 2132 hrs to 2157 hrs	South-West Ward
	L O'GRADY	North Ward
	P O HEALY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	T W POPHAM	South Ward
	W D DUFFY	South Ward
	D K TIPPETT, JP	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
City Environmental Health Manager:	M AUSTIN
Acting City Parks Manager:	D CLUNING
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T M TREWIN
Manager Welfare Services:	P STUART
Acting City Librarian:	J CADDY
Executive Officer:	P HIGGS
Publicity Officer:	O DAVIDSON
Committee Clerk:	J AUSTIN
Minute Clerk:	L TAYLOR

There were 27 members of the Public and 3 members of the Press in attendance.

The Mayor declared the meeting open at 1932 hrs.

PUBLIC QUESTION TIME

Mr Vic Parin of Mulligan Drive, Greenwood submitted the following questions for the Council Meeting held on 23 October 1996:

- Q1 In relation to the on site meeting held on Thursday, 6 August 1996, with council staff and concerned neighbours, can council please explain why we were excluded from the meeting?
- A1 The meeting was not arranged by the City of Wanneroo.
- Q2 How many Stop Work Notices have been issued on residential homes where the variations have been to the interior, not the exterior?
- A2 Few stop work orders have been served by the City of Wanneroo. These have dealt with construction related problems relating to both internal and external construction issues.
- Q3 Can Council explain why there was no consultation in relation to these minor departures/variations to the interior, prior to the Stop Work Notice being issued?
- A3 It is not agreed that all the departures were minor. The concerns warranted the service of a stop work notice.
- Q4 Was there A Stop Work Notice issued in relation to neighbours complaints on the three storey house on West Coast Highway opposite the marina?
- A4 No, there was no departure from the approved plans discovered.
- Q5 What process did Council use to resolve the issues relating to the neighbours complaints on the abovementioned house?
- A5 The concerns of the neighbours were resolved by consultation.
- Q6 Did Council issue the Stop Work Notice for an ulterior purpose which has nothing to do with the trivial matters set out in the Stop Work Notice?
- A6 No.

- Q7 The Stop Work Notice was issued on the 13 August 1996 and plans were lodged for the variations on Friday, 16 August 1996. Can Council explain why the plans were not processed within fair and reasonable time?
- A7 It is considered the plans were processed within a reasonable timeframe.
- Q8 Is it normal procedure/practice for a councillor to advise the complainant neighbours that a Stop Work Notice is being issued some three days earlier than the Notice being served on us?
- A8 No.
- Q9 Were the Councillors that were involved in the on site inspection, Tuesday 6 August 1996, aware of the following facts:
- (a) the limestone retaining wall is within our boundary;
 - (b) the height variation, standing from Mr Brislin's backyard to our natural ground level is 4.1 metres, consisting of the 2.0 metre retaining wall erected by the original developers and Mr Brislin's original builders excavating a further 2.1 metres, hence resulting in a 4.1 metre variation to my natural ground level;
 - (c) Mr Delborrello's and Mr Brislin's boundary fence is located some 300mm inside our boundary.
- A9 This is a question the Councillors would need to answer. However the issues were mentioned.
- Q10 Why has the Chief Executive Officer misled us in relation to his letter dated 2 September 1996, which states, quote "I am however aware that your legal adviser Mony De Kerloy has been in touch with Council solicitors McLeod & Co regarding the Stop Work Order and I was advised late Friday of Mr McLeods response indicating that not all conditions of the Stop Work Order have been met to date". In fact there has been no correspondence received in relation to any items of the Stop Work Notice outstanding or even being discussed as of 2 September 1996.

- A10 The facsimile dated 2 September 1996 does not indicate there was any correspondence. It is denied that there was any misleading statement.
- Q11 On the 3 September 1996 I sent a facsimile to the Chief Executive Officer that we still have not had a reply to, the questions I asked in the letter dated 2 September 1996, in respect to any outstanding matters in relation to the Stop Work Notice. I requested that the Chief Executive Officer advise me immediately as to what the outstanding matters were. Would the Chief Executive Officer please explain why he chose to ignore my letter as of the 3 September 1996? (Copy letters 2 & 3 September 1996 attached hereto)
- A11 The letters of the 2 and 3 of September stated that at a meeting held on 27 August 1996 it was indicated that there were no problems with the amended plans submitted. It is not agreed that the submission of the plans resolved the problem. In fact a further conference was held on 4 September 1996 at which Mr Parin and his Solicitors were present. The issue of height was an issue that had not been resolved.
- Q12 Would the Chief Executive Officer explain why he failed to lift the Stop Work Notice when all the conditions had been met by last Friday, 18 October 1996 and agreed upon by all parties?
- A12 The information relating to the lifting of the stop work notice was received very late in the working day and there was insufficient time to consider it in a proper manner. In fact, I (CEO) discussed this problem with Mr Parin until after 5pm indicating that the matter would be dealt with during the next week.
- Q13 Did the Council officers advise the Minister of the errors made in their Stop Work Notices:
- (a) The alleged misalignment of the building line is in fact proven to be correct;
 - (b) The alleged set back was proven to be correct;
 - (c) The alleged over height was proved to be incorrect and within tolerance level.
- A13 Items (a) and (b) were discussed with the Departmental Officer. Item (c) is not agreed.

- Q14 When did the Council officers process the revised plans lodged on the 16 August 1996?
- A14 Processing of the plans began on 16 August 1996. It took some time to complete the processing. Final amended plans for approval were submitted on 1 November 1996.
- Q15 Why did Council refuse to discuss the issues of the Stop Work Notice until the 17 October 1996? In view of the fact the matters were resolved on Thursday, 17 October 1996 and an on site inspection on the 18 October 1996, will council please explain why they delayed it for some nine weeks prior to allowing us the opportunity to discuss the issues in the Stop Work Notice?
- A15 I do not understand the question. A number of meetings were held with Mr Parin, his Solicitors and others prior to 17 October 1996. Mr Parin will also be aware that his appeal to the Minister for Local Government was not resolved until the evening of Thursday, 10 October 1996.
- Q16 Are Councillors aware that rate payers have been exposed to a substantial damage claim over and above the normal time considered to resolve the issues on the Stop Work Notice?
- A16 Council is aware that this is a complex matter and there are a number of issues. It has relied upon its insurance and legal advisors on all steps taken.
- Q17 Are Councillors aware that the complaints lodged by the two adjoining neighbours do not relate to any issues on the Stop Work Notice?
- A17 Councillors are aware that the stop work notice issue is unrelated to most of the concerns raised by the neighbours.
- Q18 Are Councillors aware that we approached the two adjoining neighbours with the proposed plans and allowed them to view the plans in detail?
- A18 Yes.
- Q19 In view of the fact the Chief Executive Officer has been empowered by Council to lift the Stop Work Notice, can he please advise why he has refused to lift the Stop Work Notice as per Council legal advisers recommendation as of last Friday, 18 October 1996.

- A19 The proposal and the related documentation to lift the stop work notice on 18 October 1996 needed to be thoroughly assessed.
- The late receipt of the information did not allow a proper assessment. See answer to question 12.
- Q20 Would the Council Building Department please advise what regulations or By-laws were breached in relation to the individual items on the Stop Work Notice.
- A20 Generally, the works departed from the approved plans. This is a breach of the Local Government (Miscellaneous Provisions) Act 1960.
- Q21 Are Councillors aware that Council has approved of three storey houses with four metre pitch roofs which would exceed our total height by 3.5 metres?
- A21 Yes.
- Q22 Are Councillors aware of the opinion obtained in relation to the R-Codes from reputable town planning consultants?
- A22 Council has obtained its own opinion in respect to the Residential Planning Codes. The information has been presented to Council.
- Q23 Did the alleged complaint by Mr Delborrello, that we had exceeded a building height of two metres over and above the approved plans as reported to Councillor Hancock, initiate the Stop Work Notice?
- A23 No.
- Q24 What was the Council referring to when they advised the Minister that they have concerns about the building as the Minister said, quote "Council has concerns about the building, by dismissing the appeal I have given the matter back to Council which now has the opportunity to address its concerns"?
- A24 The concerns relate to departures from the approved plans and the requirements of the Residential Planning Codes.
- Q25 Why did the Council building department fail to process the amended plans between the time lodged being Friday, 16 August 1996 and their submission to the Minister?

A25 The process and detailed consideration of the issues, including consultation with Council's advisors took time so that processing was not completed prior to the appeal to the Minister.

Mrs A Hine of Dundobar Road, Wanneroo submitted the following questions for the Council Meeting held on 23 October 1996:

Q1 Item TP237-10/96, File Ref: 30/2249, 4/10/96: Who owns the sign on this lot? How long duration is a sign left on a site?

A1 If a sign is put on site to advertise a development proposal, it should be removed at the end of the advertising period, which is generally 30 days.

If a sign is put on site to inform residents that a development has been approved on that site, then it should remain on site until such time as the development is complete.

The signs are usually hired by the applicant from a sign company who is responsible for their removal. Alternatively, the applicant can make arrangements to have his own sign on site.

Q2 TP256-10/96, File Ref: 510-1214: If the developer buys the Reserve? Will it alter Council's Recommendation to not close rd? Will the rd still go through in time? Is this a fait accompli? Can the Council petition the Govt? (in haste). "This rd must not go through as it is sheer vandalism".

A2 Council at its meeting held on 23 October 1996 resolved to agree to the closure of the truncation of Lakeside Drive, Edgewater to prevent the connection of Edgewater Drive to Lakeside Drive. The Minister for Lands has been requested to close the road reserve and the final decision on the closure is the Minister's.

The private landowner adjoining the truncation has agreed to purchase the land within the road truncation.

Q3 Page 2, Purple pages. TP. 14.10-96: When will the T/site of Wanneroo Study be released? (These have been promises from June '96 and each month since that time). What is the hold up?

A3 This matter will be addressed in Report TP261-11/96 to the November meeting of Council.

- Q4 TP. Page 8, 14-10-96. TP203-08/96. Resumption of land. Who gains from the resumption? Who are the owners?
- A4 Council at its meeting held on 23 October 1996 resolved to defer consideration of resumption of the land required for the realignment of Karoborup Road. If Council does resolve to resume the land for road widening, the City and the affected landowners will benefit. The City will acquire the land it requires for the road works and the affected landowners will be paid a fair market value for the land as prescribed under the Public Works Act. The affected landowners are Mr and Mrs Russell, Mr and Mrs Delich, Messrs Kyme and Mr Panagiotidis.

Mrs A Hine submitted the following questions regarding the article "Cash not car" (Community Newspaper, 29 October 1996). These questions were taken on notice by the Chief Executive Officer to be answered at the Council Meeting of 27 November 1996:

- Q1 How often are deals of this kind done by Council? Is it legal?
- A1 Council is free to enter into employment contracts and to amend those contracts as and when it deems necessary. Changing the mode of payment of remuneration in fixed term performance contracts is common practice within the industry.
- Q2 Have senior staff got the choice and power to call on ratepayers' money and use it without full Council approval in such a fashion?
- A2 Unless delegated authority is vested in a committee, it would be normal for Council to endorse changes to contracts Council has with senior employees.
- Q3 Where can the public find such items clearly documented (not lost among other bills of sale)?
- A3 The Local Government Act 1995 requires employees contracts to be available for public inspection. The CEO may delete any areas that are considered confidential.
- Q4 Have many senior staff opted for redundancy packages?
- A4 Four Senior Officers are recommended for voluntary redundancy payout in accordance with Report FA165-11/96.

Mr John Hollywood submitted the following question for the Council meeting of 27 November 1996:

Q1 "SIGNAGE ON VERGES

The current laws on signage on verges has not been adhered to.

The signs between Burns Beach Road and Quinns on Marmion Avenue are illegal.

The regulations state that all signs must have a licence number on the front of the sign and also signs can only be erected on land to be developed.

The signs on the corner of Burns Beach Road and Marmion Avenue are illegal because the land is not for redevelopment and will not be unless the Environment Protection Authority gives their permission.

Therefore as a ratepayer, these signs must come down.

Please include this letter in the Agenda for Wednesday 27.11.96."

A1 Cr Dammers advised that as a result of Mr Hollywood's questions, an inspection of the signs on Marmion Avenue had been carried out and many were found to be of an illegal nature. Contact with the owners of the signs will be undertaken and a request made for their removal.

He stated failure to comply within 14 days beyond the request being made, Council would arrange to have the signs removed.

Mr and Mrs Martin of 28 Springpark Trail, Neerabup submitted the following questions at the Council meeting of 27 November 1996 in relation to TS329-11/96:

Q1 Are you aware that the illegal unauthorised electric fence also backs onto public open space?

A1 The property does not back onto public open space. The land to the south and east of the lot is proposed special residential.

Q2 If you are considering changing this policy and allow boundary fences to be electrified, who will be held account for any deaths or injury resulting from this

change in policy when only one neighbour is requesting an electrified fence out of 2 or 3 adjoining properties?

- A2 Any electric fence that is approved by Council will be required to comply with the appropriate standards. Responsibility for injury or death would be determined by investigation by the appropriate authorities.

Mr Barry Higgins, of 140 Bernard Road, Carabooda submitted the following question at the Council meeting of 27 November 1996:

- Q1 What new initiatives does Council have in place for the advancement and welfare of youth throughout the City of Wanneroo during 1997?

- A1 The Chief Executive Officer advised that recently there has been a number of meetings with Government representatives, as well as Council staff and Councillors addressing youth problems through the City of Wanneroo and in particular, in the northern suburbs.

A number of initiatives are being recommended for presentation to Council, one such initiative to the December round of meetings.

The Chief Executive Officer felt it was also fair to comment that at present Council is currently formalising a five year plan in conjunction with a strategic plan which will become a public document. This document will encompass a number of youth orientated initiatives. Those strategies and action plans will be subject to public comment early in 1997.

He stated that at this stage no commitment is made for the latter part of 1997 as this will be dependant on Council adopting its 1997/98 budget.

Mr Vic Harman, on behalf of the Ocean Reef Residents Association, submitted the following questions for Council meeting of 27 November 1996:

- Q1 Are all Councillors aware of:
- (a) the long term time and effort put in by the Ocean Reef Residents Association to obtain the Community Centre.
- A1 (a) Council is aware of the important role played by the Ocean Reef Residents Association in the provision of this amenity.

- Q1 (b) That, contrary to the report, the developers provided the Centre as a result of negotiations with Council?
- A1 (b) It is correct to state that the developers provided this building following negotiations with Council.
- Q1 (c) The rejection by the Geographic Names Committee to recognise Beaumaris as a suburb?
- A1 (c) This statement is correct.
- Q1 (d) The precedent that will be created by accepting a commercial name?
- A1 (d) Council acknowledges that Beaumaris is a commercial name used by the local developer. In normal circumstances it would have been appropriate to refer to this venue as the Ocean Reef Community Centre. However, this would inevitably lead to confusion with the Ocean Ridge Community Centre in Sail Terrace, Heathridge.
- An alternative was, therefore required. As the building is an integral part of the Beaumaris Shopping Centre, Council believes that Beaumaris Community Centre is the most acceptable alternative name for this facility.
- Q2 Accordingly, would Council defer consideration of this item to allow a deputation to the December meeting of the Community Services Committee?
- A2 Council would certainly be prepared to consider this request when it debates Agenda Item CS192-11/96.

CONFIRMATION OF MINUTES

C485-11/96 MINUTES OF COUNCIL MEETING, 23 OCTOBER 1996

Corrections

- 1 Page 128, Item C483-10/96: The following sentence to be inserted after the motion moved by Cr Freame and seconded by Cr Cooper:
- "Discussion ensued. Cr Freame, with the approval of Cr Cooper, advised she wished to have the Motion **WITHDRAWN**"

MOVED Cr O'Grady, **SECONDED** Cr Cooper that the Minutes of the Council Meeting held on 23 October 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

BLESSINGS OF THE FLEET

On Sunday, 10 November two Blessings of the Fleet ceremonies were held in the district - one at Mindarie and the other at Two Rocks.

Both occasions were great community days and I represented Council at Mindarie and Cr O'Grady represented Council at Two Rocks.

CINEMA COMPLEX OPENING

I had the honour of opening the new Greater Union cinema complex at Whitford City last Monday evening.

This is the second such complex in the district and with another one flagged for development at Joondalup in the foreseeable future, we won't have to travel out of the district for our movie going.

CITIZENSHIP AND JUNIOR COUNCIL AWARDS

Over the past few weeks Councillors have been kept busy visiting their local high schools to present awards to the recipients of City of Wanneroo Citizenship Awards.

Also, they have given certificates to Junior Councillors in acknowledgment of their participation in Junior Council.

WANNEROO AGRICULTURAL SHOW AND SPIRIT OF CHRISTMAS FESTIVAL

I would like to give a plug to two large community events taking place this coming weekend.

The Wanneroo Agricultural Show takes place over two days, Friday afternoon and evening and all day Saturday ending with a fireworks display at 10pm on both nights.

On Saturday and Sunday, the Joondalup Spirit of Christmas Festival will be held at the Arena finishing with a Twilight Concert on Sunday followed by Carols by Candlelight.

Both these popular local events are sponsored by Council and we hope you will enjoy the wide range of activities each one offers.

CENSURE

I believe it appropriate to bring to the attention of the Council, that I have had cause to censure Cr Arthur Taylor for misconduct.

Specifically, Cr Taylor has again made comments to the media on matters before the Council, in direct contravention of Section 2.8(d) of the Local Government Act 1995, and contrary to Council's policy A2-05 relating to media statements.

I would take this opportunity of reminding all Councillors of those provisions.

Section 2.8(d) of the Local Government Act 1995 provides that the Mayor speaks on behalf of the Local Government. Council policy A2-05 provides that statements to the media may only be made by the Mayor or Chief Executive Officer.

Cr Taylor's recent comments in relation to reported election promises are entirely inappropriate, do not represent the views of the local government and since those comments could be interpreted as having political connotations, constitute conduct unbecoming a Councillor of the City of Wanneroo.

Accordingly, I have today delivered to Cr Taylor a written censure for misconduct.

PETITIONS, MEMORIALS AND DEPUTATIONS

C486-11/96

PETITION - OBJECTIONS RELATING TO KEEPING OF PIGEONS IN RESIDENTIAL AREAS - [241-0]

A 23-signature petition has been received from residents of Marangaroo objecting to the keeping of pigeons in a residential area without the consent of immediate surrounding neighbours.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from residents of Marangaroo objecting to the keeping of pigeons in a residential area without the consent of immediate surrounding neighbours be received and referred to Environmental Health Department for action.

CARRIED

C487-11/96 **FACSIMILE EXPRESSING CONCERN AT PUBLIC OPEN SPACE
BEING USED AS PRIVATE PARKING/DWELLING UNDER
CONSTRUCTION, LIONEL COURT, DUNCRAIG -
[1897/213/16]**

Cr Freame tabled a facsimile from a Duncraig resident expressing concern at a possible application being made to use public open space in Lionel Court, Duncraig as a private parking area.

The resident also questioned Council By-laws in relation to a building under construction and queried whether this had to be completed within a specific timeframe.

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the facsimile from a Duncraig resident expressing concern at a possible application being made to use public open space in Lionel Court, Duncraig as a private parking area and whether Council By-laws specified a certain timeframe in which a building under construction was required to be completed be received and referred to Town Planning Department and Building Department for action.

CARRIED

**DWELLING UNDER CONSTRUCTION, LOT 560 (3) MANAKOORA RISE,
SORRENTO - [3090/560/3]**

Cr Hancock gave notice of her intention to table and read two documents in relation to the recurrent problems at Lot 560 (3) Manakoora Rise, Sorrento toward the latter part of this evening's meeting.

URBAN ANIMAL MANAGEMENT CONFERENCE, SYDNEY

Cr Lynn advised that she had attended the Urban Animal Management Conference held in Sydney earlier this month, together with Mr Robert Imms - Ranger, Municipal Law & Fire Department.

She stated Mr Imms had prepared a report, which will be presented to Council through the December Finance and Community Services Committee.

Cr Lynn reported she would table a report to the December meeting of Council which will contain recommendations for ways of formulating a possible Urban Animal Management policy for the City of Wanneroo.

Cr Lynn thanked Council for the opportunity to attend this conference and in particular commended Robert Imms for the work he has carried out in the preparation of his report since returning from the conference.

She stated in view of Robert's knowledge and expertise, it was extremely helpful to have him attend this conference with her.

DWELLING UNDER CONSTRUCTION, LOT 560 (3) MANAKOORA RISE, SORRENTO - [3090/560/3]

Cr Lynn tabled a facsimile from a resident of Manakoora Rise, Sorrento regarding a number of issues relating to the dwelling under construction, Lot 560 (3) Manakoora Rise, Sorrento.

Appendix XXIV refers.

DWELLING UNDER CONSTRUCTION, LOT 560 (3) MANAKOORA RISE, SORRENTO - [3090/560/3]

Cr Popham tabled a facsimile from Mr Keith Holmes, 10 Manakoora Rise, Sorrento which he read to this evening's Council meeting.

This facsimile was tabled earlier by Cr Lynn - Appendix XXIV refers.

PERSONAL EXPLANATION BY CR TAYLOR - [702-3]

Under Standing Order 85, Cr Taylor sought leave to give a personal explanation at this point:

Cr Taylor: "In relation to the press statement you have censured me on in the letter you handed me this evening, I would like to make two comments on that.

I do admit to putting out that press statement to the Councillors here, but what some of the Councillors may not be aware of, and certainly the Mayor is not aware of, and he refuses to discuss the matter with me; is the fact that I

withdrew paragraph 4 of that press statement on the same morning it went out. As soon as the first reporter contacted me and read paragraph 4 to me I conceded that it could be construed as speaking on behalf of Council and requested he withdraw it and do not publish that portion of my press release. I then went back and read over my handwritten notes and what had happened was I wrote three paragraphs, I faxed it through to someone that had access to a computer on that night that could type it up for me - they broke it up into five paragraphs. Therefore, the fourth paragraph could be taken out of context. I then approached on that same day, the Tuesday, various other media outlets and one of them is sitting here, so it can be substantiated with the Wanneroo Times - the editor is sitting here. I approached him and requested he withdraw that paragraph and not go to press with it. I phoned the Mayor on the same day to try and discuss the matter with him and advise him that I had withdrawn paragraph 4. He refused to discuss the matter with me; said he would be dealing with it here in full Council and hung up on me. So much for his "open door" policy of discussing matters.

I also discussed it with the CEO late this afternoon, who advised I try and discuss it again with the Mayor, of which I did five minutes before this meeting started in the Councillors' lounge. He again said he was not interested in my explanation. He might not be interested in my explanation, but I am prepared to give it.

I do unreservedly apologise for paragraph 4 of that press release. I certainly will not be standing by and supporting 20 million dollars worth of electioneering in the northern suburbs without standing up for my South ward and seeing they get a fair share, so that was my motivation behind it - sticking up for my ward ratepayers!

That's my explanation, Councillors. I do unreservedly withdraw paragraph 4 and apologise for it, as I did on the Tuesday; the same day I released that."

Cr Dammers stated that as far as he was concerned, Cr Taylor's press release was sent to him by the West Australian, as it is, as circulated to Councillors. He stated the West Australian did not contact him and say that Cr Taylor had withdrawn it, and he responded to the West Australian and to the ABC on that press

statement. Cr Dammers then stated that when Cr Taylor rang, he did not tell him anything about changing or withdrawing his statement and said "at least I thought you would support me on this one". Cr Dammers advised Cr Taylor that he did not accept his explanation.

INSTITUTE OF MUNICIPAL MANAGEMENT CONFERENCE

Cr Magyar thanked Council for the opportunity to attend the Institute of Municipal Management Conference at the end of October.

He stated he was particularly impressed with the panel discussion in which the Commissioner of Police, Mr Bob Falconer, took part and believed Mr Falconer had a very systematic and holistic approach to the questions of youth issues.

Cr Magyar advised there were a number of Chief Executive Officers from Victoria in attendance at the conference who discussed the question of competitive tendering. Their comments in this regard were that a City or a municipality would need to be of a considerable size to gain any benefit whatsoever from competitive tendering. One CEO believed the ideal population was approximately 350,000 people, therefore Cr Magyar felt the City of Wanneroo was currently the minimum size to gain any financial benefit from competitive tendering.

CLAIR FORUM

Cr Magyar advised he had attended the CLAIR Forum, run by the Japanese Local Government Centre, who have six centres at different localities around the world.

This forum related to environmental planning issues.

BUILDING NEW CITIES CONFERENCE, MELBOURNE

Cr O'Grady thanked Council for the opportunity to attend the conference on "Building New Cities" held in Melbourne.

She advised she found the conference to be particularly informative, arriving back in Perth with many new ideas which she hoped Council may be able to promote.

Cr O'Grady felt it a worthwhile exercise attending conferences, in this particular case seeing what is happening in the Eastern states. She mentioned one point that came across clearly was the issue of compulsory competitive tendering.

DISABILITY ACCESS CONFERENCE, FREMANTLE

Cr O'Grady reported she had attended the first half of the Disability Access conference held in Fremantle.

She found the conference both very enjoyable and uplifting to see people with major disabilities who had travelled around the world and overcome their disabilities.

MAPPING SEMINAR

Cr O'Grady advised that along with Family and Childrens' Services and other non-government agencies, a Mapping Seminar was held last Wednesday.

She stated this had been extremely successful, and highlighted the fact that the City of Wanneroo can work well in conjunction with other government agencies.

Cr O'Grady presented a paper titled "Community Consultation Youth and Community Needs in the City of Wanneroo" for both Councillors and Council staff to peruse. She advised a follow-up workshop would be held in approximately six months time.

Cr O'Grady took the opportunity to thank Dennis Blair, Acting City Engineer and the Engineering Department on behalf of the Disability Access Advisory Committee for the improvements they have implemented for people with disabilities.

C488-11/96 LOCAL RURAL STRATEGY - RESIDENTS WORKSHOP - [290-7-2]

Cr O'Grady tabled a letter from the Lake Neerabup Residents Group seeking permission to hold a workshop, to be convened hopefully in February 1997.

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell the letter from Lake Neerabup Residents Group seeking permission to hold a workshop be referred to Town Planning Department for action.

CARRIED

C489-11/96 EXTENSION OF ANCHORAGE DRIVE, MINDARIE - [510-2926]

Cr O'Grady tabled a letter from a Mindarie resident requesting the completion of the extension of Anchorage Drive, Mindarie Keys as was indicated in their contract when purchasing their block of land.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the letter from a Mindarie resident requesting the completion of the extension of Anchorage Drive, Mindarie Keys be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C490-11/96 PETITION REQUESTING INSTALLATION OF NEW PLAY EQUIPMENT, MCKIRDY PARK, MCKIRDY WAY, MARMION - [061-425]

A 37-signature petition has been received from children of McKirdy Way and surrounding streets requesting the installation of new play equipment at McKirdy Park, McKirdy Way, Marmion.

This petition will be referred to Parks Department for action.

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition requesting installation of new play equipment at McKirdy Park, McKirdy Way, Marmion be received and referred to Parks Department for action.

CARRIED

C491-11/96 PETITION EXPRESSING CONCERN AT ANTISOCIAL BEHAVIOUR, VICINITY PARKER AVENUE, SORRENTO - [0023/168/8]

An 8-signature petition has been received from Sorrento residents, expressing their concerns in relation to the following:

- 1 obstruction to traffic by both pedestrian congregation and double parking on a slop with nil visibility to traffic - rise between Parker Avenue and Raleigh Road;
- 2 noise;
- 3 dangerous and negligent driving, often at high speeds, particularly at the intersection of Frobisher Avenue and Parker Avenue in Sorrento.

The petitioners state the offenders are a group of youths who constantly speed in the locality, perform "spin-outs", leaving tyre marks outside residences which creates a continual noise nuisance.

This petition will be referred to Municipal Law & Fire Services Department for action.

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from Sorrento residents expressing their concerns in relation to antisocial behaviour in the vicinity of Parker Avenue, Sorrento be received and referred to Municipal Law & Fire Services Department for action.

CARRIED

**C492-11/96 PETITION REQUESTING CLOSURE OF PEDESTRIAN
ACCESSWAY, MIRBELIA COURT, GREENWOOD - [510-80]**

A 5-signature petition has been received from Greenwood residents requesting the closure of the pedestrian accessway in Mirbelia Court, Greenwood.

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

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from Greenwood residents requesting the closure of the pedestrian accessway in Mirbelia Court, Greenwood be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

**C493-11/96 PETITION REQUESTING PROVISION OF CYCLE PATH -
CHICHESTER PARK, WOODVALE - [061-396, 502-34]**

A 50-signature petition has been received from Woodvale residents requesting the provision of a cycle path at Chichester Park, Woodvale.

The petitioners state this is a extensive park, which services a large number of residents living in the area; as well as providing for sporting events.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from Woodvale residents requesting the provision of a cycle path at Chichester Park, Woodvale be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C494-11/96

**LETTER OBJECTING TO EXCESSIVE NOISE - COQUINA
CLOSE, HEATHRIDGE - [1324/164/3]**

A 10-signature letter has been received from Heathridge residents objecting to excessive noise emanating from a property in Coquina Close, Heathridge.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the letter from Heathridge residents objecting to excessive noise emanating from a property in Coquina Close, Heathridge be received and referred to Environmental Health Department for action.

CARRIED

C495-11/96

**PETITION EXPRESSING CONCERN - INTERSECTION OF
TREETOP AVENUE AND JOONDALUP DRIVE, EDGEWATER -
[30/3814, 510-1222]**

A 35-signature petition has been received from the staff of Mater Dei College, Edgewater expressing concern at the dangerous situation which exists at the intersection of Treetop Avenue and Joondalup Edgewater.

The petitioners state that Joondalup Drive is a very busy road, particularly at peak periods, and the recent opening of further businesses has increased traffic flows. They state other problem areas include:

- unclear road markings in Treetop Avenue on the eastern side of the intersection;
- limited vision of traffic approaching from the northern end of Joondalup Drive;
- increasing student numbers (an increase of 200 students in 1997) and associated traffic and transport.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from staff of Mater Dei College, Edgewater expressing concern at the dangerous situation which exists at the intersection of Treetop Avenue and Joondalup Drive, Edgewater be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C496-11/96

**PETITION OBJECTING TO TWO GROUP DWELLINGS - LOT
222 RESOLUTE WAY, OCEAN REEF - [30/5517]**

A 24-signature petition has been received from residents of Ocean Reef objecting to the proposed two grouped dwellings at Lot 222 Resolute Way, Ocean Reef.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from residents of Ocean Reef objecting to the proposed two grouped dwellings at Lot 222 Resolute Way, Ocean Reef be received and referred to Town Planning Department for action.

CARRIED

C497-11/96

PETITION OPPOSING APPLICATION TO QUARRY - LOTS 1, 11, 12 AND 13 CNR WESCO/GIBBS ROADS, NOWERGUP - 30/01001

A 45-signature petition has been received from residents of Gibbs Road and surrounding area opposing the application to quarry on Lots 1, 11, 12 and 13 Cnr Wesco and Gibbs Roads, Nowergup.

The petitioners object to the close proximity of the proposed quarry to established residences and the development of a 12 metre high earth bund to satisfy acoustic requirements and its effect on the property value and amenity of the area.

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

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the petition from residents of Gibbs Road and surrounding area opposing the application to quarry on Lots 1, 11, 12 and 13 Cnr Wesco and Gibbs Roads, Nowergup be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

A YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE
Meeting held 14 November 1996

MOVED Cr Freame, **SECONDED** Cr Ewen-Chappell that the Minutes listed at Item A be received.

CARRIED

ADVISORY COMMITTEES

- A WANNEROO EISTEDDFOD ADVISORY COMMITTEE
Meeting held 10 October 1996
- B MULTICULTURAL ADVISORY COMMITTEE
Meeting held 17 October 1996
- C HISTORICAL SITES ADVISORY COMMITTEE
Meeting held 23 October 1996
- D YOUTH ADVISORY COMMITTEE
Meeting held 28 October 1996
- E CULTURAL DEVELOPMENT ADVISORY COMMITTEE
Meeting held 28 October 1996
- F CHILDREN'S SERVICES ADVISORY COMMITTEE
Meeting held 28 October 1996

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

CARRIED

OTHER COMMITTEES

- A WHITFORD RECREATION ASSOCIATION
Meeting held 16 September 1996
- Cr Major mentioned it was incorrectly stated the pesticide trinquat had been used. This pesticide is in actual fact called triquat.
- This matter has been referred to Parks Department for action.
- B QUINNS ROCKS RECREATION ASSOCIATION
Meeting held 2 October 1996
- C YANCHEP TWO ROCKS RECREATION ASSOCIATION INC
7 October 1996
- D OUTSIDE SITE SAFETY COMMITTEE
Meeting held 16 October 1996
- E JUNIOR COUNCIL
Meeting held 6 November 1996

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

CARRIED

DECLARATIONS OF FINANCIAL INTEREST

Cr Magyar queried whether it was necessary to declare an interest in Item TS309-11/96 concerning Mullaloo Primary School as his wife is employed at this school.

The Mayor stated it was his belief that it was not necessary for Cr Magyar to declare an interest. Cr Magyar advised he wished to do so in any case.

MOVED Cr Cooper, **SECONDED** Cr Tippettt that Cr Magyar's declaration of interest in relation to TS309-11/96 be considered a trivial matter.

CARRIED

Cr Popham declared an interest in Item TS315-11/96.

Cr Duffy declared an interest in Item TP271-11/96.

Cr Tippettt declared an interest in Item C507-11/96.

Cr Major declared an interest in Item C508-11/96.

Cr Taylor declared an interest in Item C509-11/96.

Cr Dammers declared an interest in Item C510-11/96.

BUSINESS REQUIRING ACTION

Legend - Numbering System:

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

C498-11/96 POLICY COMMITTEE

MOVED Cr Cooper, **SECONDED** Cr Healy that the Report of the Policy Committee Meeting held on 11 November 1996 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY to 1830 hrs	North Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	G A MAJOR - Acting Chairman from 1931 hrs to 1947 hrs	South-West Ward
	A W WIGHT to 2010 hrs	South Ward
	P O HEALY - Observer; Deputising for Cr O'Grady from 1830 hrs	North Ward
	V G HANCOCK - Deputising for Cr Freame	South-West Ward
	B A COOPER - Observer	Central Ward
	S P MAGYAR - Observer	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer; Deputising for Cr Wight from 2010 hrs	South Ward
	M E LYNN, JP - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Treasurer:	J TURKINGTON
Acting City Engineer:	D BLAIR
Deputy City Parks Manager:	D CLUNING

Disability Access Officer:
Committee Clerk:

J EDWARDS
J AUSTIN

APOLOGIES

An apology for absence was tendered by Cr Freame; Cr Hancock deputised.

An apology for absence was tendered by Cr Tippet.

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 7 October 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced: 1800 hrs
Closed: 2046 hrs

REPORT NO:

P107-11/96

POLICY - RECOUP OF MEMBERS ADVERTISING EXPENSES -
[702-3]

A request has been received in respect to the recoup of expenses related to newspaper advertising.

In particular the proposal is to allow Councillors to invite electors to meet them at a local shopping centre to discuss issues and concerns.

To facilitate this service it will be necessary to amend Council's policy A2-06 Members of Council - Travelling and Other Expenses.

Discussion ensued. Concern was expressed about Council covering the cost of advertising which contained names and photographs of Councillors. Suggestions were made that consideration be given to the placement of advertisements in either the public notice section of the Community Newspaper or Council's "Newsextra" publication.

REPORT RECOMMENDATION That Council:

- 1 amends its policy A2-06 Members of Council - Travelling and Other Expenses by:
 - (a) deleting the word "necessarily" in the first paragraph;
 - (b) including the following after clause 9:

"10 Where a Member places a notice in a local newspaper inviting electors to meet with a Ward Councillor(s) in order to assist with local issues and concerns";
 - (c) deleting the section relating to "Loss of Earnings";
- 2 includes the following as a new item of policy:

"A2-09 Members of Council - Advertising

Council supports the concept of Councillors undertaking newspaper advertising to publicise their presence at a predetermined location for the purpose of meeting with electors to assist them with local issues and concerns.

In order for these advertising costs to be regarded as a recoupable expense, the following will apply:

- (i) advertisements are limited to no more than one notice per month/per Councillor;
- (ii) advertisement size is to be no larger than 11 cm x 8 cm (8 x 3 column);
- (iii) notice is to only be placed in a local newspaper;
- (iv) this class of advertising is not to be carried out during the three months leading up to a Council election or in respect of a Councillor who has nominated as a candidate for a State or Commonwealth election".

Cr Magyar indicated that he would like Councillors to give consideration to the suggested following points when this Item is considered at the next Policy Committee meeting:

- 1 Council provides newspaper advertising to publicise Councillors' presence at predetermined locations for the purpose of meeting with electors to assist them with local issues and concerns;
- 2 the advertising is not to name Councillors so as to allow all Councillors to participate in this scheme regardless of proximity to elections;
- 3 these advertising costs to be allocated from funds relating to Councillors' expenses and to be reported as required under Section 44 of the Local Government (Financial Management) Regulations 1996;
- 4 lists for consideration in the 1997/98 Budget funds for the design and construction of two mobile information booths, supporting information technology and staff overtime to support this scheme.

MOVED Cr Magyar, **SECONDED** Cr Popham that consideration of this matter be deferred and referred to the December meeting of Policy Committee for further consideration.

CARRIED

P108-11/96

**ADOPTION OF CLOTHING STANDARDS WHICH WILL PROTECT
WORKERS FROM ULTRA VIOLET RAYS - [702-3]**

Council policy B2-16 currently provides for short sleeve shirt and shorts to be issued to outside workers. To ensure workers are provided with clothing which protects them from UV rays

which cause skin cancer the policy needs to be amended to restrict clothing issues to long sleeve shirts and trousers.

MOVED Cr Magyar, **SECONDED** Cr Popham that Council endorses the deletion of short sleeve shirts and shorts from the work clothing issue and adopts the following Protective Clothing Policy (B2-16):

"Protective Clothing (B2-16)

In recognition of the need to protect employees from hazards in their workplaces, protective clothing will be issued. To provide protection again UV in sunlight, clothing will consist of long pants and long sleeve shirts. Hats will be broad brimmed in "legionnaire" style. Boots and shoes will have toe cap protection. It is a condition of employment that the issue clothing is worn at all times at work and is properly cared for.

Issue details are -

Outside Workers (i.e. employees required to work in direct sunlight for more than 1 hour cumulative each day on average)

OR

Workshop Personnel

Shirts and Trousers	}	One issue of 2 twice per year
OR		
Overalls	}	One issue per year
Boots		
Hats		

Stores Personnel

Shirt and Trousers	One issue of 2 twice per year
Boots	One issue per year

Replacement clothing will be issued on a fair wear and tear basis."

CARRIED

P109-11/96 **SALARIES AND WAGES OVERPAYMENTS - [016-0]**

Council, at its August 1996 meeting, sought a report on the appropriate action to be taken in the event of salary overpayments. This report details an interim policy in relation to salary overpayments.

Chief Executive Officer was requested to advise members of staff of this Policy.

MOVED Cr Magyar, **SECONDED** Cr Popham that Council adopts the following as an interim policy on salary/wage overpayments, pending a review prior to the adoption of the 1997/98 Budget, of charging interest on **all** outstanding amounts:

- 1 All salary/wage overpayments be raised in Council's debtors ledger for the net amount (with deductions, ie taxation being reversed immediately);
- 2 the employee be notified in writing of the overpayment, with the request that full reimbursement be made within 10 working days;
- 3 should the affected employee be unable to make full reimbursement within the 10 working day period, a suitable repayment programme be entered into and approved by the Chief Executive Officer.

CARRIED

P110-11/96 TENNIS COURT LIGHTING STANDARDS - [250-9]

Council considered a report on Tennis Court Lighting Standard at its meeting of 20 September 1995 (Item P24-09/95 refers). Following consideration of this report, Council resolved that:

"a further report be submitted to Policy Committee in relation to:

- (a) the provision of competition standard lighting to a percentage of courts as outlined in Report P24-09/95;
- (b) responsibility for power charges for the additional lighting standard".

The report described the history of how illumination levels were derived and incorporated into current specifications. It proposed a new policy and specification based upon a report by consultants into the lighting at Wanneroo Tennis Club on Elliot Park, Wanneroo and gave indicative costs to upgrade all courts in the municipality.

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

- 1 amends its policy manual by adopting the Tennis Court Lighting Policy, as detailed in Attachment 3 to Report P110-11/96;

- 2 includes a Tennis Court Lighting Upgrade Programme in the Five Year Forward Plan to maintain the lighting standard of tennis courts to the "Association Standard" and "Recreation Standing" on a priority basis for tennis courts as shown on Attachment 3 to Report P110-11/96.

CARRIED

Appendix I refers

P111-11/96 MEDIA RELEASE - PARKS RETICULATION SECTION - [704-1]

The media release of Thursday, 3 October 1996 by Channel 7 identified specific areas of concern regarding employee work practices.

Additional film provided by TVW7 enable clear identification of vehicles and other departments involved. The relevant information has been provided to the appropriate department head for their information.

This report details various Parks employees who were filmed and details disciplinary action initiated in accordance with the procedure for investigation of misconduct.

Deputy City Parks Manager and Acting City Engineer gave verbal reports in relation to the media release and outlined methods currently being implemented to ensure satisfactory monitoring of external workforce.

MOVED Cr Magyar, **SECONDED** Cr Popham that Report P111-11/96 be received.

CARRIED

P112-11/96 AMENDMENT OF DISABILITY SERVICE PLAN FOR THE CITY OF WANNEROO - [880-8-11]

Endorsement is being sought from Council to amend the Disability Service Plan which was adopted in December 1995 (Item P46-12/95 refers).

MOVED Cr Magyar, **SECONDED** Cr Popham that Council approves amendments to the Disability Service Plan as outlined in Report P112-11/96.

CARRIED

Appendix II refers

P113-11/96 OPENING OFFICES TO THE PUBLIC OVER CHRISTMAS AND NEW YEAR PERIOD - [200-0]

On 2 January 1997 employees become entitled to a holiday in lieu of the public holiday which had been previously taken on the day after New Year's Day.

This report provides details of amendments made concerning public holidays to the two principal awards covering local government employees and also details two options offered in order to clear the day in lieu which becomes due on 2 January 1997.

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

- 1 selects Option two of Report P113-11/96 which involves opening Council offices on both Friday 27 December 1996 and Thursday 2 January 1997;
- 2 offers staff members the opportunity to utilise their day in lieu on either 27 December 1996 or 2 January 1997.

CARRIED

P114-11/96 LIBRARY OPENING - CHRISTMAS/NEW YEAR PERIOD -
[240-2]

The Chief Executive Officer referred to a Memorandum received from the Acting City Librarian in relation to opening hours of Libraries. The Acting City Librarian advised that a full staff complement is required to open libraries and requested Council permission for all libraries to be open on 27 December 1996 and closed on 2 January 1997.

MOVED Cr Magyar, **SECONDED** Cr Popham that Council approves the opening of libraries over the Christmas/New Year period as follows:

Friday 27 December 1996 - OPEN
Thursday 2 January 1997 - CLOSED

CARRIED

P115-11/96 DISTRIBUTION OF AGENDAS - [200-0]

This report provides details of a proposal to alter the distribution of the Technical Services Agenda from Friday a week prior to the meeting, to the Friday immediately prior to the meeting and the Town Planning Agenda to now be distributed on the Tuesday, six days prior to the meeting.

This will allow for a more timely decision making process and decrease response times to electors. The shortened response

times will hopefully lead to an increase in customer satisfaction.

REPORT RECOMMENDATION That Council:

- 1 distributes the Town Planning Agenda on the Tuesday prior to the Town Planning Committee meeting;
- 2 distributes the Technical Services Agenda on the Friday prior to the Technical Services Committee meeting.

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

- 1 distributes the Town Planning Agenda on the Tuesday prior to the Town Planning Committee meeting;
- 2 distributes the Technical Services Agenda on the Friday prior to the Technical Services Committee meeting;
- 3 distributes the Policy Agenda on the Tuesday prior to the Policy Committee meeting.

CARRIED

P116-11/96 LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]

This report details applications received for legal representation at the Royal Commission.

REPORT RECOMMENDATION That Council, in accordance with the provisions of Policy A2-12 **LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY**, endorses the CEO's actions to provide interim approval under the urgency provisions for legal representation submitted by the City Building Surveyor, Mr Ray Fischer, the former Property Manager, Mr John Jodrell, the City Planner, Mr Oscar Drescher and the Deputy City Planner, Mr John Humphreys.

ADDITIONAL INFORMATION

Chief Executive Officer advised that Deputy City Engineer, Dennis Blair, had also received a summons to appear before the Royal Commission and requested his name be included in the recommendation to this report.

COMMITTEE RECOMMENDATION That Council, in accordance with the provisions of Policy A2-12 **LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY**, endorses the CEO's actions to provide interim approval under the urgency provisions for legal representation submitted by the City Building Surveyor, Mr Ray Fischer, the former Property Manager, Mr John Jodrell, the City Planner, Mr Oscar Drescher, the Deputy City

Planner, Mr John Humphreys and Deputy City Engineer, Dennis Blair.

FURTHER ADDITIONAL INFORMATION

Chief Executive Officer advised the following additional applications have been received for legal representation at the Royal Commission:

- 1 By application dated 12 November 1996 Mr R F Coffey, former Town Clerk, requests legal assistance on matters before the Commission on which he may be called to give evidence and that he may approach Kott Gunning, solicitors, in respect of these matters;
- 2 By application dated 13 November 1996, Mrs Beverley Moloney, former Councillor, requested legal representation to appear before the Royal Commission in respect of matters relating to Chichester Reserve, Woodvale;
- 3 By application dated 21 November 1996, Mr William Marwick, former Councillor, requested legal representation to appear before the Royal Commission on 21 November 1996;
- 4 By application dated November 1996, Mr Roger Hope-Johnstone, former employee, requested legal representation to appear before the Royal Commission on 29 November 1996 in respect of matters relating to Greenwood Village Shopping Centre.

These applications were approved under the urgency provisions of Clause 3.1 of Council's policy A2-12 LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY.

MOVED Cr Major, **SECONDED** Cr Cooper that Council, in accordance with the provisions of Policy A2-12 LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY, endorses the CEO's actions to provide interim approval under the urgency provisions for legal representation submitted by the City Building Surveyor, Mr Ray Fischer, the former Property Manager, Mr John Jodrell, the City Planner, Mr Oscar Drescher, the Deputy City Planner, Mr John Humphreys, Deputy City Engineer, Dennis Blair, Mr R F Coffey, Mrs Beverley Moloney, Mr William Marwick and Mr Roger Hope-Johnstone.

CARRIED

TRANSPORT CHARGE - [852-1]

Cr Ewen-Chappell referred to a letter from a Mrs Sculley in connection with charges paid by her to Council for transport from her home to receive medical treatment. Mrs Sculley believes the charge to be excessive, due to the short distance of the journey.

Chief Executive Officer advised that this matter was currently receiving attention.

JET SKI HIRE - SORRENTO - [765-1, 765-23]

Cr Duffy advised he had been contacted by a person who had submitted an application for a jet ski hire business at Sorrento and who had since been advised by a Council officer that this proposal would be put to tender.

Chief Executive Officer stated that should this application be required to go to tender, it would be brought to Council's attention to determine this course of action.

HOLIDAY ACCOMMODATION - YANCHEP - [0443/-/5A, 0443/-/5B]

Cr Hancock queried the current position in relation to the Yanchep holiday accommodation.

Chief Executive Officer believed this matter had been resolved, but would investigate and advise Councillors accordingly.

TENDER - BEACH CLEANING - [208-061-96/97]

Cr Taylor referred to a facsimile received from Project Industries regarding tender for beach cleaning. He suggested that Councillors contact the Acting City Engineer to view the tender documents, as he believed this was clearly a non-conforming tender.

Chief Executive Officer advised that Council had written to the tenderer advising of the non-conforming items. He further reported on advice received from the Acting City Engineer regarding his actions in obtaining information from other Councils on beach cleaning machinery used by them.

POLICY - DEPUTISING FOR MAYOR AT FUNCTIONS - [702-3]

Cr Taylor queried whether a Council policy was required to be formulated on non-elected members (partners) deputising for a Mayor at functions.

Chief Executive Officer stated many Councils recognised a role for the Mayor's partner, particularly in the entertaining, hosting and charity areas.

Cr Taylor requested a report be submitted to Policy Committee on Council policy relating to non-elected members (partners) deputising for a Mayor at functions.

The Mayor explained that in the case in question he was not able to attend a function and that his wife had been requested to attend in her own right.

DISTRIBUTION OF MINUTES OF COUNCIL - [702-3]

Cr Taylor referred to the item raised at the October 1996 meeting of Council which resolved that Minutes be supplied to any person or organisation on the payment of the appropriate fee. He suggested that no charge should be made to local media.

Councillors present were not in agreement with this proposal.

REPORT - "RESOURCE RENEWAL" - [508-1]

Cr Popham tabled a report on waste management systems and requested this be referred to the relevant department.

COMMUNITY CRIME STRATEGY - [905-1]

Cr Popham referred to an item reported in the "Desk of the CEO" which was circulated to Councillors, in which the Chief Executive Officer advised he would arrange for the Joondalup District Superintendent of Police to address Council. He queried whether any progress had been made in this regard.

Chief Executive Officer reported that the presentation would be arranged in the near future.

QUESTIONS TO COUNCIL - MR PARIN - [702-0, 3090/560/3]

Cr Popham referred to the questions submitted for the October 1996 meeting of Council by Mr Parin and asked what had caused the delay in these questions being presented to Council.

Chief Executive Officer advised that it had not been apparent that these questions were for presentation at the Council meeting and stated that, in accordance with normal procedure, these questions had been referred to the relevant officer, in this case the City Building Surveyor. Staff have been advised that questions to Council are to be referred to the Chief Executive Officer.

MANAKOORA RISE - COMPENSATION CLAIMS - [3090/560/3]

Cr Popham indicated he had received a memorandum from Cr Freame expressing concern about the compensation claims in relation to the property in Manakoorra Rise, and indicating the legal costs involved to date.

The Chief Executive Officer advised these matters were being addressed by Council's Insurance Company.

ANIMAL EXERCISE BEACH - [765-22-2]

Cr Lynn expressed her concern in relation to problems being experienced at the animal exercise beach at Hillarys due to the increase in users and the recent division of areas for dogs and horses. She requested an advertisement be placed in the Community Newspaper showing a map of the animal exercise beach and outlining the designated areas for dogs and horses.

BEACH INSPECTOR - HILLARYS TO OCEAN REEF - [765-22]

Cr Lynn raised a suggestion made by Council's Senior Ranger that a beach inspector be employed to patrol the area between Hillarys and Ocean Reef and requested this matter be given consideration.

ACCESS TO ANIMAL EXERCISE BEACH - [765-22-2]

Cr Lynn asked that alternative methods be investigated to assist dog owners in accessing the animal exercise beach with their animals, as dogs are not allowed on dual purpose pathways. She suggested the installation of signs for "Dogs on Lead Only" to assist in this regard.

CONCERNS REGARDING CONDITION OF CLIFF - MULLALOO BEACH - [765-11]

Cr Lynn referred to concerns raised by Mr Durbin of Kallaroo regarding the condition of the cliffs at Mullaloo Beach.

Chief Executive Officer stated that officers had liaised with various Government Departments and advised Mr Durbin that the condition of the cliffs is satisfactory, however Mr Durbin still has concerns. Chief Executive Officer advised that the matter will be investigated further and Mr Durbin advised accordingly.

C499-11/96 TECHNICAL SERVICES COMMITTEE

MOVED Cr O'Grady, **SECONDED** Cr Wight that the Report of the Technical Services Committee Meeting, held on 13 November 1996 be received.

CARRIED

ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	A V DAMMERS, JP - Mayor - Acting Chairman from 2025 hrs to 2026 hrs	
	P O HEALY	Central Ward
	A G TAYLOR	North Ward
	Ward	South
	T W POPHAM	South Ward
	V G HANCOCK	South-West
	Ward	
	G A MAJOR	South-West Ward
	L O'GRADY - Observer	North Ward
	B A COOPER - Observer from 1819 hrs	Central
	Ward	
	S P MAGYAR - Observer	Central Ward
	W D DUFFY - Observer	South
	Ward	
	D K TIPPETT, JP - Observer	South
	Ward	
	F D FREAME - Observer	South-West Ward
	M E LYNN, JP - Observer	South-West
	Ward	

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
Acting City Engineer:	D BLAIR
City Building Surveyor:	R G FISCHER
Deputy City Parks Manager:	D CLUNING
Minute Clerk:	S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Wight.

PUBLIC/PRESS ATTENDANCE

There were 12 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

Mrs M Tate:

Q1 I would like to raise a number of questions in relation to TS134-11/96. My husband and I are the owners and residents of Lot 2, Gibbs Road, Nowergup. Item 2 of the management procedure of the application states that all

vegetation adjacent to Gibbs Road and extending for 150 metres east is retained as a buffer zone.

It also adds that the closest the excavation comes to the resident is approximately 70 metres. It is also contained in the buffer strip.

Item 2.3 states that a 150 metre buffer zone is proposed on Gibbs Road.

According to the policy statement of the Perth Metropolitan Region basic raw materials, it is essential that adequate buffer zones be retained. By definition, a buffer zone allows protection and ensures safe measures are in place.

I would like to question why the buffer zone is not 150 metres from our boundary instead of including our property and home in the buffer zone. We consider that the inclusion of our property in the buffer zone is unjust.

- Q2 In the report it is noted that the original application has taken 12 months to meet the appropriate requirements. Prior to this the acoustic report stated that the noise levels received at the closest residence would at all times exceed the regulations.

The application required amendments to control the noise impact on the local community. To meet the regulations it is necessary to build a 12 metre high bund. If this earth bund is 12 metre high what is the measurement and width of the base and where does this commence in relation to 70 metres from the boundary.

- Q3 Do you consider that this 12 metre high bund is appropriate and reasonable and the visual impact acceptable.

- Q4 There is a 45-signature petition from every resident in Gibbs Road who are of the opinion that this will cause a visual intrusion into the area, be a potential source of dust and have a negative effect on property values. How is this bund going to be adequately stabilised and also not create a dust problem.

The quarry operations in the area have a long history of not meeting Council conditions. Complaints regarding these issues are well documented with Council's Health Department.

Q5 The Gibbs Road Action Group are concerned that there is information contained in the current report that differs significantly to that which formed part of the documents available to the community at the time of advertising this application late last year. In particular, we are concerned that this applicant is proposing to construct a 12 metre high noise attenuation bund at the quarry site to achieve the noise reduction levels required by your Health Officers. This detail did not form part of the applicant's proposal during the advertising period.

Would Council consider the need to readvertise applications in the future when major amendments which impact on the whole community have been included.

A1-5 Chairman's response: The Acting City Engineer has been approached and because the questions are fairly lengthy and in depth advised he would like to take these on notice.

Cr O'Grady requested that the answers supplied to Mrs Tate's questions be communicated to her.

Ms A Gifford-Trice:

Q1 In relation to TS319-11/96, unauthorised installation of a private swimming pool and the second recommendation that requires the removal of the swimming pool. The swimming pool was put in by Aqua Technics. It is unlicensed and not my fault. It complied with all safety regulations and feel that removing the swimming pool now that it is there would be unduly harsh. I would like Council to consider that.

A1 City Building Surveyor's response: It is quite correct that there was a pool installed without a building license. It is unfair that the owner is in the situation of having an unauthorised pool installation. To overcome the problem requires the service of a notice. Appeal provisions would allow then for the applicant to appeal to the Minister for Local Government who can then legalise the installation.

Mr P Green:

Q1 Regarding 30/100, I am concerned about the 12 metre high bund and would like to know or have some sort of guarantee that this is to prevent noise. What sort of guarantee can be given to prevent reverberation of that noise and also what steps will be taken regarding increased traffic to Gibbs Road.

Q2 Gibbs Road is a winding road and not designed for heavy traffic and any increase to that road will only increase hazards to local residents. They have been waiting for the Nowergup Road extension to go through and would like some sort of commitment that they will be contacted before any application is considered.

A1 Acting City Engineer's response: With regard to reverberations, the Acting City Engineer advised he would take this on notice and would seek advice from consultants and the Environmental Health Manager.

The Acting City Engineer advised that Council is reviewing this clause and advised of comments from the Environmental Health Manager that the bund will reduce the noise levels to the standard that has been set.

He will take this question on notice and answer at the same time as the other questions.

A2 Acting City Engineer's response: Tenders for the Nowergup Road extension have closed and a report will go to the December Council meeting. Construction will start in January 1997.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 9 OCTOBER 1996

The Minutes of the Technical Services Committee Meeting held on 9 October 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - DAVALLIA PRIMARY SCHOOL PARKING

Messrs Graham Boyd, Bob Sharkey and Ms Wendy Wetton of the Residents Representatives Committee addressed the Committee in relation to Davallia Primary School Parking - Item TS307-11/96 refers.

Mr B Sharkey distributed copies of extracts from the Task Force on Road Safety at Schools Report Volume 1 and also copies of a letter from W Wetton on behalf of the Representative Committee for Residents of Juniper Way and Tandy Court, Duncraig addressed to the Chief Executive Officer which highlighted key points in relation to parking at Davallia Primary School - Appendix III refers.

He referred to a map of the school and believed that a school sited in this way would never be considered, let alone put for approval and felt that this was a situation where none of the normal solutions of embayment parking on road reserves are available and any solutions to parking need to be looked at off site.

Mr Sharkey stated that the teacher parking, based on the number set out in the task force report, would require 35 - 40 car bays whereas there are only 23, which is half the teacher numbers that are needed.

He advised that there were only 16 embayment parking bays, where the standard would indicate between 55 - 60 are required, excluding the pre-primary.

Mr Sharkey explained that because of the duty of care which requires parents to deliver children to class rooms, there would be an extra 40 - 50 car movements when the pre-primary comes on stream and believed there would be a serious under provision of parking.

He requested Council to investigate the parking problem and believed that co-operation between local government and the Education Department on problems such as this were usually apportioned on a 50/50 basis.

Mr Sharkey implored Council to consider the matter in a pro active way and to agree with a solution that requires parking to be pushed slightly into the existing road reserve.

In relation to parking problems in Juniper Way, he referred to the task force report and commented that it was clear that when a school is upgraded to any significant extent, on site parking needs to be provided as a matter of principle.

Mr Sharkey referred to the placing of the pre-primary and felt that another location should be sought for this building as it would delete the only option for on site parking.

He believed there was a legal duty of care from the Education Department to address the issue of Juniper Way and the requirement for them to provide a pick up and drop off point on site.

In conclusion Mr Sharkey requested Council to negotiate with the Education Department to solve the parking problem at Davallia Primary School.

Mr Boyd addressed the Committee and commented that if eventually nothing was done, there would be trouble enforcing parking

restrictions and someone would need to be employed full time to police this.

Ms Wetton then addressed the Committee and referred to her recent letter, which she believed was self explanatory and commented that the parking problem had accelerated since the placement of the pre-primary.

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

Appendix III refers

DEPUTATION - SORRENTO SURF LIFE SAVING CLUB: OUTDOOR ADVERTISING

Mr Stephen Berry, President of the Sorrento Surf Life Saving Club, addressed the Committee in relation to Sorrento Surf Life Saving Club: Outdoor Advertising - Item TS320-11/96 refers.

Mr Berry provided a background of surf life saving, explaining that they were a voluntary organisation and that the members all paid to be volunteers.

He stated that it was very expensive to run a club this size and so to help offset costs were looking at sponsorship from the proposed signs and also had opened their doors to other sporting bodies to use the club premises.

Mr Berry advised that the proposed logos and signs would be surf orientated and provided details on offers received from Coca Cola and Nike.

In conclusion Mr Berry stated that the projected image of surf life saving was very positive and commented that with the expanding role of surf life saving, costs were ever increasing.

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

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIDENTIAL BUSINESS

The following Item was considered Behind Closed Doors:

TS317-11/96 CONSTRUCTION OF TOILET BUILDINGS ON FALKLAND
PARK, KINROSS & PALOMA PARK, ALEXANDER HEIGHTS -
[061-426, (208-58-96/97)]

MEETING TIMES

Commenced: 1808 hrs
Closed: 2135 hrs

REPORT NO:

TS300-11/96 ANNUAL LIGHT VEHICLE TENDERS PLANT REPLACEMENT
RESERVE TENDER NUMBERS: 070 TO 080 - 96/97 -
[208-070, 080-96/97]

Tenders were advertised on 24 and 27 August 1996 for the supply and delivery of vehicles as part of the Light Vehicle Replacement Programme.

This report details the tender submissions.

REPORT RECOMMENDATION: That Council:

- 1 accepts the following tenders as outlined in Attachments 1 to 11 to Report No TS300-11/96:

<u>Tender No</u>	<u>Tenderer</u>	<u>Changeover</u>
070-96/97	Skipper Hyundai	\$18,816.00
071-96/97	Nuford	\$ 5,455.00
072-96/97	Skipper Mitsubishi	\$15,015.00
073-96/97	Nuford	\$10,209.00
credit		
074-96/97	Nuford	\$19,842.00
075-96/97	Lynford Motors Pty Ltd	\$ 1,593.00
076-96/97	Nuford	\$ 8,820.00
077-96/97	Nuford	\$22,376.00
078-96/97	Nuford	\$ 209.00
credit		
079-96/97	Skipper Mitsubishi	\$20,690.00
080-96/97	Lynford Motors Pty Ltd	\$ 3,259.00

- 2 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with provisions of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$4,572 to accommodate the shortfall of funding for the replacement of Joondalup Centre Landscaping vehicles, plant numbers 94001 and 94002.

ADDITIONAL INFORMATION

The Acting City Engineer advised that a review of the schedules and tender submissions has highlighted a number of errors in the following Attachments:

Attachment 4	Tender No 073-06/97
Attachment 5	Tender No 074-96/97
Attachment 7	Tender No 076-96/97
Attachment 8	Tender No 077-96/97

Appendix IV refers

There are no changes required to the recommended tenderers, however, the changeover prices have altered.

The recommendation to Report Number TS300-11/96 will need to be modified as outlined below to reflect these changes.

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

1 accepts the following tenders as outlined in Attachments 1 to 11 to Report No TS300-11/96:

<u>Tender No</u>	<u>Tenderer</u>	<u>Changeover</u>
070-96/97	Skipper Hyundai	\$18,816.00
071-96/97	Nuford	\$ 5,455.00
072-96/97	Skipper Mitsubishi	\$15,015.00
073-96/97	Nuford	\$10,248.00
credit		
074-96/97	Nuford	\$ 6,342.00
075-96/97	Lynford Motors Pty Ltd	\$ 1,593.00
076-96/97	Nuford	\$ 9,020.00
077-96/97	Nuford	\$27,396.00
078-96/97	Nuford	\$ 209.00
credit		
079-96/97	Skipper Mitsubishi	\$20,690.00
080-96/97	Lynford Motors Pty Ltd	\$ 3,259.00

2 authorises, in accordance with provisions of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$4,572 to accommodate the shortfall of funding for the replacement of Joondalup Centre Landscaping vehicles, plant numbers 94001 and 94002.

CARRIED BY

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ABSOLUTE

MAJORITY

Appendix IV refers

TS301-11/96 VEHICLE (ADDITIONAL) PURCHASE TENDER NUMBER 085-96/97 - [208-085-96/97]

Tender No 085-96/97 closed on Monday 14 October 1996 for the supply and delivery of (1) 6 Cylinder Automatic Station Wagon.

This report details the tender submissions received.

Cr Popham requested a report be submitted on the advantages of using an anti-lock braking system.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council accepts Tender No 085-96/97 submitted by Titan Ford for the supply of a Ford Falcon EL Station Wagon for \$21,816.

CARRIED

TS302-11/96 VEHICLE (ADDITIONAL PURCHASES) TENDER NO: 091-96/97 - [507-1]

Tenders were advertised on 28 September 1996 in the West Australian and 1 October 1996 in the Wanneroo Times for the supply of three additional small sedans for use by a recently appointed Environmental Health Officer, the Town Planning Liaison Officer and the Cultural Development Section's vehicle pool.

This report details the tender submissions received.

COMMITTEE RECOMMENDATION

That the Technical Services Committee, in accordance with the delegated authority from the October 1996 meeting of Council (Item TS265-10/96 refers) accepts Tender No 091-96/97 from Total Nissan Osborne Park for the supply of three Nissan Pulsar 1600 XL sedans for the price of \$48,351.00.

ADDITIONAL INFORMATION

Report Number TS302-11/96 was presented at the November meeting of Technical Services Committee recommending acceptance of Tender Number 091-96/97 for the supply of three Nissan Pulsar 1600 XL Sedans.

The City Treasurer has now advised that there is a shortfall in funding for the purchase of these vehicles and there is a need for Council to approve the additional expenditure.

During the 1996/97 Budget compilation process a number of late changes occurred relating to the budget provision of additional small sedans. The final Draft Budget was to have included the purchase of four small sedans viz:-

<u>Account No</u>	<u>Location</u>	<u>Amount</u>
22599	Environmental Health	\$19,500
27799	Town Planning	\$19,500
27299	Waste Management	\$19,500
32219	Cultural Development	\$19,500

The Waste Management vehicle was omitted from the budget volume Supporting Documentation - Additional Vehicle Purchases Schedule, but the consolidated budget provided funding via the Refuse Disposal Reserve. Whilst the Additional Vehicle Purchases Schedule included the vehicle for Cultural Services, no funds were provided in the consolidated budget.

Unfortunately these compensating errors were not discovered during the ongoing reconciliation process as the total amount provided in the budget corresponded with the total of the supporting schedule. The net result is a shortfall in funds of \$9,351 for the purchase of the four vehicles.

The Resource Engineer advises that he is currently reviewing the operations within the Waste Management area and the additional vehicle may not be required. However, as this vehicle was to have been funded from the Refuse Disposal Reserve, these funds cannot be used to purchase the vehicle for Cultural Services.

The recommendation for Report TS302-11/96 needs to be amended as outlined below to reflect this shortfall in funding.

MOVED Cr Ewen-Chappell, **SECONDED** Cr O'Grady that Council:

1accepts Tender Number 091-96/97 from Total Nissan, Osborne Park, for the supply of three Nissan Pulsar 1600 XL Sedans for the price of \$48,351.00;

2authorises, in accordance with Section 6.8(1) of the Local Government Act 1995 the additional expenditure of \$9,351 to part fund the purchase of the Cultural Services' sedan from Account 32219;

3recognises that the balance of funds required for the purchase of this sedan is by savings on the following accounts:

Account Number	Location	Budget	Actual	Saving
22599 3,383	Environmental Health	\$19,500	\$16,117	\$
27799 3,383	Town Planning	\$19,500	\$16,117	\$

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ABSOLUTE

MAJORITY

TS303-11/96 TEMPORARY DIRECTION SIGNS - [219-1]

The Finance and Community Services Committee at its meeting held on 18 September 1996 requested that a report be submitted to the Technical Services Committee in relation to reviewing the policy on the use of temporary directional signs for sporting and cultural functions (Item FA129-09/96 refers).

This report provides details of Council Policy in relation to temporary directional signs and advises that as the establishment of a working group is proposed to review all aspects of signage, it is considered that it would be premature to review the policy relating to the use of direction signs erected for sporting and cultural functions at this stage.

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

- 1 receives Report No TS302-11/96 dealing with the review of the policy relating to the use of "Temporary Advertising Signs on Road Reserves";
- 2 acknowledges that temporary advertising signs on road reserves will be included in the terms of reference with regard to the review being undertaken by the proposed signage working group.

CARRIED

TS304-11/96 NORTHUMBERLAND AVENUE TRAFFIC MANAGEMENT SCHEME - [510-1663]

Concern has been expressed by local residents at traffic speeding problems adjacent to the Alinjarra Primary School on Northumberland Avenue and Cromwell Road, Alexander Heights.

To address these concerns, a public meeting was held at the Alinjarra Primary School on 4 June 1996 to discuss the traffic and safety issues on these roads. The meeting was convened by the office of the Member for Cowan, Richard Evans. Those attending the meeting resolved to request that Council's Engineering Department prepare a Draft Traffic Management Scheme for Northumberland Avenue.

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

- 1 lists the Northumberland Avenue Traffic Management Scheme, as shown on Attachment 1 to Report No TS304-11/96 for funding consideration, on a priority ranking in the Traffic Management Forward Plan;
- 2 continues to monitor vehicle speeds following the introduction of a 40 kms per hour, restricted time speed limit on the roads adjacent to Alinjarra Primary School and reviews the need for further traffic treatments;
- 3 seeks comments on the Traffic Management Scheme from the residents and all interested parties accordingly.

CARRIED

Appendix V refers

TS305-11/96 MARMION AVENUE AND HODGES DRIVE INTERSECTION
MODIFICATIONS - [510-2, 510-1700]

A letter from the Ocean Reef Residents Association was tabled at the May meeting of Council regarding concerns about the available merge width for two vehicles travelling east along Hodges Drive when going through the signalised Marmion Avenue intersection (Item C257-05/96 refers).

It has been suggested that widening of the carriageway would alleviate concerns with this situation and particularly provide more clearance alongside larger vehicles such as buses.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council advises the Ocean Reef Residents Association that the proposed dualling of Hodges Drive in 1997/98 will resolve concerns on the merge situation at Hodges Drive east of Marmion Avenue.

CARRIED

TS306-11/96 SPEED ZONING - GRAND BOULEVARD, CONNOLLY AND
MOORE DRIVES - [510-2151]

Main Roads WA has advised that following the recent extensions of Connolly and Moore Drives in Currambine there is a requirement to speed zone these through roads to conform with the existing environment and speed zones on adjoining roads.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council concurs to Main Roads WA speed zoning at 70 kph:

- 1 Connolly Drive - from Shenton Avenue to 150 metres south of Selkirk Drive;

- 2 Moore Drive - from Marmion Avenue to Joondalup Drive;
- 3 Grand Boulevard - from 150 metres north of Queensbury Road to Joondalup Drive.

CARRIED

TS307-11/96 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.

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 Hancock, **SECONDED** Cr Taylor 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 the parking problem at Davallia Primary School and ongoing problems being experienced with parking at schools and notifies the local member of Parliament and the Minister for Family and Children's Services that Council is seeking a deputation to the Minister for Education and request support for this deputation, such deputation to include Mr Sharkey from the Representative Committee for Residents of Juniper Way and Tandy Court, Duncraig;

4 requests the Department of Education to relocate the transportable pre-primary classroom to a site adjacent to the existing school building and to construct a suitable pick up and drop off point and parking area with access from Juniper Way;

5 advises all interested parties accordingly.

CARRIED

TS308-11/96 ST MARK'S DRIVE, HILLARYS - [510-2500]

Council has received a request from St Mark's Anglican Community School to further consider a proposal to create a one-way traffic flow in St Mark's Drive, Hillarys.

REPORT RECOMMENDATION: That Council:

- 1 does not support the proposal to create a one-way traffic flow in St Mark's Drive, Hillarys;
- 2 advises St Mark's Anglican Community School to discourage the use of parking embayments in St Mark's Drive by student motorists for all day parking;
- 3 provides St Mark's Anglican Community School with details of "RoadWise" and other available road safety assistance to investigate pedestrian and cyclist's safety on St Mark's Drive.

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

- 1 does not support the proposal to create a one-way traffic flow in St Mark's Drive, Hillarys;
- 2 advises St Mark's Anglican Community School to discourage the use of parking embayments in St Mark's Drive by student motorists for all day parking and reviews this situation during Term One of 1997 to investigate the need for possible time restriction parking prohibitions;
- 3 provides St Mark's Anglican Community School with details of "RoadWise" and other available road safety assistance to investigate pedestrian and cyclist's safety on St Mark's Drive.

CARRIED

**TS309-11/96 TRAFFIC SAFETY OF CHILDREN MULLALOO HEIGHTS
PRIMARY SCHOOL - [218-1, 1836/245/27]**

At Council's August meeting, Councillor Magyar requested a report be prepared on the safety of children at Mullaloo Heights Primary School crossing Charonia Road (Item C400-08/96 refers).

The School, RoadWise and Council's Traffic Section are liaising on a strategy for pedestrian and cyclist safety around Mullaloo Heights Primary School.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council advises the Mullaloo Heights Primary School that it will continue to liaise with RoadWise and the school to establish a pedestrian safety strategy for Charonia Road.

CARRIED

**TS310-11/96 UPGRADING OF PARKING FACILITIES - EDGEWATER
PRIMARY SCHOOL - [510-1222]**

This report evaluates three options for the improvement of parking arrangements at Edgewater Primary School, Edgewater. It is desirable that the installation of formal parking bays will coincide with the implementation of other traffic management measures for Treetop Avenue.

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

- 1 develops, in consultation with the school community, a final plan of the parking at Edgewater Primary School based on Option A, as shown at Attachment 1 to Report No TS310-11/96;
- 2 seeks a 50:50 joint funding contribution from the Education Department for the formal embayment parking scheme on Treetop Avenue.

CARRIED

Appendix VI refers

TS311-11/96 ALFRETON WAY - PARKING PROHIBITIONS - [510-1770]

A request has been received from residents of 19 Alfreton Way seeking the removal of existing parking prohibition signs from the south west corner of Alfreton Way. A letter to this effect was presented to Council at its August 1996 meeting (Item C367-08/96 refers). The residents claim that the existing prohibition is not required and that the four signs which delineate the extent of the prohibition are unsightly.

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

- 1 does not revoke the existing "NO STANDING ANY TIME CARRIAGEWAY OR VERGE" prohibition at the south western

corner of Alfreton Avenue, as shown on Attachment 1 to Report NO TS311-11/96;

- 2 authorises removal of the existing "NO STANDING ANY TIME CARRIAGEWAY OR VERGE" signs at the south western corner of Alfreton Avenue, as shown on Attachment 1 to Report No TS311-11/96;
- 3 monitors the parking on the verge and carriageway at the south western corner of Alfreton Way;
- 4 advises the residents and all interested parties accordingly.

CARRIED

Appendix VII refers

TS312-11/96 ARNISDALE ROAD - SLAB FOOTPATH REPLACEMENT -
[510-1177]

The concrete slab footpath on the northern side of Arnisdale Road, Duncraig is in poor condition and needs to be replaced with insitu concrete to reduce the risk of claims against Council and minimise the ongoing maintenance costs associated with replacing broken footpath slabs.

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

- 1 approves the upgrading of the concrete slab footpath on the northern side of Arnisdale Road, Duncraig between Glengarry Drive and Mitchell Freeway to an insitu concrete standard at a total estimated cost of \$16,000;
- 2 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the following unbudgeted expenditure:

Arnisdale Road - Slab Footpath Upgrade \$16,000

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

<u>Budget Item No</u>	<u>Project</u>	<u>Amount</u>
32832	Matfield Street, Marangaroo	\$ 2,180
32816	Marri Road, Duncraig	\$ 2,000
32840	Carberry Way/Tindal Way, Clarkson	\$ 930
32849	Sandgate Way, Marangaroo	\$ 890
31255	Woodvale Drive, Dual Use Path, Woodvale	\$10,000

TOTAL: \$16,000

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS313-11/96 KILMORY GROVE SUMP SECURITY, KINROSS - [510-3496]

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

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

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council, with respect to the existing timber fence between Earlsferry Park and the Kilmory Grove Sump, as shown on Attachment 1 to Report No TS313-11/96:

- 1 approves, by authority of Clause 3 of its By-laws relating to Fencing and Private Tennis Court Floodlighting, the proposed 2.4 metre high pinelap fence with 3 strands of barbed wire on top at an estimated cost of \$5,680 to be funded from Budget Item No 37050 - Sump Fence Maintenance;
- 2 authorises modifications to the sump gates to make them more secure;
- 3 undertakes no modification works to pinelap sump fencing between private properties and the Kilmory Grove Sump.

CARRIED

Appendix VIII refers

**TS314-11/96 EXTRACTIVE INDUSTRY LICENCE - LOT 11 AND PT LOT 1
GIBBS ROAD, NOWERGUP - [30/100]**

Council has received an application from Ion Services on behalf of Carlotta Nominees Pty Ltd and F & P Znidarsic for development approval and extractive industry licence on Lot 11 and Pt Lot 1, Gibbs Road, Nowergup.

This application is for a new limestone block cutting quarry on the corner of Gibbs Road and Wesco Road, Nowergup and is located in a Basic Raw Material Resource Area. The land is cleared and the quarrying will remove the two ridges on the land and create shallow valleys.

REPORT RECOMMENDATION: That Council:

- 1 approves the application from Ion Services, on behalf of Carlotta Nominees Pty Ltd and F & P Znidarsic, to operate a limestone block cutting quarry on Lot 11 and Pt Lot 1, Gibbs Road, Nowergup in accordance with the provision of its Town Planning Scheme 1 for a two year period subject to:
- (a) all works ceasing within two years from the date of the approval unless a further application for approval to commence development is submitted to, and approved by the City by that date;
 - (b) before the commencement of limestone cutting the applicant shall construct the noise attenuation bunds detailed in the application and the subsequent report from Herring Stoner Acoustics dated 26 October 1996 and letter of undertaking dated 29 October 1996;
 - (c) the operator of the quarry maintaining a water allocation or secure water supply for dust control;
 - (d) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
 - (e) submission of an annual rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site to the satisfaction of the City Engineer and the City Planner;
 - (f) the applicants entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the rate agreed. Such payment to be made quarterly;

- (g) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (h) hours of quarry operation being restricted to:
 Monday to Friday 0700 - 1700
 (except public holidays)
 Saturdays 0800 - 1700
 Sundays (work not permitted)
 Public Holidays (work not permitted)
- (i) all site equipment being suitably soundproofed and the stone cutting blades to be fitted with a loaded vinyl noise barrier as specified by Herring Storer Acoustics so as to comply with relevant sections of the Environmental Protection Act 1986;
- (j) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
- (k) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified to meet the requirements in the Acoustic Consultants report and by Council's specific approval conditions;
- (l) operator to give an undertaking not to cut capstone whenever it appears in the cutting face;
- (m) rehabilitation, other than in pasture areas, occurring with native species only from the approved Plant Material List available from the City's Parks Department;
- (n) standard conditions;

NOTE

It is to be clearly understood that regardless of the conditions imposed, these approvals do not indemnify the quarry operators from any future action under the provisions of the Environmental Protection Act 1986.

2 approves an Extractive Industry Licence for Carlotta Nominees Pty Ltd and F & P Znidarsic, with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 2 years to 30 December 1998;
- (c) rehabilitation bond - \$20,000;
- (d) agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate. This agreement is in accordance with By-law 7 of the Extractive Industry Local Laws and Section 85 of the Road Traffic Act.

COMMITTEE RECOMMENDATION: That Council defers consideration of the application from Ion Services, on behalf of Carlotta Nominees Pty Ltd and F & P Znidarsic, to operate a limestone block cutting quarry on Lot 11 and Pt Lot 1, Gibbs Road, Nowergup until the Council meeting to be held on 27 November 1996 pending appropriate information to be supplied by the Acting City Engineer.

ADDITIONAL INFORMATION

At the Technical Services Committee Meeting held on 13 November 1996, additional information was requested on this application and several questions were raised by the public during question time.

Meetings have been held with the applicant and several adjacent residents to clarify and explain the issues. The applicant has reviewed the proposed systems to control noise from the block cutting and submitted an alternative to Council for consideration.

A copy of the revised submission is attached - Appendix XXV refers.

The initial issue is the ability of the proposed quarry to operate within the limits set by the Noise Abatement Act. As the quarry is not yet operating, a computer model is used by the applicant's acoustic consultant to estimate the sound levels resulting from the machinery, the land contours and the wind. The actual noise when the quarry is operating could be higher or lower than the estimate. If it is higher to the extent that it exceeds the legal limits, then the operator must modify his operations or equipment to reduce the noise level or stop work.

This is required under the Noise Abatement Act and is an

automatic condition on the quarry, the same as any other activity approved in the State.

As a result of further study by the applicant, it is now proposed to put additional soundproofing on the cutting equipment and reduce the required bund height from 12m to 5m. Also the bunding would be located near the actual quarrying and be moved as the quarry expands. To minimise the visual aspects of the operation a 5m wide planting of trees would be planted next winter in front of the ultimate bund location. This will give the screen planting time to grow and screen both the quarry and the bund. This new layout is possible because the extent of the proposed quarry has been reduced and the bund moved about 40m further away from Lot 2 Gibbs Road.

A portable sprinkler system on top of the proposed bunds supplied from an existing licensed bore on the site is the proposed method of dust control for the bunds.

To implement these changes, recommendation 1 (b) of the Report Recommendation needs to be changed to read:

"(b) before the commencement of limestone block cutting, the applicant shall construct necessary noise attenuation bunds. During the winter of 1997, the screen planting proposed in front of the final noise attenuation bund shall be planted and subsequently maintained to the satisfaction of the City Parks Manager. Equipment shall be soundproofed and other works undertaken as detailed in the supplementary submissions by the applicant, dated 21, 26 and 27 November 1996".

Cr O'Grady requested the following words be inserted afterand other works.....in Point 1 (b) of the recommendation:

"such as mulching to the bund as required be undertaken....

Appendix XXV refers

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

1 approves the application from Ion Services, on behalf of Carlotta Nominees Pty Ltd and F & P Znidarsic, to operate a limestone block cutting quarry on Lot 11 and Pt Lot 1, Gibbs Road, Nowergup in accordance with the provision of its Town Planning Scheme 1 for a two year period subject to:

- (a) all works ceasing within two years from the date of the approval unless a further application for approval to commence development is submitted to, and approved by the City by that date;
- (b) before the commencement of limestone block cutting, the applicant shall construct necessary noise attenuation bunds. During the winter of 1997, the screen planting proposed in front of the final noise attenuation bund shall be planted and subsequently maintained to the satisfaction of the City Parks Manager. Equipment shall be soundproofed and other works such as mulching to the bund as required be undertaken as detailed in the supplementary submissions by the applicant, dated 21, 26 and 27 November 1996".
- (c) the operator of the quarry maintaining a water allocation or secure water supply for dust control;
- (d) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- (e) submission of an annual rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site to the satisfaction of the City Engineer and the City Planner;
- (f) the applicants entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the rate agreed. Such payment to be made quarterly;
- (g) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;

- (h) hours of quarry operation being restricted to:
 Monday to Friday 0700 - 1700
 (except public holidays)
 Saturdays 0800 - 1700
 Sundays (work not permitted)
 Public Holidays (work not permitted)
- (i) all site equipment being suitably soundproofed and the stone cutting blades to be fitted with a loaded vinyl noise barrier as specified by Herring Storer Acoustics so as to comply with relevant sections of the Environmental Protection Act 1986;
- (j) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
- (k) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified to meet the requirements in the Acoustic Consultants report and by Council's specific approval conditions;
- (l) operator to give an undertaking not to cut capstone whenever it appears in the cutting face;
- (m) rehabilitation, other than in pasture areas, occurring with native species only from the approved Plant Material List available from the City's Parks Department;
- (n) standard conditions;

NOTE

It is to be clearly understood that regardless of the conditions imposed, these approvals do not indemnify the quarry operators from any future action under the provisions of the Environmental Protection Act 1986.

- 2 approves an Extractive Industry Licence for Carlotta Nominees Pty Ltd and F & P Znidarsic, with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 2 years to 30 December 1998;

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

CARRIED

TS315-11/96 NATIONAL CONFERENCE ON WASTE MANAGEMENT - [202-1-4, 508-1]

This report provides details of the 12th National Conference on Waste Management to be held in Brisbane from 5 - 7 March 1997.

The Brisbane City Council will host the conference, the theme of which will be "Waste Management - Commercial Realities".

Major issues of particular relevance to the City of Wanneroo will include Federal and State Legislation, Recycling, Composting, Waste to Energy Facilities, Plastic Recycling and Community Consultation.

Cr Wight nominated Cr Popham.

Cr Popham declared an interest in this Item, as he had been nominated to attend this conference.

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

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

- 1 endorses the attendance of the Resource Engineer to attend the 12th National Conference on Waste Management to be held at the Brisbane Hilton, Brisbane from 5-7 March 1997;
- 2 nominates Councillor Popham to attend the 12th National Conference on Waste Management;
- 3 authorises, the payment of the conference registration fee, accommodation and air fares for the nominated Councillor from Allocation No 20006 - Members' Conference Expenses.

**CARRIED BY AN
ABSOLUTE MAJORITY**

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

**TS316-11/96 WASTE MANAGEMENT TECHNIQUES - FAY'D HERBE
NUTRIENT RECOVERY PROCESS - [508-4]**

Council has requested a report on the Fay'd Herbe Nutrient Recovery Process featured in 25 September 1996 edition of the West Australian Newspaper (Item C453-09/96 refers).

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council requests a further report in approximately twelve months on the results of the research project on the Fay'd Herbe Nutrient Recovery Process by the NSW Co-operative Research Centre for Waste and Pollution.

CARRIED

**TS317-11/96 CONSTRUCTION OF TOILET BUILDINGS ON FALKLAND
PARK, KINROSS & PALOMA PARK, ALEXANDER HEIGHTS -
[061-426, (208-58-96/97)]**

Seven tenders were received on 18 October 1996 for the construction of a toilet building on Falkland Park, Kinross and Paloma Park, Alexander Heights. Council endorsement is sought for the engagement of the lowest conforming tenderer to undertake the works.

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

- 1 accepts the tender sum of \$149,256.00 from Forma Constructions Pty Ltd for the construction of two new toilet buildings, one on each of Falkland Park, Kinross and Paloma Park, Alexander Heights;
- 2 agrees to the signing of the contract documents.

CARRIED

**TS318-11/96 TOILET FACILITIES PERIDOT PARK, GREENHAVEN,
NEERABUP - [4151/483/22, 890-16-2]**

Report No TS233-08/96 called for a report to be submitted addressing the provision of temporary toilet facilities accessible to the public off Turquoise Loop, Greenhaven, Neerabup.

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

- 1 does not proceed with the establishment of a temporary toilet facilities within the Greenhaven subdivision of Neerabup;

- 2 agrees to the sketch plans indicating the siting and nature of the toilet block facility as located on Peridot Park, Greenhaven, Neerabup;
- 3 agrees in principle that the subdivision developer be pursued to contribute to the early construction of the works;
- 4 agrees in principle to early construction of the works subject to a substantial contribution from Homeswest;
- 5 upon advice from Homeswest refers the matter to Council for further consideration.

CARRIED

TS319-11/96 UNAUTHORISED INSTALLATION OF A PRIVATE SWIMMING POOL: LOT 453 (106) BAYPORT CIRCUIT, MINDARIE - AQUA TECHNICS (WA) PTY LTD - [3189/453/106]

A private swimming pool has been installed by Aqua Technics (WA) Pty Ltd at Lot 453 (106) Bayport Circuit, Mindarie, without Council approval. It is considered that the company should be prosecuted and a Notice served requiring removal of the pool.

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

- 1 instigates prosecution proceedings against the builder for installing a swimming pool prior to obtaining a Building Licence at Lot 453 (106) Bayport Circuit, Mindarie;
- 2 serves 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

TS320-11/96 SORRENTO SURF LIFE SAVING CLUB: OUTDOOR ADVERTISING - [319-4-1]

The Sorrento Surf Life Saving Club is seeking endorsement to utilise the patrol tower for outdoor advertising as a sponsorship medium to help offset its operating costs.

REPORT RECOMMENDATION: That Council refuses the application submitted by the Sorrento Surf Life Saving Club to place a 2m x 2m advertising hoarding to the lookout tower portion of the beachside Club premises at West Coast Drive, Sorrento Beach.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council defers consideration of the application submitted by the Sorrento Surf Life Saving Club to place a 2m x 2m advertising hoarding to the lookout tower portion of the beachside Club premises at West Coast Drive, Sorrento Beach pending a review of Council Advertising Policy J1-07.

CARRIED

TS321-11/96 PROPOSED DWELLING: LOT 439 (38) DEVERALL SQUARE, HILLARYS - [4031/439/38]

An application has been submitted for approval to construct a dwelling at Lot 439 (38) Deverall Square, Hillarys, with a reduced front average set-back.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council approves the construction of a dwelling at Lot 439 (38) Deverall Square, Hillarys with a reduced front average set-back of 5200.

CARRIED

TS322-11/96 PATIO ADDITION - PADBURY PLAYGROUP HOUSE INC AT LOT 40, JASON PLACE, PADBURY - [30/5164]

The Padbury Playgroup House Inc are seeking approval to construct a patio. Approval is recommended.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council agrees to the construction of a patio as shown in Attachment A to Report TS322-11/96 as an addition to Lot 40 Jason Place, Padbury subject to Padbury Playgroup House Inc:

- 1 obtaining development and building approvals;
- 2 bearing all costs for the work.

CARRIED

Appendix IX refers

TS323-11/96 PROPOSED CARPORT: LOT 315 (9) ALAN COURT, BELDON - [2519/315/9]

An application has been submitted for approval to construct a carport at Lot 315 (9) Alan Court, Beldon, with a reduced front building set-back. It is considered that approval should be given.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council approves the proposed carport to be constructed at Lot 315 (9) Alan Court, Beldon with a reduced front building set-back of 1000.

CARRIED

TS324-11/96 PROPOSED DOUBLE GARAGE: LOT 198 (8) CONTOUR DRIVE, MULLALOO - [1424/198/8]

An application has been submitted for approval to construct a double garage at Lot 198 (8) Contour Drive, Mullaloo, with a reduced front building setback. It is considered that the application should be approved.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council approves the proposed double garage at Lot 198 (8) Contour Drive, Mullaloo with a reduced front building set-back of 1500.

CARRIED

Appendix X refers

TS325-11/96 SORRENTO BOWLING CLUB - NEW SHED - [319-03-1]

The Sorrento Bowling Club Inc has requested that Council approves the construction of a new shed for storage purposes at its own expense.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council agrees to the Sorrento Bowling Club Inc relocating existing sheds and constructing a new 6m x 3.8m shed as shown at Attachment A to Report TS325-11/96 subject to the Club:

- 1 obtaining development and building approvals;
- 2 agreeing the final location of the building to the satisfaction of the City Building Surveyor;
- 3 meeting all expenses.

CARRIED

TS326-11/96 PROPOSED AND EXISTING ALTERATIONS TO THE CHILD CARE CENTRE (FORMERLY THE WARWICK PRE-SCHOOL) - [30/5332, 895-22]

Application has been made by the lessee of the former Warwick Pre-school for approval to make alterations to the building. Previous alterations, while duly approved according to statutes, have not had the approval of Council as lessor.

This report outlines the existing and proposed alterations and seeks approval for both.

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

- 1 endorses the erection of the free standing garage and patio attached to the building at 6 Dugdale Street, Warwick;
- 2 approves in principle the provision of seven parking bays, shown on Attachment B to Report TS326-11/96 and internal alterations to the building at 6 Dugdale Street, Warwick subject to:
- (a) a building licence being issued for the work;
 - (b) the work being to the satisfaction of the City Building Surveyor.

CARRIED

Appendix XI refers

TS327-11/96 SECURITY FENCING - OCEAN REEF HALL - [635-16]

The 1996/97 Budget includes an amount for providing a security fence to the southern "courtyard" of the Ocean Reef Community Hall. This report seeks permission to erect a 2.4m high fence rather than the 1.8m permitted under By-law 5.1(a).

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council approves by authority of By-law F1.3 the erection of 2.4m high security fencing to the southern courtyard of the Ocean Reef Hall.

CARRIED

**TS328-11/96 PROPOSED ELECTRIFIED PERIMETER SECURITY FENCING:
LOT 303 (173) WANNEROO ROAD, KINGSLEY - [30/229]**

An application has been submitted for approval to erect an electrified security fence surrounding the sales and greenstock area to Waldeck's Nursery at Lot 303 (173) Wanneroo Road, Kingsley. Council's By-Laws permit electrified fencing in rural, industrial and commercial areas and it is recommended that the fence be approved.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council approves the proposed electrified security fence to Waldeck's Nursery, Lot 303 (173) Wanneroo Road, Kingsley.

CARRIED

**TS329-11/96 UNAUTHORISED ELECTRIFIED FENCE: LOT 162 (32)
SPRINGPARK TRAIL, NEERABUP - [2358/162/32]**

Following a complaint from the adjoining owner, an inspection of the property at Lot 162 (32) Springpark Trail, Neerabup, revealed that strands of electrified wire had been fitted to the

rural type fencing. It is considered that the owners should be requested to remove the unauthorised electrified wire from the fence.

REPORT RECOMMENDATION: That Council:

- 1 instigates prosecution proceedings against the owners of Lot 162 (32) Springpark Trail, Neerabup under Clause 12 of Council's By-law F1: Fencing and Private Tennis Court Floodlighting for construction of an electric fence contrary to its by-law;
- 2 serves a Notice on the owners under Clause 13.2 of Council's By-law F1: Fencing and Private Tennis Court Floodlighting, requiring them to remove the unauthorised electrified wires from the fence.

COMMITTEE RECOMMENDATION: That Council:

- 1 defers consideration of instigating prosecution proceedings against the owners of Lot 162 (32) Springpark Trail, Neerabup under Clause 12 of Council's By-law F1: Fencing and Private Tennis Court Floodlighting for construction of an electric fence;
- 2 requests the owners to erect signage in relation to the electric fence;
- 3 reviews its policy on electric fences on special rural property.

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

- 1 defers consideration of instigating prosecution proceedings against the owners of Lot 162 (32) Springpark Trail, Neerabup under Clause 12 of Council's By-law F1: Fencing and Private Tennis Court Floodlighting for construction of an electric fence;
- 2 reviews its policy on electric fences on special rural property either at its December 1996 or February 1997 Policy Committee meeting;
- 3 instructs the owner of Lot 162 (32) Springpark Trail, Neerabup to disconnect the energiser from the fence until such time as Council adopts its policy on electric fences on special rural property.

CARRIED

Council's Local Law S3: Signs, Hoardings and Billposting requires updating to address current requirements and cover issues that have been raised by Council.

REPORT RECOMMENDATION: That Council:

- 1 supports the formation of a working party to investigate and formulate a workable system to deal with Signs, Hoardings and Billposting;
- 2 nominates a Councillor representative.

Cr Popham nominated Cr Taylor.

Cr Cooper nominated Cr Ewen-Chappell.

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

- 1 supports the formation of a working party to investigate and formulate a workable system to deal with Signs, Hoardings and Billposting;
- 2 nominates Councillors Taylor and Ewen-Chappell as representatives on the working party.

CARRIED

TS331-11/96 NEIL HAWKINS PARK REDEVELOPMENT CONCEPT - [061-263]

The upgrade for Neil Hawkins Park has been budgeted for in the 1995/96 financial year with \$200,000 for park improvements and 1996/97 with \$220,000 for car park extension (Engineering). Future financial commitment by Council will be sought on an ongoing basis to integrate all proposals as shown. Recreation and Cultural Services Department has applied and will apply for further State/Commonwealth grants for specific sculptures or art works. These works shall be in conjunction with Landcorp's Lakeside Park Development. Approval for extension of the park north and south has been sought by the Development Assessment Unit as this land is under Ministry for Planning control.

The Parks Department has employed an Aboriginal artist (Mr Ron Corbett) to be involved in the initial design development to ensure indigenous artistic and sculptural elements are included in the works. Aboriginal elders from the Wanneroo area will also be consulted.

REPORT RECOMMENDATION: That Council endorses the Neil Hawkins Park Redevelopment Concept Plan as outlined in Report No TS331-11/96.

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

- 1 endorses the Neil Hawkins Park Redevelopment Concept Plan as outlined in Report No TS331-11/96;
- 2 puts out for public comment the Neil Hawkins Redevelopment Concept Plan using the public consultation process approved by Council in August 1996 for Foreshore Management Plans. **LOST**

MOVED Cr Cooper, **SECONDED** Cr Wight that Council endorses the Neil Hawkins Park Redevelopment Concept Plan as outlined in Report No TS331-11/96.

CARRIED

Appendix XII refers

TS332-11/96 LAKESIDE PARK DEVELOPMENT PLANS - [061-486]

"Plan E", a landscape consulting firm has submitted documentation on behalf of Landcorp for Council approval.

Landcorp is proposing that the clearing and earthwork component be incorporated with works associated with "The Sanctuary" residential area. This work is listed for commencement in December/January.

Selective clearing is proposed and all vegetation will be "chipped" on site.

REPORT RECOMMENDATION: That Council accepts the Landscape Concept Plan Report for Lakeside Park, Joondalup as submitted by "Plan E", (a landscape consultancy firm), on behalf of LandCorp, subject to the following conditions:

- 1 a maintenance period of 5 years before hand-over to Council. The period to commence at completion of 90% of capital works program proposed;
- 2 LandCorp to formally commit to the following works:
 - (a) construction of pedestrian overpass over Lakeside Drive to connect with the Cultural building under construction;
 - (b) development of southern area within the Yellagonga Regional Parkland;
 - (c) provision of all proposed carpark as shown on concept plan;

- (d) construction of a viewing platform;
- (e) upgrading of access track along Yellagonga Regional Parkland.

MOVED Cr Magyar, **SECONDED** Cr Major that Council accepts the Landscape Concept Plan Report for Lakeside Park, Joondalup as submitted by "Plan E", (a landscape consultancy firm), on behalf of LandCorp, subject to the following conditions:

- 1 a maintenance period of 5 years before hand-over to Council. The period to commence at completion of 90% of capital works program proposed;
- 2 LandCorp to formally commit to the following works:
 - (a) construction of pedestrian overpass over Lakeside Drive to connect with the Cultural building under construction;
 - (b) development of southern area within the Yellagonga Regional Parkland;
 - (c) provision of all proposed carpark as shown on concept plan;
 - (d) construction of a viewing platform;
 - (e) upgrading of access track along Yellagonga Regional Parkland;
- 3 puts out for public comment the Lakeside Park Development Plans using the public consultation process approved by Council in August 1996 for Foreshore Management Plans.

LOST

MOVED Cr Cooper, **SECONDED** Cr Taylor that Council accepts the Landscape Concept Plan Report for Lakeside Park, Joondalup as submitted by "Plan E", (a landscape consultancy firm), on behalf of LandCorp, subject to the following conditions:

- 1 a maintenance period of 5 years before hand-over to Council. The period to commence at completion of 90% of capital works program proposed;
- 2 LandCorp to formally commit to the following works:
 - (a) construction of pedestrian overpass over Lakeside Drive to connect with the Cultural building under construction;

- (b) development of southern area within the Yellagonga Regional Parkland;
- (c) provision of all proposed carparks as shown on concept plan;
- (d) construction of a viewing platform;
- (e) upgrading of access track along Yellagonga Regional Parkland.

CARRIED

**TS333-11/96 SUPPLY AND INSTALLATION OF INFELD RETICULATION -
STAGE 2 - CHRISTCHURCH PARK, CURRAMBINE - [208-
81-96/97]**

Tender No 81-96/97 was advertised during September 1996 for the supply and installation of infield reticulation - Stage 2 - Christchurch Park, Currambine.

This report details the tender submissions received.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council accepts the second lowest Tender submitted by Hugall and Hoile of \$22,765 for Supply and Installation of Infield Reticulation - Stage 2 - Christchurch Park, Currambine.

CARRIED

**TS334-11/96 LIGHTNING DAMAGE - CARRAMAR GOLF COURSE - 21
OCTOBER 1996 - [622-0]**

A large eucalypt was hit by lightning between 12.30 pm and 3.00 pm on Monday, 21 October 1996 on fairway 14.

This report provides details of damage to course facilities and advises that lightning protection options are being investigated regarding ways to minimise the inground "flow on" effect of a lightning strike.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council notes the actions initiated by the City Parks Manager regarding discontinuing the reticulation central system at Carramar Golf Course.

CARRIED

TS335-11/96 MOBILE PLAY TRAILER - [250-3]

Council authorised purchase of a mobile play trailer unit in 1986/87 and an additional platform and equipment in 1991/92.

The initial unit's subframe has deteriorated due to age, and extensive repairs are required.

This report provides details of a review of the operation of this unit and comments on proposed options for future use of the unit.

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

- 1 authorises Parks Department to discontinue use of the initial mobile play platform purchased 1986/87 financial year;
- 2 authorises the unit to be dismantled from the platform base and the equipment reinstalled at an alternative site to be determined by Parks officers.

CARRIED

TS336-11/96 MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]

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

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS336-11/96.

CARRIED

Appendix XIII refers

TS337-11/96 MODIFICATIONS AND HIRE OF BANNER MASTS IN JOONDALUP CITY CENTRE - [510-2521, 509-3]

A submission was received from LandCorp on 6 November 1996 to use the banner masts and undertake modifications to the poles in the "Entertainment Precinct" within the Joondalup City Centre to accommodate pennants to display the Christmas and Entertainment themes for the same periods as the banner masts.

This report details the banner designs and the proposal by LandCorp and considers that the erection of banners and pennants will add vitality and colour to the Joondalup City Centre and the proposed "Entertainment Precinct".

All costs associated with the erection of the banners and modifications to the light poles in the "Entertainment Precinct" to accommodate the pennants will be funded by LandCorp.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Council, subject to all costs associated with the modification to the light poles and the manufacture, erection and dismantling of the banners and pennants being funded and organised by LandCorp, approves the application to:

- 1 modify, in accordance with the specifications contained in Attachment 2 to Report No TS337-11/96, the type 3 light poles located on Grand Boulevard, McLarty Avenue, Boas Avenue, Reid Promenade and Davidson Terrace to enable them to be used as pennant masts for promoting future events and festivals within the municipality;
- 2 use the banner masts in Grand Boulevard and the pennant masts in the "Entertainment Precinct" to promote Christmas from 1 December 1996 to 1 February 1997 and the "Entertainment Precinct" from 1 February 1997.

CARRIED

Appendix XIV refers

TS338-11/96 CLEANING SERVICES CRAIGIE LEISURE CENTRE -
[83-96/97]

Eleven tenders were received on 16 October 1996 for the provision of cleaning services to the Craigie Leisure Centre on Whitfords Avenue, Craigie.

Council endorsement is sought for the engagement of the lowest tenderer to undertake the works.

Documentation for this contract was worded to provide an initial contract period of approximately 18 months, to 30 June 1998 with an option of a further 12 months if agreeable to both parties.

Tender amounts represent annual values.

REPORT RECOMMENDATION: That Council:

- 1 accepts the tender of \$39,906.00 from Western Office Cleaning for the provision of cleaning services to the Craigie Leisure Centre;
- 2 agrees to the signing of the contract documents.

ADDITIONAL INFORMATION

At the Technical Services Committee meeting, concern was expressed about the ability of Western Office Cleaning to carry

out the cleaning of Craigie Leisure Centre as its tender was approximately half of the next lowest tenderer.

At a meeting at 2pm, 25 November 1996, Western Office Cleaning withdrew their tender, acknowledging a major miscalculation on their part. The next lowest tenderer Southern Cross Cleaning Service have been assessed as follows.

COMPARISON

The tendered hours and the in-house hours compare as follows:

Western Office Cleaning	35 hours per week
Southern Cross Cleaning	86 hours per week
In-house Cleaners	150 hours per week

With respect to the in-house cleaners, it must be realised that some areas they currently cover are not included in the scope of the proposed contract, however, the 150 hours per week is considered excessive.

WORKS EXCLUDED

Areas not included within the scope of this contract are:

Plant Rooms and Air Handling Plant Room	by Pool Staff
Kiosk Kitchen and Dry Side Alfresco area	by Kiosk Staff
Mezzanine Level	by Pool Staff
Resealing of Sport Halls Floors	by Building Dept Cleaners
Pool and Spa	by Pool Staff
Gym Equipment	by Fitness Centre Staff

REFERENCES

References were checked at Department of Land Administration, Midland and Dumas House, West Perth, regarding Southern Cross Cleaning. Referees were pleased with the levels of service received in both areas.

BUDGET

The tender amount submitted by Southern Cross Cleaning Services represents a saving to Council of approximately \$60,000.00 per annum, with the funding being available through the Craigie Leisure Centre Control, Building Operating account numbers;

28667
28715
28290
28289
28313

CITY OF WANNEROO STAFF AND EQUIPMENT

Southern Cross Cleaning has expressed a willingness to negotiate on the employment of interested cleaners presently working at Craigie Leisure Centre and are willing to negotiate the purchase of cleaning equipment which will become surplus to requirements when the contract work commences.

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

- 1 accepts the tender of \$80,236.00 from Southern Cross Cleaning Services for the provision of cleaning services to the Craigie Leisure Centre;
- 2 agrees to the signing of the contract documents.

CARRIED

Cr Wight left the Chamber at this point, the time being 2035 hrs.

**TS339-11/96 PARKING IN EMBAYMENT/NIBS - CHESSELL DRIVE,
DUNCRAIG - [910-2]**

Cr Freame submitted a letter from Mr M Champion in relation to problems experienced with speeding traffic in Chessell Drive, Duncraig and requested a report be submitted regarding the cost of installing nibs to help alleviate the problem.

Cr Lynn submitted a further copy of this letter.

MOVED Cr Hancock, **SECONDED** Cr Taylor that the letter from Mr M Champion in relation to problems experienced with speeding traffic in Chessell Drive, Duncraig be received and referred to the Engineering Department for a report to the Technical Services Committee.

CARRIED

TS340-11/96 BULK RUBBISH COLLECTIONS - [508-1-2]

Cr Lynn submitted a letter from Mr & Mrs Braidwood in relation to concerns they have regarding people placing their bulk rubbish on the verge far in advance of when their collection was due.

MOVED Cr Hancock, **SECONDED** Cr Taylor that the letter from Mr & Mrs Braidwood in relation to concerns they have regarding people placing their bulk rubbish on the verge far in advance of when their collection was due be received and referred to Engineering Department for action.

CARRIED

**TS341-11/96 GRAFFITI AND STREET LIGHTING, WHITFORDS BEACH
ESTATE, HILLARYS - [210-7, 221-2]**

Cr Lynn submitted a letter from Whitfords Beach Estate in relation to problems experienced with graffiti and vandalism on newly developed but unoccupied streets in the Whitfords Beach Estate, Hillarys.

She advised that St Marks Drive, Hillarys is of particular concern and commented that Whitfords Beach Estate has offered to pay the electricity consumption costs for 12 months to enable street lights to be turned on.

MOVED Cr Hancock, **SECONDED** Cr Taylor that the letter from Whitfords Beach Estate in relation to problems experienced with graffiti and vandalism on newly developed but unoccupied streets in the Whitfords Beach Estate, Hillarys be received and referred to Engineering Department for action.

CARRIED

**TS342-11/96 MAINTENANCE OF QUINNS MINDARIE SURF LIFE SAVING
CLUB - [317-2-1]**

Cr O'Grady submitted a letter from the President of the Quinns Mindarie Surf Life Saving Club in relation to problems they are experiencing with vandalism and requesting assistance from Council with maintenance of the building.

MOVED Cr Hancock, **SECONDED** Cr Taylor that the letter from the President of the Quinns Mindarie Surf Life Saving Club in relation to problems they are experiencing with vandalism and requesting assistance from Council with maintenance of the building be received and referred to the Building Department for action.

CARRIED

**TS343-11/96 PERRY'S PADDOCK PICNIC FUNCTION - EXPENSES
SUBMITTED BY S WINNETT - [703-1-12]**

Cr O'Grady submitted a letter from S Winnett in relation to expenses incurred by her with regard to the Perry's Paddock Picnic Day function.

MOVED Cr Hancock, **SECONDED** Cr Taylor that the letter from S Winnett in relation to expenses incurred by her with regard to the Perry's Paddock Picnic Day function be received and referred to Treasury Department for action.

CARRIED

Cr Major referred to claims made by the Olympic Kingsway Club that the oval had been built not as a soccer ground but as an Australian Rules ground and advised that they believed there was adequate room for a grandstand.

He requested a report be submitted on this matter.

MOVED Cr Hancock, **SECONDED** Cr Taylor that a report be submitted to the Technical Services Committee on the feasibility of building a grandstand at the Olympic Kingsway facility.

CARRIED

JOONDALUP COMMUNITY FOUNDATION CHRISTMAS PAGEANT - [702-3]

Cr Freame referred to the recommendation by Council to sponsor a float in the Christmas Pageant being organised by the Joondalup Community Foundation and queried which Councillors would be volunteering to participate on the day.

She commented on the suggestion of a 'Toy Shop' as a possible theme for the float and advised that Junior Council had expressed interest in participating on the day.

Cr Freame also requested that the City of Wanneroo flag be carried in the parade and sought commitment from Councillors to participate in the parade which she advised would be held on Sunday, 1 December 1996, commencing at approximately 12.00 pm.

Following general discussion on the float, the Chairman requested the Councillors present to give thought to this project and advised that this matter would be discussed further at the next meeting of the Finance and Community Services Committee to be held on Wednesday, 20 November 1996.

MOVED Cr Hancock, **SECONDED** Cr Taylor that Junior Council be invited to participate in the Council float in the Joondalup Community Foundation Christmas Pageant.

CARRIED

DOG ACT RULES - [970-2-1]

Cr Duffy referred to the new Dog Act Rules and requested clarification on the meaning of a public place as he advised the Act states a dog is not allowed to roam free in public places.

He also queried who would be responsible if a dog attacked a person while roaming free.

Cr Ewen-Chappell suggested that in the absence of the Manager Municipal Law and Fire Services, this matter be referred to the next meeting of the Finance and Community Services Committee to be held on Wednesday, 20 November 1996.

The Chief Executive Officer advised Cr Duffy that the owner of a dog, regardless of where they took the dog, would be responsible.

Cr Duffy queried whether the dog bylaws would need reviewing in light of the new changes made to the Dog Act.

The Chief Executive Officer advised that the new Dog Act had not been changed in this area and commented that present regulations in this regard would have been in force prior to the changes.

Cr Ewen-Chappell requested that this question be placed on notice.

BEACH EROSION - WANNEROO COAST - [765-1]

Cr Duffy raised his concerns in relation to erosion of the beach on the Wanneroo coast and queried what Council was doing in relation to this problem.

The Acting City Engineer advised that arrangements were in place for signage to be erected in areas south of Mullaloo warning children about the possibility of sand collapse.

Cr Duffy believed these signs did not discount any possible negligence and requested that action be taken in this regard.

The Chief Executive Officer referred to erosion of beaches that had occurred during the winter months and commented that Council had not been allowed to take any action without authority from the Department of Transport.

He also advised of a survey conducted on beach erosion on a State and Federal level which found no evidence of any change in the area south of Ocean Reef.

The Chief Executive Officer stated he would submit a report on the findings already received.

CONCERN AT TRAFFIC SPEEDS - MELALEUCA, BOTTLEBRUSH AND BLACKALL DRIVES, GREENWOOD - [510-78, 510-76, 510-82]

Cr Popham referred to the recent 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 and advised that a street meeting of local residents will be organised within the next two weeks.

LOCAL RURAL STRATEGY AREA NO 6 - RESIDENTS MEETING - [290-0-1]

Cr Healy advised of a meeting to be held on Tuesday, 19 November 1996, commencing at 7.30 pm which had been organised by a number of residents affected by local rural strategy area No 6.

He invited all Councillors to attend this meeting, which would be held at Wildflower Cottage, 1976 Wanneroo Road, Neerabup.

WANNEROO COMMUNITY HALL - KITCHEN FACILITIES - [635-8]

Cr Healy referred to a number of requests he had received from local residents in relation to the kitchen facilities at Wanneroo Community Hall and queried whether action could be taken prior to the proposed upgrading of the kitchen next year to make it more functional.

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

WANNEROO COMMUNITY HALL - STAGE LIGHTING - [635-8]

Cr Major raised his concerns with the quality of the stage lighting at the Wanneroo Community Hall and requested that this matter be investigated.

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

RECYCLING CALENDARS - [508-4]

Cr Major referred to the recycling calendars distributed by Council and requested that Council consider the re-issuing of these calendars due to changes in pick up days for some areas.

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

ANTISOCIAL BEHAVIOUR - [907-2]

Cr Ewen-Chappell referred to recent antisocial behaviour occurring in the vicinity of Woodland Loop in Edgewater and requested that this matter be investigated.

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

C500-11/96 TOWN PLANNING COMMITTEE

MOVED Cr Magyar, **SECONDED** Cr Hancock that the Report of the Town Planning Committee Meeting, held on 18 November 1996 be received.

CARRIED

ATTENDANCES

Councillors:	G A MAJOR - Chairman	South-West Ward
	L O'GRADY	North Ward
	S P MAGYAR	Central Ward
	W D DUFFY	South Ward
	V G HANCOCK - Deputising for Cr Lynn	South-West Ward
	A G TAYLOR - Deputising for Cr Wight	South Ward
	P O HEALY - Observer from 1810 hrs	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward

Chief Executive Officer:	L O DELAHAUNTY from 1858 hrs
Manager, Corporate Services:	R E DYMOCK
City Planner:	O G DRESCHER
Committee Clerk:	J AUSTIN
Minute Clerk:	S BRUYN

APOLOGIES

An apology for absence was tendered by the Mayor, Cr Arnold Dammers.

An apology for absence was tendered by Cr Lynn; Cr Hancock deputised.

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

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

PUBLIC/PRESS ATTENDANCE

There were 13 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

Mrs A Hine:

Q1 Is it possible for this room to have an amplifier put in and would Council consider this at a later date?

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 14 OCTOBER 1996

The Minutes of Town Planning Committee Meeting held on 14 October 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Cr Major reported that a request for a deputation had been received in relation to Report TP269-11/96 Unauthorised Landfill: Lot 171 (1) Kirribilli Court, Kallaroo and advised this request had been refused as it was considered to be a minor matter.

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

Mr Frank Arangio of Feilman Planning and Mr Mark Duder, General Manager of the Joondalup Country Club, addressed the Committee in relation to 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.

Mr Arangio gave an overview of the recent history of this application and explained that essentially the amendment proposed to extend the land north of the existing driving range to allow an additional three lots into an area currently occupied by the maintenance shed.

Mr Arangio stated that in relation to the issue of a safe distance of the tee off area to the nearest resident, they had received expert opinion that the normal golfer could hit a ball between 190 - 220 metres.

He advised that the proposed lots were to be lifted 2 metres from ground level and in the event of the ball rolling on, it would roll into the side of the retaining wall and therefore believed that the 250 metre distance from the driving range tee to the proposed site would be more than adequate.

Mr Arangio stated that the target range was basically to the east of the three lots and that the club had agreed to increase dense vegetation near the area if necessary and also to move the tee off area 20 metres back to ensure the buffer zone was easily accommodated.

Mr Arangio referred to an on site meeting held to discuss the lighting issue with several Council officers and advised that as a result of that meeting the club had agreed to place memorials on titles warning prospective residents of the three lots of the possibility of being affected by night time lighting on the fairway.

Mr Duder then addressed the Committee on the lighting issue and advised that readings taken by an independent lighting consultant at the request of Council indicated a lux reading of 1 - 1½ lux at residents' windows.

He believed there was no Australian requirement for that low a lux and it had been pointed out to him that the residents might be concerned with glare, rather than light.

Mr Duder advised that on the recommendation of the lighting consultant, the lighting on top of the towers had been removed and new lights ordered with an output of 1,000 watt.

He commented that upon arrival of these lights a trial run had been conducted and alterations had been made to the style of lighting and they were continuing to pursue the right ambience for the residents.

Mr Duder referred to a letter that had been sent to local residents seeking their views on the lighting issue. He queried whether, when replies were received, Council objectively view them and at what stage would Council over-ride the residents views with regard to continuing the operation as lack of night lighting was affecting the use of the driving range.

He pointed out that the lighting consultant had developed lighting fixtures and arrangements whereby the lighting is illuminated from the side and this would be submitted in due course.

In conclusion Mr Arangio believed that the impact of the proposed three lots would be minimal from a planning point of view and requested Council to initiate advertising of the amendment.

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

DEPUTATION - ALKIMOS-EGLINTON MASTER PLAN

Mr Ross Holt, Chief Executive Officer of LandCorp and Mr Tony Morgan of LandCorp then addressed the Committee in relation to the Master Plan for Alkimos-Eglinton.

Mr Holt advised this was a joint venture between LandCorp and Eglinton estates and gave a slide presentation in order to update Council on the present position of the master plan for Alkimos-Eglinton.

He outlined the following points:

- locality plan for Alkimos-Eglinton;
- three stages of the master plan process;
- creation of a sub region with a community concept;
- technological advanced solutions to environmental issues;
- growth of business and employment;
- greater access to public transport;
- district centre plan incorporating a modified grid approach to enable greater access to streets, shops etc;
- mixed block sizes to cater for a variety of market niches;
- water front village plan, including rear lane way access, with a pier as the focal point to establish a sense of identity in the area;
- Greek village by the sea theme to utilise different levels in the land.

Mr Holt advised that LandCorp was now in the final stage of the master plan and expected to deliver the master plan in the new year.

DEPUTATION - LAKESIDE SHOPPING CENTRE

Mr Greg Boyd, General Manager - Projects of Armstrong Jones and Mr Barry Stockton of Armstrong Jones then addressed the Committee in relation to proposed development of the Lakeside Shopping Centre.

Mr Boyd gave an overview of the proposed development plans for Lakeside Shopping Centre and advised that Armstrong Jones had recently submitted a development application for a department store at the Lakeside Shopping Centre for the turn of the century.

He also provided details of a cinema complex which he advised was scheduled to be opened in early 1998.

Mr Boyd presented plans of the development, showing two proposed department stores, cinema complex, shopping mall, boutiques and market area and commented on proposed parking strategy for the area.

He advised that this development would be constructed between the present train station and Boas Avenue.

In relation to the cinema complex, Mr Boyd advised that due to the necessity to close the train station for a period of approximately four weeks at the commencement of development, a shuttle bus service will be provided from the Currambine Station.

DECLARATIONS OF FINANCIAL INTEREST

Cr Duffy declared an interest in Item TP271-11/96

CONFIDENTIAL BUSINESS

The following Item was considered Behind Closed Doors:

TP280-11/96 NATIVE TITLE CLAIMS (N0 95/85) TERRY CORNWALL AND
OTHERS ON BEHALF OF NYUNGAH PEOPLE AND (N0
WC96/45) C C R BODNEY ON BEHALF OF THE BALLARUK
GROUP AND BODNEY FAMILY GROUP - [702-0]

MEETING TIMES

Commenced: 1804 hrs
Closed: 2047 hrs

REPORT NO:

TP260-11/96

DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE - 26 SEPTEMBER TO 31 OCTOBER
1996 - [290-1]

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 26 September to 31 October 1996.

Cr Taylor referred to Items 30/594 and 30/838 on page 3 of the attachment to Report TP260-11/96 and queried if there was an AA usage discretion involved.

The City Planner advised he would investigate and provide details to Council on these items.

Cr Healy referred to Item 30/165 on page 1 of the attachment to Report TP260-11/96 and queried what could be done to enable the applicants to obtain approval and also how a rural store could be developed in this area.

The City Planner advised that if required consultants were engaged by the owners to prepare a structure plan for the area Council would then have to determine if the location for the rural store was satisfactorily located.

MOVED Cr Major, **SECONDED** Cr Hancock that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP260-11/96.

CARRIED

Appendix XV refers

TP261-11/96

WANNEROO TOWN CENTRE STRUCTURE PLAN - [290-15]

A Structure Plan providing for the expansion of the Wanneroo Town Centre, prepared by consultants, is proposed for adoption as a Draft Structure Plan and to be made available for public comment prior to consideration for final adoption.

REPORT RECOMMENDATION: That Council adopts the Wanneroo Town Centre Structure Plan prepared by Hocking Planning and Architecture dated June 1996, as a draft Structure Plan for advertising for public comment for a period of six weeks and forwards a copy of the Wanneroo Town Centre Structure Plan to Main Roads WA for its information and comment.

MOVED Cr Major, **SECONDED** Cr Hancock that Council receives the Wanneroo Town Centre Structure Plan prepared by Hocking Planning and Architecture dated June 1996, as a draft Structure Plan for advertising for public comment for a period of six weeks and forwards a copy of the Wanneroo Town Centre Structure Plan to Main Roads WA for its information and comment.

CARRIED

TP262-11/96

JOONDALUP CITY CENTRE APPROVALS PROCESS - [730-8-1]

LandCorp has requested the City to act as its agent to consider and approve development and building applications relating to the Joondalup City Centre to avoid unnecessary duplication and delays. The implications of this request require further investigation before being determined.

Cr Taylor wished it recorded that he was not generally supportive of the proposal as set out in the recommendation to Report No TP262-11/96.

REPORT RECOMMENDATION: That Council:

1
advises LandCorp that it is generally supportive of the proposal to undertake development and building approvals for Joondalup City Centre as agent for LandCorp but will investigate the legal and resource aspects of the proposal before making a final decision;

2
refers the matter to its solicitors for advice;

3
further considers the proposal when the requested legal advice and a report of the staff implications are available.

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

1
investigates the legal and resource aspects of the proposal
before making a final decision;

2
refers the matter to its solicitors for advice;

3
further considers the proposal when the requested legal advice
and a report of the staff implications are available.

CARRIED

TP263-11/96

**HOMESWEST ESTATES IMPROVEMENT PROGRAMME: GIRRAWHEEN AND
KOONDOOLA - [770-0]**

Homeswest has proposed an estate improvement programme in Girrawheen and Koondoola in co-operation with Council. The joint preparation of a structure plan has been suggested as a necessary preliminary to the definition and funding of the programme.

MOVED Cr Major, **SECONDED** Cr Hancock that Council endorses the action taken, and the concept, and awaits further detail from Homeswest.

CARRIED

TP264-11/96

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

Correspondence has been received from the Office of the Minister for Planning (Planning Appeals) regarding the subdivisional appeal in relation to the level of infrastructure contribution required to be paid by North Whitfords Estates for its Stage 5 development in Landsdale. The letter advises that the Minister has commissioned engineering consultants to provide an impartial appraisal of the engineering components of the costings and will make a final determination on the level of contributions to be paid within three weeks of date of his letter (ie 15 October 1996).

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

1
authorises, in accordance with the provisions of Section 6.8 of the Local Government Act 1995 the unbudgeted expenditure of \$20,000 to enable an independent assessment of the North Whitfords Estates Pty Ltd proposal on East Wanneroo Development Area - Cell 5;

2
approaches the Western Australian Municipal Association advising of its concerns with respect to this matter;

3
advises all the local Members of Parliament of Council's concerns in this matter.

CARRIED BY AN

ABSOLUTE MAJORITY

TP265-11/96

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

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

Council, at its meeting on 28 August 1996 (TP180-08/96 refers), resolved to defer consideration of the application pending legal

advice after Cr Taylor advised that he had received correspondence regarding the matter. This correspondence was sent under cover of a facsimile from the applicant, Land Planning Consultants, alleging negligence by Council and its officers and foreshadowing action in damages.

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

1
refuses the application submitted by Land Planning Consultants for a wholesale landscape supply business on Lot 90 (481) Wanneroo Road, Woodvale for the following reasons:

(a)
it is a use that is not permitted in a rural zone;

(b)
the use would be a potential pollution source for Lake Joondalup;

(c)
the proposal is an inappropriate use along Wanneroo Road, in view of its relatively high traffic generating potential;

(d)
the use represents ad hoc commercial development and is contrary to future plans for the area;

2
requires the cessation of the use and removal of all unauthorised structures associated with the use, within 28 days of notification of Council's decision;

3
authorises the City Planner to initiate legal action against the owners of Lot 90 (481) Wanneroo Road should they not comply with Part 2 above.

CARRIED

TP266-11/96

CLEARING OF 25 HECTARES, INSTALLATION OF THREE DAMS, USE
APPROVAL FOR AQUACULTURE AND CONSTRUCTION OF FENCING FOR LOC
1896 (615) PERRY ROAD, PINJAR - [30/5494]

An application for the clearing of 25ha of land, the installation of three dams, the construction of fencing and a use approval for aquaculture has been submitted by Robert Ferguson & Associates on behalf of Alan & Virginia Gratrix for Loc 1896 (615) Perry Road, Pinjar. The application is subject to Planning Control Area No 29 (PCA No 29). Refusal of the application is recommended as the proposal is considered environmentally unacceptable.

MOVED Cr Major, **SECONDED** Cr Hancock that Council refuses the application submitted by Robert Ferguson & Associates, on behalf of Alan and Virginia Gratrix for the clearing of 25 hectares of land, installation of three dams and the construction of fencing on Loc 1896 (615) Perry Road, Pinjar for the following reasons:

1
the subject land is identified as having Priority 1 flora and fauna values under the Bowman, Bishaw and Gorman Report and as such is also recognised as a "core conservation zone";

2
the proposed stocking rates are in excess of those considered environmentally acceptable.

CARRIED

TP267-11/96

**PROPOSED BUILDING ENVELOPE RELOCATION: LOT 21 BADGERUP ROAD,
(PROPOSED LOT 13 THE FAIRWAYS), GNANGARA - [0208/21/312]**

A letter has been received from Mr and Mrs Minogue in regard to relocating the building envelope on proposed Lot 13 The Fairways, which is part of the new Golfview Estate, located on Lot 21 Badgerup Road, Wanneroo. This lot is within Special Rural Zone No 27 where Council has previously adopted building envelopes of approximately 1600m² each for this zone. It is considered appropriate to support the building envelope relocation because it will provide greater privacy for the owners and not detrimentally affect the planning of the area.

MOVED Cr Major, **SECONDED** Cr Hancock that Council grants approval for the existing 40 metre x 40 metre building envelope at Lot 21 Badgerup Road, (proposed Lot 13 The Fairways), Gnanagara to be located 45 metres forward of the rear lot boundary as shown in Attachment 3 to Report TP267-11/96.

CARRIED

Appendix XVI refers

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

TP268-11/96

ADVERTISING SIGNS FOR APPROVALS TO COMMENCE DEVELOPMENT AND TOWN PLANNING SCHEME AMENDMENTS - [290-1]

Councillor Popham has requested a report on the feasibility of including a plan on advertising signs showing the proposed development so that concerned residents can be better informed.

The problem of keeping the public informed of an approved development or of zoning or density code changes has also been addressed by this report. Given the additional costs involved and the potential to misinform the public, it is recommended that the present sign specifications remain. However, to address problems in informing the public of development approvals or scheme amendments it is recommended that Council prepare a planning policy to ensure placement of the necessary on-site signage following development approval or prior to finalisation of an amendment.

Cr Major asked that the following points be considered to ensure that on-site advertising signs are in place for the full extent of the required advertising period:

- initiation of prosecution proceedings against applicant;
- delay in consideration of the application by Council;
- regular inspections being carried out, at the applicant's expense.

The City Planner advised it was not practical to inspect all signs, however the advertising period is extended in cases where a sign is not in place for the required period.

Cr Magyar left the Chamber at this point, the time being 2043 hrs.

Cr Popham raised various questions regarding this item and stated he would move that consideration of advertising signs for approvals to commence development and Town Planning Scheme amendments be deferred and referred back to Town Planning Committee.

Cr Dammers advised Cr Popham he would have the opportunity to raise the various points he queried at the time this policy is prepared.

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

1
does not amend its sign specifications for development and amendment applications;

2
prepares a planning policy in accordance with Clause 5.11 of Town Planning Scheme No 1 to achieve the placement of appropriate on-site signage to advise the public of a development approval or amendment to its operative town planning scheme.

CARRIED

TP269-11/96

UNAUTHORISED LANDFILL: LOT 171 (1) KIRRIBILLI COURT, KALLAROO - [2935/171/1]

Lot 171 (1) Kirribilli Court, Kallaroo is zoned Special Development A (R20) within the City's Town Planning Scheme No 1.

The property is vacant land and is owned by a Sohir Azim and Mr George Takla.

On 2 July 1996 the City received a complaint regarding sand having been deposited on Lot 171 and of sand blocking the footpath adjoining the property.
The City also received a four signature petition from residents of Kallaroo regarding the illegal dumping of sand and rubbish on the site (C406-09/96 refers).

Written and verbal requests from the City to the owners of Lot 171 to remove the unauthorised landfill have failed to resolve the situation.

It is recommended that Council initiates legal action against the owners of the property should they not remove the unauthorised landfill from the site within 28 days notification.

REPORT RECOMMENDATION: That Council:

1
advises the owners of Lot 171 (1) Kirribilli Court, Kallaroo that the unauthorised development (use) landfill of the property is in breach of the City's Town Planning Scheme No 1;

2
requests the owners of Lot 171 (1) Kirribilli Court, Kallaroo to remove the unauthorised landfill from the property within 28 days notification or face legal action;

3
authorises the City Planner to initiate legal action should the request in Item 2 above not be satisfied within the time period specified.

MOVED Cr Major, **SECONDED** Cr Hancock that Council defers consideration of the unauthorised landfill at Lot 171 (1) Kirribilli Court, Kallaroo for one month, and a further report be submitted to the December Town Planning Committee.

CARRIED

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

Cr Magyar entered the Chamber at this point, the time being 2046 hrs.

TP270-11/96

UNAUTHORISED DEVELOPMENT (USE) LANDFILL, LOT 23 (64) REES DRIVE, QUINNS ROCKS - [443/23/64]

On 27 October 1995 the City received a complaint concerning unauthorised development (use) landfill taking place on Lot 23 (64) Rees Drive, Quinns Rocks.

Inspection of the property revealed that some of the landfill deposited on the site was unsuitable landfill (ie wooden planks

and super six fencing). Further enquiries revealed that no approval had been granted by Council to landfill the site.

Requests by the City to the owners of the property to remove the unauthorised landfill has failed to resolve the situation.

REPORT RECOMMENDATION: That Council:

1
advises the owners of Lot 23 (64) Rees Drive, Quinns Rocks, that the unauthorised development (use) landfill on the property is in breach of the City's Town Planning Scheme No 1;

2
advises the owners of Lot 23 (64) Rees Drive, Quinns Rocks that Council is prepared to defer any legal action regarding this matter providing that the owners are prepared to enter into a legal agreement, supported by a Caveat, with the City preventing further development of Lot 23 (64) Rees Drive, Quinns Rocks or sale of the property until the matter of the unauthorised landfill on the site is resolved. The owners of the property to meet all the City's legal expenses regarding this matter;

3
authorises the City Planner to seek legal advice regarding Item 2 of this recommendation.

ADDITIONAL INFORMATION

The City has received information that the complainant whose property adjoins the unauthorised landfill on Lot 23 (64) Rees Drive, Quinns Rocks may seek legal action against the City for depreciation of his property value should Council decide to leave the landfill on Lot 23 (64) Rees Drive and enter into a legal agreement with the owners Mr and Mrs Walsh.

The recommendation to the Town Planning Committee on 18 November 1996 for TP270-11/96 was to seek legal advice regarding a possible legal agreement between the City and Mr and Mrs Walsh involving the landfill due to the fact that they were not in a position to remove the unauthorised fill because of their age and medical condition.

The medical situation of Mr and Mrs Walsh has not changed, however in order to protect the City from any possible legal action regarding this matter it is recommended that Items 1 and 3 of the Recommendation TP270-11/96 remain the same and replace proposed recommendation No 2 with the following:

subject to legal advice confirming the City could not be held open to any legal action, advises the owners of Lot 23 (64) Rees Drive, Quinns Rocks that Council is prepared to defer its own legal action regarding this matter providing that the owners are prepared to enter into a legal agreement, supported by a Caveat, with the City. The legal agreement preventing further development of Lot 23 (64) Rees Drive or sale of the property until the matter of the unauthorised landfill on the site is resolved. The owners of the property to meet all the City's legal expenses regarding this matter."

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

1
advises the owners of Lot 23 (64) Rees Drive, Quinns Rocks, that the unauthorised development (use) landfill on the property is in breach of the City's Town Planning Scheme No 1;

2
subject to legal advice confirming the City could not be held open to any legal action, advises the owners of Lot 23 (64) Rees Drive, Quinns Rocks that Council is prepared to defer its own legal action regarding this matter providing that the owners are prepared to enter into a legal agreement, supported by a Caveat, with the City. The legal agreement preventing further development of Lot 23 (64) Rees Drive or sale of the property until the matter of the unauthorised landfill on the site is resolved. The owners of the property to meet all the City's legal expenses regarding this matter;

3
authorises the City Planner to seek legal advice regarding Item 2 of this recommendation.

CARRIED

TP271-11/96

MEADOWLANDS SPECIAL RURAL ZONE, MARIGINIUP - LAND EXCHANGE - W D DUFFY, L M SCHOFIELD AND CITY OF WANNEROO - [790-421]

Council has previously agreed to certain land exchanges within the Meadowlands Special Rural Zone. Subdivisional approval has now been given and subject to compliance with the requirements of the Local Government Act and the satisfaction of conditions imposed by Council and the Minister for Planning, the land exchange can be concluded.

REPORT RECOMMENDATION

That Council, subject to it receiving written confirmation from W D Duffy and L M Schofield that they will initiate all necessary actions pertaining to the land exchange proposal and meet the cost thereof, and subject to them confirming in writing that they will meet the legal and valuation costs incurred by Council:

1
obtains legal advice as to the application of the Local Government Act as it pertains to the exchange of Council owned land at Lot 67 Zest Court/Via Vista Drive, Mariginiup for part of Lot 24 Timely Hostess Mews owned by W D Duffy;

2
obtains valuations for Lot 67 Zest Court/Via Vista Drive and part of Lot 24 Timely Hostess Mews, Mariginiup at the appropriate time;

3
subject to receiving legal advice on the application of the Local Government Act, authorises giving Statewide public notice of the proposed exchange at the appropriate time.

Cr Duffy had declared an interest in this Item as it related to him. (Cr Duffy was not present in the Chamber at this point.)

MOVED Cr Wight, **SECONDED** Cr Cooper that Council, subject to it receiving written confirmation from W D Duffy that he will initiate all necessary actions pertaining to the land exchange proposal and meet the cost thereof, and subject to him confirming in writing that he will meet the legal and valuation costs incurred by Council:

1
obtains legal advice as to the application of the Local Government Act as it pertains to the exchange of Council owned land at Lot 67 Zest Court/Via Vista Drive, Mariginiup for part of Lot 24 Timely Hostess Mews owned by W D Duffy;

2
obtains valuations for Lot 67 Zest Court/Via Vista Drive and part of Lot 24 Timely Hostess Mews, Mariginiup at the appropriate time;

3
subject to receiving legal advice on the application of the Local Government Act, authorises giving Statewide public notice of the proposed exchange at the appropriate time.

CARRIED

TP272-11/96

**SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY COMMITTEE - 26
SEPTEMBER TO 31 OCTOBER 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 26 September to 31 October 1996. All applications were dealt with in terms of Council's Subdivision Control Unit Policy adopted at its December 1982 meeting.

MOVED Cr Major, **SECONDED** Cr Hancock that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP272-11/96.

CARRIED

Appendix XVII refers

TP273-11/96

**TOWN PLANNING SCHEME NO 1 AMENDMENT NO 592 PROPOSED SPECIAL
RURAL ZONE - LOTS 5, 7 AND 53, AND PORTION LOCATION 3144 ADAMS
ROAD, MARIGINIUP - [790-592]**

Amendment No 592 to the City's Town Planning Scheme No 1 (to rezone Lots 5, 7 and 53 and Portion Location 3144 Adams Road, Mariginiup from Rural to Special Rural) was advertised in 1993, but has not been finalised (essentially because of the City's most recent initiative to prepare its Local Rural Strategy). Negotiations between the landowner, its planning consultant and City officers have resulted in submission of a structure planning report seeking finalisation of Amendment No 592. Although information provided in the structure planning report generally satisfy requirements identified by the City in respect of the proposal to rezone Lots 5, 7 and 53, and Portion Location 3144, a number of matters require further consideration. It is recommended that, subject to satisfactory resolution of these matters, final approval could be granted to Amendment No 592.

REPORT RECOMMENDATION: That Council:

1
advises Feilman Planning Consultants that it is prepared to grant final approval to Amendment No 592 to City of Wanneroo Town Planning Scheme No 1 to rezone Lots 5, 7 and 53 and Portion Location 3144 Adams Road, Mariginiup from Rural to Special Rural, subject to the following matters being resolved to Council's satisfaction:

(a)
the submitted Concept Structure Plan being modified to show the two seasonal wetlands (in the central eastern and north-eastern sectors of the overall study area) as either conservation area and/or an area requiring investigation;

(b)
the undertaking of a localised surface water hydrological investigation within the south-eastern extremity of the subject land, and incorporation of the outcome into the Subdivision Guide Plan and Special Provisions as appropriate;

(c)
confirmation by the Engineering Department of the acceptability of the road proposals shown in the Structure Plan Report;

(d)
review of the proposed Special Provisions and Subdivision Guide Plan in light of the comments made upon them in Report TP273-11/96;

2
requires a further report upon the matter to consider whether the matters referred to in 1 above have been satisfactorily resolved and to consider formal granting of final approval to Amendment No 592.

COMMITTEE RECOMMENDATION: That Council:

1
grants final approval of Amendment No 592 to City of Wanneroo Town Planning Scheme No 1 to rezone Lots 5, 7 and 53 and Portion Location 3144 Adams Road, Mariginiup from Rural to Special Rural, subject to the matters outlined in the City Planner's report No TP273-11/96 being addressed to the satisfaction of the City Planner prior to documents being executed and forwarded to

the Hon Minister for Planning subject to legal advice being sought allowing Council to delegate this decision;

2
subject to 1 above, authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.

ADDITIONAL INFORMATION

At the meeting of the Town Planning Committee held on 18 November 1996, the Committee considered Amendment No 592 relating to a proposed Special Rural Zone over Lots 5, 7 and 53 and portion Location 3144 Adams Road, Mariginiup (item TP273-11/96).

The recommendation of the report on the matter was that Council advise the applicant that it was prepared to grant final approval to the amendment subject to a number of outstanding matters being resolved to Council's satisfaction and that a further report be submitted to Council to deal with the subject of satisfaction of those outstanding matters and formal adoption of the amendment.

The Committee's recommendation on this item differs to the report's recommendation in that it involves formal adoption of the amendment (with modifications to be determined) and a delegation of authority to the City Planner to deal with the matter of determining whether the outstanding matters have been satisfactorily resolved or not. However, this is subject to it being confirmed that such delegation of authority is legally possible.

McLeod & Co, Barristers and Solicitors, has been requested to advise upon this matter. Its opinion is that it is not open to Council to delegate that function to the City Planner.

In view of the above, it is recommended that Council revert to the recommendation of the report on this matter (subject to a number of technical changes arising from McLeod & Co's advice) which follows.

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

1
advises Feilman Planning Consultants that it is prepared to generally support Amendment No 592 to City of Wanneroo Town Planning Scheme No 1 to rezone Lots 5, 7 and 53 and Portion Location 3144 Adams Road, Mariginiup from Rural to Special Rural, subject to the following matters being resolved to Council's satisfaction:

(a)
the submitted Concept Structure Plan being modified to show the two seasonal wetlands (in the central eastern and north-eastern sectors of the overall study area) as either conservation area and/or an area requiring investigation;

(b)
the undertaking of a localised surface water hydrological investigation within the south-eastern extremity of the subject land, and incorporation of the outcome into the Subdivision Guide Plan and Special Provisions as appropriate;

(c)
confirmation by the Engineering Department of the acceptability of the road proposals shown in the Structure Plan Report;

(d)
review of the proposed Special Provisions and Subdivision Guide Plan in light of the comments made upon them in this report;

2
requires a further report upon the matter to consider whether the matters referred to in 1 above have been satisfactorily resolved and to consider formal adoption (with or without modifications) of Amendment No 592.

CARRIED

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

TP274-11/96

CLOSE OF ADVERTISING: AMENDMENT NO 764 TO TOWN PLANNING SCHEME NO 1 TO REZONE VARIOUS LOTS IN WANNEROO FROM RURAL TO RESIDENTIAL DEVELOPMENT R20 - [790-764]

Amendment No 764 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 1 November 1996. This amendment seeks to rezone Lots 4, 5, 6, 7, 8 and 9 Dundobar Road and Lots 30, 31, 135, 137 and 138 Belgrade Road, Wanneroo from Rural to Residential Development R20. Three submissions in support of

the proposal have been received, and one objection. Final adoption of the proposed amendment is recommended.

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

1
finally adopts Amendment No 764 to Town Planning Scheme No 1 to rezone Lots 4, 5, 6, 7, 8 and 9 Dundobar Road and Lots 30, 31, 135, 137 and 138 Belgrade 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;

3
advises the Western Australian Commission that it has previously requested an amendment to the Metropolitan Region Scheme to rezone the subject land from Rural to Urban and that this should be finalised prior to the gazettal of Amendment No 764 to Town Planning Scheme No 1.

CARRIED

TP275-11/96

MRS AMENDMENT NO 975-33 ST ANDREWS (YANCHEP-TWO ROCKS AMENDMENT)
- [319-7-1]

The St Andrews Metropolitan Region Scheme Amendment (Yanchep-Two Rocks) was advertised for public submissions in January of this year. The Western Australian Planning Commission (WAPC) has considered the submissions and made two modifications to the amendment. The modifications relate to a diamond shaped intersection at the junction of Mitchell Freeway and link road to Wanneroo Road (originally a T-intersection had been proposed), and the exclusion of Lots 132-135 Two Rocks Road from the amendment. Council previously supported the amendment in principle, but noted several objections, comments, and concerns of which the majority were noted by the Commission. The amendment, having now been through Parliament, is effective as of 25 September 1996. The City will now be required to amend its Town Planning scheme No 1 to accord with the amended Metropolitan Region Scheme.

MOVED Cr Major, **SECONDED** Cr Hancock that Council requires a further report be presented regarding the preparation of an amendment to the City of Wanneroo Town Planning Scheme No 1 to make it accord with the changes to the Metropolitan Region Scheme resulting from the finalising of the St Andrews (Yanchep-Two Rocks) Metropolitan Region Scheme Amendment.

CARRIED

TP276-11/96

CLOSE OF ADVERTISING: AMENDMENT NO 762 TO TOWN PLANNING SCHEME NO 1 TO REZONE VARIOUS LOTS IN LANDSDALE FROM RURAL TO RESIDENTIAL DEVELOPMENT R20 - [790-762]

Amendment No 762 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 1 November 1996. This amendment seeks to rezone Lots 1, 2, 3, 4, 5, 6 and 20 Kingsway, Lots 28, 29, 32, 33, 47, 48 and 49 Landsdale Road and Lots 8, 10, 34, 35, 45 and 46 Evandale Road, Landsdale from Rural to Residential Development R20. Two submissions in support of the proposal were received, and three objections. It is now considered appropriate, subject to the applicants demonstrating to the satisfaction of the Ministry for Planning and the Department of Environmental Protection that land within the 500 metre buffer from existing poultry and pig farms can be adequately dealt with, to support finalisation of the amendment.

ADDITIONAL INFORMATION

The City Planner advised that further to Council Report TP276-11/96 an additional submission has been received. The submission by Greg Rowe and Associates on behalf of the Tilbrook family who own three properties adjacent to the application area is in support of the proposal, however it expresses concern over the inclusion of the Draft Local Structure Plan in the Scheme amendment documentation. They believe that the Draft Local Structure Plan's inclusion in the amendment document affords it more status than is appropriate. They do not support the Draft Local Structure Plan and request its deletion from the amendment document.

The Draft Local Structure Plan indicates the Tilbrook's land as being accessed only by roads which pass through other properties. The submitters believe this makes the development

of their properties reliant upon the development and timeframes of adjoining owners. Additionally, they are concerned that a large portion of their land is designated as public open space on the Draft Local Structure Plan.

In response to this submission the concerns are noted. However, it is reiterated that the Draft Local Structure Plan is indicative only and the plan is already marked as such. It is included in the amendment document to show what form the overall urban development of the area may take. The final structure planning of the area will be subject to further analysis by BSD Consultants, and will take into account submissions from residents such as the Tilbrooks. It is not recommended to delete the Draft Local Structure Plan from the amendment document on the basis of this submission.

Therefore, the recommendation on Report TP276-11/96 remains unchanged.

MOVED Cr Major, **SECONDED** Cr Hancock that Council, subject to the applicants demonstrating that the land within 500 metres of the poultry farm located on Lot 24 Kingsway and pig farm located on Lot 18 Kingsway will not be adversely affected, to the satisfaction of the Ministry for Planning and the Department of Environmental Protection:

1
finally adopts Amendment No 762 to Town Planning Scheme No 1 to rezone Lots 1, 2, 3, 4, 5, 6, and 20 Kingsway, Lots 28, 29, 32, 33, 47, 48 and 49 Landsdale Road and Lots 8, 10, 34, 35, 45 and 46 Evandale Road, Landsdale from Rural to Residential Development R20;

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

3
advises the Western Australian Planning Commission that it has previously requested an amendment to the Metropolitan Region Scheme to rezone the land subject to Amendment No 762 from Urban Deferred to Urban and that this should be finalised prior to gazettal of Amendment No 762.

CARRIED

TP277-11/96

REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN CALEY ROAD AND JASON PLACE, PADBURY - [510-1084]

The owners of the two residential properties adjoining the pedestrian accessway between Caley Road and Jason Place, Padbury requested the accessway to be closed on the grounds of vandalism and antisocial behaviour. A community purpose site owned by the City in freehold title also adjoins the accessway. Due to the topography of the land and the layout of the parking areas there would be no benefit to include the land within the accessway with the community purpose site and the two adjoining property owners are not interested in purchasing the land.

REPORT RECOMMENDATION: That Council does not agree to close the pedestrian accessway between Caley Road and Jason Place, Padbury on the basis that the land within the accessway cannot be disposed of to the adjoining property owners.

MOVED Cr Major, **SECONDED** Cr Hancock that Council agrees to the closure of the pedestrian accessway between Caley Road and Jason Place, Padbury.

CARRIED

TP278-11/96

PROPOSED TELECOMMUNICATIONS STRATEGY - [727-13-2]

The Western Australian Municipal Association has provided a Telecommunications Kit and suggested local authorities prepare and adopt telecommunications strategies to counter anticipated proliferation of mobile telephone towers and aerial cabling.

MOVED Cr Major, **SECONDED** Cr Hancock that Council makes copies of the Western Australian Municipal Association's Telecommunications Kit and petition forms available to individuals and community groups in the City through Council's administration centre, recreation centres and libraries.

CARRIED

TP279-11/96

COASTAL TOURISM: GUIDING PRINCIPLES FOR SUSTAINED DEVELOPMENT -
A DRAFT DOCUMENT BY DEPARTMENT OF THE ENVIRONMENT, SPORT AND
TERRITORIES - [30/2831]

The Commonwealth Department of the Environment, Sport and Territories has forwarded a draft document on "Coastal Tourism: Guiding Principles for Sustainable Development", requesting Council's comments by 29 November 1996. This document aims to help developers and local councils work together to implement sustainable coastal tourism development. The document has been studied in relation to the coastal planning practices of the City and a submission is recommended to be forwarded to the Department of Environment, Sport and Territories.

MOVED Cr Major, **SECONDED** Cr Hancock that Council forwards a submission to the Commonwealth Department of the Environment, Sport and Territories to advise as follows:

1
Separate Guidelines for Planners and Developers

Given that the suggested guidelines contain both planning and economic issues, separate guidelines relating to planners and developers covering only such matters relevant to them would be appropriate;

2
Site Planning

In assessing the coastal hazards such as inundation by storm tides and/or stormwater, coastal erosion, etc, it is noted that tourism development proposals such as Marinas should also consider their effects (erosion/accretion) on the adjoining foreshores;

3
Height and Size of Development

Although the subject document recommends limitation of height and size of development to avoid overshadowing etc, it does not discuss about the recommended height of buildings and structures except for stating that it may be desirable to restrict height of buildings to below tree level. Noting that these guidelines will be applicable to the whole nation and that there may be coasts which may not have trees tall enough to determine the height of the buildings, it is suggested that these guidelines discuss the recommended height of buildings;

Leasing of Public Land

With coastal areas generally being public land, leasing them (as the case may be) for coastal tourism developments could be part of the development process. Hence it is suggested that the subject guidelines include a section on this matter.

CARRIED

TP280-11/96

**NATIVE TITLE CLAIMS (NO 95/85) TERRY CORNWALL AND OTHERS ON
BEHALF OF NYUNGAH PEOPLE AND (NO WC96/45) C C R BODNEY ON BEHALF
OF THE BALLARUK GROUP AND BODNEY FAMILY GROUP - [702-0]**

Native Title Claim applications made by Terry Cornwall and others on behalf of the Nyungah people and relating to a large area of the South West of Western Australia and by Corrie Christopher Robert Bodney, on behalf of the Ballaruk and Bodney Groups over an area within Wanneroo have been accepted by the National Native Title Tribunal. A 'pre-mediation meeting' between representative of metropolitan local authorities (including this City) which have applied to be parties to the Cornwall Claim application and Tribunal officials has been recently held. A full 'plenary meeting' involving all parties to the application and Tribunal officials is to be held in mid-December. The City has registered to be included as a party with an interest in both the Cornwall and Bodney claims.

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

1
endorses the applications made to the National Native Title Tribunal for the City of Wanneroo to be a party to the Native Title Claim Application No WC95/85 made by Terry Cornwall and others on behalf of the Nyungah people in relation to portion of the south-west region of Western Australia and Application No WC96/45 made by Corrie Christopher Robert Bodney on behalf of the Ballaruk Group and the Bodney Family Group in relation to Crown Reserves in the vicinity of Ashley Road, Wanneroo;

2
authorises negotiations with the Native Title claimants in Application No WC96/45 to resolve matters relating to the completion of the municipal depot construction works.

CARRIED

TP281-11/96

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]

Council resolved at its October 1996 meeting (TP240-10/96 refers) that consideration of Amendment No 758 be deferred until such time as the matter of the Joondalup Golf Course lighting associated with the night driving range is resolved. The night driving range approval was conditional upon there being no light overspill on to residential properties. This would include both existing and future properties including the subject rezoning land.

The lighting fixtures associated with the night driving range have now been changed. In order to gauge the acceptability of the new fixtures, a trial period has been arranged whereby the lights will be switched on for a limited time and adjacent residents will be given the opportunity to comment. The outcome will be reported to the December meeting of Council.

MOVED Cr Major, **SECONDED** Cr Hancock 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.

CARRIED

TP282-11/96

ASSESSMENT OF REMNANT NATIVE VEGETATION WITHIN THE CITY OF WANNEROO - [305-6]

The report from the consultant botanist engaged by the City to undertake a quantitative and qualitative assessment of remnant

native vegetation within its municipal district has now been received, and has been presented to a workshop of Councillors, Environmental Advisory Committee members, internal departmental officers, and representatives from the Ministry for Planning and Department of Environmental Protection.

This report provides details of the assessment and advises that the results from the assessment will form an important input to a number of the City's planning initiatives, and a full report on this matter will be submitted to Council at the earliest opportunity.

The report recommends that the information from the remnant native vegetation assessment be released to interested community groups and individuals and that, with the exception of State Government agencies, a charge of \$25 be levied for the consultant's report and accompanying maps.

REPORT RECOMMENDATION: That Council:

1
notes that the consultant's report and accompanying maps documenting the assessment of remnant native vegetation within the City of Wanneroo have now been received and requests a full report on this matter (through the City's Environmental Advisory Committee) at the earliest opportunity;

2
releases the consultant's report and accompanying maps documenting the assessment of remnant native vegetation within the City of Wanneroo to relevant State Government agencies, those parties undertaking more localised development planning, and interested community groups and individuals;

3
levies a charge of \$25 for the consultant's report and accompanying maps documenting the assessment of remnant native vegetation within the City of Wanneroo (except for copies of this documentation provided to the relevant State Government agencies, which will be provided without charge).

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

1
notes that the consultant's report and accompanying maps documenting the assessment of remnant native vegetation within the City of Wanneroo have now been received and requests a full report on this matter (through the City's Environmental Advisory Committee) at the earliest opportunity;

2

releases the consultant's report and accompanying maps documenting the assessment of remnant native vegetation within the City of Wanneroo to relevant State Government agencies, those parties undertaking more localised development planning, and interested community groups and individuals;

3
levies a charge of \$25 for the consultant's report and accompanying maps documenting the assessment of remnant native vegetation within the City of Wanneroo (except for copies of this documentation provided to the relevant State Government agencies, which will be provided without charge);

4
places two copies of the consultant's report in each of the City of Wanneroo's libraries.

CARRIED

TP283-11/96

**AMENDMENT NO 772 TO TOWN PLANNING SCHEME NO 1 TO RECODE SEVEN
GROUPED DWELLING SITES IN NEERABUP FROM R20 TO R40 (HOMESWEST) -
[779-772]**

Cr Healy submitted a letter and 25-signature petition from residents of Neerabup opposing the proposed high-density group housing at Lot 341 Frond Circuit, Neerabup.

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

Cr Healy queried whether the approval to advertise had already been put in place and was it due to expire this coming weekend. This being the case, he wished to inquire from the City Planner the procedure from this point.

The City Planner advised he was unsure as to the current stage this Item was at, but stated there had been a submission. If still at the advertising process, the matter would be referred to Council at the conclusion of the advertising period.

MOVED Cr Major, **SECONDED** Cr Hancock that the letter and 25-signature petition from residents of Neerabup in relation to their opposition to the proposed high-density group housing at Lot 341 Frond Circuit Neerabup be received and referred to Town Planning Department for a report to Town Planning Committee.

CARRIED

C501-11/96

FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Freame, **SECONDED** Cr Healy that the Report of the Finance and Community Services Committee Meeting, held on 20 November 1996 be received.

CARRIED

ATTENDANCES

Councillors:

A V DAMMERS, JP - Mayor - Acting

Chairman from

1801 hrs

Central Ward

F D FREAME - Acting Chairman from

2011 hrs to 2016 hrs

South-West Ward

P O HEALY - From 1804 hrs

North Ward

L A EWEN-CHAPPELL - Deputising for
Cr Cooper from
1821 hrs

Central Ward

A G TAYLOR

South Ward

D K TIPPETT, JP - From 1803 hrs

South Ward

V G HANCOCK - Deputising for
for Cr Lynn from

South-West Ward

1816 hrs

G A MAJOR - Observer, deputising
for Cr Lynn to
1816 hrs

South-West Ward

L O'GRADY - Observer, Deputising for
Cr Healy to 1803 hrs

North Ward

A W WIGHT - Observer, deputising for
Cr Tippett to 1803 hrs

South Ward

S P MAGYAR - Observer

Central Ward

T W POPHAM - Observer from 1820 hrs
South Ward

Chief Executive Officer:

L O DELAHAUNTY

Manager, Corporate Services:

R E DYMOCK

City Treasurer:

J TURKINGTON

Acting City Engineer:

D BLAIR

City Environmental Health

Manager:

M AUSTIN

City Recreation and

Cultural Services Manager:

R BANHAM

Manager, Municipal Law &

Fire Services:

T TREWIN

Manager Welfare Services:

P STUART

Acting City Librarian:

J CADDY

Heritage Officer:

J MACKAY

Facilities Manager:

M STANTON

Minute Clerk:

S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Lynn; Crs Major and Hancock deputised.

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

An apology for absence was tendered by Cr Duffy.

An apology for late attendance was tendered by Cr Popham.

PUBLIC/PRESS ATTENDANCE

There was 1 member of the Public in attendance.

APPOINTMENT OF ACTING CHAIRMAN

Cr Dammers was elected Acting Chairman.

PUBLIC QUESTION TIME

Mrs A Hine:

Q1 In your agenda for Council, could you tell me why the bush opposite where you are building the Shire building on Wanneroo Road has been burnt. Is there a particular reason and is Council going to develop that land as well.

A1 Acting City Engineer's response: No, I am not aware of that particular situation.

Acting Chairman's response: This matter will be taken on notice.

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 16 OCTOBER 1996

The Minutes of the Finance and Community Services Committee Meeting held on 16 October 1996, with the exception of Confidential Business, were confirmed as a true and correct record.

ITEM OF CONFIDENTIAL BUSINESS FROM MINUTES OF FINANCE AND
COMMUNITY SERVICES COMMITTEE MEETING HELD ON 16 OCTOBER 1996

Cr Popham believed a formal motion had been moved, seconded and voted on in Item FA153-10/96 in confidential business of the above minutes and queried why this had not been recorded in the minutes.

The Chief Executive Officer advised that the Chairman of the Finance and Community Services Committee made a statement to the effect that this matter was out of the province of this Committee but that Councillors decided to debate the issue to express their views.

He commented that an informal vote was taken but that the motion moved by Cr Popham could not be recognised by the Chair as he was not a member of the Committee.

The Chief Executive Officer also advised that a number of Councillors present who voted were not members of the Committee and therefore not entitled to vote and that four Councillors had absented from voting, contrary to the Local Government Act.

He stated that as the motion was not repeated in open forum as a decision of the Committee, it was therefore not recorded in the Minutes.

The Minutes of the Finance and Community Services Committee Meeting held on 16 October 1996, were then confirmed as a true and correct record.

Cr Taylor wished it recorded that he had voted against confirmation of the Minutes.

Cr Popham wished it recorded that he was not in agreement with confirmation of the Minutes.

PETITIONS AND DEPUTATIONS

DEPUTATION - FUTURE USE OF THE FORMER LUISINI WINERY

Mr Jim Chesterman of the Ministry for Planning and Mr Christopher Paterson of Kevin Palassis Architects addressed the Committee to present a proposed concept plan for the future use of the former Luisini Winery.

Mr Chesterman outlined a brief history of the winery and commented on minor works already undertaken by the Ministry for Planning.

He advised that in 1995 the Commission approved the letting of tenders for a conservation plan to determine the appropriate use for the winery and to put forward plans for restoration of the building.

Mr Chesterman stated that the appointed architects would be presenting their plan to the Commission next week and as it would be a fairly costly project believed Council's commitment to the winery would assist the submission to the Commission.

He referred to recent discussions held with officers of the City of Wanneroo who indicated that Council may be prepared to take over the management of funds and to assist with the outfitting of the premises.

In conclusion, Mr Chesterman believed that if Council were able to give some sort of commitment to the project as to the ongoing management and outfitting of the premises, this would assist their cause prior to presenting their plan to the Commission next week.

Mr Paterson gave a slide presentation outlining the draft conservation and management plan for the Luisini Winery.

He illustrated on plans and diagrams of the building and surrounding areas the proposed future use of the winery as an Art and Design Centre to cater for local professional artists and to promote Wanneroo and the artists themselves.

Mr Paterson advised it would be similar in concept to the Fremantle Art Museum and would have multi level usage for the community, with a new mezzanine floor being added to complement the existing building, distillery and natural beauty of surrounding bushland.

He believed the building was the last reminder of something that was a very big industry for Wanneroo and felt it was of great social importance for people in the community and had a tremendous number of elements that were rated of a considerable significance.

Mr Paterson outlined plans for parking, landscaping, a dual use cycle path around lake and access for disabled people and envisaged that in a building of this nature there would be opportunity for revenue to be returned from the provision of a cafe, book shop and craft shop.

In conclusion, he commented on costs estimated for the project by a quantity surveyor and believed that due to the nature of the project it would be recommended that different parties would be required to undertake different tasks.

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

The Acting Chairman requested the Heritage Officer to provide information on the formation and running of the Fremantle Art Centre.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES

Commenced:	1800 hrs
Closed:	2220 hrs

FINANCE & ADMINISTRATIVE SECTION

REPORT NO:

FA152-11/96 MEETINGS WITH FEDERAL AND STATE MEMBERS OF PARLIAMENT - [540-0]

It has been requested that the matter of holding regular meetings with Parliamentarians be investigated. This report presents the options for holding these meetings and a discussion of the relevance of meeting with Parliamentarians. It is recommended that a single meeting be held and that a further report be submitted to Policy Committee.

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

- 1 invites all Parliamentarians representing electors in the City of Wanneroo area to a meeting on the 13 February 1997, followed by dinner, to discuss issues relating to Wanneroo;
- 2 submits a further report to Policy Committee following the meeting with Parliamentarians.

CARRIED

FA153-11/96 LOCAL GOVERNMENT STATUTORY COMPLIANCE ASSESSMENT PROGRAMME - [970-2, 312-1]

The Department of Local Government has written to all Local Governments suggesting they make a commitment to complete a Statutory Compliance Assessment Return for the period 1 July 1996 to 31 March 1997. The Return provides a clear statement that a Local Government has met its statutory obligations. The format of the return is similar to the first assessment adopted by Council in April 1996.

It is appropriate that Council endorses completion of the Return accordingly.

MOVED Cr Freame, **SECONDED** Cr Wight that Council adopts the concept of the Local Government Statutory Compliance Assessment Programme and makes a commitment to complete the Return and submit it to the Department of Local Government by no later than 31 May 1997.

CARRIED

FA154-11/96 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 OCTOBER 1996 - [021-1]

This report submits the Warrant of Payments for the period ending 31 October 1996, the total sum expended being \$25,405,554.89.

The Committee noted that the payee on cheque No 37905 was shown on the Warrant of Payments as "Cr W D Duffy" and should have been "W D Duffy".

MOVED Cr Freame, **SECONDED** Cr Wight that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 October 1996, certified by the Acting Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$25,405,554.89:

FUNDS	VOUCHERS	AMOUNT
Treasurer's Advance Account No 1036459 - 038085		\$10,113,716.48
Municipal	000303 - 000318C	\$15,097,427.73
Trust	000033	\$ 300.00
East Wanneroo Development Area Cell 1	905735B	\$ 1,203.95
East Wanneroo Development Area Cell 2	905729B	\$ 620.54
East Wanneroo Development Area Cell 3	905721D - 905721E	\$ 3,751.73
East Wanneroo Development Area Cell 4	905719	\$ 3,955.29
East Wanneroo Development Area Cell 5	905711A	\$ 235.04
East Wanneroo Development Area Cell 6	905710	\$ 9,355.30
East Wanneroo Development Area Cell 7	905744 - 905744A	\$ 721.22
East Wanneroo Development Area Cell 8	905739 - 905739A	\$ 882.73
Town Planning Scheme 7A(2)	905766D - 905766E	\$ 6,320.47
Town Planning Scheme 7A(4)	905761C	\$ 2,468.12
Town Planning Scheme 5	905756C	\$ 2,827.54
Berkley Road Local Structure Plan	905746E - 905746F	\$ 3,553.48
Reserve Account	905752	\$ 158,215.27

\$25,405,554.89

CARRIED

Appendix XVIII refers

FA155-11/96 OUTSTANDING GENERAL DEBTORS - OCTOBER 1996 -
[020-0]

This report details the outstanding general debtors as at 31 October 1996.

Cr Major advised that recent rewiring undertaken at the Kingsway Oval for the Sorrento Soccer Club had revealed that Council facilities had been connected into the Soccer Club's power and as a result they had been charged with power that was the responsibility of Council. He requested that this matter be investigated with a view to correcting the situation.

Cr Tippettt queried the outstanding debt of the Sorrento Soccer Club.

The City Treasurer advised he would investigate this matter.

The City Environmental Health Manager referred to Account No 81941 on page 1 of Attachment B to Report FA155-11/96 and advised that although the outstanding debt had been paid, Woodvale Gourmet was still trading as a take-away.

He also referred to Account No 82684 on page 1 of Attachment B to Report FA155-11/96 and advised that the new proprietor of Oriental Tucker had paid the outstanding debt prior to closing the business - refer Appendix XIX.

The City Treasurer advised that he would investigate whether a refund was due in relation to this matter.

REPORT RECOMMENDATION: That Council, **BY AN ABSOLUTE MAJORITY**, writes out of its General Debtors Ledger an amount of \$59,502.66 representing debts considered irrecoverable, as detailed in Attachment B to Report No FA155-11/96.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Wight that Council writes out of its General Debtors Ledger an amount of \$59,352.66 representing debts considered irrecoverable, as detailed in Attachment B to Report No FA155-11/96.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIX refers

FA156-11/96 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.

The City Treasurer submitted an addendum to Schedule of Budget Reallocation Requests - refer Appendix XXI.

MOVED Cr Tippet, **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 - 20 November 1996, and addendum.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendices XX and XXI refer

**FA157-11/96 ORDERS FOR GOODS AND SERVICES -
APPROVING/REQUISITION OFFICERS - [010-0-1]**

This report details requests for amendments to the list of Orders for Goods and Services - Approving and Requisitioning Officers for officers in the Administration, Engineering, Health and Parks Departments.

MOVED Cr Freame, **SECONDED** Cr Wight that Council authorises the amendments, as detailed on Attachment A to Report No FA157-11/96, to the list of Orders for Goods and Services - Approving and Requisitioning Officers.

CARRIED

Appendix XXII refers

**FA158-11/96 ANNUAL SUPPLY TENDER - SUPPLY AND DELIVERY OF
PROTECTIVE CLOTHING - [209-6-95/96, 208-24-96/97]**

This report seeks to extend to 31 March 1997 the existing clothing contract with the current supplier, King Gee Clothing Co Pty Ltd.

REPORT RECOMMENDATION: That Council, in view of trials of UV clothing being extended, authorises the further extension of the existing Contract 6-95/96 with King Gee Clothing Co Pty Ltd to continue to supply clothing to 31 March 1997, subject to its written agreement.

MOVED Cr Freame, **SECONDED** Cr Wight that Council, in view of trials of UV clothing being extended, authorises the further extension of the existing Contract 6-95/96 with King Gee Clothing Co Pty Ltd to continue to supply clothing to 28 February 1997, subject to its written agreement.

**FA159-11/96 1997 WANNEROO TIMES COMMUNITY SPORTSTAR OF THE
YEAR AWARDS - [009-1]**

This report details a submission received from the Wanneroo Times Community for Council to act as a sponsor for the Sportstar of the Year Awards for the 1997 calendar year.

Comment from Council's Recreation staff indicates that Council already makes a major contribution towards sport in the district and consider that the City has little to gain from sponsorship of this nature.

MOVED Cr Freame, **SECONDED** Cr Wight that Council, in view of its current substantial commitment to sport throughout the City of Wanneroo, declines the offer to participate as a sponsor to the 1997 Wanneroo Times Community Sportstar of the Year Awards.

CARRIED

FA160-11/96 DONATIONS - [009-1]

This report details requests for financial donations during the month of October, 1996.

Cr Tippettt requested approval to present donations to residents in his area and also to present the donation to Princess Margaret Hospital for Children.

He was requested to liaise with the City Treasurer in regard to these donations.

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

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

Mr Glen Eastwood
Mr Luke Stokes
Mr Ryan Corr
Mr Darren Booth
Mr Matthew Sercombe
Mr Brad Holman
Mr Scott Healy
Mr Ben Pfister
Mr Scott Wood
Mr Rick Kaminski
Miss Justine Collins
Mrs Julie Richardson

Mr Peter Richardson
Mr Keith Harris-Walker
Miss Priscilla Hill
Miss Nikki Hamlett-Waller
Miss Hayley Rodda
Mr David Rance
Mr John Hoff
Miss Suzie Freeman
Miss Skye Humphreys
Miss Chloe Burke
Miss Lara Vittiglia
Miss Tegan Arnold
Miss Tameira McLean
Miss Christel Burgess
Miss Lauren Atkinson
Miss Brooke Hoy Poy
Miss Megan Drewett
Mr Wayde Skipper

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

2 does not accede to the request from Volunteer Task Force
(Inc);

3 does not accede to the request from Pensioners' Action
Group (Inc);

4 donates \$100.00 to Princess Margaret Hospital for
Children;

5 donates \$100.00 to the Society of St Vincent de Paul;

6 donates \$350.00 to Top Hat & Tails & Sunshine Dance
Group;

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

7 does not accede to the request from Special Airborne
Services, as it previously made a non statutory donation
of \$250 to the Black Hawk Tragedy Appeal on 28 June
1996;

8 donates a book prize donation of \$50.00 to the Polish
Language School;

9 donates a book prize donation of \$50.00 to Duncraig
Primary School.

CARRIED

**FA161-11/96 DONATION - WANNEROO BMX RACEWAY CLUB (INC) -
[009-1]**

This report details a request received from the Wanneroo BMX Raceway (Inc) for a donation to partially offset the rates levied on club premises which are leased from Council.

MOVED Cr Freame, **SECONDED** Cr Wight that Council makes a non statutory donation of \$989.20 to the Wanneroo BMX Raceway Club (Inc) from Budget Item 29470 Sundry Donations - Recreation Control.

CARRIED

FA162-11/96 DISPOSAL OF SURPLUS ASSETS - [010-2-2]

Council, through its Information Technology Plan is currently replacing its outdated and obsolete main frame computer equipment with new Pentium PC's. This upgrade has rendered as obsolete a number of old terminals. This report details visual display units which are surplus to requirements.

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

- 1 authorises the City's Computer Services Manager to negotiate the sale of seven visual display units which are surplus to the requirements at a value of between \$150.00 - \$200.00 each;
- 2 approves the necessary amendments to the Fixed Assets Register to reflect the disposal.

CARRIED

**FA163-11/96 SPOT RATING: LOT PT 21 (99) ELLIOT ROAD, WANNEROO
AND LOT 10 (52) KEMP STREET, PEARSALL - [0272/
/99, 203/ /52]**

Council is required each year to redefine the gross rental value area to be used for rating purposes for submission for Ministerial approval.

This report details two properties that were not included on the list of spot rated properties approved by the Minister for 1996/97. Inspections of these properties have been conducted and it was found that both properties are used predominately for residential purposes and should have been spot rated on GRV from 1 July 1996.

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

- 1 in accordance with the provisions of Section 6.47 of the Local Government Act 1995 waives the following rates to rectify the problem associated with the rating of the following lots on unimproved valuations for the 1996/97 year:

Lot Pt 21 (99) Elliot Road, Wanneroo - \$1,765.47

Lot 10 (52) Kemp Street, Pearsall - \$616.36

- 2 includes Lot Pt 21 (99) Elliot Road, Wanneroo and Lot 10 (52) Kemp Street, Pearsall on the list of spot rated properties for the 1997/98 year.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA164-11/96 RECONSIDERATION OF DEFERRAL OF TENDER 28-96/97
SUPPLY AND APPLICATION OF PESTICIDES - [865-2]

Council at its meeting of 26 June 1996 received Report No TS146-06/96 Supply and Application of Pesticides.

REPORT RECOMMENDATION: That Council:

- 1 rescinds, **BY AN ABSOLUTE MAJORITY**, its motion "that Council recalls tenders for the Supply and Application of Pesticides with a revised specification document";
- 2 adopts the initial Report recommendation for Tender No 28-96/97 (Item TS146-06/96 refers) as follows:
 - (a) accepts the tender submitted by G T Evans Weed Spraying Services for Tender 28-96/97 Supply and Application of Pesticides;
 - (b) authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further period of 12 months up to a maximum of three 12 month periods;
- 3 authorises the City Parks Manager and City Treasurer to negotiate variation requirements in accordance with Section 20 of Part 4 Tenders for Providing Goods or Services Regulation with G T Evans Weed Spraying Services. Subject to Section 20, Part 4, Tenders for Providing Goods or Services being applied.

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

- 1 rescinds, its motion "that Council recalls tenders for the Supply and Application of Pesticides with a revised specification document";
- 2 adopts the initial Report recommendation for Tender No 28-96/97 (Item TS146-06/96 refers) as follows:
- (a) accepts the tender submitted by G T Evans Weed Spraying Services for Tender 28-96/97 Supply and Application of Pesticides;
 - (b) authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further period of 7 months to 30 June 1997;
 - (c) authorises the City Parks Manager and City Treasurer to negotiate variation requirements in accordance with Section 20 of Part 4 of the Local Government Act 1995 Tenders for Providing Goods or Services Regulation with G T Evans Weed Spraying Services. Subject to Section 20, Part 4, Tenders for Providing Goods or Services being applied.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA165-11/96 SELECTIVE VOLUNTARY SEVERANCE - [404-27]

At its meeting of 24 July 1996, Council agreed to implement a voluntary redundancy package (Item P70-07/96 refers). An amount of \$500,000 was subsequently included in the budget to fund the scheme.

REPORT RECOMMENDATION: That Council:

- 1 accepts the 35 applications for redundancy at a cost not exceeding 1.1 million dollars;
- 2 approves in accordance with the provisions of 6.8(1) of the Local Government Act, unbudgeted expenditure of up to \$76,000 to be charged to the Sanitation Household Refuse Programme and funded from the Refuse Disposal Reserve;
- 3 accepts in principle that it may be appropriate to consider further proposals for redundancy.

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

1 accepts the 37 applications for redundancy as outlined on the attachment to Report FA165-11/96 (Attached hereto in the Minute Book) at a cost not exceeding the following funding limits:

	Annual Leave & Long Service Leave	\$324,000
	Refuse Disposal Reserve	\$ 76,000
Various salary & wages accounts		\$700,000

2 approves, in accordance with the provisions of 6.8(1) of the Local Government Act, unbudgeted expenditure of up to \$76,000 to be charged to the Sanitation Household Refuse Programme and funded from the Refuse Disposal Reserve;

3 accepts in principle that it may be appropriate to consider further proposals for redundancy.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**FA166-11/96 INFORMATION TECHNOLOGY PLAN - CORE SYSTEMS
EVALUATION - [206-13]**

Following Council's adoption of the Information Technology (IT) Strategy Plan in November 1995, the Core Systems Replacement (CSR) committee was formed earlier this year to:

"research and evaluate software packages suitable to replace Council's core systems and recommend an appropriate acquisition and implementation approach"

The committee is now in a position to recommend a shortlist of systems suitable for more detailed evaluation, in line with the 1995 IT Plan. This report is submitted to Council for its information and ratification of the proposed evaluation approach because of:

- . the time that has elapsed since the adoption of the IT Plan;
- . the election of new Councillors;
- . the organizational restructure and process re-engineering;
- . the need for commitment to a single vendor or systems integrator (i.e. a company which takes responsibility for bringing together 3rd party systems to provide a single solution);

. the commitment which will be required from shortlisted suppliers and Council staff in the next stage of the evaluation

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

- 1 authorises the Core System Replacement Project Steering Committee to proceed with detailed evaluation of shortlisted suppliers and recommendation of a preferred supplier;
- 2 accepts the Tender No 046-96/97 as submitted by Deakin Consulting Pty Ltd for the Core Systems Evaluation and Implementation components only, and appoints Deakin Consulting Pty Ltd on an as required basis as Project Manager for the completion of the Core Systems evaluation to a maximum of \$40,000 to be funded from Administration Department - Computer Services Consultancy Fees Account 20252.

CARRIED

FA167-11/96 CONTRACT - CONNOLLY DRIVE/HESTER AVENUE
ROUNDAABOUT CONSTRUCTION - [740-37]

Council in its 1996/97 Budget allocated \$200,000 for its contribution to the construction of an arterial roundabout at the proposed four-way intersection of Connolly Drive and Hester Avenue. Connolly Drive is programmed to be extended south of Hester Avenue to provide access to the Clarkson High School. Consultant Engineers, G B Hill & Partners, on behalf of the adjacent landowners, Town & Country and LandCorp, has called tenders for the construction of Connolly Drive from Hester Avenue to Walyunga Boulevard. The City therefore commissioned G B Hill & Partners, Consulting Engineers, to include in the tender the construction of this roundabout. The roundabout works are to be funded by Council with a contribution from the developers of an amount equivalent to the cost of a standard channelised intersection. Council's concurrence to appoint Malavoca Pty Ltd as contractor for the works under the supervision of G B Hill & Partners is sought.

REPORT RECOMMENDATION: That Council:

- 1 concurs to Malavoca Pty Ltd undertaking the construction of the Connolly Drive/Hester Avenue roundabout as part of the overall Connolly Drive contract under the supervision of G B Hill & Partners at an estimated cost of \$126,199;

- 2 authorises the City Engineer to administer the contract funding including contingency amounts for the roundabout construction at Connolly Drive/Hester Avenue.

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

- 1 accepts the tender price of \$126,199 submitted by Malavoca Pty Ltd for the Connolly Drive/Hester Avenue roundabout construction component of the overall Connolly Drive contract under the supervision of G B Hill & Partners;
- 2 authorises the City Engineer to administer the contract funding including contingency amounts for the roundabout construction at Connolly Drive/Hester Avenue.

CARRIED

FA168-11/96 **QUINNS COASTAL PROCESS STUDY - TENDER NO 95-96/96**
- [765-12, 061-400]

A tender was advertised during October for submissions from consultants to undertake a two stage study of the coastal process at Quinns. The objective of the study is to review and assess shoreline movements, nearshore movements, coastal processes and to determine options for management of cyclic and potential long term beach erosion. The study is a joint project between the City of Wanneroo and the Department of Transport.

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

- 1 awards Tender No 95-96/97 Quinns Coastal Process Study to Tremarfon Pty Limited for a tender price of \$8,900 and \$80 per hour for the arrangement of two public meetings up to a maximum limit of \$1,910;
- 2 agrees to the signing of the Contract documents.

CARRIED

FA169-11/96 **WA FIRE AND RESCUE SERVICES FUNDING REVIEW -**
[902-1]

This report advises of a forum on the WA Fire Services Funding Review to be held at the Stirling City Council on Tuesday, 26 November 1996.

MOVED Cr Freame, **SECONDED** Cr Wight that Council ratifies the action of the Finance and Community Services Committee in nominating the Chairperson of Finance and Community Services Committee, Councillor Margaret Lynn JP, to attend the forum to

discuss the funding of the WA Fire and Rescue Services to be held at Stirling City Council on Tuesday, 26 November 1996.

CARRIED

FA170-11/96 KINGSWAY SPORTING COMPLEX - POWER SUPPLY -
[061-198]

The Olympic Kingsway Sports Club Inc is seeking a refund of expenses incurred plus interest resulting from the connection of reserve lighting to the Clubs electricity meter.

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

- 1 in respect to power charges levied against the Olympic Kingsway Sports Club (Inc) for reserve lighting incorrectly connected to the Clubs meter, refunds the sum of \$35,112.11 less any outstanding debts;
- 2 authorises in accordance with Section 6.8 (1) of the Local Government Act 1995 the following unbudgeted expenditure:

Olympic Kingsway Sports Club Inc - utility charges,
1988-96, \$35,112.11.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA171-11/96 MANAGEMENT OF COMMUNITY EVENTS PREVIOUSLY
PROMOTED BY THE WANNEROO RECREATION ASSOCIATION -
[330-7]

In June 1996 Council was advised that the Wanneroo Community and Recreation Association was initiating dissolution procedures due to lack of community support.

It was noted that the Association's primary role in recent times was the promotion of three major community events in the Wanneroo Townsite. With the demise of the Association it was feared that these events would no longer continue. Fortunately, a proposal was received from the 1st Wanneroo Scout Group offering to coordinate these functions on an ongoing basis.

At its meeting on 26 June 1996 Council resolved to endorse the continuation of the Aussie Day Breakfast, Carols by Candlelight and the Bush Dance under the coordination of the 1st Wanneroo Scouting Group subject to:

- (a) the scouts establishing separate books of account for these activities;

- (b) submission of an audited Statement of Account in April each year; and
- (c) a review of these arrangements being undertaken in twelve months.

Recent developments, however, suggest that it would be appropriate for Council to rescind this resolution and consider a slightly different approach.

Cr Taylor queried donations being made to a Community Group as he believed the original Council resolution was to donate to a Recreation Association.

The City Recreation and Cultural Services Manager will investigate Council's resolution and report further on this matter.

Cr Ewen-Chappell requested that a letter of appreciation be sent to members of the Wanneroo Townsite Community Group.

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

- 1 rescinds its resolution of 26 June 1996 to endorse the continuation of the Aussie Day Breakfast, Carols by Candlelight and the Bush Dance under the coordination of the 1st Wanneroo Scouting Group, subject to:
 - (a) the scouts establishing separate books of account for these activities;
 - (b) submission of an audited Statement of Account in April each year; and
 - (c) a review of these arrangements being undertaken in twelve months;
- 2 endorses the continuation of the Aussie Day Breakfast, Carols by Candlelight and the Bush Dance under the coordination of the 1st Wanneroo Scouting Group subject to:
 - (a) the establishment of separate books of account for these activities under the name of the Wanneroo Townsite Community Group;
 - (b) the donation of \$3,900.66 being unspent funds from the former Wanneroo Community and Recreation Association to the Wanneroo Townsite Community Group;

- (c) submission of an audited Statement of Account in April each year; and
- (d) a review of these arrangements being undertaken in twelve months.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA173-11/96 FIRE BREAKS - ST IVES NORTHSHORE ESTATE - [902-1]

Cr Freame submitted a letter from the President of the St Ives Northshore Residents' Association Inc in relation to concerns they have with suspected fire risks in the area.

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

MOVED Cr Freame, **SECONDED** Cr Wight that the letter from the President of the St Ives Northshore Residents' Association Inc in relation to concerns they have with suspected fire risks in the area be received and referred to Municipal Law and Fire Department for action.

CARRIED

FA174-11/96 APPRECIATION DINNER - BLUE LIGHT DISCO - [437-1]

Cr Freame requested Council to endorse the provision of a dinner for members of the Blue Light Disco Committee to be held at the December meeting.

She advised the dinner would be for approximately 12 people.

COMMITTEE RECOMMENDATION: That Council organises a dinner for 12 members of the Blue Light Disco Committee to be held at the December meeting.

ADDITIONAL INFORMATION

Councillor Freame has requested that the following amendment be made to the recommendation when this Item is considered by Council on 27 November 1996:

"That Council organises a light supper for 12 members of the Blue Light Disco Committee following its December meeting"

MOVED Cr Freame, **SECONDED** Cr Taylor that Council organises a light supper for 12 members of the Blue Light Disco Committee following its December meeting.

CARRIED

FA175-11/96 DISTRIBUTION OF BLUE LIGHT DISCO NOTICES -
[437-1]

Cr Freame requested Council to endorse placing Blue Light Disco notices at City of Wanneroo libraries and for the notices also to be distributed through Council's Record Section.

MOVED Cr Freame, **SECONDED** Cr Wight that Council endorses placing Blue Light Disco notices at City of Wanneroo Libraries and distribution of the notices through Council's Record Section.

CARRIED

FA176-11/96 VEHICLES ON RESERVES AND FORESHORES - [905-1]

Cr Healy referred to the recent operation conducted by the Municipal Law and Fire Services Department to apprehend the owners of 4 wheel drive vehicles who were contravening local laws in relation to driving on reserves and foreshores.

He requested a review of this policy be submitted to the Policy Committee.

MOVED Cr Freame, **SECONDED** Cr Wight that a report be submitted to Policy Committee reviewing Council's policy in relation to vehicles on reserves and foreshores.

CARRIED

FA177-11/96 REPLACEMENT OF FACSIMILE MACHINES - [702-3]

Cr Taylor referred to the replacement of a facsimile machine in the Treasury Department and requested a report on costs and timeframe of upgrading facsimile machines for Councillors.

MOVED Cr Freame, **SECONDED** Cr Wight that a report be submitted to the Finance and Community Services Committee on costs and timeframe involved in upgrading facsimile machines for Councillors.

CARRIED

FA178-11/96 LIGHTING - EMERALD PARK EDGEWATER - [061-114]

Cr Popham raised his concerns in relation to pedestrians passing through Emerald Park, Edgewater after crossing Joondalup Drive from the traffic lights near the train station at George Grey Place, Edgewater. He believed this could prove a dangerous situation at night due to the lack of lights in this area of Emerald Park.

He requested the installation of lights be investigated in this area and a report be submitted to the next Technical Services Committee.

MOVED Cr Freame, **SECONDED** Cr Wight that a report be submitted to the Technical Services Committee on the feasibility of the installation of lights in the vicinity of Emerald Park, near the traffic lights at George Grey Place.

CARRIED

COMMUNITY SERVICES SECTION

CS180-11/96 APPLICATION - OFFENSIVE TRADE, LOT 2 BADGERUP ROAD, WANGARA - [30/1397]

Council is advised of an application pursuant to the Health Act 1911 to establish an offensive trade (manure works) from Richard Pawluk and Associates on behalf of their clients, Chopin Holdings Pty Ltd, trading as Amazon Landscaping Supplies of Lot 2 Badgerup Road, Wangara.

REPORT RECOMMENDATION: That Council, in accordance with Section 187(1) of the Health Act 1911 approves the application by Chopin Holdings Pty Ltd to establish an offensive trade (manure works) at Lot 2 Badgerup Road, Wangara subject to:

- 1 no poultry manure being stored on site;
- 2 soil mixing and storage of bio-solids to be conducted only on a hard stand as indicated by the Water and Rivers Commission;
- 3 dust control management being maintained at all times.

MOVED Cr Freame, **SECONDED** Cr Wight that Council, in accordance with Section 187(1) of the Health Act 1911 approves the application by Chopin Holdings Pty Ltd to establish an offensive trade (manure works) at Lot 2 Badgerup Road, Wangara subject to:

- 1 no poultry manure being stored on site;
- 2 soil mixing and storage of bio-solids to be conducted only on a hard stand as indicated by the Water and Rivers Commission;
- 3 dust control management being maintained at all times;
- 4 approval being for a period of two years only.

CARRIED

CS181-11/96 APPLICATION - PIGEONS - [64/123/10]

Council has received an application from Mr M Osborne of 10 Cassinia Place, Duncraig to keep Racing Pigeons at the aforementioned property.

MOVED Cr Freame, **SECONDED** Cr Wight that Council endorses the application of Mr M Osborne of 10 Cassinia Place, Duncraig to keep up to Seventy Five (75) racing pigeons at his property, subject to:

- 1 his membership of an affiliated pigeon club;
- 2 compliance with Council's Local Laws Relating to the
Keeping of Pigeons.

CARRIED

CS182-11/96 OVERCROWDING - PUBLIC BUILDING - [30/1733]

Council is advised of an incident of overcrowding that occurred at Navigator's Night Club, Hillarys Boat Harbour on 16 July 1996 during a juvenile function held between 7.00 pm - 11.00 pm that night.

MOVED Cr Freame, **SECONDED** Cr Wight that Council authorises legal action to be implemented under the Health Act 1911 and the Health (Public Buildings) Regulations 1992 against the proprietors of Navigator's, The Club, for breaches of the Public Building requirements on 16 July 1996.

CARRIED

**CS183-11/96 LICENCE AND REGISTRATION - EATING HOUSE - EX
H40503, H50809 - [930-18, C920-28]**

Council is advised of three (3) premises that have not renewed their Eating House Licence and Registration as at 7 November 1996. Renewals were due on 1 July 1996.

Cr Taylor believed an investigation should be conducted into imposing some form of penalty in the event of outstanding fees in order to cater for administrative costs.

The City Environmental Health Manager advised that Metro Plus, Belridge Shopping Centre had since paid their fees on 20 November 1996.

REPORT RECOMMENDATION: That Council initiates legal action pursuant to Section 162 of the Health Act 1911 against the proprietors of the following food premises for conducting an eating house without the requisite licence and registration:

Edgewater Super Deli, Edgewater Shopping Centre
Metro Plus, Belridge Shopping Centre
Moonlight Dial A Pizza, Summerfield Shopping Centre

MOVED Cr Freame, **SECONDED** Cr Wight that Council initiates legal action pursuant to Section 162 of the Health Act 1911 against the proprietors of the following food premises for conducting an eating house without the requisite licence and registration:

CARRIED

**CS184-11/96 REPORT ON PROPOSAL TO DEVELOP A NATIONAL FOOD
HYGIENE STANDARD BY AUSTRALIA NEW ZEALAND FOOD
AUTHORITY - [855-1, C308-1]**

The Australia New Zealand Food Authority (ANZFA) is proposing a new, national food hygiene system to apply to all food businesses covered by the Food Standards Code in Australia. This is in response to emerging food safety concerns and would represent a fundamental shift in regulatory arrangements. It is proposed that the City forwards a submission in this regard.

MOVED Cr Freame, **SECONDED** Cr Wight that Council endorses the forwarding of a submission to the Australia New Zealand Food Authority expressing the comments contained with Report No CS184-11/96 in relation to the "Proposal to Develop a National Food Hygiene Standard".

CARRIED

Appendix XXIII refers

CS185-11/96 MIGRANT ACTION GROUP PROJECT - [880-9-0]

Council at its meeting of June 1995 approved an amount of \$5,000 to the Northern Suburbs Migrant Resource Centre to develop a Migrant Action Group Project (Item P17-06/96 refers).

This report provides a summary and evaluation of the project.

MOVED Cr Freame, **SECONDED** Cr Wight that Council approves a donation of \$5,000 to the Northern Suburbs Migrant Resource Centre for the purpose of implementing a Children's Service Access Project - Allocation No 26561.

CARRIED

CS186-11/96 ROLLERBLADING - CRAIGIE LEISURE CENTRE - [680-1]

At its meeting on 23 October 1996, Council resolved to defer consideration of relocating rollerblading to Margaret Cockman Pavilion pending confirmation of the rollerblading cost analysis for Craigie Leisure Centre (Item CS174-10/96 refers).

REPORT RECOMMENDATION: That Council:

- 1 confirms the financial analysis of rollerblading at Craigie Leisure Centre;

2 endorses the draft interim agreement between Council and Mr Plaxton being:

"1 Use of the Centre is restricted to Court four.

Activities permitted are general skating without speed stopping.

The floor will be checked by the operator and the Acting Recreation Facilities Manager once resealing of the floor has been carried out in December 1996 to record its condition. The floor will then be monitored to assess wear and tear.

Should the floor condition deteriorate faster than through normal usage, an assessment of any additional costs to be paid by Mr Plaxton will be made.

2 Use of ramps will take place in the south west car park. Traffic hazard devices to be supplied by Council. Access to the Centre will be via the rear doors of Court Four.

3 Location of a seatainer hired or purchased at Mr Plaxton's expense in the northern carpark.

4 Should there be inclement weather, the ramps can be used on Court four subject to:

4.1 the ramps being modified to protect the sports floor surface to the Recreation Facilities Manager's satisfaction;

4.2 relocation to Courts two and three (if available) if there are more than 150 persons attending the rollerblading session;

5 The fee for use of Court four be set at the commercial hire fee listed in Council's Schedule of Charges, currently \$ 46.20 per hour. Should Court two and three be used the same fee per court will apply.

When the ramps are used indoors, the operator will be required to pay any additional costs incurred.

- 6 Installation at Council's expense of floodlights for the south west car park. This is estimated at \$10,000.
- 7 Installation of two park seats adjacent to the south west car park at Council's expense. This is estimated at \$840;
- 8 Sale of trailer skate board ramp, Asset No. 9099, its written down value being \$2,757 to Mr Plaxton for \$1,200. This amount to be paid off at the sum of \$25 per week. The trailer to be housed adjacent to the seatainer. Security arrangements for the ramps to be to the Recreation Facilities Manager's satisfaction.
- 9 This agreement is an interim measure pending proposals for the development of facilities better suited to accommodate activities such as rollerblading at Craigie Leisure Centre. If however, further monitoring of Court four demonstrates the floor is not suffering any adverse effects, this agreement may serve as a long term arrangement."
- 3 authorises the sale of Asset No. 9099 - trailer skate board ramp to Mr Plaxton at a price of \$1,200 to be paid at a rate of \$25.00 per week;
- 4 writes out of Council's asset register the trailer skate board ramp - Asset 9099;
- 5 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 \$10,840, being floodlighting and park benches, Craigie Leisure Centre.

COMMITTEE RECOMMENDATION: That Council

- 1 endorses the draft interim agreement between Council and Mr Plaxton being:

"1 Use of the Centre is restricted to Court four.

Activities permitted are general skating without speed stopping.

The floor will be checked by the operator and the Acting Recreation Facilities Manager once resealing of the floor has been carried out in

December 1996 to record its condition. The floor will then be monitored to assess wear and tear.

Should the floor condition deteriorate faster than through normal usage, an assessment of any additional costs to be paid by Mr Plaxton will be made.

2 Use of ramps will take place in the south west car park. Traffic hazard devices to be supplied by Council. Access to the Centre will be via the rear doors of Court Four.

3 Location of a seatainer hired or purchased at Mr Plaxton's expense in the northern carpark.

4 Should there be inclement weather, the ramps can be used on Court four subject to:

4.1the ramps being modified to protect the sports floor surface to the Recreation Facilities Manager's satisfaction;

4.2relocation to Courts two and three (if available) if there are more than 150 persons attending the rollerblading session;

5 The fee for use of Court four be set at the commercial hire fee listed in Council's Schedule of Charges, currently \$ 46.20 per hour. Should Court two and three be used the same fee per court will apply.

When the ramps are used indoors, the operator will be required to pay any additional costs incurred.

6 Installation at Council's expense of floodlights for the south west car park. This is estimated at \$10,000.

7 Installation of two park seats adjacent to the south west car park at Council's expense. This is estimated at \$840;

8 Sale of trailer skate board ramp, Asset No. 9099, its written down value being

\$2,757 to Mr Plaxton for \$1,200. This amount to be paid off at the sum of \$25 per week. The trailer to be housed adjacent to the seatainer. Security arrangements for the ramps to be to the Recreation Facilities Manager's satisfaction.

- 9 This agreement is an interim measure pending proposals for the development of facilities better suited to accommodate activities such as rollerblading at Craigie Leisure Centre. If however, further monitoring of Court four demonstrates the floor is not suffering any adverse effects, this agreement may serve as a long term arrangement."

- 2 authorises the sale of Asset No. 9099 - trailer skate board ramp to Mr Plaxton at a price of \$1,200 to be paid at a rate of \$25.00 per week.
- 3 writes out of Council's asset register the trailer skate board ramp - Asset 9099;
- 4 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$10,840, being floodlighting and park benches, Craigie Leisure Centre;
- 5 incorporates in the contract public liability of \$5,000,000;
- 6 reserves the right to withdraw approval for use of Craigie Leisure Centre.

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

- 1 endorses the draft interim agreement between Council and Mr Plaxton being:

"1 Use of the Centre is restricted to Court four.

Activities permitted are general skating without speed stopping.

The floor will be checked by the operator and the Acting Recreation Facilities Manager once resealing of the floor has been carried out in December 1996 to record its condition. The floor will then be monitored to assess wear and tear.

Should the floor condition deteriorate faster than through normal usage, an assessment of any additional costs to be paid by Mr Plaxton will be made.

- 2 Use of ramps will take place in the south west car park. Traffic hazard devices to be supplied by Council. Access to the Centre will be via the rear doors of Court Four.
- 3 Location of a seatainer hired or purchased at Mr Plaxton's expense in the northern carpark.
- 4 Should there be inclement weather, the ramps can be used on Court four subject to:

4.1the ramps being modified to protect the sports floor surface to the Recreation Facilities Manager's satisfaction;

4.2relocation to Courts two and three (if available) if there are more than 150 persons attending the rollerblading session;

- 5 The fee for use of Court four be set at the commercial hire fee listed in Council's Schedule of Charges, currently \$ 46.20 per hour. Should Court two and three be used the same fee per court will apply.

When the ramps are used indoors, the operator will be required to pay any additional costs incurred.

- 6 Installation at Council's expense of floodlights for the south west car park. This is estimated at \$10,000.
- 7 Installation of two park seats adjacent to the south west car park at Council's expense. This is estimated at \$840;
- 8 Sale of trailer skate board ramp, Asset No. 9099, its written down value being \$2,757 to Mr Plaxton for \$1,200. This amount to be paid off at the sum of \$25 per week. The trailer to be housed

adjacent to the seatainer. Security arrangements for the ramps to be to the Recreation Facilities Manager's satisfaction.

- 9 This agreement is an interim measure pending proposals for the development of facilities better suited to accommodate activities such as rollerblading at Craigie Leisure Centre. If however, further monitoring of Court four demonstrates the floor is not suffering any adverse effects, this agreement may serve as a long term arrangement."

2 authorises the sale of Asset No. 9099 - trailer skate board ramp to Mr Plaxton at a price of \$1,200 to be paid at a rate of \$25.00 per week under the following conditions:

- (a) ownership of the trailer skate board ramp to remain in the name of the City of Waneroo until such time as the price of \$1,200 is fully paid,
- (b) Mr Plaxton to provide suitable insurance regarding the trailer skate board ramp;

3 following the transfer of ownership to Mr Plaxton, writes out of Council's asset register the trailer skate board ramp - Asset 9099;

4 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$10,840, being floodlighting and park benches, Craigie Leisure Centre;

5 incorporates in the contract public liability of \$5,000,000.

6 reserves the right to withdraw approval for use of Craigie Leisure Centre.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CS187-11/96 DISPOSAL OF FITNESS EQUIPMENT - CRAIGIE LEISURE
CENTRE - [680-5]**

The purchase of hydraulic fitness equipment to complement the extensions to the Fitness Suite at Craigie Leisure Centre has resulted in fitness equipment surplus to requirements.

ADDITIONAL INFORMATION

The City Recreation and Cultural Services Manager advised that subsequent to the compilation of Report CS187-11/96, Council is in receipt of a request from the Quinns Mindarie Surf Lifesaving Club (Inc.).

In short, the Club is seeking Council to donate the surplus fitness equipment from the Craigie Leisure Centre direct to it.

Unfortunately, as mentioned in Report CS187-11/96, the written down value of the equipment is \$5,022. Should Council not recover this amount on disposal, the shortfall between the written down value and sale price will appear as a "loss on sale" (ie, an expense) in the Fitness Centre of the Craigie Leisure Centre and thus affect its trading result.

If Council were to accede to the Club's request, and donate the equipment to it, then approval **BY ABSOLUTE MAJORITY**, pursuant to the provisions of Section 6.8 (1) of the Local Government Act 1995, would be required as 1996/97 budget allowance was not made for such a donation.

In 1990, when Council donated surplus equipment from Craigie Leisure Centre to the Sorrento Surf Lifesaving Club (Inc.), the accounting standards and requirements were not as stringent as they are today, and the "loss on disposal" was a direct debit to the City's balance sheet, ie accumulated surplus, and did not reflected in the trading figures of the individual business unit.

On balance, it would seem that, as Council:-

1. did not provide funds in its 1996/97 budget for such a donation; and
2. is required to effectively manage municipal assets in the most appropriate manner,

it should authorise sale of the gym equipment.

This approach would not discount the Quinns Mindarie Surf Lifesaving Club (Inc.) from submitting an offer to purchase.

Subsequently, the recommendation outlined in Report CS187-11/96 would remain unaltered.

REPORT RECOMMENDATION

That Council:

- 1 authorises the sale of assets:

Asset No	Item
4671	Side Curl Leg Press
4700	Arm Curl Machine
4703	Leg Curl
4705	Lateral Machine
5917	Pectoral Deck
5918	Seated Row Machine
5921	Total Hip Machine
5924	Squat/Calf Combination 125 Kg
5925	Upright Rowing 75 Kg
5914	Bench Press
5926	Knee Extensions

- 2 writes the above assets out of Council's asset register.

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

- 1 offers for purchase to the Quinns Mindarie Surf Lifesaving Club (Inc) the following equipment:

Asset No	Item
4671	Side Curl Leg Press
4700	Arm Curl Machine
4703	Leg Curl
4705	Lateral Machine
5917	Pectoral Deck
5918	Seated Row Machine
5921	Total Hip Machine
5924	Squat/Calf Combination 125 Kg
5925	Upright Rowing 75 Kg
5914	Bench Press
5926	Knee Extensions

at book value on a credit facility to be negotiated between the Club and City Treasurer. Ownership of the gym equipment to remain in the name of the City of Waneroo until such time as the agreed purchase price is fully paid, when ownership will be transferred to Quinns Mindarie Surf Lifesaving Club (Inc);

- 2 authorises the City Treasurer to negotiate a satisfactory arrangement regarding the financing and securing of the equipment;
- 3 requests the Quinns Mindarie Surf Lifesaving Club (Inc) to arrange appropriate insurance cover for the gym equipment, incorporating a public liability component;

4 writes the above assets out of Council's asset register when Quinns Mindarie Surf Lifesaving Club (Inc) has completed making the purchase payments.

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

MOVED Cr Popham, **SECONDED** Cr Duffy that consideration of the disposal of gym equipment be deferred in order to allow the City Treasurer to approach Quinns Mindarie Surf Lifesaving Club (Inc) with a proposal regarding the purchase of gym equipment and refers back to December meeting of Finance and Community Services Committee with delegated authority to dispose of assets in the event of the Surf Lifesaving Club not wishing to purchase.

CARRIED

Cr Taylor left the Chamber at this point, the time being 2109 hrs.

CS188-11/96 **LUISINI WINERY, LAKEWAY DRIVE, KINGSLEY - [050-15]**

At its meeting on 22 May 1995 Council resolved to "endorse in principle its involvement in the ongoing planning process for the Luisini Winery (Item CS74-05/95 refers).

The project has progressed to the stage where the Conservation Plan commissioned by the Ministry for Planning is completed in draft form. The findings of the document recommend retention of the former Luisini Winery as a place of significant heritage value.

A concept design for its re-use has been proposed and will be presented at the meeting by the consultants, Kevin Palassis Architects, who have been engaged by the Ministry for Planning to prepare a conservation plan for this venue.

As the incorrect plan for car parking had been submitted, there was a need to ensure that the correct car parking plan was attached to the draft Conservation Plan.

REPORT RECOMMENDATION: That Council:

- 1 accepts, in principle, the draft Conservation Plan for Luisini Winery as prepared by Kevin Palassis Architects;
- 2 nominates the former Luisini Winery and adjacent land comprising of Lots 41, 42, 43, 44 and 45 Lakeway Drive,

Kingsley for entry on the Heritage Council of Western Australia's State Register of Heritage Places;

- 3 requests the Western Australian Planning Commission to fund 75% of the total cost (approximately \$11,250) of the preparation of a Feasibility and Management Study for the proposed concept - Luisini Winery Art and Design Centre;
- 4 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 \$3,750 being 25% of the total cost for the preparation of a Feasibility and Management Study for the proposed concept - Luisini Winery Art and Design Centre;
- 5 authorises the reallocation of \$3,750 from Account No 32194 - Children's Book Week Activities, to Account No 32367 - Historical Projects, to accommodate the funding;
- 6 approaches the Western Australian Planning Commission to institute the preparation of a Feasibility and Management Study for the proposed concept - Luisini Winery Art and Design Centre.

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

- 1 accepts, in principle, the draft Conservation Plan for Luisini Winery as prepared by Kevin Palassis Architects;
- 2 nominates the former Luisini Winery and adjacent land comprising of Lots 41, 42, 43, 44 and 45 Lakeway Drive, Kingsley for entry on the Heritage Council of Western Australia's State Register of Heritage Places;
- 3 requests the Western Australian Planning Commission to fund 75% of the total cost (approximately \$11,250) of the preparation of a Feasibility and Management Study for options for the Luisini buildings, including a concept for the Luisini Winery Art and Design Centre;
- 4 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$3,750 being 25% of the total cost for the preparation of a Feasibility and Management Study for the options for the Luisini buildings, including a concept for the Luisini Winery Art and Design Centre;

- 5 authorises the reallocation of \$3,750 from Account No 32194 - Children's Book Week Activities, to Account No 32367 - Historical Projects, to accommodate the funding;
- 6 approaches the Western Australian Planning Commission to institute the preparation of a Feasibility and Management Study for options for the Luisini buildings including a concept for the Luisini Winery Art and Design Centre.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CS189-11/96 CARDINAL SAILING HIRE PROPOSAL - [470-1,
C30/1733]**

Mr Bill Tully of Cardinal Sailing and Seamanship Centre has presented a proposal to use Hillarys Beach, north of Hillarys Marina to operate his sailing and sail boat hire business.

Mr Gordon Lamb of Topper Sailing used this site before he recently ceased operations.

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

- 1 advises Mr G Lamb that non-payment of the weekly trading fee for the agreed period of operation, being October 1995 to June 1997, renders Council's previous approval to operate "Topper Sailing" at Hillarys Beach (200m north of the Marina) null and void;
- 2 grants Mr Bill Tully of Cardinal Sailing and Seamanship Centre, approval to operate a sailing and hire business at Hillarys Beach (200m north of the Marina) for the period of 1 December 1996 to 31 December 1997, subject to the conditions of operation as follows:
- (a) Dates: 1 December 1996 to 31 December 1997 Seven (7) days per week;
 - (b) Times: Sunrise to Sunset;
 - (c) Craft to be used: 12 Topper Dinghys;
 - (d) Beach access: For 4-wheel drive vehicle for service, loading and rigging. Vehicle to remain on beach area, access gates to be closed;
 - (e) Insurance requirements: Public liability insurance to the value of \$5 million;
 - (f) Operational Area: Hillarys Beach 200 metres north of Hillarys Marina; Pinnaroo Point (in the instance that the northern beach at Hillarys is inaccessible due to the build up of seaweed);
 - (g) all equipment to be removed from beach each day;

- (h) Safety: Mobile telephone, rescue boat, and a ratio of one instructor to every six sailing boats;
 - (i) the operator not being permitted to sell food or drink;
 - (j) due consideration is given to other beach users, including organised groups and members of the public;
 - (k) appropriate care is taken in regard to the fragile dune environment;
- 3 the operation is administered through the Facility Hire Form system at a rate of \$13 per week of trading. The payment of all fees shall be in advance of each season;
- 4 forwards a letter to the Department of Transport and Conservation and Land Management recommending that Mr Bill Tully of the Cardinal Sailing and Seamanship Centre be permitted to operate a sailing and hire business at Hillarys Beach (200m north of the Marina) for the period of 1 December 1996 to 31 December 1997.

CARRIED

CS190-11/96 LOCAL GOVERNMENT RECONCILIATION PROGRAMME 1996 - "THE FIRST STEP" - [429-1-12]

An application for funding was submitted to the Western Australian Municipal Association (WAMA) to fund a cross cultural workshop - "The First Step". The funding application was successful and Council received \$3,000.

The workshop was held at the Council Administration Building on 26 and 27 September 1996.

The programme sought to encourage the establishment of ongoing co-operation and collaborative relations between Aboriginal community groups and local government. This report addresses the outcomes from the discussions.

MOVED Cr Freame, **SECONDED** Cr Wight that Council notes the outcomes from the Cross Cultural Workshop in September 1996, and seeks further consideration of these issues by the Chief Executive Officer in conjunction with the development of the Strategic Plan for the City of Wanneroo.

CARRIED

CS191-11/96 PARK CHARGES - WEDDINGS - [250-1]

City of Wanneroo parks have become popular sites to hold weddings and naming ceremonies. In Central Park, Joondalup,

seventy eight ceremonies have been held thus far this year, and a further thirteen have been pre-booked for 1997.

It is, therefore, recommended that Council implements appropriate administration and hire fees for persons wanting to conduct wedding ceremonies & photographic sessions, naming ceremonies, and other formal social functions in Council parks. In addition, a bond should be charged when a marquee is erected and permission to consume alcohol is requested.

This issue was placed before Council in December 1994, due to the growing incidence of wedding ceremonies and photographic sessions in various parks within the municipality.

At the time, Council resolved not to introduce charges for these type of functions.

There is no doubt that this practise is increasing in popularity and administration costs are incurred in facilitating the use of these venues for this purpose.

Cr Tippet left the Chamber at this point, the time being 2110 hrs.

REPORT RECOMMENDATION: That Council, in accordance with the provisions of Section 6.16 of the Local Government Act 1995:

- 1 establishes a booking fee of \$15 for the non exclusive use of parks for wedding ceremonies and other similar events, to cover the administrative costs associated with this service;
- 2 introduces a hire fee of \$29 per half day booking and \$57 per full day booking for the non exclusive use of parks for wedding ceremonies and other similar events, to cover the maintenance of these venues;
- 3 charges an additional bond of \$250 to groups wishing to erect marquees or consume alcohol at their event/function.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Major that Council, in accordance with the provisions of Section 6.16 of the Local Government Act 1995:

- 1 establishes a booking fee of \$15 for the non exclusive use of parks for wedding ceremonies and other similar events, to cover the administrative costs associated with this service;

- 2 introduces a hire fee of \$29 per half day booking and \$57 per full day booking for the non exclusive use of parks for wedding ceremonies and other similar events, to cover the maintenance of these venues;
- 3 charges an additional bond of \$250 to groups wishing to erect marquees or consume alcohol at their event/function;
- 4 upon payment of a booking fee, persons or groups concerned be issued with a brochure/pamphlet setting out relevant information for wedding ceremonies conducted in parks within the City of Wanneroo.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Wight requested it be recorded that he voted against this Motion.

Cr Tippettt entered the Chamber at this point, the time being 2112 hrs.

Cr Duffy again raised Item CS189-11/96 at this point.

**CS189-11/96 CARDINAL SAILING HIRE PROPOSAL - [470-1,
C30/1733]**

Cr Taylor entered the Chamber at this point, the time being 2115 hrs.

Cr Duffy queried whether the sailing hire proposal was to be put to tender.

The City Recreation and Cultural Services Manager advised that one gentleman who was given approval earlier this year did not proceed with the proposal and another applicant wishes to operate a sailing hire service at Hillarys Beach, north of Hillarys Marina.

He stated that in view of the non-payment of the fee set by Council by Mr Lamb, this proposal became null and void. Mr Tully is the only other applicant who wishes to operate this type of business at Hillarys Beach. Other approaches that have been made, have been to operate a jetski facility at Hillarys Beach.

The Department of Transport have granted approval for one operator to operate out of Hillarys Marina and have stated it is not desirable to have any other operator operating on the coast around the Hillarys Marina location.

Cr Duffy stated that the proposed location for the sailing hire facility is in close proximity to the horse swimming beach. He stated he had received complaints relating to potential hazards that may occur from boat owners sailing their boats in the horse swimming area.

The City Recreation and Cultural Services Manager advised that Cr Duffy's comments would be taken into consideration, but stated that a significant amount of operating times by the applicant would be during school hours.

Cr Ewen-Chappell left the Chamber at this point, the time being 2116 hrs.

Cr Lynn wished to point out that the horse swimming beach is located at the far end of Hillarys Beach, nowhere near the proposed location for this facility.

**CS192-11/96 NAMING OF COMMUNITY FACILITY IN BEAUMARIS
SHOPPING CENTRE - [635-16]**

Correspondence has been received from the Ocean Reef Residents Association concerning the current ambiguity associated with the name of the community facility located in the Beaumaris Shopping Centre. The Association requests that the building be referred to as the "Ocean Reef Community Centre".

REPORT RECOMMENDATION: That Council:

- 1 officially names the facility located in the Beaumaris Shopping Centre, the "Ocean Reef Community Hall";
- 2 erects a suitable sign on the facade of the building to this effect.

COMMITTEE RECOMMENDATION: That Council:

- 1 officially names the facility located in the Beaumaris Shopping Centre, the "Beaumaris Community Centre";
- 2 erects a suitable sign on the facade of the building to this effect.

MOVED Cr Magyar, **SECONDED** Cr Freame that Council defers consideration of the naming of the facility located in the Beaumaris Shopping Centre subject to a deputation to the February Finance and Community Services Committee by representatives of the Ocean Reef Residents Association.

CARRIED

Council has received a request from the Warwick Bowling Club to apply for a Club Restricted Liquor Licence. This licence is for temporary clubrooms, Warwick Open Space, Warwick.

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

- 1 approves the application by the Warwick Bowling Club to apply for a Club Restricted Liquor Licence for the temporary clubrooms, Warwick Open Space, Warwick on the following days:

Tuesday	12.00pm to	7.00pm
Wednesday	12.00pm to	7.00pm
Thursday	12.00pm to	7.00pm
Friday	4.00pm to	8.00pm
Saturday	12.00pm to	11.00pm
Sunday	12.00pm to	8.00pm

- 2 informs the applicant that:

- (a) no structural alterations are to be made to the building without Council approval;
- (b) in the event of any noncompliance with Council's policy relating to selling of alcohol on Council owned premises, permission to hold a Club Restricted Liquor Licence may be withdrawn.

CARRIED

Children's Book Week has been celebrated at Warwick Leisure Centre for several years. A change in venue is likely next year. This report addresses factors involved in planning for the 1997 programme.

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

- 1 agrees that negotiations continue between Recreation and Cultural Services and Libraries Departments regarding the potential for 1997 Children's Book Week to be held in the Joondalup Regional Library;
- 2 endorses the concept of a feasibility study to be prepared by the Recreation and Cultural Services Department detailing budget components associated with this event.

CARRIED

The Library Board of Western Australia has written to advise Council 6000 volumes have been allocated in the 1996/97 Development Programme. This stock completes the 60,000 opening stock commitment for the Joondalup Library. Submissions for stage one of Tamala Park/Clarkson (11,099) and additional stock for Woodvale (2006) and Wanneroo (7197) were unsuccessful.

REPORT RECOMMENDATION: That Council corresponds with the Library Board of Western Australia:

- 1 seeking confirmation that the allocation of 6000 volumes will complete the initial stock allocation of 60,000 volumes for Joondalup Library;
- 2 requesting details of the Draft Five Year Development Programme from 1996/1997 to 2000/2001;
- 3 expressing concern that the non-commencement of development stock provision for the Tamala Park/Clarkson Library in 1996/1997, will delay the opening of this important facility;
- 4 urging completion of the Stock Development review as soon as possible.

The Chief Executive Officer advised that Point 1 of the recommendation required to be amended to read as follows:

- "1 seeking confirmation that the allocation of 6000 volumes will complete the 60,000 initial stock allocation for Joondalup Library;"

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

- 1 seeking confirmation that the allocation of 6000 volumes will complete the 60,000 initial stock allocation for Joondalup Library;"
- 2 requesting details of the Draft Five Year Development Programme from 1996/1997 to 2000/2001;
- 3 expressing concern that the non-commencement of development stock provision for the Tamala Park/Clarkson Library in 1996/1997, will delay the opening of this important facility;
- 4 urging completion of the Stock Development review as soon as possible.

CS196-11/96

SPONSORSHIP FOR JOONDALUP DISTRICT MOBILE POLICE
FACILITY - [009-1]

This report details a request from the Joondalup Anti Theft Section of the Police Department for financial assistance to refurbish and equip a Mobile Police Facility.

This facility should further enhance the effectiveness of Neighbourhood Watch and Community Policing and will provide a much needed mobile Police Station presence in targeted areas of the City. The facility is nearing completion and the final fit out will be required in early 1997.

REPORT RECOMMENDATION: That:

- 1 Council supports the funding of the Mobile Police Facility out of Neighbourhood Watch Account 21757 to the extent of \$10,000;
- 2 Council seeks an assurance from the Western Australia Police Service that:
 - (a) at least four of the City's Coat of Arms be prominently displayed on the Facility, underpinned with the words "Proudly supported by the City of Wanneroo";
 - (b) the vehicle is to be used for the majority of time within the City of Wanneroo, unless deployed elsewhere in times of emergency or other urgent major Police operation;
 - (c) a Council two way radio is fitted to the Mobile Facility for communication purposes;
- 3 the ongoing maintenance, running costs of the vehicle and maintenance and replacement of equipment and internal fittings will be cost borne by the Western Australia Police Service.

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

- 1 Council supports the funding of the Mobile Police Facility out of Neighbourhood Watch Account 21757 to the extent of \$10,000;
- 2 Council seeks an assurance from the Western Australia Police Service that:

- (a) at least four of the City's Coat of Arms be prominently displayed on the Facility, underpinned with the words "Proudly supported by the City of Wanneroo";
- (b) the vehicle is to be used for the majority of time within the City of Wanneroo, unless deployed elsewhere in times of emergency or other urgent major Police operation;
- (c) a Council two way radio is fitted to the Mobile Facility for communication purposes, funding to be available from the \$10,000 donated to the Mobile Police Facility from the Neighbourhood Watch Account 21757;

3 the ongoing maintenance, running costs of the vehicle and maintenance and replacement of equipment and internal fittings will be cost borne by the Western Australia Police Service.

CARRIED

**CS197-11/96 APPOINTMENT OF HONORARY PARKING INSPECTOR FOR
WARWICK GROVE SHOPPING CENTRE, WARWICK - [910-1]**

In accordance with Council Policy it is necessary to re-appoint a person as an Honorary Parking Inspector for the Warwick Grove Shopping Centre for a 12 month period.

As Councillors did not require to discuss Item CS197-11/96, the Committee considered it unnecessary to formally go Behind Closed Doors to consider this Item which was marked "Not for Publication".

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

- 1 in accordance with Section 9.13 of the Local Government Act 1995 re-appoints Glen Alan Hill as Honorary Parking Inspector for the Warwick Grove Shopping Centre, Warwick for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspector to act under and enforce the Parking Regulation for the City of Wanneroo only within the boundaries of the Warwick City Shopping Centre, Warwick as detailed hereunder:
 - (a) Local Laws Relating to Parking Facilities;

- (b) Local Government (Parking for Disabled Persons)
Regulations 1988.

CARRIED

DOG ACT RULES - [970-2-1]

The Manager Municipal Law & Fire Services submitted a memorandum for information, referring to questions raised at the Technical Services Committee meeting on 13 November 1996, and advised the following in response.

The definition of a "Public Place" under the Dog Act 1976 has not been amended by the recent changes and remains as "Any place to which the public has access".

In addition, Section 31(1) of the Dog Act 1976 which relates to the control of dogs in certain public places remains the same, with the exception of the penalty being increased from \$200 to \$1,000 with a maximum of \$4,000 for a "declared dangerous dog".

In all cases of dog attacks, "every person liable for the control of the dog commits an offence". The definition of "person liable for the control of the dog" means each of the following:

- (a) the registered owner of the dog;
- (b) the owner of the dog;
- (c) the occupier of any premises where the dog is ordinarily kept or ordinarily permitted to live; or
- (d) a person who has the dog in his possession or under his control.

This section of the Act, 33D, does not place any limitations on the location of the attack and action can be taken by Council irrespective of whether the attack takes place on private property or in a public place.

It is not considered necessary to review the Local Laws Relating to Dogs at this point in time.

COUNCIL'S POLICY FOR NAMING OF BUILDINGS - [210-2]

Cr Freame requested that Council's policy in relation to naming of buildings be reviewed.

This matter will be referred to Administration Department for action.

LENGTH OF DEPUTATIONS - [702-0]

Cr Taylor raised his concerns at the length of some deputations and requested that deputations be restricted to a time limit of 10 - 15 minutes maximum.

Cr Ewen-Chappell entered the Chamber at this point, the time being 2121 hrs.

JUNIOR COUNCIL VISIT TO BIG VALLEY RIDING SCHOOL - [702-2]

Cr Hancock referred to the invitation extended by Cr Duffy for Junior Council to attend a barbeque at Big Valley Riding School and discussed the provision of food for this function.

She advised that replies had been received indicating that the provision of a Council vehicle may not be necessary as most had arranged their own transport.

ABSENCE OF CHAIRMAN OF TECHNICAL SERVICES COMMITTEE FROM MEETING ON 4 DECEMBER 1996

Cr Ewen-Chappell advised that she would be absent from the next Technical Services Committee meeting to be held on 4 December 1996.

JOONDALUP BUSINESS PARK - ACCESS PROBLEMS - [061-442]

Cr Ewen-Chappell referred to numerous phone calls she had received from business operators in the Joondalup Business Park in relation to their concerns regarding the road system in the business park.

She advised that a number of businesses were moving from the area due to lack of custom caused by the difficulty in accessing the business park and requested this matter be investigated.

This matter will be referred to Engineering Department for action.

MAINTENANCE OF WANNEROO SHOWGROUNDS - [061-376]

Cr Magyar referred to a request he had received from the Wanneroo Agricultural Society for certain maintenance items to be attended to at the Wanneroo Showgrounds, including fencing and tree pruning along Leach Street and upgrading of the track inside the showgrounds.

Cr Dammers suggested that he liaise with the Deputy City Parks Manager to have these matters attended to.

PROPOSED AQUATIC FACILITY - ARENA JOONDALUP - [323-1]

The Chief Executive Officer referred to an item published in the November edition of the Desk of the CEO which advised of a recent visit by City of Wanneroo officers to the Minister for Sport and Recreation where they were presented with a proposal for the development of an aquatic facility at the Arena.

He advised the proposed facility would include a 50 metre, 10 lane training pool, a diving pool which would dual as a water polo pool and a water playground area.

The Chief Executive Officer stated that the Minister for Sport and Recreation had requested a contribution to this development from the City of Wanneroo and sought a deputation to make a presentation on the facility as soon as possible.

Discussion ensued, following which the Chief Executive Officer advised he would arrange the deputation for the December meeting of the Finance and Community Services Committee and would endeavour to provide Councillors with a copy of the task plan beforehand.

C502-11/96

BUSINESS FOR INFORMATION

MOVED Cr O'Grady, **SECONDED** Cr Magyar that The Business for Information Reports be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B170-11/96

ENGINEERING CURRENT WORKS - [202-0]

This report details current work undertaken by the Engineering Department for the period ending 25 October 1996.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B170-11/96 be received.

CARRIED

B171-11/96

TRAFFIC SIGNAL INSTALLATION PROGRAMME - [220-0]

This report details the intersections where traffic signals will be installed as part of Main Roads WA 1996/97 Traffic Signals Programme.

Cr Magyar requested that, considering the apparent success of the roundabout at the corner of Marmion and Shenton Avenues, the Acting City Engineer comment on the possibility of roundabouts being installed, instead of traffic signals, on major roads in Wanneroo.

The Acting City Engineer reported on the locations of recently installed roundabouts. He stated that roundabouts were more applicable to certain locations and advised that all sites were reviewed and an assessment made as to the most appropriate traffic treatment.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B171-11/96 be received.

CARRIED

B172-11/96

GRAFFITI ON FENCES - [210-7]

Several reports have been submitted to Council addressing graffiti on fences. Following the report submitted on 10 July, 1996, a request was made to the Government's Graffiti Program Steering Committee seeking further information.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B172-11/96 be received.

CARRIED

B173-11/96

PARKS DEPARTMENT MONTHLY REPORT FOR OCTOBER 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 October 1996 by the Parks Department.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B173-11/96 be received.

CARRIED

TOWN PLANNING COMMITTEE

B174-11/96

DEVELOPMENT ENQUIRIES - OCTOBER 1996 - [290-0]

This report provides a Schedule of Development enquiries received during October 1996, together with a resumé of advice given by the Town Planning Department.

Cr Major referred to a development enquiry received for a worm farm in the Wanneroo rural area and requested information on Council's policy in relation to worm farms.

The Chief Executive Officer referred to a letter received from the owner of Lot 76, Unit 3, 157 Winton Road Joondalup requesting Council to consider the inclusion of live worm sales in this approval (File 30/4583).

Cr O'Grady referred to a development enquiry received for a wet fish/fresh chicken shop in the Mindarie region and requested a report be submitted in relation to Council's policy on wet fish processing.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B174-11/96 be received.

CARRIED

B175-11/96

**COST OF SWORN VALUATION - LOT 965 SHENANDOAH MEWS, CURRAMBINE -
[740-97277]**

Council, at its meeting on 25 September 1996, resolved that information on the costing of a sworn valuation of Lot 965 Shenandoah Mews, Currambine both with and without the inclusion of the 0.1 metre pedestrian accessway be sought.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B175-11/96 be received.

CARRIED

B176-11/96

**PROPOSED NORTH WEST CORRIDOR OMNIBUS METROPOLITAN REGION SCHEME
AMENDMENT NO 2 - [319-7-1]**

The North West Corridor Omnibus Metropolitan Region Scheme Amendment (No 2) was initiated in February 1996. The majority of proposals contained within this amendment are located within the City of Wanneroo. Council made a submission regarding the amendment to the Western Australian Planning Commission in May 1996. The Commission has noted the concerns and support of Council and has made a number of modifications to the amendment. The amendment is currently before Parliament. If, after twelve sitting days there has been no motion to disallow the amendment, it will then take effect.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B176-11/96 be received.

CARRIED

B177-11/96

**APPEAL DETERMINATION - EXPANSION TO EXISTING FEEDMILL, LOC 1665
(1040) WANNEROO ROAD, WANNEROO - [30/0058]**

The proposed expansion to the existing feedmill involved minor floorspace additions. Most of the additions involved increasing the height of portions of the existing building. None of these modifications are visible from adjoining properties.

Council, so that discussions could be held to work out a strategy which could see the relocation of the feedmill and broiler operation, resolved to defer consideration of the proposal. The applicant appealed a deemed refusal by Council as the application had not been determined within 60 days of receipt (Refer C17.7 of Town Planning Scheme No 1).

The Minister upheld the appeal subject to compliance with such conditions as the City might reasonably impose. The Minister's decision was made on the basis that the feedmill is an existing use, despite its development significantly limiting the potential of the surrounding areas planned for residential purposes.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B177-11/96 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B178-11/96

FUTURE DIRECTIONS OF JUNIOR COUNCIL

In July 1995 (Item CS138-07/95 refers), Council requested that a report be submitted on the current role and responsibility of Junior Council. Concern had been expressed about the lack of direction of Junior Council.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B178-11/96 be received.

CARRIED

B179-11/96

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 O'Grady, **SECONDED** Cr Magyar that REPORT B179-11/96 be received.

CARRIED

B180-11/96

FINANCIAL REPORT FOR THE PERIOD ENDED 31 OCTOBER 1996 - [002-3]

With four months of the year expired early trends indicate some budget over-runs will be experienced. In accordance with sound budgetary and financial practice the majority of these over-runs have been covered with budget reallocations, thus lessening adverse budgetary impacts. The reduction in interest rates (together with a further reduction anticipated) will impact on Council's ability to meet budget expectations from that revenue source.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT 180-11/96 be received.

CARRIED

B181-11/96

STAFF AND OUTSIDE WORKERS' OVERTIME - OCTOBER 1996 - [404-10]

This report details the staff and outside workers' overtime for the month of October 1996.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B181-11/96 be received.

CARRIED

B182-11/96

1996/97 RATE INCENTIVE SCHEME - PRIZEWINNERS - [018-20]

The eight prizewinners of the 1996/97 year rate incentive scheme were invited, together with prize donors, to a Cocktail Party on Friday 18 October 1996.

The drawing of the prizes was undertaken by the Mayor and sponsors under the scrutiny of Council's auditor, Mr Graham McHarrie. Prizewinners, listed in the order in which they were drawn, are shown with their respective prizes on Attachment 'A'.

Letters of appreciation have been forwarded to all sponsors thanking them for their involvement and support on the 1996/97 rate incentive scheme and advising each of the respective winner's particulars.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B182-11/96 be received.

CARRIED

B183-11/96

WELFARE SERVICES DEPARTMENT - ANNUAL REPORT - [880-1]

The annual report of the Welfare Services Department for the year ending June 1996 is submitted for Council's information.

The report details the activities of the major programme areas, namely:

- . Aged and Disability Services
- . Children's Services
- . Financial Counselling

The report also provides a budget analysis and future directions for the various areas.

As detailed in the report, the Department has successfully met the challenges presented by:

- . an increasing demand for services in all areas;
- . an ageing population;
- . changing structural arrangements and expectations of funding bodies;
- . the increasing inclusion of the community services industry in an environment of competition and accountability.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B183-11/96 be received.

CARRIED

B184-11/96

BIZLINK - [880-8-11]

This report outlines strategies which will support Bizlink in its endeavours to secure employment for people with disabilities within the City of Wanneroo (C325-06/96 refers).

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B184-11/96 be received.

CARRIED

B185-11/96

**RECREATION AND CULTURAL SERVICES DEPARTMENT MONTHLY ACTIVITIES
REPORT - [260-0]**

This report details activities conducted by the Recreation and Cultural Services Department for the month of October 1996.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B185-11/96 be received.

CARRIED

B186-11/96

**MUNICIPAL LAW & FIRE SERVICES DEPARTMENT - ACTIVITIES FROM 1
JULY 1996 TO 30 SEPTEMBER 1996 - [905-1]**

Attached is a table covering the Municipal Law & Fire Services Department's activities from 1 July 1996 to 30 September 1996.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B186-11/96 be received.

CARRIED

B187-11/96

DOG ACT APPEAL - MR L CELENZA, 22 HUDSON AVENUE, GIRRAWHEEN - [508/264/22]

On 25 July 1996 Council refused an application by Mr L Celenza of 22 Hudson Avenue, Girrawheen to keep three dogs at his residence. All applications to keep more than two dogs on residential properties are refused by Council (Council Resolution G50713).

Mr Celenza subsequently appealed to the Minister for Local Government against Council's decision. The Minister, in a letter to Council dated 16 October 1996, advised that he had considered Mr Celenza's application and had decided to dismiss his appeal and allow Council's notice of refusal to stand.

Cr Cooper believed a letter should be sent to the Minister congratulating him on his decision to dismiss this appeal.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B187-11/96 be received.

CARRIED

B188-11/96

SANDBOARDING - COASTAL DUNES - [704-1]

Council at its meeting on 28 August 1996 resolved that a report be submitted to Finance and Community Services Committee in relation to instigating legal proceedings against persons cautioned for sandboarding in dunes (FA123-08/96 refers).

Council's 48 kilometre strip of coastline has in parts been subject to sandboarding activity causing environmental damage to dunal areas.

Cr O'Grady queried what action Council officers could take against offenders.

The Manager Municipal Law and Fire Services advised he would investigate this matter.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B188-11/96 be received.

CARRIED

B189-11/96

NEERABUP PURCHASERS SURVEY - [012-0-2-6A]

The Neerabup Purchaser Survey was developed by the Family Support Services Group for Neerabup. The group is convened by the City of Wanneroo with representatives from Homeswest (the land developer) and a range of government and non-government agencies involved in providing family support services. (Full list of agencies in Attachment 1) This report outlines the results of the Neerabup Purchaser Survey for the 52 surveys returned to the City of Wanneroo by October 30, 1996. The purpose of the survey was to obtain basic demographic information and an indication of residents needs to assist with the planning and provision of appropriate services.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that REPORT B189-11/96 be received.

CARRIED

C503-11/96

CHIEF EXECUTIVE OFFICER'S REPORT

MOVED Cr Magyar, **SECONDED** Cr Popham that the Chief Executive Officer's Report be received.

CARRIED

C504-11/96

SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON
SEAL - [200-0-1]

Document:
Variation of Lease
Parties:
City of Wanneroo and Northern Districts Pistol Club Inc
Description:
Portion of State Forest No 65, Perry Road, Pinjar
Date:

22.10.96

Document:
Sub Lease
Parties:
City of Wanneroo and Wanneroo Shooting Complex Inc and West
Australian Rifle Association Inc
Description:
Portion of State Forest No 65, Perry Road, Pinjar
Date:

22.10.96

Document:
Deed
Parties:
City of Wanneroo and Traylen Investments Pty Ltd
Description:
Lot 16 (1868) Wanneroo Road, Neerabup, 6031
Date:

22.10.96

Document:
Withdrawal of Caveat
Parties:
City of Wanneroo and Joondalup Country Club Holdings Ltd
Description:
Lot 531 and 1 Spyglass Grove and Long Island Pass, Connolly
Date:

24.10.96

Document:

Deed

Parties:

City of Wanneroo and F Conti and ANZ Banking Group Ltd

Description:

Lots 6, 7 and 24 Wanneroo Road, Kingsley

Date:

28.10.96

Document:

Funding Agreement

Parties:

City of Wanneroo and Minister for Community Welfare

Description:

Kingsley Occasional Care Programme

Date:

6.11.96

Document:

Withdrawal of Caveat

Parties:

City of Wanneroo and A R & M Matteeusser

Description:

Lot 22 (270) Carabooda Road, Carabooda

Date:

8.11.96

Document:

Partial Withdrawal of Caveat

Parties:

City of Wanneroo and Peet and Co

Description:

Portion of Lot 614 Lagoon Drive, Yanchep

Date:

8.11.96

Document:

Withdrawal of Caveat

Parties:

City of Wanneroo and Peet and Co

Description:

Portion of Lot 614 Lagoon Drive, Yanchep

Date:

8.11.96

Document:

Request for Proposal

Parties:
City of Wanneroo and Family and Children Services
Description:
Request for Proposal, Youth Service, Quinns
Rock/Clarkson/Merriwa
Date:

8.11.96

Document:
Withdrawal of Caveat
Parties:
City of Wanneroo and Ms M T Dunnett
Description:
Lot 2 Lagoon Drive, Yanchep
Date:

12.11.96

Document:
Agreement
Parties:
City of Wanneroo and Lotteries Commission
Description:
Funding Agreement - Gordon Reid Foundation for Youth
Date:

12.11.96

Document:
Contract of Service
Parties:
City of Wanneroo and Surf Lifesaving W A Inc
Description:
Surf Lifesaving WA Lifeguards West
Date:

12.11.96

MOVED Cr Magyar, **SECONDED** Cr Popham that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

CARRIED

C505-11/96

CODE OF CONDUCT - [312-2]

BACKGROUND

At its September meeting, Council formed a working party to develop the Code of Conduct required by the new Local Government Act.

DETAIL

At item P86-09/96, it was resolved that Council:

"(a)

nominates Crs Freame and Popham to form a Code of Conduct Working Party, together with an officer nominated by the Chief Executive Officer; and

(b)

requires the Code of Conduct Working Party to research and address the issues related to the Code of Conduct, prepare a draft Code of Conduct for the City of Wanneroo and submit that draft, together with a discussion paper, to the Policy Committee no later than December 1996."

The Working Party subsequently met to discuss the broad parameters for the Code, and to examine some sample documents.

COMMENT

A draft document is currently being prepared for review by the Working Party, with a view to inviting individual comment by elected members and staff prior to submission to Council.

It is regretted that the project has not advanced in accordance with the timeframe originally indicated, however administrative workload on significant reform initiatives has precluded further action to date. It is proposed that the draft will be circulated to elected members and staff during December, comments addressed by the Working Party, and a final draft Code submitted to Policy Committee in February.

MOVED Cr Magyar, **SECONDED** Cr Popham that Council endorses the circulation of a draft Code of Conduct to elected members and staff for individual comment prior to the preparation of a final draft.

CARRIED

C506-11/96

BICENTENNIAL TRUST GRANTS 1996 - [301-6-13]

On Friday 25 October 1996 the Board of Trustees of the City of Wanneroo Bicentennial Trust met to determine applications for grants under the 1996 Awards programme.

Thirteen applications were received, however the Trustees considered only four to be appropriate to be funded by the Trust. These applications, together with the funding granted, are detailed hereunder:

1
The City Entertainers Group Inc
to assist with the costs of holding a
musical review \$2,000

2
Mrs Jo Hamlet
to assist with the costs of producing an
illustrated historical book covering
sixty years of the "Yanchep Inn" \$1,000

3
Northern Districts Performing Arts Festival
to assist with the costs of holding a
performing arts festival for primary
school children in the Wanneroo
district \$2,200

4
Ms Claire Williams
to assist with the costs of producing a
visual arts programme for people with
intellectual disabilities \$1,000

The presentation of Awards by the Trust Patron, Mrs Ruth Reid, is scheduled for Tuesday 10 December 1996, and approval is sought to hold the function on this date.

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

endorses the 1996 grant allocations recommended by the Board of Trustees of the City of Wanneroo Bicentennial Trust and approves payments totalling \$6,200 from account 32505 - Wanneroo Bicentennial Trust Awards;

2

approves the scheduling of the Awards Reception for Tuesday 10 December 1996.

CARRIED

C507-11/96

STEERING COMMITTEE - REGIONAL AQUATIC CENTRE - [450-2]

BACKGROUND

Residents from the Shire of Swan have expressed a desire for a regional aquatic centre to be developed in the suburb of Ballajura. As a facility of this type would have an impact on the provision of future recreation facilities within the City of Wanneroo, the Shire of Swan is inviting representation on a steering committee for this project.

DETAIL

At this point, the role of the steering committee will be to examine the feasibility of this type of facility. The Shire of Swan has agreed to fund the feasibility study and input is being sought from all interested parties in the area.

SUMMARY

Residents from the suburb of Ballajura, within the Shire of Swan have expressed a desire for a regional aquatic centre to be developed in the area. As such a facility would have an impact on future recreational facilities within the City of Wanneroo, the Shire of Swan has invited representation from Council. At this stage the role of the committee would be to examine the feasibility of this type of facility.

Cr Lynn nominated Cr Hancock.

Cr Cooper nominated Cr Tippet.

As only one nomination was required, Cr Hancock withdrew from consideration of nomination.

MOVED Cr Magyar, **SECONDED** Cr Popham that Council nominates Cr Tippet for consideration of appointment to the position of Representative - Steering Committee - Regional Aquatic Centre.

CARRIED

C508-11/96

WATER CORPORATIONS URBAN DEVELOPMENT ADVISORY COMMITTEE -
[312-2]

BACKGROUND

WAMA advise that due to a review of the existing Water Corporation's Urban Development Advisory Committee a vacancy has arisen for the position of Member.

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 relevant engineering/technical experience or significant background in the industry.

The terms of reference for the committee are as follows:

*

Provide advice on improving processes associated with the Corporation's involvement in the land development activity,

*

Provide advice on performance indicators the Corporation should adopt, and how the development industry could be better served by the Corporation; and

*

Provide representative input to reviews of policies, processes, standards, practices and Corporation performance, particularly

as these impact on land development activities Statewide undertaken and/or administered by private and public entities.

Committee membership is comprised of representatives from a number of groups including the Urban Development Institute of Australia, Association of Consulting Engineers Australia and the Water Corporation.

COMMENT

Meetings are held bi-monthly at the Water Corporation offices in Leederville with meetings lasting approximately two hours.

SUMMARY

WAMA has invited Councillors to nominate for the position of Member - Water Corporation's Urban Development Advisory Committee. 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 relevant engineering/technical experience or significant background in the industry. The terms of reference for the position are to provide advice on improving processes associated with the Corporation's involvement in the land development activity, provide advice on performance indicators and to review policies, processes, standards, practices and Corporation performance. The committee meets at the Water Corporation's offices in Leederville on a bi-monthly basis, with meetings lasting approximately two hours.

Cr Lynn nominated Cr Major.

Cr Major declared an interest in this item as he had been nominated for consideration of appointment to the position of Member - Water Corporation Urban Development Advisory Committee.

Cr Major left the Chamber at this point, the time being 2126 hrs.

MOVED Cr Lynn, **SECONDED** Cr Hancock that Council nominates Cr Major for consideration of appointment to the position of Member - Water Corporation Urban Development Advisory Committee.

CARRIED

Cr Major entered the Chamber at this point, the time being 2128 hrs.

C509-11/96

TAXI RANKS COMMITTEE - [312-2]

BACKGROUND

WAMA advises that due to the establishment of the above Committee a vacancy is available for the position of Member - Taxi Ranks Committee.

DETAIL

Council has been invited to nominate a Councillor or Officer for this position. The selection of candidates will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of local government.

The board is seeking an elected member or suitably qualified Officer with some experience/knowledge of parking and/or transport issues within the metropolitan area.

The Committee has been set up by the Taxi Industry Board which is convened by the Minister for Transport to investigate all issues relating to taxi ranks in the metropolitan area, and recommend changes where necessary.

Committee membership is comprised of representatives from a number of groups including the Department of Transport Taxi Unit, Taxi Industry Board and Taxi companies/operators.

COMMENT

Meetings will be held at the Taxi Industry Board, offices in Perth. Meetings will last for approximately 1.5 hours and will be scheduled during office hours. A meeting time has yet to be finalised.

SUMMARY

WAMA has invited Councillors/officers to nominate for the position of Member - Taxi Ranks Committee. The position is conditional on the basis that elected members/officers will resign when they are no longer serving members of local government. The Committee is seeking an elected member/suitably qualified Officer with some experience/knowledge of parking and/or transport issues within the metropolitan area. Meetings will be held at the Taxi Industry Board offices in Perth, with

meetings to be held during office hours. It is envisaged that meetings will last approximately 1.5 hours.

Cr Cooper nominated Cr Ewen-Chappell.

Cr Popham nominated Cr Taylor.

Crs Ewen-Chappell and Taylor declared an interest in this item as they had been nominated for consideration of appointment to the position of Member - Taxi Ranks Committee.

Crs Ewen-Chappell and Taylor left the Chamber at this point, the time being 2129 hrs.

As two nominations were made, a secret ballot was conducted and the Manager, Corporate Services and Executive Assistant left the Chamber at this point in order to count the votes.

On their return, the Mayor declared Cr Taylor duly elected for consideration of appointment.

MOVED Cr Popham, **SECONDED** Cr Wight that Council nominates Cr Taylor for consideration of appointment to the position of Member - Taxi Ranks Committee.

CARRIED

Crs Ewen-Chappell and Taylor entered the Chamber at this point, the time being 2131 hrs.

C510-11/96

LEGAL REPRESENTATION - [702-3]

SUMMARY

A request for Legal Representation has been received from Cr Dammers for a Supreme Court Writ issued by Mr W Bradshaw, alleging two instances of defamation. The first instance is clearly covered by the Council policy on Legal Representation (A2-12), however the second instance is more complicated. It is recommended that Cr Dammers be provided with Legal Representation in this matter.

BACKGROUND

At its meeting of the 29 May 1996 Council resolved to approach the Minister for Local Government for permission to pay legal expenses for Cr Dammers, against a Supreme Court Writ. (Item P45-5/96 refers). At the July Council meeting the request from Cr Dammers was withdrawn and the resolution was rescinded. (Item C363-7/96 refers).

Cr Dammers privately employed Kott Gunning to defend him against the Supreme Court writ. Kott Gunning have now indicated that they believe that Cr Dammers should receive legal assistance from Council in this matter.

DETAIL

The Supreme Court writ, issued by Mr Wayne Bradshaw, concerns two instances of alleged defamation by Cr Dammers; the first occurred at a public meeting which Cr Dammers attended and answered questions from ratepayers. The second instance occurred in a report to the Kyle Inquiry by Cr Dammers, of an incident that occurred in 1988.

The Chief Executive Officer, in accordance with clause 3.2 of Policy A2-12, has sought legal advice from a second firm of lawyers regarding Cr Dammers' request for legal assistance. The advice indicates that in the first instance Cr Dammers answered questions and attended the meeting as a result of him being a Councillor. Although he was not delegated or requested to attend the meeting by Council, those attending the public meeting requested that he answer questions and it is felt that he acted as a representative of the Council.

The second instance, the report made to the Kyle Inquiry, dealt with evidence regarding the alleged sighting of cheques made out in favour of Mr Bradshaw from the Hooker Corporation. The cheques were allegedly sighted in 1988 and Cr Dammers was elected in May 1989. Cr Dammers made the report to the Kyle Inquiry in 1992.

COMMENT

Council Policy A2-12 (Legal Representation for Present and Former Councillors and Staff of the City) states;

1

In most cases in which present or former Councillors and City Officers are involved in civil legal proceedings because of their official responsibilities the City's solicitors will act for the present or former Councillor or Officer at the expense of the City and the City will meet any liabilities incurred in the proceedings.

There will be some cases where this may not apply, particularly where

2.1

misconduct is alleged against present or former Councillor or Officer.

2.2

the proceedings relate to the conduct of a present or former Councillor or Officer wholly or partly in relation to matters outside the discharge of their official responsibilities.

The legal opinion received clearly states that in the first instance Cr Dammers was acting as a result of his official responsibilities as a Councillor. Cr Dammers attended the meeting because he was a Councillor and was requested to answer questions as a representative of the City. Thus the first instance clearly falls within the circumstances prescribed by Clause 1 of Policy A2-12.

The second instance is more complicated than the first. The report made by Cr Dammers to the Kyle Inquiry took place in 1992, however the event he reported occurred in 1988, before he became a Councillor. It could be argued that he would have made the report to the Kyle Inquiry regardless of whether he was a Councillor or not; as such this did not relate to his official duties as a Councillor. However if the report to the Kyle Inquiry is true, and thus reflects upon the conduct of the Council, this would be connected to Cr Dammers' duties as a Councillor.

On the grounds that a solicitor is to run a defence on the two statements it will be difficult to separate the costs involved.

Also as the defence of the second instance should incur an insignificant portion of the overall defence costs, it would appear just to recommend both instances be covered in accordance with Council's policy.

Cr Dammers declared an interest in this item as he had submitted this request for Legal Representation.

Cr Dammers left the Chamber at this point, the time being 2132 hrs. Cr Freame assumed the Chair.

Discussion ensued.

Cr Duffy left the Chamber at this point, the time being 2155 hrs.

MOVED Cr Major, **SECONDED** Cr Magyar that Council, in accordance with Policy A2-12, approve the application from Cr A Dammers for Legal Representation on the Defamation action brought by Mr W Bradshaw.

CARRIED

Crs Dammers and Duffy entered the Chamber at this point, the time being 2157 hrs. Cr Dammers resumed the Chair.

C511-11/96

PUBLIC MEETING HELD ON TUESDAY 26 NOVEMBER 1996 - [510-403, 510-4084]

Item TS266-10/96 - Proposed Santa Barbara Parade Pre-funding Arrangements - Quinns Rocks Subdivision, which was considered at the Council meeting held on 23 October 1996 resolved as follows:

"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."

Accordingly a Public Meeting was held at Gumblossom Hall, Quinns Rocks on Tuesday 26 November 1996 to discuss options on access to the subdivision development north of the Quinns Rocks Townsite.

There were approximately 170 members of the public in attendance (86 of those persons signed the Attendance Sheets).

At the conclusion of the meeting the following Motion was put:

"MOVED Mr Scotford, SECONDED Mr Lewis that:

1
Council funds the necessary extension of Santa Barbara Parade for completion by mid 1997, recovering the cost from the developers in due course;

2
that access to North Quinns Beach Estate be from Marmion Avenue, not through Old Quinns;

3
that Ocean Drive and Tapping Way be cul-de-saced as soon as Santa Barbara Parade be completed;

4
the City of Wanneroo consults with the Quinns Rocks Civic Association before expenditure on road works in Quinns Rocks townsite in future.

CARRIED"

MOVED Cr Magyar, **SECONDED** Cr Popham that the report of the Public meeting held on Tuesday 26 November 1996 be received.

CARRIED

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

C512-11/96

REQUEST FOR REPORT - MOSQUITO CONTROL - [855-3]

Cr Dammers requested a report on the problems associated with mosquitos. He believed an education programme was required and suggested a brochure be distributed to members of the public outlining problems and offering hints relating to mosquito

control. Cr Dammers suggested that the Community Newspapers be approached to print articles in this regard.

Cr Dammers also requested that an Environmental Health Officer investigate the floodlights on Scenic Drive at night to ascertain whether these lights were worsening the problems.

RESOLVED that a report be submitted to Finance and Community Services Committee outlining problems and possible solutions relating to mosquito control.

HOUSE UNDER CONSTRUCTION LOT 560 (3) MANAKOORA RISE, SORRENTO - [3090/560/3]

Cr Freame referred to the house under construction at Manakoora Rise, Sorrento and believed that parties involved should be concentrating on correcting the situation rather than worrying about insurance.

C513-11/96

SUSPENSION OF STANDING ORDERS - [702-0]

MOVED Cr Popham, **SECONDED** Cr Hancock that Council suspends Standing Orders to allow debate regarding the house under construction at Lot 560 (3) Manakoora Rise, Sorrento.

LOST

RULING RELATING TO DISCUSSION - [702-0]

Cr Hancock referred to a letter she had received from Mr Keith Holmes. Cr Dammers stated this matter could not be discussed at this point and ruled that Cr Hancock was out of order.

SUBMISSION OF QUESTIONS TO COUNCIL MEETING - MR BASTOW - [702-0, 3090/560/3]

Cr Hancock referred to questions submitted to the September 1996 Council meeting by Mr Bastow in relation to the house under construction at Manakoora Rise, Sorrento, and asked why these questions had not been answered.

C514-11/96

REQUEST FOR REPORT - UNAUTHORISED LINE MARKING TECHNIQUES - [250-1]

Cr Major requested a report be submitted to the Technical Services Committee on the options available to Council for charging or otherwise taking action to deter sporting clubs which use herbicides to kill grass as an unauthorised line marking technique on playing fields, these being the costs of

re-turfing and also of the temporary withdrawal or reallocation of grounds.

RESOLVED that a report be submitted to Technical Services Committee on the options available to Council for charging or otherwise taking action to deter sporting clubs which use herbicides to kill grass as an unauthorised line marking technique on playing fields, these being the costs of re-turfing and also of the temporary withdrawal or reallocation of grounds.

MEETING WITH RESIDENTS - BOTTLEBRUSH DRIVE, GREENWOOD - [510-76]

Cr Tippet advised that on Friday 22 November 1996 he attended a street meeting in Greenwood with Crs Popham and Duffy for residents of Bottlebrush Drive and neighbouring streets to discuss problems with vehicles using Bottlebrush Drive as a thoroughfare between Blackall and Coolibah Drives. Options discussed were the possible closure of Bottlebrush Drive and how that may be configured, other traffic calming devices such as roundabouts, chicanes and humps. He advised that Council Engineer Louise Round was in attendance and had outlined to residents Council's process in considering the amending of a configuration of a road layouts.

C515-11/96

REPORT - NAME CHANGE FOR THE SUBURB OF GIRRAWHEEN - [727-10]

Cr Duffy requested a report be submitted to Town Planning Committee on the process involved in a name change for the suburb of Girrawheen.

RESOLVED that a report be submitted to Town Planning Committee on the process involved in a name change for the suburb of Girrawheen.

C516-11/96

ALL-NIGHT SECURITY PATROL INITIATIVE - [905-1]

Cr Taylor referred to an all-night security patrol initiative in the City of Bayswater and a ratepayer survey which was undertaken in this regard. Cr Taylor requested a report be submitted on the feasibility of Council's quarterly newsletter "NewsExtra" being used to conduct a similar survey to ascertain the community's feeling, such survey to outline options of services which could be provided for between \$5 - 10 per rate notice.

RESOLVED that a report be submitted to Finance and Community Services on the feasibility of Council's quarterly newsletter "NewsExtra" being used to conduct a survey to ascertain the community's feeling in relation to all-night security patrols,

such survey to outline options of services which could be provided for between \$5 - 10 per rate notice.

Cr Popham left the Chamber at this point, the time being 2212 hrs.

C517-11/96

AVAILABILITY OF COUNCIL MINUTES - [702-0]

Cr Magyar requested a report be submitted to Policy Committee considering an amendment to its Policy A1-01 - Availability of Council Minutes to provide printed copies of Council Minutes to Community groups at the same price as disc copies, where a community group proves it has a financial membership of ten or more households.

RESOLVED that a report be submitted to Policy Committee considering an amendment to Policy A1-01 - Availability of Council Minutes to provide printed copies of Council Minutes to Community groups at the same price as disc copies, where a community group proves it has a financial membership of ten or more households.

Cr Hancock left the Chamber at this point, the time being 2213 hrs.

ASSET NO 174 - "CASTING THE DIE" - [429-1-13]

Cr Magyar requested Council to approach Albie Herbert, the artist who created the City of Wanneroo Art Asset No 174 - "Casting the Die" to provide a written explanation of the works, and the written explanation to be displayed with the works.

PROGRESS REPORT ON VERGE PLANTING - SANTIAGO PARKWAY, OCEAN REEF - [510-3072]

Cr Magyar requested a progress report on the verge planting within Santiago Parkway, Ocean Reef.

C518-11/96

REQUEST FOR REPORT ON EMPLOYMENT OF QUALIFIED BUSH REGENERATOR - [404-0]

Cr Magyar requested a report on the possibility of the City of Wanneroo employing a qualified bush regenerator. He advised that the Cities of Melville and Fremantle have recognised the importance of preserving their bushland through qualified staff.

RESOLVED that a report be submitted to Technical Services Committee on the possibility of the City of Wanneroo employing a qualified bush regenerator.

INVESTIGATION OF WASTE REDUCTION STRATEGIES - [508-4]

Cr Magyar requested that Council investigates the waste reduction strategies of a systems based approach as advocated in Paul Hawken's book "The Ecology of Commerce, How Business Can Save the Planet".

Cr Popham entered the Chamber at this point, the time being 2216 hrs.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C519-11/96

NOTICE OF MOTION - CR TAYLOR - [702-3]

Cr Hancock entered the Chamber at this point, the time being 2217 hrs.

Cr Taylor had given notice of his intention to move a Motion at the next Ordinary Meeting of Council, to be held on Wednesday 27 November 1996.

Cr Taylor stated that following recent election promises made in the hype of the pending State election pledging Council to match dollar for dollar promises made to the electorate, and taking into account that further election announcements of a similar nature could be made, he will move the following Motion:

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

1
endorses the actions of the Council in 1987/88 of implementing tight fiscal management, and sound financial planning, by undertaking to commence the current debt reduction policy;

2
further commits to continue the policy of debt reduction.

AMENDMENT MOVED Cr Cooper, **SECONDED** Cr O'Grady that Point 3 be added to the Motion, viz:

"3
gives serious consideration to any dollar for dollar offer basis made by any political party, Government or private corporation for any worthy community project."

CARRIED

The **AMENDMENT** thus became the **SUBSTANTIVE MOTION**, viz:

"That Council:

1
endorses the actions of the Council in 1987/88 of implementing tight fiscal management, and sound financial planning, by undertaking to commence the current debt reduction policy;

2
further commits to continue the policy of debt reduction;

3
gives serious consideration to any dollar for dollar offer made by a political party, Government or private organisation for any worthy community project"

was **PUT** and

CARRIED UNANIMOUSLY

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

Cr Wight left the Chamber at this point, the time being 2231 hrs.

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 C Isaacs, City of Wanneroo ratepayer, raised the following questions:

1
Regarding legal aid, how long will this continue and will it be an open cheque book?

2
Why shouldn't the Councillors be responsible for their own positions?

3
Poverty is going unnoticed by Council; when will Council provide financial aid to the people in poverty in the City of Wanneroo?

Response: Cr Dammers advised questions 1-3 would be taken on notice.

4
Why shouldn't the Minutes of Council meetings be available free of charge?

Response: Cr Dammers stated that the Minutes of Council meetings are large and expensive documents and advised that copies are available for reading within all libraries.

5
In relation to the writing off of costs of large corporations, ie LandCorp, Smith Corporation and Sorrento Soccer Club, when will Council look after its ratepayers?

Response: City Treasurer advised as follows:

.
LandCorp - this was an error and in effect the money should not have been raised against Landcorp.

.
Smith Corporation - in this situation Council had an agreement with Smith Corporation which did not permit Council to be a preferred creditor.

.
Sorrento Soccer Club - the amount of \$59,000 was the total amount written off, and did not relate to the Sorrento Soccer Club.

Cr Taylor left the Chamber at this point, the time being 2235 hrs.

Mr Vic Harman, Ocean Reef Residents Association.

Page 58, TP278-11/96: How will the kit and petition forms be made available?

Response: City Planner advised that he would make copies available for collection by Ocean Reef Residents Association.

2

Page 99, B172-11/96. What can done to combat graffitists?

Response: City Building Surveyor advised that this item relates to graffitists applying graffiti to fences on private property.

Council's option for taking action to remove that graffiti would be to punish the owner of the property, who is not at fault for the graffiti. This issue is being looked at by the State Government Graffiti Programme Steering Committee and endeavouring to develop a policy on this issue.

Mrs A Hine:

1

In relation to the question she raised at a Committee regarding the burning off on Council land at Council's office, Mrs Hine asked why this land was burnt.

Response: Manager, Municipal law and Fire Services advised that this work was undertaken by the volunteer brigade following an order issued by the Bush Fires Control Officer.

Cr Taylor entered the Chamber at this point, the time being 2240 hrs.

2

Regarding the redundancy issue, where does the money come from?

Response: Chief Executive Officer advised that as part of the restructuring process, and in line with local government reforms, there is a need for business units to be formed. The Voluntary Redundancy package was adopted by Council to give the opportunity to examine areas, and to allow staff did not want to be part of the restructure to apply for redundancy. Over 90 applications were made, and following consultation with Managers, 37 applications were approved with staff being released over a period of time.

3

Mrs Hine stated she did not believe a charge should be made to the media and queried how many copies of Council minutes were made available to the media.

Response: Cr Dammers stated a charge was being made to recoup ratepayers' money and believed it was a responsible act on behalf of the Council.

4

Mrs Hine stated she had registered her dog in 1995 and 1996 with Council, yet it did not appear on Council's computer.

Response: Cr Dammers stated the Manager, Municipal Law and Fire Services will investigate this matter.

5

Mrs Hine asked that money be spent in the Wanneroo Townsite as she believed this to be a neglected area.

Response: Cr Dammers advised that work is still being undertaken on the media strip and further works are ongoing.

Ms Jill Brown commented on the item raised by Cr Dammers regarding mosquito control and stated she had raised suggestions in this regard several years perviously.

CONFIDENTIAL BUSINESS

MOVED Cr Popham, **SECONDED** Cr Healy that, following a short break, the meeting be held Behind Closed Doors to discuss legal issues relating to Manakoora Rise, Sorrento, the time being 2253 hrs.

CARRIED

The Public and Members of the Press left the Chamber at this point.

The meeting then resumed Behind Closed Doors, the time being 2300 hrs. All Councillors were present at this point.

Discussion ensued.

MOVED Cr Cooper, **SECONDED** Cr Healy that the meeting be held with the doors open, the time being 2329 hrs.

CARRIED

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for 7.30 pm on **WEDNESDAY 18 DECEMBER 1996.**

CLOSE OF BUSINESS

There being no further business, the Chairman declared the Meeting closed at 2330 hrs, the following Councillors being present at that time:

COUNCILLORS:
DAMMERS

FREAME

COOPER
LYNN
EWEN-CHAPPELL
MAGYAR
O'GRADY
WIGHT
TAYLOR
MAJOR
HANCOCK
DUFFY
HEALY
POPHAM
TIPPETT