

CITY OF WANNEROO

MINUTES OF COUNCIL MEETING HELD ON 26 MARCH 1997

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| 140 | C99-03/97 | PETITION IN RELATION TO PRESERVATION OF THE CHURCH OF ST ANTHONY'S, WANNEROO ROAD, WANNEROO - [290-15, 30/228] |
| 140 | | SAND DRIFT PROBLEMS IN RELATION TO 52 KORELLA STREET, MULLALOO - [310-419-52] |

- 140 WANNEROO DISTRICTS HISTORICAL SOCIETY (INC) -
[458-1]
- 140 BY-LAW IN RELATION TO KEEPING OF PIGEONS -
[241-0]
- 140 **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**
- 140 **NOTICE OF MOTIONS FOR CONSIDERATION AT THE
FOLLOWING MEETING, IF GIVEN DURING THE
MEETING**
- 141 **PUBLIC QUESTION/COMMENT TIME**
- 143 **CONFIDENTIAL BUSINESS**
- 143 C100-03/97 APPOINTMENT - DIRECTOR OF COMMUNITY
SERVICES - [ALL]
- 144 C101-03/97 APPRECIATION DINNER/GIFTS - RETIRING OFFICERS
- [404-0]
- 144 **DATE OF NEXT MEETING**
- 144 **CLOSE OF BUSINESS**

CITY OF WANNEROO

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER, ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP, ON WEDNESDAY, 26 MARCH 1997

ATTENDANCES AND APOLOGIES

| | | |
|--------------|--|-----------------|
| Councillors: | A V DAMMERS, JP - Mayor to 2145 hrs, from 2148 to 2151 hrs and from 2152 to 2226 hrs, and from 2228 to 2230 hrs, and from 2234 hrs | Central Ward |
| | F D FREAME, Deputy Mayor, Acting Chairman from 2145 to 2148 hrs; from 2151 to 2152 hrs; from 2226 to 2228 hrs; and from 2230 to 2234 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 to 2135 hrs | 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 FISCHER |
| City Environmental Health Manager: | M AUSTIN |
| Acting City Parks Manager: | D CLUNING |
| City Recreation and Cultural Services Manager: | R BANHAM |
| Acting Manager, Municipal Law & Fire Services: | K SMITH |
| Manager, Welfare Services: | P STUART |
| City Librarian: | N CLIFFORD |
| Executive Officer: | P HIGGS |
| Publicity Officer: | O DAVIDSON |
| Committee Clerk: J AUSTIN | |
| Minute Clerk: | L TAYLOR |

There were 89 members of the Public and 1 member of the Press in attendance.

The Mayor declared the meeting open at 1931 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Ms Jill Brown, were taken on notice at the Council meeting held on 26 February 1997:

- Q1 Ms Brown drew attention to the fact that St Lukes Church in Padbury had been closed and inquired whether it was possible for Council to purchase this building and return it to the teenagers who have been using this facility up until now?
- A1 *Meetings are being arranged with representatives of the Anglican Church in Padbury to discuss this matter in greater detail*
- Q2 Whether the teenage community groups of Merriwa could present a delegation to Council or the appropriate Committee regarding the present youth problems in the community.
- A2 *Provisions in the Council's Standing Orders allow deputations to Council Committees on acceptance of the Committee Chairman.*

The following questions were submitted by Mr Vic Harman:

- Q1 In the event of the City being split:
- (a) How will this affect the position of the Mayor?
- A *Any City or town formed in any boundary rationalisation will have a Mayor and in the event of a Shire being formed will have the position of president.*
- (b) What will be the situation for incumbent Councillors and newly elected Councillors?
- A *Council is not in a position to answer this question as provisions under the Local Government Act 1995 only allow for a Council to be suspended or dismissed. In these circumstances the Council would be subject to an Inquiry. One would assume that these provisions would not suit any decision made on boundary rationalisation, therefore as was the case in the restructuring of the City of Perth a special Act of Parliament may be proclaimed.*
- (c) What access will the public have to Council deliberations?
- A *The Local Government Advisory Board is required to report to the Minister for Local Government on the options for splitting the Cities of Stirling and Wanneroo into smaller local governments by the end of March.*

The Minister is then required to indicate his preferred option which then becomes the proposal. When a proposal is known, a further public consultation period will be undertaken. The Minister has the option at that stage under the Local Government Act 1995 to seek a referendum of the people affected, should he choose to do so.

The following questions were submitted by Mrs A Hine:

Q1 How does the "Burra Charter" stand on Perry's Paddock and in what way does it impact? Could you please explain.

A1 *Council, as part of its adopted Cultural Policy, has adopted as an 'attainable objective', to : "Ensure that Council in its heritage activities conforms to the principles expressed in the Burra Charter ..." (Page 42).*

Article 25 of the Charter states that: "A written statement of conservation policy must be professionally prepared setting out the cultural significance and proposed conservation procedure together with justification and supporting evidence, including photographs, drawings and all appropriate samples."

Council has engaged a suitably qualified consultant to prepare a conservation policy (as referred to in Article 25 above) for Perry's Paddock. The conservation policy is still to be finalised and considered by Council. The conservation policy, when finalised, will provide the answer to the question of "How does the 'Burra Charter' stand on Perry's Paddock and in what way does it impact?"

The following questions were submitted by Mr Barry Higgins of 140 Bernard Road, Carabooda:

Re: P1-02/97: Local Government Department Investigation - Employment Contract - [702-8, Personal - R Coffey]

Further to my questions submitted at Council meeting of 26 February 1997, concerning the report of the above investigation:

Q1 In addressing Council's powers of delegation, does this report relate that the appointment of the committee formed by Council at its 31 May 1995 meeting did not comply with S.179 Local Government Act 1960?

A *The report does not deal with the Council's powers of delegation on this issue but simply points out that the appointment resolution did not stipulate the quorum requirement as laid down in Section 179(1)(b) of the Local Government Act 1960.*

Q2 In addressing Council's meeting procedures, does the report relate:

(a) that the Committee did not meet in accordance with S.182 of the Act?

A *The report did suggest that a decision made on general consensus did not conform with Section 182 of the Local Government Act 1960.*

- (b) seeking views and a vote by telephoning members of a committee is contrary to the Act?

A *Answered in (a)*

- (c) due process as established in law was treated with apparent contempt?

A *The report does make this comment.*

- (d) that the Department viewed this breakdown in compliance most seriously?

A *The report does make this comment.*

- Q3 In addressing Council's keeping of minutes, does the report relate that as the committee did not meet in accordance with the Act, the Chairman did not comply with S.182 to ensure that a record of proceedings was kept and recorded in a minute book?

A *The report does make this comment.*

- Q4 In addressing Council's ability to comply with statutory requirements, does the report relate:

- (a) that the situation brings into question Council's operational procedures?

A *The report does make this statement which if taken in context relates to the decision making and recording of minutes of committees. The new Local Government Act 1995 is far more stringent with conditions which apply to this area.*

- (b) that it is reasonable to question whether there had been a deliberate intention to avoid due process and public accountability?

A *Quoted in context the report suggests that where operational procedures on such matters do not meet prescribed actions it is reasonable to question whether such action could have been a deliberate attempt to avoid due process and public accountability.*

- (c) that it is reasonable to question - are there other areas where the City is not complying with statutory requirements, and taking steps to avoid accountability?

A *Again in similar context to (b), it is reasonable to question that there may be other areas where the City is not complying with statutory requirements and taking steps to avoid accountability. It is also fair to state that there is no evidence to suggest that this is in fact the case.*

- Q5 Is the current "Immediate Statutory Compliance Audit" being undertaken as a consequence of the above investigation and report; and separate to the Annual Set Compliance Audit required by the Local Government Department?

- A *The Immediate Statutory Compliance Audit which is currently being undertaken is a special audit of the Council's complete decision making process including powers of delegation, guidelines to committees and statutory documentation compliance.*

This work is quite separate to the Local Government Statutory Compliance Assessment which is also being undertaken.

- Q6 If the answer to all or any of the above questions is "yes", in the interests of open and accountable Local Government, would Council please advise why the above information, and any other relevant information contained in the report, was not provided in answer to my questions submitted to Council meeting of 26 February 1997?

- A *The questions submitted on 26 February 1997 did not address these specific issues.*

- Q7(a) Does the report relate that it would be appropriate to require Council to undertake an Independent Statutory Compliance Audit?

- Q7(b) Will Council be undertaking an independent audit?

- Q7(c) If not, why not?

- A *The report has suggested that the Council consider undertaking an Independent Statutory Compliance Audit of its operations which was agreed to by Council at its meeting held 26 February 1997.*

This audit is currently being undertaken in accordance with new provisions of the Local Government Act 1995 and when complete the Department will receive a copy.

- Q8(a) Has the report been referred to the Crown Solicitor's Office?

- Q8(b) If so, for what reason(s)?

- A *The Department of Local Government has forwarded a copy of the report to the Crown Solicitor's Office for advice on the legality of decisions made at Council or Committee meetings that are not properly convened or conducted.*

It is also important to point out that the report also acknowledges that the Council's legal opinion clearly disagrees with the Departmental conclusion. It is a matter of interpretation and as the change in the contract has been acted on there would be no benefit in pursuing the matter further.

Re: Legal Representation [708-2]

- Q1 Since 26 February 1997, at which date Council had expended a total of \$24,718.00 for legal representation, legal instruction, and for the Dammers -v- Bradshaw defamation issue; what further funds have been expended on the matters to date?

- A *A further \$329 has been expended to 25 March 1997, giving a total of \$25,047.*

- Q2 Is Council in receipt of any other such accounts, which have not been paid to date?

A *Council is in receipt of other accounts as follows:*

| | |
|-------------------|-----------------------|
| <i>A Davidson</i> | <i>\$14,140</i> |
| <i>A Dammers</i> | <i>\$ 2,969</i> |
| <i>C Edwardes</i> | <i>\$ 4,135</i> |
| <i>C Edwardes</i> | <i>\$20,860</i> |
| | <hr/> <i>\$42,104</i> |

These are the subject of the Chief Executive Officer's Report to Council under Urgent General Business.

Re: TS6-02/97 - Sale of Ford Sedan - Plant No 99 956 [507-1]

Q1 *What is the current status of this vehicle?*

A *The vehicle in question remains the property of the City at this stage.*

Q2 *If the vehicle is still Council property, what plans if any, does Council have for its disposal?*

A *As the vehicle has now travelled 40,000 km, arrangements are in hand to dispose of the vehicle for the highest price possible.*

Mr Peter Hutton resident and ratepayer of City of Wanneroo and tenant of Lakeside Joondalup Shopping Centre.

Q *Why would the City of Wanneroo see fit to change what is basically a well planned and orderly development for Joondalup, and have an ad hoc situation developing in Whitford City at the expense of the people who have invested in the Joondalup area?*

A *Response by Mayor: The City has not yet made that decision. A decision was made by the Town Planning Committee and is yet to be ratified by this Council.*

Ms Sue Carrington, business owner at Lakeside Joondalup.

Q *How can Council tear up the plans that thousands of people based their lives on?*

A *Response by Mayor: Council has not, as yet, torn up the plans.*

Mr Mike Evans:

Q *If Council is to approve the Whitford City application, will Council compensate people for their loss due to Council not following the planned strategies which were put in place.*

A *Response by Mayor: Council has not yet made that decision and this question could be raised at the end of the meeting.*

Mr Gary Woollorton, Joondalup business owner:

Q Will compensation be given to people who stood by the development of this area, based on the plans and the developments proposed, and who are now in a situation of wondering whether Council has changed its focus from this area into another regional area?

A *Response by Mayor: We have yet to see what the decision of Council will be.*

Mr Russell Poliwka:

Q Were the Councillors aware that the majority of the Regional Economic Development Group, Joondalup Business Association and Chamber of Commerce are concerned that the City has not understood they support the orderly and proactive development of Joondalup, and that the greatest benefit for the region is for Lakeside Joondalup to be progressed?

A *Response by Mayor: This will be up to individual Councillors.*

Mr John Reidy Crofts, Chairman of Joondalup Owners and Traders Association:

Q Is Council aware that David Jones' future planning strategies are in turmoil after reporting a major decline in profits which has resulted in the replacement of the Chief Executive Officer and the Chairman's statement, we understand, is that several regional centre stores will be closed? In these circumstances, how does the Council view the probability that David Jones will move into Western Australia and locate at Whitford City?

A *Response by Mayor: Council is not considering David Jones moving to Whitford City. An application for the extension of the Shopping Centre is being considered.*

Mr George Botsis, resident of City of Wanneroo and retailer in Lakeside Joondalup Shopping Centre:

Q How can Council justify approving a major extension to Whitford City which is beyond what was initially planned, to the detriment of Joondalup, where Joondalup was planned as a major retail and business centre having the focus of a major department store in the City of Wanneroo?

A *Response by Mayor: This question cannot be answered as the matter has not been considered by Council.*

Mr Ray Foster:

Q Council has supported every policy of the WA Planning Commission, since the 1977 North West Corridor Structure Plan, 1990 Metroplan, 1991 Metropolitan Centres Policy Statement, etc. Why has Council now decided that these policies do not apply?

A *Response by Mayor: Council has not yet decided.*

Mr Terry Darby-Smith, Joondalup Residents Association:

Q Are Councillors aware of the impact on local residents, regarding road safety, increased traffic, etc, and how would Councillors like to live alongside this development?

A *Response by Mayor: This question cannot be answered, but Councillors will be debating the issue this evening.*

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

The following questions, submitted by Cr Magyar, were taken on notice at the Council Meeting held on 26 February 1997:

Q1 Is Reserve 12990, commonly know as the Wanneroo Showgrounds, vested with the City of Wanneroo?

A1 *Reserve 12990 is vested in the City.*

Q2 If the answer to Q1 is yes, then when was the reserve first transferred to the City or its predecessors?

A2 *The Reserve was created in 1910 and vested in trustees in 1924. Details of the names of the trustees is attached. The Reserve was then vested in the Shire of Wanneroo on 29 April 1949.*

Q3 Did the City of Wanneroo, formally known as the Shire of Wanneroo or the Wanneroo Roads Board, enter into any negotiations with the Wanneroo Agricultural Society (Inc) to enable the aforementioned Reserve to be transferred to the City or predecessors?

A3 *The City is unaware of any negotiations with the Agricultural Society (Inc).*

Q4 Has the City or any government agency retained copies of any resolutions of Council or its predecessors regarding the transfer of the vesting of this Reserve?

A4 *No, the City does not keep copies of resolutions prior to 1960. Any records of the Council's resolutions prior to 1960 would be stored in the Battye Library. The Department of Land Administration's file on the Reserve is stored in Archives at the Battye Library.*

Q5 If the answer to Q4 is yes, then can copies of such resolutions, copies of reports and or correspondence regarding the transfer be made available to the Wanneroo Agricultural Society of its Annual General Meeting on 14 March 1997?

A5 *It is suggested that the Agricultural Society contact the Battye Library to search any records it may store.*

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Nil

Cr Popham left the Chamber at this point, the time being 1956 hrs.

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

\$1 MILLION CHEQUE PRESENTATION

Last Monday on behalf of LandCorp, the Minister for Lands, Mr Doug Shave, presented the City of Wanneroo with the final \$1 million of a \$3 million grant towards the construction of the new Joondalup Regional Public Library now nearing completion.

Cr Taylor left the Chamber at this point, the time being 1958 hrs.

The proposed opening date for the new Civic and Cultural Centre next door is Sunday, 13 July 1997.

IMMUNISATION AWARD

The City of Wanneroo has the honour of being the only local authority to receive the Commonwealth Government Health Services' Jenner 200 years of Immunisation Community Award.

Cr Popham entered the Chamber at this point, the time being 1959 hrs.

The plaque commemorating the award was presented to the Mayor by Dr Norman Lee, at the first Adult Immunisation Clinic held at Joondalup Lakeside Shopping City a few weeks ago.

On behalf of fellow Councillors, the Mayor thanked members of the City's immunisation team for making this award possible.

FAREWELL TO RON BANHAM

Tonight's meeting is the last one Ron Banham in his capacity as Manager of the City's Recreation and Cultural Services will attend.

Ron, who has opted to retire after more than 20 years of service with this Council, has overseen the incredible changes to the delivery of recreation and cultural amenities which have occurred in the area during this time.

Cr Taylor entered the Chamber at this point, the time being 2000 hrs.

Council has indeed been fortunate to have a man of his dedication and commitment at the helm during the City's formative years.

In the early 70's Ron was one of 10 officers appointed by the government to improve recreation facilities throughout the State.

He spent the first couple of years on secondment to the City of Stirling before being transferred to the then fledgling Wanneroo Shire.

When Ron came to Wanneroo, the population was less than 10,000 and he was a recreation one-man band.

Since those early days, first as a state government employee and then on the Council's payroll, he has built an empire which is the envy of not only local authorities in this State, but of those throughout the whole country.

Now with a staff of 500 mostly part-timers and casuals and a few full time professional people, Ron has laid a solid foundation for the City of Wanneroo's Recreation and Cultural Services.

As a fitting tribute to Ron's role in the recreation field, fellow workers attending the 10th annual Recreation Industry conference earlier this week presented him with a special recognition award in honour of his contribution over a quarter of a century.

It was pointed out during this ceremony, that Ron had not only put Wanneroo on the recreational map, but had also been responsible for training many of the officers who now head up the recreation services of a number of other Councils.

On behalf of fellow Councillors, the Mayor thanked Ron Banham for his many initiatives, devotion to service and loyalty over a long period. He wished him a holiday to remember when he goes to the UK for his daughter's wedding in the middle of April. Also, a happy and fulfilling retirement pursuing his many interests.

In response, Mr Ron Banham thanked the Mayor for his kind words and said he was very proud to have worked for the City of Wanneroo.

CONDOLENCES TO GLENNON FAMILY

The Mayor offered his condolences to the Glennon family, whose daughter had disappeared from Claremont, and stated he was sure all were concerned with the security of people on the streets.

CONFIRMATION OF MINUTES

C58-03/97 MINUTES OF COUNCIL MEETING, 26 FEBRUARY 1997

MOVED Cr Wight, SECONDED Cr Freame that the Minutes of the Council Meeting held on 26 February 1997 be confirmed as a true and correct record. CARRIED

C59-03/97 MINUTES OF SPECIAL COUNCIL MEETING, 18 MARCH 1997

MOVED Cr Magyar, SECONDED Cr Lynn that the Minutes of the Special Council Meeting held on 18 March 1997 be confirmed as a true and correct record. CARRIED

PETITIONS, MEMORIALS AND DEPUTATIONS

C60-03/97 PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY - RADIAN ROAD AND GRAPHIC COURT, BELDON - [510-1545, 510-1543]

A 42-signature petition has been received requesting Council to consider closing the Pedestrian Accessway between Radian Road and Graphic Court, Beldon due to problems associated with graffiti, vandalism, theft and antisocial behaviour in this accessway.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition requesting Council to consider closing the Pedestrian Accessway between Radian Road and Graphic Court, Beldon due to problems associated with graffiti, vandalism, theft and antisocial behaviour be received and referred to Town Planning Department for action. CARRIED

C61-03/97 PETITION OPPOSING ALTERATIONS AND ADDITIONS TO WHITFORD CITY SHOPPING CENTRE : PT LOT 501 (470) WHITFORDS AVENUE, HILLARYS - [30/300]

A 25-signature petition has been received from Chris Baker, MLA, Member for Joondalup, on behalf of residents and ratepayers living in the immediate vicinity of Whitford City Shopping Centre, vehemently opposing the expansion of this centre.

The petitioners believe the application represents a massive over-development and if approved will:

- create more road traffic in the adjacent suburbs
- cause more through traffic in quiet streets
- create more noise and pollution as a direct result of the above
- prejudice the safety of local pedestrians, especially children and seniors
- potentially reduce property values in the area

This petition will be considered in conjunction with Item TP37-03/97.

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition has been received from Chris Baker, MLA, Member for Joondalup, on behalf of residents and ratepayers living in the immediate vicinity of Whitford City Shopping Centre, vehemently opposing the expansion of this centre be received and considered in conjunction with Item TP37-03/97. CARRIED

C62-03/97 REQUEST FOR REPAIRS TO FOOTPATH - LYMBURNER PRIMARY SCHOOL - [0630/24708/75, 510-0630]

Cr Freame submitted a letter from Lymburner Primary School P & C Association requesting repairs to the footpath surrounding the school.

This letter will be referred to Engineering Department for action.

MOVED Cr O'Grady, SECONDED Cr Lynn that the letter from Lymburner Primary School P & C Association requesting repairs to the footpath surrounding the school be received and referred to Engineering Department for action. **CARRIED**

DEPUTISING FOR MAYOR - [0066/30952/21, 702-0]

Cr Hancock submitted a letter she had received from Duncraig Primary School thanking her for deputising for the Mayor at its Graduation Ceremony. Thanks were also given to the Mayor for the donation of the medallion.

1997 AVIATION CAREERS EXPO - [009-1]

Cr Hancock submitted a letter from Greenwood Senior High School relating to the 1997 Aviation Careers Expo, which is an item of urgent general business within the Chief Executive Officer's Report.

C63-03/97 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BACCHANTE CIRCLE AND WESTRA WAY, OCEAN REEF - [510-3041]

Cr Hancock submitted a letter from residents adjoining the pedestrian accessway in Westra Way and Bacchante Circle, Ocean Reef, requesting support in relation to Item TP38-03/97.

MOVED Cr O'Grady, SECONDED Cr Lynn that the letter from residents adjoining the pedestrian accessway in Westra Way and Bacchante Circle, Ocean Reef, requesting support in relation to Item TP38-03/97 be received and considered in conjunction with this item. **CARRIED**

C64-03/97 PARKING PROBLEMS - BROADBEACH BOULEVARD, HILLARYS - [2782/478/52, 510-2782]

Cr Lynn submitted letters from Mr and Mrs Martin-Beck, Mr and Mrs Angwin and Mr and Mrs Butler of Broadbeach Boulevard, Hillarys expressing concern at problems associated with parking at a nearby property. She requested these letters be referred to Engineering Department for a report to Technical Services Committee.

MOVED Cr O'Grady, SECONDED Cr Lynn that a report be submitted to Technical Services Committee on parking problems being experienced in Broadbeach Boulevard, Hillarys. **CARRIED**

WASTE REDUCTION AND RECYCLING BY THE CITY OF WANNEROO - [508-1, 508-4]

Cr Major drew Councillors' attention to extracts from a letter from Cheryl Edwardes, Minister for Environment, Employment and Training in relation to waste reduction and recycling by the City of Wanneroo and tabled the letter for information.

C65-03/97 REQUEST FOR PROVISION OF FOOTPATH - TIMBERSIDE
VILLAGE - [510-3898]

Cr Popham submitted a letter from A Coyle, Chairman of Timberside Village Council requesting provision of a footpath from the retirement village to the Woodvale Library.

This letter will be referred to Engineering Department for action.

MOVED Cr O'Grady, SECONDED Cr Lynn that the letter from A Coyle, Chairman of Timberside Village Council requesting provision of a footpath from the retirement village to the Woodvale Library be received and referred to Engineering Department for action.

CARRIED

C66-03/97 LETTER SUPPORTING CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN HAINSWORTH AVENUE AND HARFORD WAY,
GIRRAWHEEN - [510-0170]

Cr Popham submitted a letter from Hainsworth Primary School stressing the importance of the closure of the pedestrian accessway between Hainsworth Avenue and Harford Way, Girrawheen.

This letter will be considered in conjunction with Item TP58-03/97.

MOVED Cr O'Grady, **SECONDED** Cr Lynn that the letter from Hainsworth Primary School stressing the importance of the closure of the pedestrian accessway between Hainsworth Avenue and Harford Way, Girrawheen be received and considered in conjunction with Item TP58-03/97. **CARRIED**

THANKS FOR GIFT - [702-0]

Cr Taylor thanked the Mayor and Councillors for the fruit sent to him during his recent stay in hospital and said the gesture was much appreciated.

CONFERENCE SUMMARY - 18TH TRANSPORT RESEARCH CONFERENCE -
[202-1-4]

Cr Taylor tabled Conference Summary of the Combined 18th ARRB Transport Research Conference Transit NZ Land Transport Symposium, held in September 1996. He requested this publication be placed in the Councillors' Reading Room.

ATTENDANCE AT UDIA CONFERENCE - [202-1-4]

Cr Cooper recently represented Council at the UDIA Conference and advised that Regent Waters, a residential development within the City of Wanneroo, won the Australia-wide award for Best Small Residential Development in Australia. He stated that on accepting the award, the developers paid tribute to the City of Wanneroo's Councillors and Town Planners for the way they worked with the community to produce this fine development.

Cr Cooper said that Victoria had amalgamated councils for some time now and that figures quoted by the Minister for Planning and Local Government, who was one of the speakers at the

Conference, were that the smallest economical size for a City in a metropolitan area was 60,000. Cr Cooper will refer this information to the Local Government Advisory Board.

DEPUTISING FOR MAYOR - [702-0]

Cr Magyar thanked the Mayor for the opportunity of deputising for him at the opening of the cycleway in front of Parliament House. He also thanked Cr Brian Cooper and Cr Lynn O'Grady for assisting him with the Red Cross Door Knock on the previous weekend.

C67-03/97 REQUEST FOR SCHOOL CROSSING AND SIGNS - MINDARIE PRIMARY SCHOOL - [3326/695/26, 510-2926]

Cr O'Grady submitted a letter from the Mindarie Primary School requesting Council give urgent consideration for the provision of a school crossing on Anchorage Drive, Mindarie and asking that funds be made available before the 1997/98 budget, and for five school signs to be erected within the school vicinity.

This letter will be referred to Engineering Department for action.

MOVED Cr O'Grady, SECONDED Cr Lynn that the letter from the Mindarie Primary School requesting Council give urgent consideration for the provision of school crossing on Anchorage Drive, Mindarie and asking that funds be made available before the 1997/98 budget, and for five school signs to be erected within the school vicinity be received and referred to Engineering Department for action. **CARRIED**

C68-03/97 PETITION OBJECTING TO PROPOSED DEVELOPMENT OF 25 GROUPED/MULTIPLE DWELLINGS, LOT 55 TOULON CIRCLE, MINDARIE - [30/4020]

A 171-signature petition has been received from ratepayers of the City of Wanneroo objecting to the proposed development of 25 grouped and multiple dwellings, Lot 55 Toulon Circle, Mindarie.

The petitioners believe a development of this nature will have an adverse effect on their properties and the surrounding amenity of the area in question.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from ratepayers of the City of Wanneroo objecting to the proposed development of 25 grouped and multiple dwellings, Lot 55 Toulon Circle, Mindarie be received and referred to Town Planning Department for a report to Town Planning Committee. **CARRIED**

C69-03/97 PETITION OBJECTING TO NOISE EMANATING FROM SEVENTH DAY ADVENTIST SCHOOL, LANDSDALE - [0220/70/77, 30/2249]

An 11-signature petition has been received from residents of Landsdale objecting to noise emanating from the Seventh Day Adventist School, Landsdale due to the security alarm becoming activated.

The petitioners state this creates a disturbance to their lives, as the alarm usually activates in the evening or early hours of the morning.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from residents of Landsdale objecting to noise emanating from the Seventh Day Adventist School, Landsdale due to the security alarm becoming activated be received and referred to Environmental Health Department for action. CARRIED

C70-03/97 PETITION OBJECTING TO NOISE/LANGUAGE EMANATING FROM A PROPERTY IN WAITARA CRESCENT, GREENWOOD - [1000/242/32]

A 6-signature petition has been received from residents of Greenwood objecting to excessive noise and obscene language emanating from a property in Waitara Crescent, Greenwood.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from residents of Greenwood objecting to excessive noise and obscene language emanating from a property in Waitara Crescent, Greenwood be received and referred to Environmental Health Department for action. CARRIED

C71-03/97 PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BACCHANTE CIRCLE AND WESTRA WAY, OCEAN REEF - [510-2626, 510-3041]

A 38-signature petition has been received from residents of the City of Wanneroo requesting closure of the pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef.

The petitioners state the exit from the walkway is on a blind corner in both directions which is hazardous to pedestrians and also young children going to and from school.

This petition will be considered in conjunction with Item TP38-03/97.

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from residents of the City of Wanneroo requesting closure of the pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef be received and considered in conjunction with Item TP38-03/97. CARRIED

C72-03/97 PETITION REQUESTING PLANTING OF LOW MAINTENANCE TREES/SHRUBS/INSTALLATION OF PATH TO PEDESTRIAN ACCESSWAY, BANNISTER ROAD, PADBURY - [510-335]

A 6-signature petition has been received from residents of Bannister Road, Padbury requesting the planting of low maintenance shrubs or trees in an attempt to make the laneway more presentable.

The petitioners also state that as the laneway comprises only sand, the installation of a concrete path would make access easier for those persons using it.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from residents of Bannister Road, Padbury requesting the planting of low maintenance shrubs or trees in an attempt to make the laneway more presentable be received and referred to Parks Department and Engineering Department for a report to Technical Services Committee. CARRIED

C73-03/97 PETITION REQUESTING THE EXTENSION OF MEDIAN STRIP IN MARMION AVENUE OVER ALBION STREET, CRAIGIE - [510-0002, 510-0345, 510-0607]

A 10-signature petition has been received from residents of Albion Street, Craigie requesting the extension of the median strip in Marmion Avenue over Albion Street with the view to minimising problems created by the large traffic volumes in this vicinity.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from residents of Albion Street, Craigie requesting the extension of the median strip in Marmion Avenue over Albion Street with the view to minimising problems created by the large traffic volumes be received and referred to Engineering Department for a report to Technical Services Committee. CARRIED

C74-03/97 PETITION IN RELATION TO TRAFFIC STUDIES BEING UNDERTAKEN IN CHESSELL DRIVE, DUNCRAIG - [510-1467]

A 7-signature petition has been received from members who formed part of the 1992 South Duncraig Traffic Study Group in relation to traffic studies currently being undertaken by the City of Wanneroo.

The petitioners wished to reiterate to Council the resolutions arrived at by the Traffic Study Group and requested that these be reconsidered prior to any decisions on additional traffic calming measures being undertaken.

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

MOVED Cr O'Grady, SECONDED Cr Lynn that the petition from members who formed part of the 1992 South Duncraig Traffic Study Group in relation to traffic studies currently being undertaken by the City of Wanneroo be received and referred to Engineering Department for a report to Technical Services Committee. CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

- A YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE

Meetings held 13 February 1997 and 13 March 1997

MOVED Cr Freame, SECONDED Cr Healy that the Minutes listed at Item A be received. CARRIED

ADVISORY COMMITTEES

- A BUSH FIRE ADVISORY COMMITTEE

Meeting held 13 February 1997

- B YOUTH ADVISORY COMMITTEE

Meeting held 17 February 1997

- C CHILDREN'S SERVICES ADVISORY COMMITTEE

Meeting held 24 February 1997

- D CULTURAL DEVELOPMENT ADVISORY COMMITTEE

Meeting held 24 February 1997

- E URBAN ANIMAL MANAGEMENT ADVISORY COMMITTEE

Meetings held 23 January 1997 and 27 February 1997

- F DISABILITY ACCESS ADVISORY COMMITTEE

Meeting held 5 March 1997

- G MULTICULTURAL ADVISORY COMMITTEE

Meetings held 13 February 1997 and 13 March 1997

MOVED Cr Freame, SECONDED Cr Healy that the Minutes listed at Items A to G be received. CARRIED

OTHER COMMITTEES

- A PADBURY KINDERGARTEN

Annual General Meeting held 4 December 1996

- B GREEN PLAN WORKING GROUP

Meeting held 10 December 1996

- C KOONDOOLA REGIONAL BUSHLAND WORKING GROUP

Meetings held 12 November 1996 and 11 February 1997

- D WHITFORD RECREATION ASSOCIATION INC

Meeting held 17 February 1997

- E OUTSIDE SITE SAFETY COMMITTEE
Meeting held 19 February 1997
- F 18TH LOTTERIES HOUSE STEERING COMMITTEE
Meeting held 19 February 1997
- G JUNIOR COUNCIL
Meeting held 11 March 1997
- H SIGNS, HOARDINGS AND BILLPOSTING REVIEW WORKING PARTY
Meeting held 12 March 1997

MOVED Cr Freame, SECONDED Cr Healy that the Minutes listed at Items A to H be received. CARRIED

DECLARATIONS OF FINANCIAL INTEREST

Cr Taylor declared an interest in Item TS81-03/97 as he owns a business in the area.

Cr O'Grady declared an interest in Item TS82-03/97 as she owns land in the area.

Cr Cooper declared an interest in Item TP37-03/97 as he is involved in a company that is carrying out work on this project.

Cr Major advised he no longer has an interest in Item TP37-03/97.

Cr Duffy declared an interest in Item TP44-03/97 as he has a financial interest in Lot 1441, Furniss Road, Landsdale.

Cr Dammers declared an interest in Item TP44-03/97 as he owns land in the area.

Cr Dammers declared an interest in Item FA19-03/97 as he is listed for payment.

Cr Cooper declared an interest in Item FA23-03/97 as he is the Chairman of the Board of the Retirement Village.

Cr Freame declared an interest in item CS39-03/97 as she is a member of a possible tenant group of the building under consideration.

Cr Freame declared an interest in Item CS40-03/97 as she is involved in Child Care.

Cr Magyar declared an interest in Item C83-03/97 as he had been nominated for consideration as WAMA Member - WAPC Transportation Committee.

Cr Wight declared an interest in Item C84-03/97 as he had been nominated for consideration as WAMA Metropolitan Member - WA Planning Commission.

Cr Magyar declared an interest in Item C85-03/97 as he had been nominated for consideration as WAMA Member - Advisory Council on Waste Management.

Mr O Drescher, City Planner declared an interest in Item C89-03/97 as he had applied for legal representation.

Cr Cooper declared an interest in Item C89-03/97 as he had applied for legal representation.

Cr Dammers declared an interest in Items C89-03/97 and C92-03/97 as he had applied for legal representation.

Cr Major declared an interest in Item C93-03/97 as he had applied for legal representation.

Cr Major declared an interest in Item C95-03/97 as he had been nominated for consideration as WAMA Member - Salinity Action Plan, Rural Town Rescue Program Technical Assessment Panel.

BUSINESS REQUIRING ACTION

C75-03/97 POLICY COMMITTEE

MOVED Cr Magyar, **SECONDED** Cr Lynn that the Report of the Policy Committee Meeting held on 10 March 1997, be received.

CARRIED**ATTENDANCES**

| | | |
|--------------|---|-----------------|
| Councillors: | A V DAMMERS, JP, Mayor - Chairman | Central Ward |
| | L O'GRADY | North Ward |
| | L A EWEN-CHAPPELL | Central Ward |
| | A W WIGHT | South Ward |
| | G A MAJOR | South-West Ward |
| | F D FREAME | South-West Ward |
| | D K TIPPETT, JP - Deputising for Cr Duffy | South Ward |
| | P O HEALY - Observer from 1835 hrs | North Ward |
| | S P MAGYAR - Observer | Central Ward |
| | T W POPHAM - Observer | South Ward |
| | M E LYNN, JP - Observer | South-West Ward |
| | V G HANCOCK - Observer | South-West Ward |

| | |
|-----------------------------|----------------|
| Chief Executive Officer: | L O DELAHAUNTY |
| Manager Corporate Services: | R E DYMOCK |
| City Treasurer: | J B TURKINGTON |
| City Planner: | O G DRESCHER |
| Committee Clerk: | J AUSTIN |

APOLOGIES

An apology for absence was tendered by Cr Taylor.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 10 February 1997 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

MEETING TIMES

| | |
|------------|----------|
| Commenced: | 1805 hrs |
| Closed: | 1958 hrs |

REPORT NO:**P18-03/97** **MOBILE TELEPHONES - [320-5]**

In May 1996 it was resolved to purchase mobile telephones for Councillors. Several Councillors have requested that Council investigate some of the options available for mobile phones. There are two facilities that have been investigated including installation of a hands free kit and messaging facilities.

RECOMMENDATION: That Council:

- 1 allows Councillors the options of having Council mobile phones installed in
their vehicles and the provision of Memo or Message Bank facilities;
- 2 authorises, in accordance with the provisions of Section 6.8(1) of the Local
Government Act 1995 the over expenditure of \$3,000 from Budget Item 20081
- Furniture and Office Equipment (Members) to facilitate the installation of
mobile telephones in Councillors vehicles;
- 3 seeks a further report regarding a Councillors' equipment policy.

Cr Taylor queried the position as to Councillors having mobile telephones installed in vehicles and sought clarification on these being installed within a certain timeframe should any one Councillor be due for re-election. Also, if Councillors sold their vehicle, they are liable for costs of transfer of equipment.

MOVED Cr Taylor, **SECONDED** Cr Freama that consideration of options available for the installation of mobile telephones in Councillors' vehicles be deferred and referred to April 1997 Policy Committee. **CARRIED**

P19-03/97 COUNCIL SUPPORT SYSTEMS - [206-13]

The Council's Information Technology systems have recently undergone considerable upgrading including the near completion of a Council wide PC network, the implementation of Word 6 and the imminent implementation of an e-mail system. In addition, the development of Council's Internet web server is well under way to provide the public and staff with a range of Council information. It would seem appropriate that Councillor access to these facilities should be undertaken along with the upgrading of certain other communication features available to Councillors.

REPORT RECOMMENDATION That Council:

1. appoints two Councillors to assist in the pilot testing of equipment and software that will be eventually be made available to all Councillors; and
2. authorises, BY ABSOLUTE MAJORITY, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the over expenditure of \$15,000 from Accounts 20283 and 20259 (Computer Equipment) for the purchase of computer equipment for two Councillors to pilot test a councillor support system.

COMMITTEE RECOMMENDATION: That Council:

- 1 appoints two Councillors to assist in the pilot testing of equipment and software that will be eventually be made available to all Councillors, with a report being submitted by June 1997;
- 2 authorises, BY AN ABSOLUTE MAJORITY in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the over expenditure of \$15,000 from Accounts 20283 and 20259 (Computer Equipment) for the purchase of computer equipment for two Councillors to pilot test a councillor support system.

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

- 1 appoints Councillors Magyar, Hancock and Tippet to assist in the pilot testing of equipment and software that will be eventually be made available to all Councillors, with a report being submitted by June 1997;
- 2 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the over expenditure of \$15,000 from Accounts 20283 and 20259 (Computer Equipment) for the purchase of computer equipment for two Councillors to pilot test a councillor support system.

**CARRIED BY AN
ABSOLUTE MAJORITY**

P20-03/97 POLICY - DEPUTISING FOR MAYOR AT FUNCTIONS - [702-3-2]

At the November 1996 Council meeting a report was requested on deputising for the Mayor at functions. The Mayor is invited to attend many functions each week and is not available to attend all functions. A policy is proposed to ensure the correct protocol is followed.

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

INVITATIONS TO FUNCTIONS**Objective**

To provide for situations when the Mayor is unable to attend a function hosted by another organisation.

Policy Statement

If the Mayor is unable to attend a function, the inviting organisation will be contacted and asked if it would like the Deputy Mayor to deputise. If the Deputy Mayor is unable to attend then a Ward Councillor will be asked to deputise. Ward Councillors will be requested to attend in order of seniority. If a Ward Councillor is not available a Councillor with a particular interest will be invited.

Staff will advise the inviting organisation of the Councillor attending and will send details of the function to the Councillor.

MOVED Cr Magyar, SECONDED Cr Lynn that Council adopts the following policy and updates its Policy Manual accordingly:

INVITATIONS TO FUNCTIONS

Objective

To provide for situations when the Mayor is unable to attend a function hosted by another organisation.

Policy Statement

If the Mayor is unable to attend a function, the inviting organisation will be contacted and asked if it would like the Deputy Mayor to deputise. If the Deputy Mayor is unable to attend then a Ward Councillor will be asked to deputise. Ward Councillors will be requested to attend on the basis of availability. If a Ward Councillor is not available a Councillor with a particular interest will be invited.

Staff will advise the inviting organisation of the Councillor attending and will send details of the function to the Councillor.

Council recognises the position of the Mayor's partner who may be invited to a function in his or her own right but cannot official represent Council. **CARRIED**

P21-03/97 MEETING WITH PARLIAMENTARIANS - [540 - 0]

In November 1996 Council resolved to hold a meeting with State and Federal Parliamentarians. The meeting was conducted in February 1997, however only the State Parliamentarians were able to attend. Council needs to consider the success of the meeting and whether meetings should be conducted on a regular basis.

MOVED Cr Magyar, SECONDED Cr Lynn that Council:

- 1 invites the three Federal Parliamentarians representing electors in the City of Wanneroo area to a meeting, followed by dinner, to discuss issues relating to Wanneroo;
- 2 holds two meetings each year with Federal and State Parliamentarians representing electors in the City of Wanneroo area, to discuss issues relating to Wanneroo. **CARRIED**

P22-03/97 QUORUM FOR COMMITTEES ESTABLISHED BY COUNCIL - [702-3]

Under the Local Government Act 1960 Council was required to set the quorum for any Committee it established. This requirement was abolished when the Local Government Act 1995 came into effect on 1 July 1996.

Section 5.19 of the current Act establishes how a quorum is set. The quorum for Council or a Committee is at least 50% of the number of offices of member of Council or the Committee.

MOVED Cr Magyar, SECONDED Cr Lynn that Council:

- 1 notes the report and the provisions of the Act which sets the quorum for a Council or Committee meeting of at least 50% of the number of offices within a Committee or Council, regardless of whether the offices are vacant or not;
- 2 circularises Committees for comment on whether difficulties will be experienced on this level. **CARRIED**

P23-03/97 ADDITIONAL PAYMENTS (GRATUITIES) TO RETIRING STAFF MEMBERS - [404-0]

The Local Government Act requires Council to adopt a policy in respect of additional payments to retiring staff members. When it has done so it is required to give Local Public Notice of its policy.

REPORT RECOMMENDATION That Council

- 1 cancels its "Gratuity Payments to staff" policy B2.11;
- 2 adopts the following policy

ADDITIONAL PAYMENTS TO RETIRING STAFF MEMBERS

On the recommendation of the Chief Executive Officer, Council may approve of an additional payment to a retiring staff member who has been employed by Council for at least 5 years. The maximum additional payment is to be based on \$100 for each year of service to a maximum of \$2,000;

- 3 In accordance with the provisions of section 5.56 of the Local Government Act 1995, agrees to give Local Public Notice of its "additional payments to retiring staff members" policy.

MOVED Cr Magyar, SECONDED Cr Lynn that Council:

- 1 cancels its "Gratuity Payments to staff" policy B2.11;
- 2 adopts the following policy

ADDITIONAL PAYMENTS TO RETIRING STAFF MEMBERS

On the recommendation of the Chief Executive Officer, Council may approve of an additional payment to a retiring staff member who has been employed by Council for at least 10 years. The maximum additional payment is to be based on \$100 for each year of service to a maximum of \$2,000;

- 3 **in accordance with the provisions of section 5.56 of the Local Government Act 1995, agrees to give Local Public Notice of its “additional payments to retiring staff members” policy.** **CARRIED**

P24-03/97 COUNCIL POLICY ON NAMING OF BUILDINGS - [727-0]

Council has called for a report (Finance & Community Services Committee meeting of 20 November 1996) on Council's policy in relation to naming of buildings.

Whilst responsibility for the naming of roads, districts and townsites etc rests with the Minister for Lands, the control of names of buildings and facilities is at Council's discretion. It is suggested it would be beneficial to the public to follow the Geographic Names Committee guidelines in the naming of buildings.

MOVED Cr Magyar, SECONDED Cr Lynn that Council replaces its current policy NOMENCLATURE - PUBLIC FACILITIES - G3-24 with the following policy:

“NOMENCLATURE - PUBLIC FACILITIES - G34-24

The Chief Executive Officer shall arrange for the naming of streets and reserves, and the allocation of house numbers.

All naming of streets, reserves and buildings shall be in accordance with the Geographic Names Committee guidelines.

Parks and Reserves shall be named after an adjacent boundary road, where possible, to facilitate ease of identification.

The Chief Executive Officer shall liaise with Directors in determining the names of Council buildings and make a recommendation to the Council.

Buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification.

Notwithstanding the foregoing, exceptions may be permitted with the prior approval of Council.” **CARRIED**

P25-03/97 ZONING FOR WORSHIP CENTRES - [770-2]

At its meeting in August 1996, Council resolved that a report be submitted with regard to developing a policy for modern churches (TP208-08/96). The role, structure and use of a modern church is very different to an historic or traditional church. Whilst some land uses are not compatible with a modern church, it is not considered necessary for a specific church zoning to be created. Instead, it is recommended that church sites be allocated at structure planning stage in developing areas, integrated into the local or district centres. Use of existing premises for churches in established areas should be assessed as “AA” uses under the Town Planning Scheme No 1.

MOVED Cr Magyar, SECONDED Cr Lynn that Council:

- 1 continues to make provisions at the structure planning stage in developing areas for church sites incorporated into local and district centres;
- 2 when assessing applications to conduct churches within established areas as "AA" uses under Town Planning Scheme No 1, requires the proponent to demonstrate to Council the compatibility of the proposed church uses, particularly with regard to parking, traffic generation, hours of operation and noise, within the area and with nearby land uses. **CARRIED**

P26-03/97 FUTURE AIRPORTS NORTH OF PERTH - [717-1]

Council has requested that a report be submitted to it on the feasibility of Council developing a position paper on future airports north of Perth. This report reviews the background to this issue and proposes a policy on the matter for Council's consideration. A similar report was considered by Council in December 1996 and referred to the next Policy meeting for discussion and consideration.

REPORT RECOMMENDATION: That Council adopts the following policy.

"POLICY ON GENERAL AVIATION AIRPORTS IN THE CITY OF WANNEROO"

Council shall oppose the siting of a general aviation airport in the City of Wanneroo, having regard to the following considerations:

1. *the need to protect existing and proposed residential areas from noise and safety problems associated with airports and their associated flight paths;*
2. *the need to protect the Gngangara Mound groundwater resource, recognising its importance as a public water supply for the Perth Metropolitan region;*
3. *the need to avoid conflict with the safe operation of Pearce RAAF base."*

MOVED Cr Magyar, SECONDED Cr Lynn that Council adopts the following policy.

"POLICY ON GENERAL AVIATION AIRPORTS IN THE CITY OF WANNEROO"

Council shall only consider proposals for the siting of a general aviation airport in the City of Wanneroo after satisfactory resolution of the following constraints:

- 1 the need to protect existing and proposed residential areas from noise and safety problems associated with airports and their associated flight paths;
- 2 the need to protect the Gngangara Mound groundwater resource, recognising its importance as a public water supply for the Perth Metropolitan region;
- 3 the need to avoid conflict with the safe operation of Pearce RAAF base."

CARRIED

P27-03/97 COUNCIL FUNDING POLICY - [280-3]

This report considers a "Council Funding Policy" to ensure funds allocated to organisations for a specific purpose are only expended on that purpose. It recommends control procedures to ensure the funds advanced are appropriately applied and accounted.

REPORT RECOMMENDATION That Council adopts the following procedures for grants or contributions of \$10,000 or more:-

1. On receipt of approval of a grant application the recipient agrees in writing with Council:
 - (a) that the funds be applied only for the purpose approved.
 - (b) to supply an audited statement of income and expenditure supported by copies of invoices on the completion of the project.
2. Funds for the project be provided by Council on the following basis:
 - (a) 50% - at the commencement of project (and following receipt of the duly signed approval terms).
 - (b) Progressive claims (to a maximum of 50%) on production of an income and expenditure statement accompanied by relevant invoices.

MOVED Cr Magyar, SECONDED Cr Lynn that Council adopts the following procedures for grants or contributions of \$10,000 or more:

- 1 on receipt of approval of a grant application the recipient agrees in writing with Council:
 - (a) that the funds be applied only for the purpose approved;
 - (b) to supply an audited statement of income and expenditure supported by copies of invoices on the completion of the project;
- 2 funds for the project be provided by Council on the following basis:
 - (a) 50% - at the commencement of project (and following receipt of the duly signed approval terms).
 - (b) progressive claims (to a maximum of 50%) on production of an income and expenditure statement accompanied by relevant invoices;

or as otherwise agreed.

CARRIED

JUNIOR COUNCIL CAMP - [702-2]

Cr O'Grady advised that Junior Council Camp will be held on 9 May 1997 and requested Councillors to keep this date available.

ANTISOCIAL BEHAVIOUR - SORRENTO MARINA - [905-1]

Cr Freame requested that Council writes to the Warwick Police Station regarding problems of under-aged drinking and vandalism in streets near Sorrento Marina.

This matter will be referred to Corporate Services for action.

CONTROL AND DISPLAY OF HOUSE NUMBERS - [727-4]

Cr Hancock advised she had been contacted by a resident of Orbell Road, Hillarys who is experiencing problems due to house numbering/street naming of corner properties.

City Planner advised a report addressing this issue would be submitted to the Town Planning Committee meeting on 17 March 1997.

12TH NATIONAL CONFERENCE ON WASTE MANAGEMENT - [202-1-4, 508-1]

Cr Popham thanked Council for the opportunity of attending the Waste Management Conference in Brisbane from 5 to 7 March. Cr Popham advised Councillors that on his return flight from this Conference he had travelled Economy class, which he considered compared favourably to Business class and felt should be considered for future travel arrangements.

P28-03/97 PETITION REQUESTING REPLACEMENT OF FOOTPATH - BURBRIDGE AVENUE, KOONDOOLA - [510-844]

Cr Tippet submitted a 122-signature petition requesting Council to ensure that the existing concrete slab footpath on Burbridge Avenue, Koondoola be replaced, as a matter of urgency, and upgraded to a fully cemented, two metre wide footpath, able to accommodate wheelchairs and prams.

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

Cr Tippet further requesting Engineering Department to inspect the footpath to Burbridge School which is damaged and in need of repair.

MOVED Cr Magyar, **SECONDED** Cr Lynn that the 122-signature petition requesting Council to ensure that the existing concrete slab footpath on Burbridge Avenue, Koondoola be replaced, as a matter of urgency, and upgraded to a fully cemented, two metre wide footpath, able to accommodate wheelchairs and prams be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

EQUIPMENT REQUIRING ATTENTION - KOONDOOLA COMMUNITY HALL - [635-5]

Cr Tippet reported that the urn in Koondoola Community Hall is out of order and requested action in this regard.

This matter will be referred to Recreation and Cultural Services Department for action.

C76-03/97 TECHNICAL SERVICES COMMITTEE

MOVED Cr Wight, **SECONDED** Cr Healy that the Report of the Technical Services Committee Meeting, held on 12 March 1997, be received. **CARRIED**

ATTENDANCES

| | | |
|--------------|---|-----------------|
| Councillors: | L A EWEN-CHAPPELL - Chairman | Central Ward |
| | P O HEALY - From 1807 hrs | North Ward |
| | V G HANCOCK | South-West Ward |
| | G A MAJOR | South-West Ward |
| | A W WIGHT - Deputising for Cr Popham | South Ward |
| | D K TIPPETT, JP - Deputising for Cr Taylor from 1811 hrs | South Ward |
| | L O'GRADY - Observer, deputising for Cr Healy to 1807 hrs | North Ward |
| | S P MAGYAR - Observer from 1804 hrs | Central Ward |
| | F D FREAME - Observer from 1818 hrs | South-West Ward |
| | M E LYNN, JP - Observer | South-West Ward |

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

APOLOGIES

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

An apology for absence was tendered by Cr Dammers.

PUBLIC/PRESS ATTENDANCE

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

PUBLIC QUESTION TIME

The following question, submitted by Mrs A Hine, was taken on notice at the Technical Services Meeting held on 12 February 1997:

- Q1 "Could Council supply a copy of a report done for this City by the Police on the break in to Council offices in July 1994."
- A1 There was a break-in to the Joondalup Administration Centre on 3 July 1994. The Police were notified and carried out an investigation. Details of the Police report have not been made available.

Mr V Harman:

- Q1 The pamphlet issued by the City in relation to Clean Up Australia Day advised that the sort of waste that was to be collected in the orange bags was only glass jars or bottles. Normally when we do ordinary household waste collection we put in cans as well as cartons and glass.

I thought aluminium cans should have been included in the collection and would like this taken on board for future campaigns.

Mrs A Hine:

- Q1 Council was referred to as the “agency” who gives permission to see the report by the police. “The Commissioner of Police”, said to request permission from you the Council? Is this another cover up from within this agency? I am requesting permission to see this report in the public interest. The public paid for the material. Please stop this cover up.

Chief Executive Officer’s response:

- A1 The advice given to me is that this matter was investigated by the police and the report was not available to us.

City Building Surveyor’s response:

- A1 The City has made enquiries and were advised by the police that they had no record of this offence on computer. The police indicated that if a report was required, the City would need to apply in writing to enable a more extensive search to be made.

DECLARATIONS OF FINANCIAL INTEREST

Cr O’Grady stated her intention to declare an interest in Item TS82-03/97 at the next meeting of Council as she owns a block of land in this area.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 12 FEBRUARY 1997

Correction

B1-02/97 - The words “incorporating paving” be amended to read “incorporating anti-graffiti coating”.

The Minutes of the Technical Services Committee Meeting held on 12 February 1997, amended as above, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES:

Commenced: 1803 hrs

Closed: 1945 hrs

REPORT NO:**TS67-03/97 ENGINEERING CURRENT WORKS - [220-0]**

The Engineering Department Current Works report is valid for works during the period ending 28 February 1997.

Cr Ewen-Chappell requested that the Engineering Department investigate the possibility of installing a roundabout at the intersection of Hartman Drive and Gngara Road.

Cr O'Grady referred to Item 4.6 on page 8 of Report TS67-03/97 and queried the timeframe for erecting the two bus shelters on Yanchep Beach Road and St Andrews Drive.

The City Engineer advised the bus shelters formed part of works to be carried out on this road and replacement was imminent.

Cr O'Grady referred to Item 6.3 on page 9 of Report TS67-03/97 and queried when the roundabout at the intersection of Connolly Drive/Hester Avenue would be constructed and when Connolly Drive would be open to traffic.

The City Engineer will investigate this matter and advise Cr O'Grady of the programme..

Cr Lynn referred to Item 11.3 on page 13 of Report TS67-03/97 and queried the position in relation to a deputation that was to be arranged with the Minister for Education.

The City Engineer will take this matter on notice.

Cr O'Grady referred to Item 11.7 on page 13 of Report TS67-03/97 and requested that the Disability Access Officer be involved in discussions concerning traffic calming proposals in respect of Brazier Road and the Yanchep Lagoon access road.

MOVED Cr Wight, SECONDED Cr Healy that Council receives the report on the Engineering Department Current Works. CARRIED

**TS68-03/97 VEHICLE AND PLANT PURCHASES PLANT REPLACEMENT
RESERVE TENDER NUMBER 142-96/97 THREE (3) FULL
FORWARD CONTROL TRUCKS - [208-142-96/97]**

As part of the 1996/97 Budget, Council approved the replacement of plant, trucks and vehicles as detailed in the respective replacement programmes and funded from the Plant Replacement Reserve.

This report outlines the submissions for Tender No: 142-96/97 for the replacement of trucks, plant numbers 95 167, 95 168 and 95 588 and recommends Nuford for the supply of Ford Trader 0509 trucks.

MOVED Cr Wight, SECONDED Cr Healy that Council accepts Tender No 142-96/97 from Nuford for the supply of three (3) Ford Trader 0509 model trucks for the changeover price of \$38,784.00. CARRIED

**TS69-03/97 VEHICLE AND PLANT PURCHASES PLANT REPLACEMENT
RESERVE TENDER NO: 143-96/97 - [208-143-96/97]**

As part of the 1996/97 Budget, Council approved the replacement of plant, truck and vehicles as detailed in the respective replacement programmes and funded from the Plant Replacement Reserve.

This report addresses the submissions for Tender No: 143-96/97 for the supply of a large plate compactor and recommends the tender of Wacker Australia Pty Ltd..

MOVED Cr Wight, SECONDED Cr Healy that Council accepts Tender No 143-96/97 from Wacker Australia Pty Ltd for the supply of a Wacker model DPU6055, diesel driven reversible plate compactor for the changeover price of \$11,900.00. CARRIED

**TS70-03/97 VEHICLE AND PLANT PURCHASES PLANT REPLACEMENT
RESERVE NON ACCEPTANCE OF TENDERS NO: 064, 086, 087,
098, 106 AND 133-96/97 - [208-064, 86, 087, 106 AND 133-96/97]**

As part of the 1996/97 Budget, Council approved the replacement of plant, trucks and vehicles as detailed in the respective replacement programmes and funded from the Plant Replacement Reserve.

This report outlines submissions for a number of tenders and recommends that Council does not accept tenders for a variety of reasons.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 does not accept any submissions for Tender Nos 064, 086, 087, 098 and 106-96/97;**
- 2 defers the replacement of the Ford Trader truck, plant number 94 004 and Toyota Coaster Bus, Plant No. 95064 to the 1997/98 Light Vehicle Replacement Programme;**
- 3 makes suitable allowance in 1997/98 Vehicle (Additional) Purchases Programme to fund the shortfall in the Light Vehicle Replacement Programme for the replacement of Ford Trader truck, plant number 94 004 and Toyota Coaster Bus, Plant No. 95064;**
- 4 recalls tenders for the replacement of tandem axled water truck, plant number 97537;**
- 5 accepts the submission of Skipper Trucks at Tender No: 133-96/97 for the outright purchase of Mercedes Benz refuse truck, plant number 97 533 for \$17,000;**
- 6 does not accept any submissions at Tender Number: 133-96/97 for the supply of two full forward trucks with cranes;**

- 7 endorses the City Engineer's action in recalling Tender No: 98-96/97 for a heavy duty flail mower, Tender No: 106-96/97 for two (2) skid steer loaders and Tender No: 133-96/97 for two (2) full forward control trucks with cranes for use in the bulk refuse collection service;
- 8 advises the tenderers accordingly. **CARRIED**

TS71-03/97 VEHICLE AND PLANT PURCHASES PLANT REPLACEMENT
RESERVE TENDER NUMBERS 097, 099, 128 AND 130-96/97 -
[208-97, 99, 128 AND 130-96/97]

Council, at its adoption of the 1996/97 Budget, approved the calling of tenders for the replacement of plant and trucks to be funded from the Plant Replacement Reserve.

This report addresses a number of tenders for various items of plant and trucks.

MOVED Cr Ewen-Chappell, SECONDED Cr Wight that Council:

- 1 accepts Tender No 097-96/97 from Wanneroo Agricultural Machinery for the supply of two (2) Moorhouse 1.8M Jungle Busters for the changeover price of \$6,225.00;
- 2 accepts Tender No 099-96/97 from Boya Market Garden Equipment Pty Ltd for the supply of a Beaver TM729 seven gang mower for the total price of \$44,070.00;
- 3 approves the call of tenders for the sale of Jacobsen Ranger mower, plant number 98 109;
- 4 accepts Tender No 128-96/97 from Major Motors for the supply of an Isuzu FTS 750 4WD cab chassis with an Effer model 95/25 knuckleboard crane and an Hetronic remote radio fitted to the crane, for the total price of \$167,940.00;
- 5 accepts Tender No 128-96/97 from Raytone Motors for the outright purchase of trade vehicle Isuzu truck, plant number 96 554 for the price of \$38,786.00;
- 6 approves the call of tenders for the sale of Lovegrove woodchipper, plant number 98 727;
- 7 accepts Tender No 130-96/97 from Skipper Trucks for the supply of a Mitsubishi FK617G1 cab chassis with a Snorkel truck mounted work platform, model EPV16 for the changeover price of \$82,424.00;
- 8 authorises, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the reallocation of \$23,000.00 from Account No 50499 - Joondalup Centre Landscaping - Additional Vehicles to Account No: 29400 - Public Parks Gardens and Reserves, Heavy Vehicle Replacement Programme, to part fund the purchase of a Mitsubishi FK617G1 cab chassis with elevated work platform;

- 9 recognises that the balance of funds required for the purchase of this cab chassis and elevated work platform is by savings in Account No 29400 - Public Parks Gardens and Reserves, Heavy Vehicle Replacement Programme.
- CARRIED BY AN
ABSOLUTE MAJORITY**

**TS72-03/97 VEHICLE AND PLANT PURCHASES PLANT REPLACEMENT
RESERVE TENDER NUMBER 101-96/97 - [208-101-96/97]**

As part of the 1996/97 Budget, Council approved the replacement of plant, trucks and vehicles as detailed in the respective replacement programmes and funded from the Plant Replacement Reserve.

This report outlines the submissions for Tender No: 101-96/97 for a rubber tyred loader with telescopic arm to replace the Works Depot Yard loader, plant number 98 673.

MOVED Cr Wight, SECONDED Cr Healy that Council accepts Tender No 101-96/97 from Banbury Engineering for the supply of a JCB 526-55 Loadall rubber tyred loader for the changeover price of \$65,000.

CARRIED

**TS73-03/97 VEHICLE AND PLANT PURCHASES PLANT REPLACEMENT
RESERVE TENDER NUMBER 107-96/97 - [107-96/97]**

Council approved funds in its 1996/97 Plant Replacement Programme for the replacement of the TCM 835-2 Front End Loader used in road construction works. This report addresses the submissions for Tender Number 107-96/97 and recommends the tender of Casequip WA for the supply of a Case 621 BXP Front End Loader.

MOVED Cr Wight, SECONDED Cr Healy that Council accepts Tender No 107-96/97 as submitted by Casequip WA for the supply of a Case 621 BXP Front End Loader for the changeover price of \$91,460.

CARRIED

TS74-03/97 WATERFORD DRIVE, HILLARYS - [510-728]

A petition was received by Council at its February meeting requesting the installation of a roundabout at the intersection of Waraker Road and Waterford Drive, Hillarys. An investigation of the crash statistics shows this intersection warrants treatment.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 lists the Traffic Management Plan for Waterford Drive as a high priority in the draft 1997/98 Budget;
 - 2 advises the petitioners accordingly.
- CARRIED**

**TS75-03/97 WANNEROO ROAD STREETScape - NOONAN DRIVE TO
CHURCH STREET - [313-7]**

The Wanneroo Road Streetscape Improvement Project Stage 1 is nearing completion and this report outlines proposals for Stage 2 to be funded from unexpended funds and an additional grant from Main Roads WA.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 does not extend the ornamental street lighting scheme in Wanneroo Road, Wanneroo;
- 2 approves the brick paving of the median strip and verge areas of Wanneroo Road as described below and highlighted on Attachments 1 and 2 to Report No TS75-03/97:
 - (a) Church Street to Dundobar Road - median strip and verge area between kerb and footpath on eastern side (Attachment 1);
 - (b) Crisafulli Avenue to Noonan Drive - median strip Areas A, B and D and verge Area E between kerb and footpath on eastern side adjoining Wanneroo Civic Centre (Attachment 2);
 - (c) Crisafulli Avenue - verge Area F on northern side between kerb and footpath;
- 3 lists for consideration in the draft 1997/98 Budget the Wanneroo Road Streetscape Stage 3 works, comprising the brick paving of the verge area between the kerb and footpath on the western side of Wanneroo Road between Crisafulli Avenue and Noonan Drive, additional verge paving on the eastern side of Wanneroo Road between Dundobar Road and Wanneroo Civic Centre access road, landscaping and street furniture. **CARRIED**

Appendices I and II refer

TS76-03/97 LOCATION 1395 LAKEVIEW ROAD MARIGINIUP -
PROVISION OF ACCESS ROAD - [510-243]

A letter has been received from the owner of Location 1395 Lakeview Road, Mariginiup requesting the construction of an access road from the end of Ranch Road to his property. This request has resulted from the Ministry for Planning's resumption of a large portion of the owner's land for future Parks and Recreation purposes. This report recommends the construction of a sealed access pavement to serve the property.

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

- 1 authorises the construction of a 3.0m wide sealed pavement from the end of Ranch Road to the western boundary of Location 1395 Lakeview Road, Mariginiup at an estimated cost of \$21,000.00;
- 2 authorises, in accordance with the provision of Section 6.8(1) of the Local Government Act 1995 the unbudgeted expenditure of \$21,000.00 for the construction of a 3.0m wide sealed pavement from the end of Ranch Road to the western boundary of Location 1395 Lakeview Road, Mariginiup;

- 3 recognises the funding of this project is by savings generated on the Hodges Drive construction project - Account No 33182;
- 4 notifies the owner of the property accordingly. **CARRIED BY AN ABSOLUTE MAJORITY**

TS77-03/97 OCEAN DRIVE, QUINNS ROCKS - STANDARD OF THE ROAD - [510-403]

Public consultation on the standard to which Ocean Drive, Quinns Rocks is to be reinstated following Water Corporation works has been carried out. The residents of Quinns Rocks have responded that the road should be reinstated to a similar standard to the existing road.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 reinstates Ocean Drive on its present alignment;
- 2 upgrades the existing footpath on the east side of Ocean Drive to a 2.4m wide dual use path;
- 3 carries out road improvements in the vicinity of the shop on Ocean Drive;
- 4 prunes the vegetation on the east side of Ocean Drive just to the south of the shop to improve visibility. **CARRIED**

TS78-03/97 TREATMENT OF VERGES - [508-1]

Concern has been expressed regarding the untidy nature of some verges in the Connolly and Joondalup regions. Council has therefore requested that a review of verges be undertaken with regard to recommending suitable treatment for verges and, in particular, the area residential verges between the footpath and kerb.

It is recommended that Council gives approval in principle to providing a hardstand treatment in this area to improve the aesthetics of the streetscape and reduce maintenance costs.

At the Technical Services Committee Meeting, Cr Freamer queried how the public could be informed of Council's policy in relation to the treatment of verges.

The City Engineer will investigate this matter.

RECOMMENDATION That Council:

- 1 gives approval in principle:
 - (a) for the provision of a hardstand treatment in accordance with the Council's Verge Treatment Guidelines (to be amended) in that section of the verge between the kerb and the footpath in local distributor roads with no residential access and in primary/district roads to improve the aesthetics of the streetscape and to reduce ongoing maintenance costs.
 - (b) to enable residents to provide a hardstand treatment area 3.0 metres wide measured from the back of the kerb and running parallel to the kerb in the

verge abutting their property subject to adequate arrangements being made to dispose of the stormwater runoff to the satisfaction of the City Engineer.

2 requests the City Engineer to:

- (a) prepare an implementation programme together with costing details to undertake the paving of the areas between the verge and footpath in those roads that Council has approved treatments.
- (b) amend the Verge Treatment Guidelines to enable residents to provide a hardstand treatment area 3.0 metres wide measured from the back of the kerb and running parallel to the kerb in the verge abutting their property in the materials listed below, subject to adequate arrangements being made to dispose of the stormwater runoff to the satisfaction of the City Engineer:
 - (i) brickpaving
 - (ii) concrete
 - (iii) bitumen
 - (iv) compacted stabilised limestone
- (c) investigate and report on means to control stormwater runoff to road reserve from private property.

MOVED Cr Cooper, SECONDED Cr Freame that Council:

1 gives approval in principle:

- (a) for the provision of a hardstand treatment in accordance with the Council's Verge Treatment Guidelines (to be amended) in that section of the verge between the kerb and the footpath in local distributor roads with no residential access and in primary/district roads to improve the aesthetics of the streetscape and to reduce ongoing maintenance costs.
- (b) to enable residents to provide a hardstand treatment area 3.0 metres wide measured from the back of the kerb and running parallel to the kerb in the verge abutting their property subject to adequate arrangements being made to dispose of the stormwater runoff to the satisfaction of the City Engineer.

2 requests the City Engineer to:

- (a) prepare an implementation programme together with costing details to undertake the paving of the areas between the verge and footpath in those roads that Council has approved treatments.
- (b) amend the Verge Treatment Guidelines to enable residents to provide a hardstand treatment area 3.0 metres wide measured from the back of the kerb and running parallel to the kerb in the verge

abutting their property in the materials listed below, subject to adequate arrangements being made to dispose of the stormwater runoff to the satisfaction of the City Engineer:

- (i) brickpaving
- (ii) concrete
- (iii) bitumen
- (iv) compacted stabilised limestone

- (c) investigate and report on means to control stormwater runoff to road reserve from private property;

- 3 refers the issue of verge treatment of corner blocks to the Median and Road Reserve Landscaping Working Party **CARRIED**

TS79-03/97 **CHESELL DRIVE - PARKING EMBAYMENTS - [510-1467, 510-0-4]**

This item was considered later in the meeting, following Item TS83-03/97.

TS80-03/97 **PARKING PROHIBITIONS - THEBA COURT, HEATHRIDGE - [510-2232]**

Residents of Theba Court, Heathridge have expressed concern about the impact of parent parking in their cul-de-sac. The residents have requested that consideration be given to the extension of the existing 'NO PARKING' prohibition to lessen the impact of parent parking.

MOVED Cr Wight, SECONDED Cr Healy that:

- 1 authorises Municipal Law and Fire Services to give priority enforcement to the parking prohibitions in Theba Court, Heathridge;
- 2 advises the residents and school accordingly. **CARRIED**

TS81 -03/97 **PARKING STATION NUMBER 6 - WARWICK RAIL STATION CAR PARK - [727-9-4]**

At its meeting on 18 December 1996, Council resolved to amend its Local Laws Relating to Parking Facilities by deleting Warwick Rail Station car park, Parking Station Number 6 as a parking station (Item TS351-12/96 refers). Following advertising of the proposal, Council is requested to formally amend the Local Law relating to Parking Facilities to delete Warwick Rail Station car park, Parking Station.

Cr Taylor declared an interest in this item as he owns a business in the area. Cr Taylor left the Chamber at this point, the time being 2024 hrs.

MOVED Cr Cooper, SECONDED Cr O'Grady that:

- 1 makes an amendment to its Local Laws Relating to Parking Facilities as described in Attachment 1 to Report No TS81-03/97;
 - 2 authorises the affixation of the common seal to and endorses the signing of the document;
 - 3 authorises administrative action in accordance with Section 3.12 of the Local Government Act 1995;
 - 4 advises the Acting General Manager Urban Passenger Division of Westrail accordingly.
- CARRIED BY A SPECIAL MAJORITY**

Appendix III refers

TS82-03/97 TEMPORARY CLOSURE OF CAR PARK - LONG BEACH PROMENADE, MINDARIE - [510-3322]

Council, in June 1996, temporarily closed the car park at Long Beach Promenade for a nine month period. The closure has demonstrated a reduction in vandalism and anti-social behaviour and, accordingly, it is recommended that the car park remain closed for a further two years.

Cr O'Grady declared an interest in this item as she owns a block of land in this area. Cr O'Grady left the Chamber at this point, the time being 2025 hrs.

Cr Taylor entered the Chamber at this point, the time being 2025 hrs.

MOVED Cr Magyar, SECONDED Cr Healy that Council:

- 1 maintains the temporary closure of the car park for a further two years;
 - 2 seeks a further report on this matter when the extended closure period has ended;
 - 3 monitors the parking situation in Long Beach Promenade.
- CARRIED**

Cr O'Grady entered the Chamber at this point, the time being 2026 hrs.

TS83-03/97 BURNS BEACH CAR PARK GROUYNE - [765-3]

Council has received requests from various organisations for the upgrading of the groyne at Burns Beach. It is Council's responsibility to upgrade and maintain the groyne. The cost to upgrade and extend the groyne is \$80,000 to \$100,000. The alternative cost to remove the low lying rocks and formalise a smaller portion of the groyne to an acceptable standard is \$20,000 and is recommended accordingly.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 does not upgrade the groyne;

- 2 considers the removal of a greater portion of the groyne as part of the 1997/98 Budget with an amount of \$20,000 to carry out the works;
- 3 fences off the groyne to the public during the interim under Account No 27603 Foreshore Protection and Restoration. **CARRIED**

TS79-03/97 **CHESELL DRIVE - PARKING EMBAYMENTS - [510-1467, 510-0-4]**

At its February meeting, Council resolved to defer consideration of installing parking embayments in Chessell Drive and to seek a further report from the Engineering Department to include relevant maps of the area (Item TS18-02/97 refers).

Cr Major tabled a letter from South West Duncraig Traffic Study Group dated 21 March 1997 which in part stated "If an individual perceives there to be a concern then the matter should be raised through the proper channels, ie the Police Department, or a re-convened South West Duncraig Traffic Study Group. This was the recommendation of the 1992 Traffic Study Group and was accepted by the Engineering Department at that time".

REPORT RECOMMENDATION: That Council:

- 1 does not approve the request for parking embayments in Chessell Drive;
- 2 advises the resident accordingly.

COMMITTEE RECOMMENDATION That Council lists for consideration in its 1997/98 budget the amount of \$30,000 to provide parking embayments in Chessell Drive.

MOVED Cr Major, SECONDED Cr Magyar that Council:

- 1 does not approve the request for parking embayments in Chessell Drive;
- 2 advises the resident accordingly. **CARRIED**

Cr Freame dissented.

TS84-03/97 **WANNEROO DEPOT SECURITY - COLOUR CCTV SURVEILLANCE SYSTEM - [610 - 23]**

Council approved funds in the budget for the upgrading of the security system at the Works Depot. This report outlines the various options and recommends the expenditure of these funds for the implementation of a medium level surveillance system capable of unattended or locally attended operation at the Wanneroo Depot. This is the first stage of a larger system which could be implemented and act as a back up to an upgraded perimeter fence and gate access system which will need to be budgeted for and considered in the 1997/98 budget.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 agrees to the engagement of Mr C Woods from Woodlind Industries Pty Ltd to undertake the supply, installation, commissioning of the first stage of a

medium level surveillance system at the Wanneroo Works Depot for the sum of \$47,760.00 inclusive of his 8% consultancy fee;

- 2 lists for consideration with a high priority in the draft 1997/98 budget sufficient funding to provide electronically operated gates with data recording exit/entry facilities, and stage 2 of the colour CCTV surveillance camera and electronic gate systems. **CARRIED**

TS85-03/97 ENGINEERING DEPARTMENT OUTSIDE EMPLOYEES ENTERPRISE BARGAINING AGREEMENT - [404-23]

An information report is presented as an update of the current procedures and negotiations that have taken place with the Engineering Department Outside employees in regards to Enterprise Bargaining. A number of draft proposals have been considered since the formation of a Consultative Committee in July 1996. The Committee will endeavour to finalise the draft over the next two months for Council's consideration.

MOVED Cr Wight, SECONDED Cr Healy that Council receives the interim report on the Engineering Department Outside Workers Enterprise Bargaining Agreement.

CARRIED

TS86-03/97 SALE OF SURPLUS PLANT/EQUIPMENT - [208-144-96/97]

A number of items of Plant/Equipment have become surplus to Council's requirements and necessitate disposal.

Tender Number 144-96/97 was called for the purpose of offering these items for sale. This report recommends acceptance of a number of offers, scrapping of two items, and the recalling of a tender for the remainder.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 accepts the following offers to purchase surplus plant/equipment as outlined in Attachment 1 to Report No TS86-03/97:

| <u>Lot No</u> | <u>Purchaser</u> | <u>Price</u> |
|---------------|---------------------------|--------------|
| 3 | Milton Kirk | \$ 75.00 |
| 15 | Barang-Barang Farm | \$575.00 |
| 16 | " | \$350.00 |
| 17 | " | \$450.00 |
| 18 | Ken Frost | \$ 70.00 |
| 23 | Anthony Jones | \$100.00 |
| 26 | Ezy-Erect Retaining Walls | \$ 10.00 |
| 30-32 | " | \$ 5.00 |

- 2 authorises the disposal as scrap of Lot 25, 1 spark plug cleaner and Lot 28, 1 gang mower reel;
- 3 authorises the recall of tender for sale of the following plant/equipment as surplus:

| <u>Lot No</u> | | <u>Description</u> |
|---------------|--------|--------------------|
| 1 | 98 365 | Stihl brushcutter. |
| 2 | 98 366 | “ |
| 4 | 98 734 | Concrete saw |
| 5 | 98 731 | “ |
| 6 | 98 732 | “ |
| 7 | 98 733 | “ |
| 8 | 98 717 | “ |
| 9 | 98 735 | “ |
| 10 | 98 736 | Plate Compactor |
| 11 | 98 754 | “ |
| 12 | 98 110 | Deutscher mower |
| 13 | 98 112 | “ |
| 14 | 98 116 | “ |
| 19 | | Pump with motor |
| 20 | | “ |
| 21 | | “ |
| 22 | | “ |
| 24 | | “ |

CARRIED

Appendix IV refers

TS87-03/97 WANNEROO WORKS DEPOT PARKING FACILITIES - REALLOCATION OF FUNDS - [510-3000]

The major car park and access road extensions undertaken in conjunction with the new Administration, Workshop and Chemical Storage Building at the Works Depot (Stage 1) are complete. Outstanding brick paving of islands and minor kerbing and asphalt works require further funding to the value of \$55,000.

This report outlines a number of car parking area projects on which there have been cost savings and recommends an unbudgeted expenditure.

MOVED Cr Wight, SECONDED Cr Taylor that Council:

- 1 **authorises, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995, the following unbudgeted expenditure of \$55,000 for the brick paving of islands and minor kerbing and asphalt works at Council's Works Depot as shown on Attachment 1 to Report No TS87-03/97;**
- 2 **recognises that funding of this project is by savings generated on the following car park projects:**

| CAR PARK | ACCOUNT NUMBER | FUNDS |
|---------------------------|----------------|-----------------|
| Warwick Open Space | 39250 | \$15,000 |
| Paloma Park | 39293 | \$15,000 |
| Caledonia Park | 39296 | \$ 5,000 |
| Falkland Park | 39298 | \$10,000 |
| Kingsway Sporting Complex | 39294 | \$10,000 |
| TOTAL | | \$55,000 |

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix V refers

**TS88-03/97 EMERALD PARK, EDGEWATER - LIGHTING AND PATHWAY
FOR PEDESTRIANS - [061-114]**

Local residents walk across Emerald Park to Joondalup Drive to access Edgewater Railway Station. Because these tracks pass through shrubbery and trees next to Joondalup Drive and are not well illuminated, residents have expressed concerns about safety aspects. An investigation on the feasibility of providing additional illumination between Emerald Park and the traffic lights has been undertaken.

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

- 1 authorises the installation of a connecting path and a single light in Joondalup Drive at the edge of Emerald Reserve as shown as Option 3 on Attachment 2 to Report No TS88-03/97;**
- 2 authorises, in accordance with the provision of Section 6.8(1) of the Local Government Act 1995, the additional unbudgeted expenditure of \$2,800 for installation of a connection path and a single light in Joondalup Drive at the edge of Emerald Reserve;**
- 3 recognises that funding for this project is by savings generated from the Marri Road Footpath Project - Account No 32816. CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VI refers

**TS89-03/97 REMOVAL OF GRAFFITI - FENCES ABUTTING RESERVES,
PUBLIC AREAS AND WALKWAYS - [210-2 210-7]**

At the Annual General Meeting of Ratepayers held on 6 February 1997 the Ocean Reef Ratepayers Association requested an interim measure be instituted by Council for the removal of graffiti from public accessways and fences bordering roads. It was suggested that pending the implementation of the State Government's scheme for the removal of graffiti, Council considers removing graffiti when notified of specific cases.

Cr O'Grady referred to an earlier proposal whereby the Whitford Shopping Centre offered to co-ordinate a mural art programme in the nearby underpass and requested that negotiations be re-commenced to institute this programme.

She also requested that the existing bus shelter programme be increased.

The City Engineer advised he would investigate these matters.

Cr Duffy advised that a resident of Wanneroo had imported machinery from Germany for the removal of graffiti and suggested this gentleman be invited to demonstrate the machinery to Councillors. Cr Dammers suggested Cr Duffy liaise with the Chairman of Technical Services to arrange an appropriate time for a deputation to the Technical Services Committee, following the May 1997 elections.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 **defers consideration of the report dealing with the removal of graffiti from fences abutting reserves, public areas and walkways until it has deliberated on the proposed amendment to Town Planning Scheme No 1 to change Clause 5.17;**
- 2 **advises the president of the Ocean Reef Ratepayers Association of its decision.** **CARRIED**

TS90-03/97 WARWICK OPEN SPACE SPORTS CLUB - [439-02, 745-3]

Since the June 1996 report to Council there has been correspondence and a series of meetings attended by the Warwick Bowling Club, Councillors and staff. To date there has been no advancement in the proposed development of a Sportsman's Club to operate from the Warwick Open Space. Councils consideration of this matter is now required so that the impasse which exists to resolving this matter can be overcome and a resolution in keeping with Council's previous stated Policy adopted.

REPORT RECOMMENDATION: That Council:

- 1 agrees in principle to the diagrammatic sketch plans for the Warwick Sports Club whereby the new facility for the Warwick Bowling Club is to be:
 - funded by the Club;
 - attached to the existing building by a common foyer;
 - the design to be to the satisfaction of the City Building Surveyor whereby the completed works is to function as a united centre.
- 2 agrees to expending the sum of up to \$80,000.00 for the common foyer required in the linking of the existing Warwick Open Space - Sports Club to the proposed new Warwick Bowling Club additions.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 reiterates its previous resolution of June 1996 (CS86-06/96 refers) that it requires the building to be a joint facility and advises the Warwick Bowling Club it is not prepared to grant approval to any building proposal until the various clubs have developed a satisfactory joint management structure;
- 2 indicates to the Warwick Bowling Club its willingness to help facilitate negotiations with the various clubs. **CARRIED**

TS91-03/97 LOT 614(5) DERWENT MEANDER, JOONDALUP - [3096/614/5]

The owners of the dwelling at Lot 614(5) Derwent Meander, Joondalup have erected a pergola without a building licence. It is considered that a Notice be served on the owners requesting that the pergola be removed.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 serves a Notice on the owners of Lot 614(5) Derwent Meander, Joondalup, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola structure be removed, such Notice to incorporate appeal provisions to the Minister of Local Government;
- 2 notes that Council is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

TS92-03/97 UNAUTHORISED PERGOLA STRUCTURE: LOT 190(5B) BISCAY CLOSE, OCEAN REEF - [2869/190/5B]

The owner of the group dwelling at Lot 190(5B) Biscay Close, Ocean Reef, has erected a pergola without a building licence. It is considered that a Notice be served on the owners requesting that the pergola be removed.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 serves a Notice on the owner of Lot 190(5B) Biscay Close, Ocean Reef, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola structure be removed, such Notice to incorporate appeal provisions to the Minister of Local Government;
- 2 notes that Council is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

TS93-03/97 UNAUTHORISED PERGOLA & GAZEBO STRUCTURES - LOT 357(51) MALLINA CIRCUIT, NEERABUP - [4165/357/51]

The owners of the dwelling at Lot 357(51) Mallina Circuit, Neerabup, have erected a pergola and gazebo without a building licence. It is considered that a Notice be served on the owners requesting that both be removed.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 serves a Notice on the owners of Lot 357(51) Mallina Circuit, Neerabup, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola and gazebo structures be removed, such Notice to incorporate appeal provisions to the Minister for Local Government;
- 2 notes that Council is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

TS94-03/97 UNAUTHORISED PERGOLA STRUCTURE: LOT 202(105) JAMES SPIERS DRIVE, WANNEROO - [4367/202/105]

Dale Alcock Homes Pty Ltd have built a display home at Lot 202(105) James Spiers Drive, Wanneroo and have erected a large pergola without a building licence. It is considered that a Notice be served on the builder requesting that the pergola be removed.

At the Technical Services Committee meeting, Cr Ewen-Chappell stated she believed publicity was needed to inform the public of Council's Building Regulations and to advise of prosecution provisions available to Council.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 serves a Notice on the builder of Lot 202(105) James Spiers Drive, Wanneroo, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola structure be removed, such Notice to incorporate appeal provisions to the Minister for Local Government;
- 2 notes that Council is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

TS95-03/97 UNAUTHORISED SIGNAGE - LOT 3 JOONDALUP DRIVE, EDGEWATER - [30/4943]

An application has been lodged with Council to approve two unauthorised signs at the Bunnings Warehouse, Lot 3 Joondalup Drive, Edgewater. The lettering to previously approved signs was altered in August 1996 without reference to Council. The matter was placed before the Technical Services Committee on the 12 February 1997 and was deferred (Report TS47-02/97 refers)

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 approves changes to signs on the east and west elevation of the Bunnings Warehouse, at Lot 3 Joondalup Drive, Edgewater, as follows:
 - (a) "Everyday Low Prices" to "Lowest Prices Are Just The Beginning";
 - (b) notes that the overall area of the signs are less than originally

approved;

- 2** **refers the issue of logos and decorative designs on buildings to the Signs, Hoardings and Billposting Review Working Party for consideration.**

CARRIED

Cr Taylor requested that his vote against the motion be recorded.

TS96-03/97 PROPOSED CARPORT LOT 10(5) FAIRLIGHT RISE, KALLAROO - [2321/10/5]

An application has been received for approval to construct a carport at Lot 10(5) Fairlight Rise, Kallaroo with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed carport to be constructed at Lot 10 (5) Fairlight Rise, Kallaroo with a reduced front building setback of 1500mm.
CARRIED

TS97-03/97 PROPOSED CARPORT LOT 61(27) BURT STREET, QUINNS ROCKS - [425/61/27]

An application has been received for approval to construct a carport at Lot 61(27) Burt Street, Quinns Rocks with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed carport to be constructed at Lot 61 (27) Burt Street, Quinns Rocks with a reduced front building setback of 1500mm.
CARRIED

TS98-03/97 PROPOSED CARPORT LOT 141(12) MAHONIA PLACE, DUNCRAIG - [1865/141/12]

An application has been received for approval to construct a carport at Lot 141(12) Mahonia Place, Duncraig with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed carport to be constructed at Lot 141 (12) Mahonia Place, Duncraig with a reduced front building setback of 1510mm.
CARRIED

TS99-03/97 PROPOSED SWIMMING POOL ENCLOSURE LOT 165(474) KINGSWAY, LANDSDALE - [222/165/474]

An application has been received for approval to construct a swimming pool enclosure at Lot 165(474) Kingsway, Landsdale, with a reduced side boundary setback. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed swimming pool enclosure to be constructed at Lot 165 (474) Kingsway, Landsdale with a reduced side boundary setback of 3000.
CARRIED

TS100-03/97 PROPOSED GAZEBO, LOT 265(9) DALLAS CRESCENT, WANNEROO - [277.265/9]

An application has been received for approval to construct a gazebo at Lot 265(9) Dallas Crescent, Wanneroo in front of the dwelling. It is considered that approval be refused.

REPORT RECOMMENDATION: That Council refuses the proposed gazebo to be constructed at Lot 265 (9) Dallas Crescent, Wanneroo in accordance with its Policy J3/4.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed gazebo to be constructed at Lot 265 (9) Dallas Crescent, Wanneroo. CARRIED

TS101-03/97 UNLICENCED SIGN - WANNEROO COMMUNITY BAPTIST CHURCH - [920-19]

The Wanneroo Community Baptist church is the owner of Lot 12 Dundobar Road, Wanneroo and has erected a sign on the property publicizing meetings elsewhere in the locality. No licence has been issued for the sign. Following complaints from the public a letter requesting the removal of the sign was sent to the property owners on 13 December 1996. The Wanneroo Community Baptist Church has advised Council that it is not prepared to do so.

Cr O'Grady submitted copies of correspondence in relation to the sign on Lot 12 Dundobar Road, Wanneroo.

REPORT RECOMMENDATION: That Council directs that the sign erected on Lot 12 Dundobar Road, Wanneroo be removed within 14 days.

MOVED Cr Wight, SECONDED Cr Healy that Council defers consideration of the sign erected on Lot 12 Dundobar Road, Wanneroo pending consideration by the City Building Surveyor of correspondence submitted by Cr O'Grady. CARRIED

TS102-03/97 PROPOSED RETAINING WALL AND FENCE, LOT 598(2) STAY COURT, OCEAN REEF - [3050/598/2]

An application has been received for approval to construct a dwelling at Lot 598(2) Stay Court, Ocean Reef with a retaining wall and fence with a maximum height of 4.1m above ground level. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed retaining wall and fence to be constructed at Lot 598 (2) Stay Court, Ocean Reef with a combined maximum height of 4100. CARRIED

TS103-03/97 PROPOSED GARAGE LOT 38(6) AJAX PLACE, BELDON - [2424/38/6]

An application has been received for approval to construct a garage at Lot 38(6) Ajax Place, Beldon with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed garage to be constructed at Lot 38 (6) Ajax Place, Beldon with a reduced front building setback of 1500mm.
CARRIED

**TS104-03/97 TURF WICKET MAINTENANCE AGREEMENT - KINGSWAY -
[061-198-2]**

Council requested a review of the turf wicket agreement to determine options available for reducing Council's contributions.

The current subsidy being paid should be gradually reduced by \$1,000 per annum until the subsidy reaches a figure of \$20,000 per annum, per wicket area. Clubs will no longer be required to pay a seasonal turf wicket hire rate.

MOVED Cr Wight, SECONDED Cr Healy that Council authorises negotiations with the Wanneroo Cricket Club to achieve a reduction in the current subsidy as follows:

- 1 the current subsidy being paid to clubs should be gradually reduced by \$1,000 per annum until the subsidy reaches a figure of \$20,000 per annum, per wicket square. This reduction is to be proportional to the number of wicket squares per club;
 - 2 clubs will no longer be required to pay the seasonal turf wicket hire rate. The season rate for Outdoor Team Sports - Grassed Areas, currently \$206 per team per season, will be implemented from the 1997/1998 summer season, resulting in substantial savings to the clubs;
 - 3 clubs will be granted the opportunity to become booking officers for each summer season. Any bookings undertaken by the clubs must be done in accordance with Council's policies and without discrimination against any group.
- CARRIED**

**TS105-03/97 PROPOSED DWELLING LOT 15 (9) CLARE CASTLE RETREAT,
MINDARIE - [2955/15/9]**

An application has been received for approval to construct a dwelling at Lot 15 (9) Clarecastle Retreat, Mindarie with a reduced front building setback to the garage. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the proposed dwelling to be constructed at Lot 15 (9) Clarecastle Retreat, Mindarie, with a reduced front building setback of 3.0m to the garage.
CARRIED

**PETITION REQUESTING MAINTENANCE OF FOOTPATHS AND VERGES -
[512-0]**

Cr Freame referred to the petition she had tabled at the February Council meeting regarding footpaths and advised that the petition referred to the district of Padbury.

She sought advice on how to eradicate weeds growing between slabs in the footpath.

The City Parks Manager advised that flea bane was prevalent in all footpaths and could only be controlled by an annual application of herbicide. He commented that in some areas the weeds were cut rather than sprayed due to the fact that some residents were sensitive to the spray.

INFORMATION FOR 4 WHEEL DRIVE USERS - [205-1]

Cr O'Grady requested that a map be published indicating areas where 4 wheel drives were allowed.

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

MOBILE PHONES - RANGERS CARS - [905-1]

Cr O'Grady referred to a recent query she had received through Council's emergency hotline and queried whether rangers were provided with mobile phones in their vehicles.

The Chief Executive Officer advised that rangers were not issued with mobile phones and advised he would investigate this matter.

Cr O'Grady believed that better service could have been provided to the resident if a direct link to the ranger had been available.

The City Parks Manager advised that some vehicles had a telephone connection which could be used through the 2-way radio system.

REPLACEMENT OF FOOTPATH - Warburton Avenue, Padbury - [512-0]

Cr Lynn queried the position in relation to a letter she had tabled at the February Council meeting from a resident of Warburton Avenue, Padbury regarding the replacement of an existing footpath outside her home.

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

SIGNS FOR DOG BEACH - [219-1]

Cr Lynn queried the position in relation to signs to be prepared by the Engineering Department for submission to the Urban Animal Management Advisory Committee for its approval.

The City Engineer will take this matter on notice.

STREET LIGHTING - YANCHEP LAGOON - [221-2]

Cr Hancock expressed concern at the vandalism of street lights in the Yanchep Lagoon area and queried whether security grates could be installed over the lights.

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

Cr Wight requested a report on delegating authority to the City Building Surveyor in relation to the erection of structures without a building licence to enable him to service a notice directly on the relevant people.

MOVED Cr Wight, SECONDED Cr Healy that a report be submitted to the Technical Services Committee on delegating power to the City Building Surveyor to commence prosecution action for illegal structures. CARRIED

SURF LIFE SAVING CLUB - YANCHEP - [323-4]

Cr Healy queried the position in relation to the proposed look out tower for the Yanchep Surf Life Saving Club.

The City Building Surveyor advised that work has started on this tower.

PREVENTION OF EROSION - QUINNS ROCKS BEACH AND FORESHORE- [765-12]

Cr Healy referred to the sand nourishment work to reduce the impact of erosion at Quinns beach following storms in 1996 and requested that funding for this work be sought from the Department of Transport.

The City Engineer advised that funding application had been made to the Department of Transport and would be followed up.

SIGNS, HOARDINGS AND BILLPOSTING REVIEW WORKING PARTY - [219-1]

The City Building Surveyor reported on a recent meeting of the Signs, Hoardings and Billposting Review Working Party and advised that in respect of Council's resolution on signs on Marmion Avenue, the Working Party are seeking advice on whether there is flexibility in local law to enable it to address this issue.

He referred to the issue of signs on the surf club which had been referred to the Working Party by the Technical Services Committee and advised that at this stage the Working Party was considering preparing a discussion paper that investigates the different issues relating to signs on community buildings, with a view to seeking input from community groups.

C77-03/97 TOWN PLANNING COMMITTEE

MOVED Cr Lynn, **SECONDED** Cr Tippet that the Report of the Town Planning Committee Meeting, held on 17 March 1997, be received.

CARRIED

ATTENDANCES

| | | |
|--------------|--|-----------------|
| Councillors: | G A MAJOR - Chairman | South West Ward |
| | A V DAMMERS, JP - Mayor, Acting Chairman from 1814 hrs to 2002 hrs | Central Ward |
| | L O'GRADY | North Ward |
| | S P MAGYAR | Central Ward |
| | W D DUFFY | South Ward |
| | M E LYNN, JP | South-West Ward |
| | D K TIPPETT, JP - Deputising for Cr Wight | South Ward |
| | F D FREAME - Observer, deputising for Cr Major from 1813 hrs to 1855 hrs and from 1915 hrs to 2002 hrs | South-West Ward |
| | V G HANCOCK - Observer, deputising for Cr Lynn from 2011 hrs to 2016 hrs | South-West Ward |
| | A G TAYLOR - Observer, deputising for Cr Duffy from 2021 hrs to 2032 hrs | South Ward |
| | B A COOPER - Observer | Central Ward |
| | L A EWEN-CHAPPELL - Observer | Central Ward |
| | T W POPHAM - Observer | South Ward |

| | |
|------------------------------|----------------|
| Chief Executive Officer: | L O DELAHAUNTY |
| Manager, Corporate Services: | R E DYMOCK |
| City Planner: | O G DRESCHER |
| Co-ordinator Urban Projects: | D BUTCHER |
| Committee Clerk: | J AUSTIN |
| Minute Clerk: | S BRUYN |

APOLOGIES

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

An apology for absence was tendered by Cr Healy.

PUBLIC/PRESS ATTENDANCE

There were 53 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

Mr A Russell, President of Whitford Senior Citizens:

- Q1 I would like to ask Council planners why they want to bet on a long shot when then can get a guaranteed sure winner for Wanneroo City which will accelerate the timing for Lakeside by attracting more people to the area.

Chairman's response:

A1 The answer will become evident during the course of this evening's presentation and discussion with the Committee.

Mr M Dillon:

Q1 I was told on recent authority that if we get a department store in the northern corridor, it would create 2000 jobs for retail and construction and there would be a massive flow on to the community. What contingency plans do the Council have if we miss out on getting department stores in Lakeside and Whitford City.

Chairman's response:

Q1 This will be discussed following this evening's presentation.

DECLARATION OF FINANCIAL INTEREST

Cr Duffy declared an interest in Item TP44-03/97 as he has a financial interest in Lot 1441, Furniss Road, Landsdale.

Cr Cooper stated his intention to declare an interest in Item TP37-03/97 at the next meeting of Council as he is involved in a company that is carrying out work on this project.

Cr Dammers declared an interest in Item TP44-03/97 as he owned land in the area.

Cr Major declared an interest in Item TP37-03/97 as his family owns shares in National Mutual.

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 17 FEBRUARY 1997

The Minutes of the Town Planning Committee Meeting held on 17 February 1997, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Cr Major advised that an application for a deputation received from Greg Rowe & Associates, representing Warwick Grove Shopping Centre, had been declined as they did not have an item on the agenda.

He also advised that an application from Armstrong Jones on behalf of Lakeside Joondalup Shopping Centre had been declined as they did not have an item on the agenda.

Cr Major reported that information had been distributed to the Committee by both Greg Rowe & Associates and Armstrong Jones.

DEPUTATION - WHITFORD CITY SHOPPING CENTRE

Messrs P Miller, J Curlewis, R Jebb and C Pullin, QC representing Westfield Developments, on behalf of the developers of Whitford City Shopping Centre and Mr A Sertorio of Whitford City Shopping Centre addressed the Committee in relation to proposed major alterations and additions to Whitford City Shopping Centre: Pt Lot 501 (470) Whitfords Avenue, Hillarys - TP37-03/97 refers.

Mr Albert Sertorio, the General Manager of Whitford City Shopping Centre advised that the shopping centre gave serious consideration to its community responsibilities and had conducted focus groups, interview sessions and responded to many suggestions prior to submitting this proposal.

He believed that the proposed expansion would bring many benefits to the community, including:

- the provision of 2000 jobs;
- an increase in revenue to the City of Wanneroo;
- improved variety and quality of shopping;
- planned increases in parking;
- improved access to the shopping centre;
- increased community facilities;
- improved access for the disabled.

Mr Chris Pullin referred to the traffic report prepared by the City Planner and commented on what he believed to be errors in this report.

He commented that the Western Australian Planning Commission policies in relation to the allocation of retail floor space should not be taken into consideration as it was not a statutory restriction and it had not specified a fixed upper limit.

Mr Pullin believed that there should be competition between commercial developments and commented that it was not a valid planning consideration to take into account that there should be faster development at Joondalup than at Whitford City.

Mr Reg Jebb then provided information on the economic market and impact issues relating to the expansion by way of a slide presentation which included:

- Population forecasts;
- Retail spending;
- Whitford City share of spending;
- City of Wanneroo retail spending;

- Retail floor space;
- Wanneroo floor space requirements;
- Wanneroo department store potential;
- Department store determinants.

He demonstrated the close proximity of a number of department stores in areas of Sydney and Brisbane and believed that a department store did not require a 10km zone but rather sufficient population to support it.

In conclusion, Mr Jebb advised that there was market demand and community support for this proposal and believed the proposal would not prejudice the Joondalup development or infrastructure.

He commented that any specific technical concerns could be dealt with by way of special conditions attached to the approval.

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 - REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BACCHANTE CIRCLE AND WESTRA WAY, OCEAN REEF

Mrs A Revill and Mrs A Dearson addressed the Committee in relation to the requested closure of pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef - TP38-03/97 refers.

Mrs A Revill referred to points made against the closure of the accessway by the City Planner and commented that of the four objections received, only two lived in the immediate vicinity.

She advised that none of the owners of the undeveloped blocks in Westra Way opposed the closure and felt that the closure would not have any impact on the usage of public transport as the service is minimal.

Mrs Revill expressed concern with pedestrian safety as she believed the line of sight for pedestrians on Westra Way was limited and commented on the number of incidents of near collisions between vehicles and pedestrians.

She believed a safer alternative would be to use Bacchante Circle, as this street had a footpath and Westra Way did not.

In conclusion, Mrs Revill advised that the owners of the adjoining properties of the accessway have advised that they are prepared to meet the full cost of the closure.

Mrs Revill's son then apprised the Committee of two recent occasions where his safety had been at risk in exiting the accessway.

Mrs A Dearson referred to the amendment to Report TP38-03/97 and commented on discussions held with the Officer in Charge at the Joondalup Police Station regarding this matter.

She expressed concern that the amendment neglected to mention other incidents of crime that have occurred in the accessway and commented on the number of syringes she had found in her back garden which posed a safety problem for her family.

In conclusion, Mrs Dearson referred to other accessways closed by Council due to antisocial behaviour and requested that this accessway be closed as she believed the walkway was dangerous, posed a health risk and the quality of life for residents in the area had deteriorated.

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

CONFIDENTIAL BUSINESS

The meeting went Behind Closed Doors to discuss the following Item:

TP57-03/97 - RESULTS OF PROSECUTION - SALE OF TAKEAWAY FOOD
FROM CORNER STORE, LOT 158 (2) SOMERSBY GARDENS,
CURRAMBINE

MEETING TIMES:

Commenced: 1805 hrs
Closed: 2133 hrs

TP37-03/97**MAJOR ALTERATIONS AND ADDITIONS TO WHITFORD CITY SHOPPING CENTRE : PT LOT 501 (470) WHITFORDS AVENUE, HILLARYS - [30/300]**

An application has been submitted by Westfield Developments on behalf of Permanent Trustee Australia Ltd seeking approval for major alterations and additions to the Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys. The proposal represents a substantial departure from the established regional strategies for the North West Corridor of the Perth Metropolitan Area and presents a number of design problems relating to building bulk and scale, service access, integration, pedestrian and cycle access and provision for car parking and public transport facilities. It is recommended that the application be refused under Town Planning Scheme No 1 and a recommendation be made to the Western Australian Planning Commission to refuse the application under the Metropolitan Region Scheme.

REPORT RECOMMENDATION: THAT Council:

- 1 refuses the application made under Town Planning Scheme No 1 by Westfield Developments on behalf of Permanent Trustee Australia Ltd proposing major alterations and additions to the Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys for the following reasons:
 - (a) the proposal is considered contrary to the interests or orderly and proper planning and represents a substantial departure from the adopted regional planning strategies for the North West Corridor of the Perth Metropolitan Area. If approved, Whitford City is likely to affect the size and distribution of existing and planned commercial centres throughout the region and thereby affect major employment locations, travel patterns and the value of existing and committed public and private investment;
 - (b) the applicant has not adequately demonstrated that the proposal will not adversely affect surrounding existing and planned commercial centres;
 - (c) it is not considered that an individual development application is the appropriate mechanism to debate or gain approval to such a substantial amount of additional retail floorspace at Whitford City. Rather, the appropriate mechanism would be in conjunction with a review of the existing regional planning strategies so that the broader commercial distribution and urban infrastructure coordination issues can be properly assessed;
 - (d) approval to the proposal would create an undesirable precedent for further major departures from the established regional planning strategies;
 - (e) the proposal does not provide sufficient parking for the proposal uses and does not comply with the car parking requirements for shopping centres under Council's Town Planning Scheme No 1 or its policy relating to shopping centre car parking standards;

- (f) the proposal will adversely affect the amenity of the locality, particularly with respect to the bulk and scale of the development, the location of the loading and service areas, and the service vehicular traffic associated with the development;
 - (g) the proposal does not demonstrate safe, convenient and comfortable access into and within the site for pedestrians and cyclists;
 - (h) the proposal does not adequately address the integration of and linkage between the different uses on site, community facilities on the adjacent properties, and the pedestrian underpasses and the pedestrian and cyclist path system on the adjacent roads;
 - (i) the proposal does not address the public transport facilities and the demand for such facilities at the development;
 - (j) the proposal does not comply with front setback or landscape area requirements of Town Planning Scheme No 1;
- 2 recommends to the Western Australian Planning Commission that the application be refused under the Metropolitan Region Scheme for the reasons outlined in point 1, above.

ADDITIONAL INFORMATION (1)

The following additional advice was provided for Councillors' information.

Metropolitan Centres Policy Review

The review of the Western Australian Planning Commission's (WAPC) Metropolitan Centres Policy has now been released for public comment. A full report on the review will be submitted for Council's consideration in due course, however a brief overview with an emphasis on how the draft policy relates to Whitford City is outlined below.

The WAPC has reviewed the policy in view of the following:

- 1 updated population information of 1993 and information from the Ministry for Planning Commercial and Industrial Survey 1993;
- 2 an assessment of the operation of the Metropolitan Centres Policy Statement (1991);
- 3 the Metropolitan Transport Strategy which promotes greater integration and mutual support between the transport system and land uses;
- 4 the need for a more definitive guide for the provision of retail floorspace in the major centres;
- 5 the recognition that centre developments have regard to their impact on the amenity of the area and their impact on other centres.

The policy is still intended to be a non-statutory and flexible document to allow for changing circumstances and new technologies and still recognises that ad hoc and unplanned retail expansions are clearly not in the interest of developers, retailers or the wider community.

Two significant changes to the policy include:

- 1 A retail floorspace guide, developed from a computerised retail model using updated population and commercial/industrial survey information which provides a framework for a sustainable level of retail development in regional and district centres. This guide, which is outlined as Attachment No 1 to this memorandum, is intended to provide the basis for determining individual development applications, preparing and amending town planning schemes and preparing local commercial strategies. The guide indicates that Whitford City has a sustainable retail floorspace of 50,000 m² Net Lettable Area (NLA) until the year 2011 and 55,000 m² NLA until 2026. This compares with the 72,150 m² retail Gross Leasable Area currently proposed - refer Appendix VII.
- 2 A range of development standards relating to plot ratio, site coverage, building height, overshadowing and buffers to residential areas to ensure that new regional and district centres do not adversely affect the amenity of the surrounding locality.

Whilst this draft policy uses updated population and commercial/industrial information and shows the direction that the WAPC is heading in respect to commercial centres, Councillors should keep in mind that this policy is only in draft form and has not yet been reviewed in the light of public submissions.

Public Consultation

A further seven public submissions have been received, all in support of the proposal, including a letter from Rob Johnson MLA.

A supplementary report has also been submitted by the applicant outlining the community consultation carried out by the shopping centre management. The methods of consultation and a summary of the results where available is outlined below.

- 1 Resident focus groups attended by 40 local residents indicated most residents were supportive of the proposal and raised concerns relating to traffic, anti-social behaviour, the impact of construction and the size of the centre.
- 2 Briefing to Whitford City retailers indicated the vast majority were supportive of the proposal and saw it as fundamental to their future business success.
- 3 Briefing to senior citizens indicated general support to the proposal and raised issues on public transport, pedestrian and disabled access.
- 4 Public information brochures.
- 5 A community film night involving display slides outlining the proposal prior to the feature film.

- 6 Exhibition plans and a model in the shopping centre main pedestrian mall which was attended by around 8,000 people. A summary of the feedback received is outlined in Attachments Nos 2 and 3 to this memorandum - refer Appendix VII.
- 7 Telephone consultation with local residents indicated general support to the proposal and raised issues relating to employment creation, the need for a department store and the variety of stores to be offered.
- 8 A petition by the Whitford Small Business Association calling for the City of Wanneroo's support for both the Whitford and Lakeside Joondalup shopping centre proposals was signed by around 3,600 people.

Main Roads Western Australia Comments

The comments of the Main Roads Western Australia (MRWA) in relation to the proposal have now been received.

MRWA advised that the proposal will add approximately 22,000 vehicles per day to the existing road system, which will reduce the Level of Service on Marmion Avenue to an unacceptable level during the tested afternoon peak.

MRWA raised concerns about the detrimental effects of greatly increasing localised traffic generation which would impact upon the regional capacity of Marmion Avenue and its ability to service the expanding northern corridor. Specific areas of concern are the:

- 1 addition of through-lanes on Marmion Avenue;
- 2 operation of the Marmion Avenue/Whitfords Avenue intersection;
- 3 impact on residential properties fronting Banks Avenue.

If ultimately approved, the MRWA has advised that:

- 1 any road improvements should be agreed to by both MRWA and the City of Wanneroo;
- 2 the developer should meet all costs associated with such modifications.

In view of the above advice, it is recommended that the following reasons for refusal be added to those recommended in Report TP37-03/97.

- (k) the proposal will reduce the level of service on Marmion Avenue to an unacceptable level and will greatly increase localised traffic generation which would impact upon the regional capacity of Marmion Avenue and its ability to service the expanding north west corridor of Perth."

The Chief Executive Officer submitted correspondence in relation to Item TP37-03/97 from:

- Greg Rowe & Associates on behalf of the Warwick Grove Shopping Centre;
- Armstrong Jones;

- Comments from Main Roads Department.

Cr Taylor submitted a 3571-signature petition requesting Council to support the expansion of both Whitford City and Lakeside Joondalup Shopping Centres. He also tabled a letter from the Regional Economic Development Group.

COMMITTEE RECOMMENDATION That:

- 1 the 3571-signature petition from residents, ratepayers, business owners and shoppers in the City of Wanneroo and letter from the Regional Economic Development Group be received;
- 2 Council approves the application submitted by Westfield Developments on behalf of Permanent Trustee Australia Ltd for major alterations and additions to the Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys, subject to a list of appropriate conditions to be submitted by the City Planner for Council's consideration at the next meeting of Council to be held on 26 March 1997.

Cr Cooper declared an interest in this item as he is involved in a company that is carrying out work on this project. Cr Cooper left the Chamber at this point, the time being 2035 hrs.

ADDITIONAL INFORMATION (2)

The Town Planning Committee at its meeting on 17 March 1997 resolved to:

"recommend that Council approves the application submitted by Westfield Developments on behalf of Permanent Trustee Australia Ltd for major alterations and additions to Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys, subject to a list of appropriate conditions to be submitted by the City Planner for Council's consideration at the next meeting of Council to be held on 26 March 1997."

Since the Town Planning Committee meeting the City Planner has been approached by planning consultants representing other shopping centres within Wanneroo enquiring whether the same low ratio of carparking will be afforded to their clients (ie 5.44 carparking bays per 100 m² Gross Leasable Area). The recommendation before Council reflects the existing ratio at Whitford City of approximately 7.2 bays per 100 m² of Gross Leasable Area.

Councillors will note that point 1(n) below requires the provision of carparking bays at the ratio of 7.2 bays per 100m² Gross Leasable Area (GLA), being the existing ratio at Whitford City. This differs with the applicant's proposed ratio of 5.44 bays per 100m² GLA. The difference between these two ratios is approximately 1100 bays.

The 5.44 ratio is lower than any other regional and district size centre throughout the City and Councillors should be aware of the precedent that it will be setting for future shopping centre developments if it accepts this lower ratio.

If the Council proceeds to approve this application then a resolution as set out below is recommended.

THAT Council:

- I. grants approval under Town Planning Scheme No 1 to the application made by Westfield Developments on behalf of Permanent Trustee Australia Ltd for major alterations and additions to the Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys, subject to:
 - A. approval being valid for a period of 24 months only. If development is not completed within this period, a fresh approval must be obtained before commencing or continuing with development;
 - B. approval being granted by the Western Australian Planning Commission;
 - C. the traffic signals and associated intersection roadworks adjacent to the land bounded by Marmion Avenue, Whitfords Avenue, Endeavour Road and Banks Avenue, including Dampier Avenue intersection and pavement taper improvements on Banks Avenue, being modified at the applicant's cost to the satisfaction of the Council after consultation with Main Roads Western Australia;
 - D. the provision of traffic signals at the applicant's cost and to Main Roads Western Australia specifications at the intersection of Whitfords Avenue and Endeavour Road.
 - E. the provision of a right turn in, at the western crossover to Whitfords Avenue adjacent to the take-away food outlets, to be deferred pending traffic monitoring after the installation of traffic signals at the intersection of Whitfords Avenue and Endeavour Road;
 - F. the applicant undertaking formal community consultation to provide a recommended strategy regarding:
 1. the options of relocating the existing crossover opposite Venus Way away from Venus Way or alternatively converting Venus Way into a cul-de-sac;
 2. additional traffic management measures required within Banks Avenue between Marmion Avenue and Endeavour Road;
 - G. the applicant at its cost implementing the works to Venus Way and/or the crossover adjacent to Venus Way and the traffic management measures within Banks Avenue as required by Council after the community consultation outlined in condition (f) above;
 - H. the provision of roundabouts and associated traffic islands at the applicant's cost to the satisfaction of Council at the intersections of Dampier Avenue/Aristride Avenue and Dampier Avenue/West View Boulevard.

- I. The parking area, driveways and points of ingress and egress to be designed, constructed, drained and marked to the satisfaction of Council. The design is to take particular account of :
 - 1. the eastern crossover to Whitfords Avenue to improve the level of service;
 - 2. an effective detailed design of the internal ring road;
 - J. arrangements being made to the satisfaction of Council to discourage service vehicle access to Banks Avenue;
 - K. The provision and ongoing maintenance of an integrated bus stop facility located close to the main entrance to the shopping centre designed to the satisfaction of Council after consultation with the Department of Transport to allow buses to access Whitfords Avenue with priority at the Whitfords Avenue/Dampier Avenue intersection, providing a direct pedestrian walkway between the facility and the main shopping centre entrance, catering for two bus stands capable of accommodating two buses and each providing weather protection and seating for at least ten passengers;
 - L. the provision and implementation of a pedestrian, cyclist and disabled access management plan to the satisfaction of Council to provide for safe, convenient and direct pedestrian, cyclist and disabled access routes within and surrounding Pt Lot 501;
 - M. The provision of bicycle lockers and changeroom facilities for centre staff to the satisfaction of Council.
 - N. the provision of 7.2 carparking bays per 100m² Gross Leasable Area. A schedule and associated plan/s to be provided with the Building Licence submission indicating on a section by section basis the existing and required proposed parking provision;
 - O. the provision of at least 8% of Part Lot 501 to be set aside for landscaping. A schedule and associated plan/s to be provided with the Building Licence submission indicating the location and extent of the required landscape areas;
 - P. the building detail and landscape areas to be designed to reduce the visual impact of the development to the satisfaction of Council;
 - Q. carpark lighting not to overspill onto adjacent properties or the road system;
 - R. standard and appropriate conditions of development;
- II. recommends to the Western Australian Planning Commission that the application be approved under the Metropolitan Region Scheme subject to the conditions outlined in point 1 above.

- III. exercises its discretion under clause 9.1(1) of Town Planning Scheme No 1 and reduces the carparking ratio for this development from 8 bays per 100m² Gross Leasable Area to 7.2 bays per 100m² Gross Leasable Area;
- IV. exercises discretion under Clause 5.9 of Town Planning Scheme No 1 and reduces the front setback requirement from 9 metres to 6.5 metres for the two tower structures adjacent to the cinema component of the development.

ADDITIONAL INFORMATION (3)

Council has received a copy of a press release from Mr Chris Baker MLA stating his disappointment with the Committee's decision to recommend approval for the above alterations and additions to Whitford City Shopping Centre. A copy of this press release and copy of a circular which is being distributed at the Lakeside Shopping Centre form Appendix XIX hereto.

ADDITIONAL INFORMATION (4)

Council has received additional correspondence from various parties and a pamphlet that appears to have been distributed in the area in relation to the above matter, and a copy of this correspondence and pamphlet for Appendix XX hereto.

In addition, a memorandum received from Cr Lynn has raised queries regarding the proposed conditions relating to the approval period, approval required from the Western Australian Planning Commission (WAPC) and use of the BP service station site for car parking associated with the shopping centre.

In response to the above queries, please be advised:

- 1. It is considered reasonable to apply a similar condition pertaining to the approval period as applied on the Council's approval granted for the alterations and additions to the Lakeside Joondalup Shopping Centre, such that the development is to be substantially commenced (rather than completed) within the 24 months approval period.
- 2. The proposal requires determination by the Council under its Town Planning Scheme No 1 while a separate determination by the WAPC is required pursuant to the Metropolitan Region Scheme (MRS). It is common practice to make one determination subject to the other.
- 3. The requirement for Council's determination to specifically address the approval of the use of the service station site was inadvertently missed in the final drafting of the recommended conditions and should be included.

In light of the above, if the Council proceeds to approve this application, the recommended resolution as stated in the memorandum dated 21 March 1997 should be modified as follows:

THAT Council:

1. grants approval under Town Planning Scheme No 1 to the application made by Westfield Developments on behalf of Permanent Trustee Australia Ltd for major alterations and additions to the Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys, subject to:
 - (a) approval being valid for a period of 24 months only. If development in Council's opinion has not substantially commenced within this period, a fresh approval must be obtained before commencing or continuing with the development;
 - (b) approval being granted by the Western Australian Planning Commission;
 - (c) the traffic signals and associated intersection roadworks adjacent to the land bounded by Marmion Avenue, Whitfords Avenue, Endeavour Road and Banks Avenue, including Dampier Avenue intersection and pavement taper improvements on Banks Avenue, being modified at the applicant's cost to the satisfaction of the Council after consultation with Main Roads Western Australia;
 - (d) the provision of traffic signals at the applicant's cost and to Main Roads Western Australia specifications at the intersection of Whitfords Avenue and Endeavour Road.
 - (e) the provision of a right turn in, at the western crossover to Whitfords Avenue adjacent to the take-away food outlets, to be deferred pending traffic monitoring after the installation of traffic signals at the intersection of Whitfords Avenue and Endeavour Road;
 - (f) the applicant undertaking formal community consultation to provide a recommended strategy regarding:
 - (i) the options of relocating the existing crossover opposite Venus Way away from Venus Way or alternatively converting Venus Way into a cul-de-sac; and
 - (ii) additional traffic management measures required within Banks Avenue between Marmion Avenue and Endeavour Road;
 - (g) the applicant at its cost implementing the works to Venus Way and/or the crossover adjacent to Venus Way and the traffic management measures within Banks Avenue as required by Council after the community consultation outlined in condition (f) above;
 - (h) the provision of roundabouts and associated traffic islands at the applicant's cost to the satisfaction of Council at the intersections of Dampier Avenue/Arstride Avenue and Dampier Avenue/West View Boulevard.

- (i) The parking area, driveways and points of ingress and egress to be designed, constructed, drained and marked to the satisfaction of Council. The design is to take particular account of :
 - (i) the eastern crossover to Whitfords Avenue to improve the level of service;
 - (ii) an effective detailed design of the internal ring road;
 - (j) arrangements being made to the satisfaction of Council to discourage service vehicle access to Banks Avenue;
 - (k) the provision and ongoing maintenance of an integrated bus stop facility located close to the main entrance to the shopping centre designed to the satisfaction of Council after consultation with the Department of Transport to allow buses to access Whitfords Avenue with priority at the Whitfords Avenue/Dampier Avenue intersection, providing a direct pedestrian walkway between the facility and the main shopping centre entrance, catering for two bus stands capable of accommodating two buses and each providing weather protection and seating for at least ten passengers;
 - (l) the provision and implementation of a pedestrian, cyclist and disabled access management plan to the satisfaction of Council to provide for safe, convenient and direct pedestrian, cyclist and disabled access routes within and surrounding Pt Lot 501;
 - (m) the provision of bicycle lockers and changeroom facilities for centre staff to the satisfaction of Council.
 - (n) the provision of 7.2 carparking bays per 100m² Gross Leasable Area. A schedule and associated plan/s to be provided with the Building Licence submission indicating on a section by section basis the existing and required proposed parking provision;
 - (o) the provision of at least 8% of Part Lot 501 to be set aside for landscaping. A schedule and associated plan/s to be provided with the Building Licence submission indicating the location and extent of the required landscape areas;
 - (p) the building detail and landscape areas to be designed to reduce the visual impact of the development to the satisfaction of Council;
 - (q) carpark lighting not to overspill onto adjacent properties or the road system;
 - (r) standard and appropriate conditions of development;
2. recommends to the Western Australian Planning Commission that the application be approved under the Metropolitan Region Scheme subject to the conditions outlined in point 1 above.

3. exercises its discretion under clause 9.1(1) of Town Planning Scheme No 1 and reduces the carparking ratio for this development from 8 bays per 100m² Gross Leasable Area to 7.2 bays per 100m² Gross Leasable Area;
4. exercises discretion under Clause 5.9 of Town Planning Scheme No 1 and reduces the front setback requirement from 9 metres to 6.5 metres for the two tower structures adjacent to the cinema component of the development.
5. approves the use and development of the service station site as a multi-storey carpark.

Discussion ensued. **Cr Duffy** asked the City Planner whether it would be unlawful for Council to reject this application on compassionate grounds, and requested this question and response be recorded. The City Planner advised that it is not unlawful for Council to approve this application, but in doing so it would be ignoring all strategies it has adopted and established over the last 15 years.

MOVED Cr Magyar, SECONDED Cr Ewen-Chappell that Council:

- 1 **refuses the application made under Town Planning Scheme No 1 by Westfield Developments on behalf of Permanent Trustee Australia Ltd proposing major alterations and additions to the Whitford City Shopping Centre on Pt Lot 501 (470) Whitfords Avenue, Hillarys for the following reasons:**
 - (a) **the proposal is considered contrary to the interests or orderly and proper planning and represents a substantial departure from the adopted regional planning strategies for the North West Corridor of the Perth Metropolitan Area. If approved, Whitford City is likely to affect the size and distribution of existing and planned commercial centres throughout the region and thereby affect major employment locations, travel patterns and the value of existing and committed public and private investment;**
 - (b) **the applicant has not adequately demonstrated that the proposal will not adversely affect surrounding existing and planned commercial centres;**
 - (c) **it is not considered that an individual development application is the appropriate mechanism to debate or gain approval to such a substantial amount of additional retail floorspace at Whitford City. Rather, the appropriate mechanism would be in conjunction with a review of the existing regional planning strategies so that the broader commercial distribution and urban infrastructure coordination issues can be properly assessed;**
 - (d) **approval to the proposal would create an undesirable precedent for further major departures from the established regional planning strategies;**

- (e) the proposal does not provide sufficient parking for the proposal uses and does not comply with the car parking requirements for shopping centres under Council's Town Planning Scheme No 1 or its policy relating to shopping centre car parking standards;
- (f) the proposal will adversely affect the amenity of the locality, particularly with respect to the bulk and scale of the development, the location of the loading and service areas, and the service vehicular traffic associated with the development;
- (g) the proposal does not demonstrate safe, convenient and comfortable access into and within the site for pedestrians and cyclists;
- (h) the proposal does not adequately address the integration of and linkage between the different uses on site, community facilities on the adjacent properties, and the pedestrian underpasses and the pedestrian and cyclist path system on the adjacent roads;
- (i) the proposal does not address the public transport facilities and the demand for such facilities at the development;
- (j) the proposal does not comply with front setback or landscape area requirements of Town Planning Scheme No 1;

2 recommends to the Western Australian Planning Commission that the application be refused under the Metropolitan Region Scheme for the reasons outlined in point 1, above. **CARRIED**

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

FOR: Crs Healy, O'Grady, Magyar, Ewen-Chappell, Popham, Major, Hancock and Dammers.

AGAINST: Crs Taylor, Duffy, Tippet, Lynn, Freame and Wight.

Cr Taylor wished it recorded that Cr Major had spoken in favour of the motion.

Appendices VII, XIX and XX refer.

MOVED Cr Popham, SECONDED Cr Taylor that the meeting adjourn for a short break, the time being 2135 hrs. **CARRIED**

The meeting resumed at 2144 hrs; Cr Duffy was not present in the Chamber at this point.

TP38-03/97 **REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN BACCHANTE CIRCLE AND WESTRA WAY, OCEAN REEF - [510-3041]**

The residents adjoining the pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef requested the City to close the accessway on the grounds of vandalism and anti-social behaviour. Objections to the closure have been received from residents in

the vicinity, the Department of Transport and the Ministry for Planning. On the grounds of the objections received, closure should not be supported.

ADDITIONAL INFORMATION

Since the original report was prepared, several submissions have been received supporting the closure of the accessway between Bacchante Circle and Westra Way, Ocean Reef. A petition signed by 39 residents representing 27 households has been received requesting Council to support the closure on the grounds that the Bacchante Circle end of the accessway leads onto a blind bend which they consider to be hazardous. They believe that the situation could result in a serious injury or death and claim that there has already been near misses of children. One of the signatories of the petition lives in Connolly and one is a Real Estate Agent trying to sell a vacant lot in Westra Way. Three of the signatories are considering purchasing Lot 160 Westra Way. One household has had one member sign the petition supporting the closure and another member submitting a letter strongly objecting to the closure.

The owner of Lot 149 Westra Way has advised that she supports the closure due to the danger it has created in the area. The Real Estate Agent (who also signed the petition) has submitted a letter claiming that it would be easier to sell Lot 160 Westra Way if the accessway was closed.

The Principals of the Beaumaris Primary School and the St Simon Peter Catholic Primary School have advised that they have no objection to the closure of the accessway as they do not believe it will have an impact on the school children's journey.

The Area Manager for Neighbourhood Watch has advised that he supports the closure of the accessway as he believes it provides an easy escape or hiding place for intruders and vandals. He provides details of the property near the accessway which was broken into whilst the occupants were at home.

The two adjoining property owners in Westra Way have also provided more information to support their application. The owners of 20 Westra Way claim they are now having syringes thrown into their property from the accessway. They advise that they are still experiencing problems with noisy pedestrians after midnight and graffiti. They believe that the Bacchante Circle end of the accessway leads onto a blind bend and advise that they are aware of at least three near misses of children.

The owners of 22 Westra Way advise that an attempted burglary took place at their property whilst they were home. They also mention the road safety issue regarding the blind bend.

A Sergeant from the Joondalup Police Station phoned the City at the request of one of the adjoining property owners. He advised that there have only been four incidents reported to the Police in the last six months. He believes that the incidents were of a minor nature and did not warrant his support for the closure of the accessway.

The City's Traffic Engineer does not consider the bend along Bacchante Circle to be a dangerous blind spot. She advises that sufficient sight lines are available to pedestrians exiting the accessway.

There are two other pedestrian accessways which lead onto Bacchante Circle from Velsheda Green and Belmore Gardens. The closure of the accessway in Westra Way will impact on the other accessways by increasing the pedestrian traffic in Belmore Gardens and reducing the effectiveness of the accessway in Velsheda Green.

In the event that the Westra Way accessway is closed, it is possible the residents adjoining the other two accessways will apply for them to be closed. It would be difficult for Council to justify not closing the other accessways if it were to accede to this request.

The closure of all three accessways would dramatically restrict the pedestrian movement for residents in Westra Way, Latifa Close and Velsheda Green. Based on this, the closure of the accessway between Westra Way and Bacchante Circle should not be supported.

Subsequent to the additional information referred to above, the Officer in Charge at the Joondalup Police Station has requested the sentence "he believes that the incidents were of a minor nature and did not warrant his support for the closure of the accessway" be deleted from the late memo. He advises that he can neither support or reject the application to close the accessway.

Any reference to the comments made by the Joondalup Police Station should not be taken into account when Council considers the closure application.

Refer Appendix VIII.

A letter was received from Mr C Baker MLA, in support of the closure of the pedestrian accessway between Westra Way and Bacchante Circle.

REPORT RECOMMENDATION: THAT Council does not agree to close the pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef.

MOVED Cr Lynn, SECONDED Cr Tippet that Council agrees to the closure of the pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef.CARRIED

Appendix VIII refers.

**TP39-03/97 DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE 1 FEBRUARY TO 26
FEBRUARY 1997 - [290-1]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 1 February to 26 February 1997.

Cr O'Grady referred to Item 30/5519 on Page 4 of Attachment 1 to Report TP39-03/97 and expressed concern at the number of petrol stations in the Mindarie area.

MOVED Cr Lynn, SECONDED Cr Tippet that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described Report TP39-03/97.

CARRIED

**TP40-03/97 FINAL FORESHORE MANAGEMENT PLAN FOR LOT 614
YANCHEP - CONSIDERATION OF SUBMISSIONS - [765-16]**

The public comment period for the modified Draft Foreshore Management Plan for Lot 614, Yanchep, closed on 21 January 1997. Four submissions have been received. It is now recommended that a number of changes be made to the modified Draft Foreshore Management Plan and that the modified Draft Foreshore Management Plan be adopted by Council.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 amends the modified Draft Foreshore Management Plan for Lot 614 Yanchep considered by Council at its meeting of 24 July 1996, to the extent of deleting the car park proposed opposite to the junction of Foreshore Vista and Longfin Vista and proposing at the originally considered northern car park site, a twenty bay car park, as indicated in Attachment 4 of Report TP40-03/97;
- 2 in accordance with Council's Access Policy makes necessary provisions in the report accompanying the subject Foreshore Management Plan in respect of providing, as far as practicable, access for the people with disabilities to the beach facilities, including car parks, pathways, toilets, change-rooms, picnic areas and barbecues;
- 3 subject to the amendments referred to in (1) and (2) above, adopts the Foreshore Management Plan for Lot 614 Yanchep and advertises once in the West Australian and the Wanneroo Times to advise the public about the adoption of the plan.

CARRIED

Appendix IX refers

TP41-03/97 PROPOSED 'GNANGARA PARK' - [305-6]

The State Government, through the Department of Conservation and Land Management (CALM), has released for comment a proposal involving the establishment of the large areas of Crown land located north of Perth (and including the pine plantation areas) as a 'Gnangara Park'. It is recommended that Council indicate a degree of support in principle for the proposal, subject to a number of reservations and concerns, and invites CALM officials to meet with Council to further explain the proposal.

MOVED Cr Lynn, SECONDED Cr Tippet that Council advises the Department of Conservation and Land Management that:

- 1** because of the limited information presently available, it is unable to draw any definitive conclusions about the Gnangara Park proposal, but is prepared to indicate a degree of in principle support for the proposals;
- 2** the City nevertheless has a number of reservations and concerns about the proposal (as outlined in Report TP41-03/97) and invites Conservation and Land Management officials to meet with Council to further explain and discuss the proposal.

CARRIED

TP42-03/97 LOCAL RURAL STRATEGY - [290-7]

At its June meeting of last year, Council required that workshops be held with residents in a number of the City's rural areas regarding the preparation of the Local Rural Strategy (LRS). These workshops were held in the latter part of last year. Council's consultant, Mr Tim Auret, is now finalising an Issues Paper regarding the LRS and it is recommended that this Issues Paper be workshopped by Councillors, Council officers and Mr Auret.

MOVED Cr Lynn, SECONDED Cr Tippet that Council holds a Workshop of Councillors, relevant Council officers and Council's consultant, Mr Tim Auret, to discuss Mr Auret's Issues Paper regarding the Local Rural Strategy.

CARRIED

TP43-03/97 CARRAMAR PUBLIC GOLF COURSE AND CARRAMAR PARK SPECIAL RURAL ZONE - PUBLIC OPEN SPACE - [740-93107, 30/3693]

The West Australian Planning Commission requires Council to given an undertaking in writing that it will acquire alternative public open space in the locality in the event that the present Carramar Park Special Rural Zone is urbanised in the future.

MOVED Cr Lynn, SECONDED Cr Tippet that Council authorises a commitment in writing being provided to the Western Australian Planning Commission by which Council undertakes to acquire at its cost an area or areas of 10.2952 hectares within the Carramar Park Special Rural Zone in the event that the Carramar Park Special Rural Zone is ever urbanised.

CARRIED

TP44-03/97 PROPOSED MODIFICATION TO AMENDMENT NO 719 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOTS 500.

**501 AND LOCATION 1441 FURNISS ROAD, LANDSDALE
FROM RURAL TO MIXED BUSINESS AND RESIDENTIAL
DEVELOPMENT R20 - [790-719]**

Feilman Planning Consultants, on behalf of various owners, has previously requested Council support for an amendment to the City's Town Planning Scheme No 1 to rezone Lots 500 and 501 and Location 1441 Furniss Road, Landsdale from Rural to Mixed Business and Residential Development R20. Council supported this amendment at its meeting in December 1996 (TP302-12/96), however the applicants have now requested the amendment be modified. The applicants have requested that Location 1441 Furniss Road be excluded from the amendment to allow for the completion of Geotechnical studies to determine the land's suitability for various uses. It is considered appropriate to support the modification to Amendment No 719 to only rezone Lots 500 and 501 Furniss Road, Landsdale from Rural to Mixed Business and Residential Development R20.

Following a query raised at the Town Planning Committee meeting by Cr Taylor in relation to the geotechnical inspection, the City Planner advised he would submit information on this matter prior to the next Council meeting.

At the Town Planning Committee meeting, Cr O'Grady wished it recorded that she was concerned at the undue haste which seemed to be occurring on this item.

RECOMMENDATION That Council:

- 1 modifies Amendment No 719 to Town Planning Scheme No 1 by deleting Location 1441 Furniss Road, Landsdale from the amendment;
- 2 pursuant to Section 7 of the Town Planning and Development Act (1928) as amended, adopts the modified Amendment No 719 to Town Planning Scheme No 1 to rezone Lots 500 and 501 Furniss Road, Landsdale from Rural to Residential Development R20 and Mixed Business;
- 3 advises Feilman Planning Consultants that:
 - (a) before granting final approval to Amendment No 719, the applicants will be required to demonstrate to Council's satisfaction that the land can accommodate proposed future development;
 - (b) the owner of Location 1441 Furniss Road, Landsdale will need to pay the full costs associated with the preparation of a new amendment to rezone this land from Rural to Residential Development R20 in the future.

ADDITIONAL INFORMATION

The City Planner advised that the amendment is being modified at the request of the applicants. Report TP44-03/97 recommends this amendment be modified before it proceeds to the next stage of the amendment process. If Council resolves to support the recommendation as outlined in the subject report then the documents will be forwarded to the Ministry for Planning requesting that advertising be allowed to take place.

Amendment No 719 originally sought to rezone Lots 500 and 501 and Location 1441 Furniss Road together with twenty other smaller lots in the Landsdale area, TP197-06/95 (Appendix XXI refers). The progress of this amendment was delayed by the owners/consultants due to unresolved issues in respect of the proposed Mixed Business buffer along the northern portion of Lots 500 and 501 Furniss Road. Council, at its March 1996 meeting, supported the initiation of Amendment No 762 which comprised the twenty smaller lots in order to avoid delays in the rezoning of these lots (C97-03/96) as they were not affected by the abovementioned buffer issue. Lots 500 and 501 and Location 1441, however, remained the subject of Amendment No 719 which did not proceed.

In due course, the applicant satisfied the Council's requirements in respect of the Mixed Business buffer and Amendment No 719 to rezone Lot 500 and 501 and Location 1441 Furniss Road was considered by Council at its December 1996 meeting (TP302-12/96). Council resolved to initiate this amendment on the basis that prior to finalisation the applicant demonstrates to Council's satisfaction that the subject lots are not adversely affected from previous land filling operations and that land within the 500 metre poultry and pig farm buffer can be satisfactorily developed. Subsequent to this resolution, the amendment documents were prepared.

The amendment documents were not sent to the Ministry for Planning as the applicant subsequently requested further modification to Amendment No 719. The applicant requested the deletion of Location 1441 from the subject amendment on 10 February 1997 in order to prevent delays arising from Geotechnical investigation in respect of this land which was being undertaken pursuant to the Council's previous resolution.

A Geotechnical report regarding Lots 500 and 501, however, was submitted to Council on 24 February 1997 subsequent to Report TP44-03/97 being written. This report recommends the adoption of the modified Amendment No 719 in order to allow the rezoning of Lots 500 and 501 to progress to advertising. The Geotechnical report is currently being assessed by the City's Engineering and Building Departments and the findings will be presented to Council once a satisfactory evaluation has been completed. It is likely that this will coincide with the close of advertising of Amendment No 719 and therefore avoid any delays being experienced in this regard.

Finally, it should be noted that Council at its December 1996 meeting expressed concern with the proximity of existing pig and poultry farms to the subject lots. Consequently, the applicants were advised that prior to the finalisation of Amendment No 719, it would need to be satisfactorily demonstrated that the land within 500 metres of these farms can be dealt with to the satisfaction of the Ministry for Planning and Department of Environmental Protection. The deletion of Location 1441 from this rezoning means that Amendment No 719 is no longer affected by a poultry farm buffer. It should be noted, however, that Lots 500 and 501 are still affected by the buffer for the pig farm located on Kingsway.

To remain consistent, Council should re-confirm to the applicants that Lots 500 and 501 are still affected by buffer requirements for the pig farm and that this would need to be resolved prior to Amendment No 719 being finalised.

Therefore, the recommendation to Report TP44-03/97 should be modified to include the following requirement in part 3(c) so that the applicants can be reminded of this matter.

“3(c) before granting final approval to Amendment No 719, the applicant will be required to demonstrate

Cr Duffy declared an interest in Item TP44-03/97 as he has a financial interest in Lot 1441, Furniss Road, Landsdale. Cr Duffy was not present in the Chamber at this point.

Cr Dammers declared an interest in Item TP44-03/97 as he owned land in the area. Cr Dammers left the Chamber at this point, the time being 2145 hrs; Cr Freame assumed the Chair.

MOVED Cr Wight, SECONDED Cr Major that Council:

- 1** modifies Amendment No 719 to Town Planning Scheme No 1 by deleting Location 1441 Furniss Road, Landsdale from the amendment;
- 2** pursuant to Section 7 of the Town Planning and Development Act (1928) as amended, adopts the modified Amendment No 719 to Town Planning Scheme No 1 to rezone Lots 500 and 501 Furniss Road, Landsdale from Rural to Residential Development R20 and Mixed Business;
- 3** advises Feilman Planning Consultants that:
 - (a) before granting final approval to Amendment No 719, the applicants will be required to demonstrate to Council's satisfaction that the land can accommodate proposed future development;
 - (b) the owner of Location 1441 Furniss Road, Landsdale will need to pay the full costs associated with the preparation of a new amendment to rezone this land from Rural to Residential Development R20 in the future;
 - (c) before granting final approval to Amendment No 719, the applicant will be required to demonstrate to Council's satisfaction that the land located within 500 metres of the pig farm can be developed to the satisfaction of the Ministry for Planning and Department of Environmental Protection. **CARRIED**

Appendix XXI refers

Cr Dammers entered the Chamber and resumed the Chair, the time being 2148 hrs.

TP45-03/97 **CLOSE OF ADVERTISING : AMENDMENT NO 778 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 193 BLACKWATTLE PARADE, PADBURY FROM SPECIAL ZONE RESTRICTED USE MEDICAL CENTRE TO MIXED BUSINESS - [790-778]**

Amendment No 778 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 25 February 1997. This amendment seeks to rezone Lot 193 Blackwattle Parade, Padbury from Special Zone (Restricted Use) Medical Centre to Mixed Business.

As a result of advertising, thirteen submissions were received, three in support of the proposal and ten objecting to the proposal. These submissions have been considered and final adoption of Amendment No 778 is recommended.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 pursuant to Town Planning Regulation 17(2), adopts Amendment No 778 to Town Planning Scheme No 1 to rezone Lot 193 Blackwattle Parade, Padbury from Special Zone (Restricted Use) Medical Centre to Mixed Business without modification;
- 2 subject to the receipt of advice that the Minister for Planning is prepared to approve the amendment, authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.

CARRIED

TP46-03/97 REQUEST FOR AMENDMENT TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 50 (10) GNANGARA ROAD, LANDSDALE TO ACCOMMODATE RE-DEVELOPMENT, INCLUDING A CHILD CARE CENTRE - [790-786]

An application has been submitted by Richard Pawluk and Associates on behalf of Jarpel Pty Ltd, seeking to rezone Lot 50 (10) Gngara Road, Landsdale from Special Zone (Restricted Use) Medical Centre, Professional Offices and Pharmacy to Special Zone (Restricted Use) Medical Centre, Professional Offices, Pharmacy and Child Care Centre. It is considered that this proposal would increase the commercial potential of this lot and prejudice the future planning of the area. However, support for the Child Care Centre use addition to the Special Zone is appropriate if the applicant enters into an agreement to provide a road through the subject lot in order to link the residential areas of East Wanneroo Cell 6 with Gngara Road. It is not considered appropriate to support the subject rezoning unless such an agreement is in place.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 advises Richard Pawluk and Associates, on behalf of Jarpel Pty Ltd, that it is not prepared to initiate an amendment to Town Planning Scheme No 1 to rezone Lot 50 (10) Gngara Road, Landsdale to permit the development of a child care centre at this stage because such a move would be detrimental to the orderly development of the remainder of East Wanneroo Cell No 6, particularly with regard to the provisions for, and construction of, the subdivision road network;
- 2 advises Richard Pawluk and Associates, on behalf of Jarpel Pty Ltd, that should the landowner prepare and execute at their expense, a suitable deed agreeing to cede, free of cost to the Crown, the land required for the north-south road linking East Wanneroo Cell No 6 to Gngara Road and to construct this road at the time of development of the land, then the rezoning of Lot 50 would not be considered detrimental to the orderly

development of the land and could be reconsidered.

CARRIED

TP47-03/97

**PROPOSED AMENDMENT NO 794 TO TOWN PLANNING
SCHEME NO 1 TO REZONE CLARKSON DISTRICT
CENTRE TO CENTRE ZONE - [790-794]**

An application has been submitted by Chappell and Lambert, on behalf of LandCorp, seeking to rezone the southern portion of Lot 15 (1930) Marmion Avenue, Clarkson which comprises the whole of the Clarkson District Centre area from the current variety of zones to Centre Zone. The Centre Zone would enable a more flexible means of locating various land uses within the Clarkson District Centre throughout the subdivision and development process. A statutory structure plan will guide land use locations and development rather than zones. Council has supported the introduction of the Centre Zone to its Town Planning Scheme and it is considered that this mechanism is the most appropriate method of dealing with the development of the Clarkson District Centre. It is considered appropriate to support the proposed amendment and that progress on the required structure plan be encouraged.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 pursuant to Section 7 of the Town Planning and Development Act (1928), as amended, amends Town Planning Scheme No 1 by rezoning portion of Lot 15 (1930) Marmion Avenue, Clarkson from Residential Development; Commercial; Service Station; Service Industrial; Civic; Tavern; Special Zone (Restricted Use) Medical Centre and Special Zone (Restricted Use) Community Health and Development Centre, Medical Centre and Public Worship to Centre Zone;
- 2 advises the landowner that subject to satisfactory design outcomes the community purpose uses should be accommodated on three sites (central and eastern) rather than four to accommodate a library building on the central site north of the main street, a youth facilities building on the central site south of the main street, and a recreation/community facility on an enlarged eastern site;
- 3 advises the landowner that the structure planning and subdivision should proceed without undue delay to enable the early provision of services to the residents in the Clarkson district.

CARRIED

TP48-03/97

**UNAUTHORISED HOME OCCUPATION - LAWNMOWING
CONTRACTOR, LOT 483 (12) CHERRY HILLS CRESCENT,
CONNOLLY - [2436/483/12]**

Since 6 May 1992, the City has received complaints concerning open storage of materials within the front setback area of Lot 483 (12) Cherry Hills Crescent, Connolly and the use of the property for lawn mowing contracting services in breach of the City's Town Planning Scheme No 1.

Repeated requests by the City to the owners of Lot 483 to cease the unauthorised use of the property for lawn mowing services and to keep the front setback area of the lot free of open storage, has not been complied with.

It is recommended that unless the unauthorised home occupation ceases to operate from the property on a permanent basis, and that the front setback area is kept free of storage, legal action be initiated.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 advises the owners of Lot 483 (12) Cherry Hills Crescent, Connolly that use of the property for business purposes, namely lawn mowing contracting services, without Council approval, is in breach of the City's Town Planning Scheme No 1 and that they may become subject to legal action;
- 2 advises the owners of Lot 483 that the conduct of the unauthorised business from the property is to cease immediately on notification by Council;
- 3 advises the owners of Lot 483 that only one commercial vehicle may be parked on the property at any time, providing it is parked fully on site and in accordance with Council's policy on commercial vehicle parking in residential areas;
- 4 requires the owners of Lot 483 to remove all open storage of materials from the setback area of the property with seven days of notification by Council;
- 5 authorises the Chief Executive Officer to initiate legal action against the owners of Lot 483 (12) Cherry Hills Crescent, Connolly should the advice and direction contained in 2, 3 and 4 above not be complied with at all times.

CARRIED

TP49-03/97

PROPOSED LOCAL LAW - CONTROL AND DISPLAY OF HOUSE NUMBERS - [727-4]

SUMMARY OF PURPOSE AND EFFECT (was read aloud at Council by person presiding)

The City is responsible for allocation of street numbers. Excepting corner lots, relatively few problems arise but many corner lots choose an incorrect address or place the letterbox in the wrong alignment. It is proving difficult to get people to correct their address and consequently a local law under the provisions of the Local Government Act 1995 is necessary to obtain compliance.

MOVED Cr Freame, SECONDED Cr Wight that Council, in accordance with the provisions of Section 3.12 of the Local Government Act 1995:

- 1 advertises its intent to make a local law relating to control and display of house numbers;**
 - 2 requests its legal advisor to draft an appropriate local law.**
- CARRIED**

**TP50-03/97 UNAUTHORISED CLEARING OF TREES AND
VEGETATION FROM SPECIAL RURAL PROPERTY : LOT
141 (157) LAKELANDS DRIVE, GNANGARA - [2594/141/157]**

Lot 141 (157) Lakelands Drive, Gnangara, being a property of 1.0119 hectares in size and situated within Special Rural Zone No 7 has been cleared to such an extent that all of the natural bush vegetation has been removed, contrary to the provisions of the City of Wanneroo Town Planning Scheme No 1. Vegetation, including trees, removed from the site have been buried in a large hole excavated at the rear of the property. The owner has been advised that an offence has been committed and his co-operation to remove the unsuitable landfill and to commence a suitable replanting programme has been requested but not achieved.

It is recommended that unless the unsuitable landfill is removed within thirty days and a satisfactory replanting programme implemented within six months, legal action be initiated.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 advises Mr M Botica, the owner of Lot 141 (157) Lakelands Drive, Gwangara, that by stripping the land of all vegetation and trees he has breached provisions of the City's Town Planning Scheme No 1 and may become subject to legal action;
- 2 advises the owner of Lot 141 that the cut down vegetation, tree stumps, builders rubble, wood and tin buried on the property is unsuitable landfill and requests the owner to remove the unsuitable fill within thirty days of notification failing which legal action will be initiated;
- 3 requests the owner of Lot 141 to provide a professionally prepared horticultural plan detailing a replanting programme and indicating plant/tree location and species to the satisfaction of the Chief Executive Officer within thirty days of notification, failing which legal action will be initiated;
- 4 advises the owner of Lot 141 that unless a substantial replanting programme has been implemented within six months of notification by the City and to the satisfaction of the Chief Executive Officer, legal action will be initiated;
- 5 authorises the Chief Executive Officer to initiate legal action should requests in 2, 3 and 4 above not be complied with.

CARRIED

**TP51-03/97 COUNCIL REQUEST FOR UPDATE REGARDING
REPLANTING PROGRAMME, LOT 249 (65) LORIAN
ROAD, GNANGARA - [214/249/65, 30/4450]**

At its meeting held on 28 August 1996, as part of its resolution regarding a replanting programme to be carried out on Special Rural Lot 249 (65) Lorian Road, Gwangara, Council requested further reports on the progress in March 1997 and September 1997 (TP194-08/96)

Another part of Council's resolution was that a substantial replanting programme was to be implemented on Lot 249 within six months of notification (ie by 14 April 1997).

Inspections carried out on the property in February 1997 revealed that no replanting programme has been initiated by the owners of the property. It is recommended that the owners of the property be reminded that legal action against them will be taken should Council's resolution of 28 August 1996 not be satisfied.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 reminds the owners of Lot 249 (65) Lorian Road, Gngangara that by stripping the land of all vegetation and trees they have breached provisions of the City's Town Planning Scheme No 1 and may become subject to legal action;

- 2 reminds the owners of Lot 249 Lorian Road, that Council will initiate legal action against them regarding stripping of vegetation and trees from the property should a substantial replanting programme not be completed on the lot by 14 April 1997. **CARRIED**

**TP52-03/97 SUBDIVISION CONTROL UNIT AND DELEGATED
AUTHORITY COMMITTEE - 1 FEBRUARY - 26
FEBRUARY 1997 - [740-1]**

This report submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee since my previous report. All applications were dealt with in terms of Council's Subdivision Control Unit Policy adopted at its December 1982 meeting.

MOVED Cr Lynn, SECONDED Cr Tippet that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP52-03/97.

CARRIED

Appendix X refers

**TP53-03/97 CHANGE OF ENVIRONMENTAL CONDITIONS -
GNANGARA MOUND GROUNDWATER RESOURCES -
[322-18]**

The Minister for the Environment has recently released the final modified environmental conditions relating to management of the Gngangara Mound groundwater resource. The City has commented on the modified conditions to both the Environmental Protection Authority and the Minister, but the conditions have been finalised without the City's concerns having been effectively addressed. Although there is little the City can now do, it is recommended that further correspondence be directed to the Minister on this matter.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 notes that the Minister for the Environment has released the final Ministerial conditions for the Gnangara Mound groundwater resources without the City's concerns having been satisfactorily resolved;
- 2 further corresponds with the Minister for the Environment on the following matters:
- (a) its concerns arising from Water Authority of WA proposals and Environmental Protection Authority's assessment of them;
 - (b) to whose satisfaction an "acceptable" rate of change in vegetation composition as a result of groundwater abstraction will be determined (referring to Commitment No 3 of the Water and Rivers Commission);
 - (c) outlining the groundwater dependent vegetation investigations the City is undertaking and seeking co-operation from the relevant Stage Government agencies during these investigations (such will, in fact, complement monitoring commitments incorporated in the Ministerial conditions);
 - (d) indicating that the City has budgeted \$100,000 as a contribution towards regional drainage/groundwater level management investigations in East Wanneroo (again, compatible with commitments incorporated in the Ministerial conditions) and seeking assistance in the instigation of such investigations as a joint State/Local Government initiative.
- CARRIED**

**TP54-03/97 REQUEST FOR CANCELLATION OF CYGNET RESERVE
32753 BRIDGEWATER DRIVE, KALLAROO - [755-32753]**

The owners of Lots 87 Cygnet Street and 88 Windsor Place, Kallaroo have applied to purchase the thin strip of public recreation reserve which adjoins their properties. The reserve serves little purpose and its cancellation and subsequent amalgamation with the adjoining lots would have no impact on the surrounding area.

The proposed cancellation of the reserve will need to be advertised to gauge the opinions of the residents in the vicinity.

MOVED Cr Lynn, SECONDED Cr Tippet that Council:

- 1 agrees in principle to the cancellation of Cygnet Reserve No 32753 Bridgewater Drive, Kallaroo and the subsequent sale of the land to the adjoining property owners;
 - 2 authorises the advertising of the proposed cancellation of Reserve 32753 Bridgewater Drive, Kallaroo.
- CARRIED**

TP55-03/97 REQUESTED CANCELLATION OF PUBLIC RECREATION RESERVE BETWEEN HAWICK COURT AND HAWKER AVENUE, WARWICK - [510-1448]

The owner of Lot 7 (5) Arran Court, Warwick has requested the City to consider selling the portion of Hawick Reserve which adjoins his property. A 1675mm sewer line runs through the reserve which cannot be relocated or be placed within land which is privately owned. The request to cancel the reserve must therefore be refused.

At the Town Planning Committee meeting, Cr Taylor expressed concern at the inclusion on a map of a public accessway in Moffat Place that has been closed and queried if Council's maps were being upgraded.

The City Planner stated that advice had not been received from the Department of Land Administration of the closure and commented that he would investigate this matter.

MOVED Cr Lynn, SECONDED Cr Tippet that Council does not agree to cancel a portion of Public Recreation Reserve No 38113, Warwick.
CARRIED

TP56-03/97 PERRY'S PADDOCK : PROPOSAL BY MR VIC GARMSON - [057-4]

Mr Vic Garmson has been endeavouring to obtain Council approval to his proposal for the development on part of the Perry's Paddock site of an 'Olde World Charm' project. This project involves basically a building intended to be of an architectural style typical of the area near Chatham, Kent, which would be used for restaurant, reception centre, tavern and limited accommodation purposes, and an adjacent model village which would depict the story of the early emigration of British settlers from their home country to Western Australia, and the Wanneroo district in particular. A number of studies of this area are now either completed or nearing completion and it is clear that the site constraints and policies recommended by those studies may be such as to rule out any possible suitable sites for Mr Garmson's project within the Perry's Paddock area. It is recommended that Mr Garmson be advised accordingly.

REPORT RECOMMENDATION: THAT Council:

- 1 advises Mr Vic Garmson, the proponent of the proposed "Olde World Charm" project at Perry's Paddock, that:

- (a) On the basis of the information now available to Council in the draft Heritage Conservation Plan, the assessment of Walluburnup Swamp and adjacent wetlands by Dr Vic Semeniuk and the Aboriginal Heritage Survey, Council is now inclined to the view that the site constraints which may be presented by those studies in general, and the recommended policies of the draft Heritage Conservation Plan in particular, may be such as to rule out any possible suitable sites for his project within the Perry's Paddock area;
 - (b) Council acknowledges that he has been working for many years on his proposal with a view that it may be eventually incorporated into the Perry's Paddock area and that should the final decision (by either Council, W A Planning Commission, Department of Conservation and Land Management or the Heritage Council of WA) be that his proposal is not to be incorporated on this site, then the City will use its best endeavours to find a possible alternative suitable site for his project.
- 2 provides him with copies of the Heritage Conservation Plan (when finalised by the consultant), the Semeniuk wetland study (also when finalised) and the Aboriginal Heritage Survey report.

ADDITIONAL INFORMATION

On 13 March 1997, a meeting was held between Mr Garmson, Mr Tony Bennett (one of Mr Garmson's business partners in the project), the Chief Executive Officer, the Co-ordinator Strategic Planning and the City Planner. This meeting was held at the request of Mr Garmson.

Mr Garmson had read Report No TP56-03/97 on this matter and was concerned that his project was being disadvantaged by the report's recommendations when he had not had an opportunity to read and respond to the findings and recommendations contained in the various consultants' reports referred to in Report No TP56-03/97. This particularly related to the draft Heritage Conservation Plan report by Kelly Aris Conservation Architect and the wetland boundary/buffer study by the V & C Semeniuk Research Group.

It was agreed at the meeting that it was important that Mr Garmson be given adequate opportunity to respond to the above consultants' reports and to present the perceived merits of his proposal to Councillors. It was also acknowledged that Council and its officers will be having to assess the various consultants' reports and making some determination of where to go from here with the Perry's Paddock project as a whole. Appointment of a consultant to assist in assessment of the soundness of the Heritage Conservation Plan, and its implications for the Perry's Paddock project has been considered appropriate.

The following new recommendation is presented in place of that contained in Report No TP56-03/97.

“THAT Council

- 1 provides Mr Garmson with copies of the draft Heritage Conservation Plan by Kelly Aris Conservation Architect, the wetland boundary/buffer study by V & C

Semeniuk Research Group and the Aboriginal Heritage Survey by McDonald Hales & Association;

- 2 invites Mr Garmson to present a deputation on his proposal to the April meeting of the Town Planning Committee;
- 3 authorises the Chief Executive Officer to engage a suitably qualified and experienced consultant to assist in the assessment of the draft Heritage Conservation Plan;
- 4 BY ABSOLUTE MAJORITY, in accordance with Section 6.8 of the Local Government Act, authorises the expenditure of funds for the purpose of seeking assistance in the assessment of the draft Heritage Conservation Plan referred to in 3. above, such expenditure to be charged to the Perry's Paddock Reserve Account No 32361."

MOVED Cr Freame, SECONDED Cr Wight that Council:

- 1 authorises the Chief Executive Officer to engage a suitably qualified and experienced consultant to assist in the assessment of the draft Heritage Conservation Plan;
- 2 in accordance with Section 6.8 of the Local Government Act 1995, authorises the expenditure of funds for the purpose of seeking assistance in the assessment of the draft Heritage Conservation Plan referred to in (1) above, such expenditure to be charged to the Perry's Paddock Reserve Account No 32361.

**CARRIED BY AN
ABSOLUTE MAJORITY**

TP57-03/97 RESULTS OF PROSECUTION - SALE OF TAKEAWAY FOOD FROM CORNER STORE, LOT 158 (2) SOMERSBY GARDENS, CURRAMBINE - [30/4614]

Council resolved on 28 February 1996 (TP32-02/96 refers) and 24 July 1996 (TP172-07/96 refers) to proceed with legal action against the owners and occupiers involving the sale of takeaway food from the corner store at Lot 158 (2) Somersby Gardens, Currambine.

The matter was heard in the Joondalup Court of Petty Sessions on 22 January 1997 and 30 January 1997 before Mr M Wheeler, SM. Mr Wheeler dismissed the charges against the owners and occupiers as the City failed to prove its case beyond a reasonable doubt in respect of the complaints.

An application by Council's solicitors for leave to appeal against the dismissal of complaints has been raised in the Supreme Court, however, it is recommended that Council not proceed with the matter.

MOVED Cr Lynn, SECONDED Cr Tippet that Council instructs McLeod & Co not to proceed with the applications for leave to appeal to the Supreme Court against the Magistrate's decision regarding Lot 158 (2) Somersby Gardens, Currambine.

CARRIED

QUINNS ROCKS FISHING CLUB - [765-12]

Cr O'Grady queried the feasibility of the Quinns Rocks Fishing Club establishing a club at the reserve known as Claytons Beach.

The City Planner advised that a request had been received and this matter was being addressed.

PROPOSED POLICE STATION - HILLARYS - [316-3]

Cr Lynn queried the position in relation to the proposed police station in Hillarys.

The City Planner advised that at present the Police Department is going through a rezoning process, following which the proposal would be advertised for public comment.

Cr Freame queried when a sign would be placed on the site as she believed that this would support the consultation process.

The City Planner advised that he would investigate this matter.

ADDITIONAL INFORMATION - WHITFORD CITY SHOPPING CENTRE - [30/300]

Cr Lynn asked that the additional information requested from the City Planner in relation to the recommendation for the Whitford City Shopping Centre proposal be distributed to Councillors by Friday, 21 March 1997.

The City Planner advised that reports to Council will be delivered on Friday, 21 March 1997.

TP58-03/97 REQUEST TO CLOSE ACCESSWAY - HAINSWORTH AVENUE AND HARFORD WAY, GIRRAWHEEN - [510-0170]

Cr Popham referred to a telephone call he had received from Mrs J Russell who was querying the position in relation to the closure of the accessway between Hainsworth Avenue and Harford Way, Girrawheen and tabled copies of the original correspondence.

Mrs Russell contacted Council in January 1996 and asks for urgent consideration of the matter.

The City Planner advised he would investigate this matter.

MOVED Cr Lynn, SECONDED Cr Tippet that the correspondence received from Mrs Russell in relation to the closure of the accessway between Hainsworth Avenue and Harford Way, Girrawheen be received and referred to the Town Planning Department for action.

CARRIED

MISINTERPRETATION OF APPLICATION LETTER - [215-1]

Cr Popham referred to a standard letter recently sent to a resident in relation to a building application and expressed his concern at the wording of the letter as he believed it created the impression that a determination would be made within three weeks.

The City Planner advised that he would investigate this matter.

SECRET HARBOUR SHOPPING CENTRE - SCHOOL PLANS - [218-1-1]

Cr Popham submitted plans of a school based in the Secret Harbour Shopping Centre and suggested that Council could utilise these plans for new developments in the northern corridor in order to support the community prior to full development of an area.

C78-03/97 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Lynn, **SECONDED** Cr Taylor that the Report of the Finance & Community Services Committee Meeting held on 19 March 1997, be received. **CARRIED**

ATTENDANCES

| | | |
|--------------|---|-----------------|
| Councillors: | M E LYNN, JP - Chairman | South-West Ward |
| | A V DAMMERS, JP - Mayor | Central Ward |
| | B C COOPER | Central Ward |
| | A G TAYLOR | South Ward |
| | F D FREAME | South-West Ward |
| | L O'GRADY - Deputising for Cr Healy | North Ward |
| | T W POPHAM - Deputising for Cr Tippet from 1818 hrs | South Ward |
| | A W WIGHT - Deputising for Cr Tippet to 1818 hrs, Observer from 1818 hrs to 1824 hrs | South Ward |
| | L A EWEN-CHAPPELL - Observer | Central Ward |
| | S P MAGYAR - Observer | Central Ward |
| | G A MAJOR - Observer | South-West Ward |
| | V G HANCOCK - Observer | South-West Ward |

| | |
|--|----------------|
| Chief Executive Officer: | L O DELAHAUNTY |
| Manager, Corporate Services: | R E DYMCK |
| City Treasurer: J TURKINGTON | |
| City Environmental Health Manager: | M AUSTIN |
| City Recreation & Cultural Services Manager: | R BANHAM |
| Manager Welfare Services: | P STUART |
| City Librarian: | N CLIFFORD |
| Minute Clerk: | S BRUYN |

APOLOGIES

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

An apology for absence was tendered by Cr Tippet; Crs Wight and Popham deputised.

An apology for late attendance was tendered by Cr Popham.

PUBLIC/PRESS ATTENDANCE

There were 3 members of the Public in attendance.

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 19 FEBRUARY 1997

The Minutes of the Finance and Community Services Committee Meeting held on 19 February 1997, be confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

PRESENTATION - JOONDALUP LOTTERIES HOUSE

Mr Michael Rose from the Lotteries House Steering Committee and Ms Patricia Tassell from Wanneroo Job Link addressed the Committee in relation to Joondalup Lotteries House - Item CS39-03/97 refers.

Mr Rose gave an overview of the proposal and advised that this proposal was intended to provide affordable accommodation for non government organisations from which to operate and to provide the opportunity for increased cooperation and interchange between different user groups.

He advised that 11 non government organisations, covering a wide diversity of areas, had shown interest in becoming tenants and included applicants from:

- accommodation services
- community development
- disability services
- employment services
- family support services
- health services
- information and advocacy
- migrant services.

Ms Tassell advised that she presently had two offices in the City of Wanneroo and commented that funds spent on rent could be better utilised in the community.

She also believed that unemployed people would benefit from closer links with other organisations which are proposed tenants.

Ms Tassell stated that this facility would also assist by attracting large numbers of people to the CBD.

Mr Rose believed this facility would be a unique asset to the area in terms of its location and services offered and commented that the project was the largest undertaken by the Lotteries Commission and would be able to service the existing and expanding northern suburbs.

He demonstrated on a plan the position of the proposed facility and requested that Council consider contributing funds of \$70,000 towards landscape of the project.

In conclusion, Mr Rose advised that this project would be a unique opportunity to see established in the City Centre a facility that would provide affordable rent for non government organisations, with the potential to attract people into the area, and urged Council to adopt the recommendation with the inclusion of \$70,000 for landscaping.

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

DECLARATIONS OF FINANCIAL INTEREST

Cr Freame declared an interest in Item CS40-03/97 as she is employed under the Scheme mentioned.

Cr Dammers declared an interest in Item FA19-03/97 as he was listed for payment.

Cr Freame declared an interest in Item CS39-03/97 as she was a paid up member of an organisation which would be seeking accommodation. In accordance with Section 5.68 (1)(b)(ii) of the Local Government Act 1995, Cr Freame's declaration of interest in relation to CS39-03/97 was considered a trivial matter.

Cr Cooper declared an interest in Item FA23-03/97 as he was Chairman of the Board of the Shire of Wanneroo Aged Persons' Home Trust (Inc).

CONFIDENTIAL BUSINESS

The following Items were considered Behind Closed Doors:

FA30-03/97 SALE OF COUNCIL PROPERTY - LOT 138 (57) NANOVICH AVENUE, GIRRAWHEEN (NANOVICH HOUSE) - [180/138/57]

FA32-03/97 OUTSTANDING GENERAL DEBTORS - FEBRUARY 1997 - CASH-IN-LIEU OF CAR PARKING SALTWATER CAFE - \$16,687.50 - [020-0]

FA33-03/97 STAFF ORGANISATIONAL REVIEW - [404-6]

MEETING TIMES

Commenced: 1804 hrs
Closed: 2030 hrs

FINANCE & ADMINISTRATIVE SECTION**REPORT NO:****FA18-03/97 ELECTRONIC MAIL & DIARY - [206-2]**

The overall outcome of the evaluation of electronic mail systems favoured MS Exchange. MS Exchange's electronic mail functionality met the City's requirements. MS Exchange uses Scheduler for its diary. This product did not offer the same level of functionality as Lotus Notes Organiser however its features met the City's requirements. MS Exchange software licenses are 40% cheaper than Lotus Notes Mail. The group recommends the current EMail pilot be extended to 50 users and MS Exchange software be trialled.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 **authorises, in accordance with Section 6.8(1) of the Local Government Act 1995, the additional expenditure of \$9,400 for electronic mail and diary software licenses;**
- 2 **recognises that the funds required for the purchase of these software licenses is by savings in the following account:**

| <u>Account No</u> | <u>Location</u> | <u>Savings</u> |
|-------------------|--------------------|----------------|
| 20259 | Software Purchases | |
| | - Property & Rates | \$9,400 |
| | Licenses | |

**CARRIED BY AN
ABSOLUTE MAJORITY**

**-03/97 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 28
FEBRUARY 1997 - [021-1]**

This report details the cheques drawn on the funds during the month of February 1997. It seeks Council's approval for the payment of the February 1997 accounts.

Cr Dammers declared an interest in Item FA19-03/97 as he was listed for payment. Cr Dammers left the Chamber at this point, the time being 2151 hrs. Cr Freame assumed the Chair.

MOVED Cr Wight, SECONDED Cr Taylor that Council:

- 1 passes for payment the following vouchers, as presented in the Warrant of Payments to 28 February 1997, certified by the Chairman of Finance and Community Services Committee and City Treasurer and totalling \$17,928,877.54:

| FUNDS | VOUCHERS | AMOUNT |
|---------------------------------------|--------------------|------------------------|
| | | \$ |
| Treasurer's Advance Account No 1 | 041958 - 043299 | 7,554,954.76 |
| Municipal | 000369 - 000379 | 10,128,260.99 |
| Trust | 000036 - 000037 | 54.00 |
| East Wanneroo Development Area Cell 1 | 000003 - 000003A | 2,911.77 |
| East Wanneroo Development Area Cell 2 | 000002 - 000002A | 1,517.67 |
| East Wanneroo Development Area Cell 3 | 0905721J | 2,897.18 |
| East Wanneroo Development Area Cell 4 | 0905719D | 1,593.82 |
| East Wanneroo Development Area Cell 5 | 0905713 - 0905713A | 912.24 |
| East Wanneroo Development Area Cell 6 | 000004 - 000004A | 10,506.63 |
| East Wanneroo Development Area Cell 7 | 000002 - 000002A | 783.79 |
| East Wanneroo Development Area Cell 8 | 000001 - 000001A | 778.75 |
| Town Planning Scheme 7A (2) | 0905766H | 5,302.16 |
| Town Planning Scheme 7A (4) | 0905761G | 57,000.00 |
| Town Planning Scheme 5 | 0905756G | 1,338.14 |
| Berkley Road Local Structure Plan | 0905748A | 10,088.67 |
| Reserve Account | 000002 | 149,976.97 |
| | TOTAL | \$17,928,877.54 |

CARRIED

Cr Dammers entered the Chamber at this point and resumed the Chair, the time being 2152 hrs.

Appendix XI refers

FA20-03/97 AUTHORISATION OF REALLOCATION OF FUNDS - [0062]

Various requests have been received for authorisation, in accordance with Section 6.8 (1) of the Local Government Act 1995, 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. Items approved by Council, but not previously listed in the Schedule, are also included for consistency and to facilitate presentation of an accumulated balance.

Cr Cooper left the Chamber at this point, the time being 2153 hrs.

ADDITIONAL INFORMATION

An additional item is required to be included in Report FA20-03/97. Attached hereto is replacement page 12 to this report - refer Appendix XIII.

MOVED Cr Freame, SECONDED Cr Taylor that Council authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, amendments to the “revised budget figures” of the 1996/97 Budget as detailed in the Schedule of Budget Reallocation Requests - 19 March, 1997.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIII refers.

FA21-03/97 OUTSTANDING GENERAL DEBTORS - 28 FEBRUARY 1997 - [020-0]

This report details the outstanding general debtors as at 28 February 1997 and outlines the action being taken to effectively control those debtors which have outstanding for in excess of 90 days. It recommends a write off of debts totalling \$1,666.65.

MOVED Cr Wight, SECONDED Cr O’Grady that Council, writes out of its General Debtors Ledger an amount of \$1,666.65 representing debts considered irrecoverable, as detailed in Attachment ‘B’ to Report FA21-03/97.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIV refers

FA22-03/97 FUNDING OF SPECIFIC SERVICES IN SPECIFIED AREAS - [909-3]

This report considers funding options for providing specific services in specific areas. It highlights various issues which require resolution prior to Council finalising its position in relation to the provision of enhanced standard of landscaping treatments for median and road verge treatments and also for the provision of an all night security service.

REPORT RECOMMENDATION: THAT Council refers the funding issues associated with enhanced suburb landscaping treatment and night security patrols to the respective Committees/Working Parties already established to consider these matters.

Cr Cooper entered the Chamber at this point, the time being 2154 hrs.

COMMITTEE RECOMMENDATION: That Council:

- 1 refers the funding issues associated with enhanced suburb landscaping treatment to the Committee/Working Party already established to consider this matter;
- 2 forms a Committee to review the introduction of night security patrols.

Crs Magyar and Wight nominated Cr Taylor.

Cr Hancock nominated Cr Lynn.

Cr O'Grady nominated Cr Cooper.

Cr Healy nominated Cr O'Grady.

MOVED Cr Freame, SECONDED Cr Popham that Council:

- 1 refers the funding issues associated with enhanced suburb landscaping treatment to the Committee/Working Party already established to consider this matter;
- 2 forms a Committee consisting of Crs Taylor, Lynn, Cooper and O'Grady to review the introduction of night security patrols. **CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Cooper left the Chamber at this point, the time being 2155 hrs.

**FA23-03/97 LOAN BORROWINGS - SHIRE OF WANNEROO AGED
PERSONS' HOME TRUST (INC) - [815-3-1]**

Council is in receipt of a request from the Shire of Wanneroo Aged Persons' Home Trust (Inc) to borrow the sum of \$100,000 by way of an overdraft from the National Australia Bank - Wanneroo Branch to provide a cash flow for the initial operation of the community Nursing Home.

Cr Cooper declared an interest in Item FA23-03/97 as he was Chairman of the Board of the Shire of Wanneroo Aged Persons' Home Trust (Inc).

MOVED Cr Taylor, SECONDED Cr Tippettt that Council, pursuant to the provisions of Clause 33 of the Constitution of the Shire of Wanneroo Aged Persons' Home Trust (Inc), grants approval to the Trust to borrow \$100,000 by way of an overdraft from the National Australia Bank for the purpose of a short term operational overdraft for its Community Nursing Home. **CARRIED**

Cr Cooper entered the Chamber at this point, the time being 2156 hrs.

**FA24-03/97 DRAFT 1997/98 BUDGET AND FORWARD PLAN PROGRESS
REPORT - [006-3]**

Compilation of the Draft 1997/98 Budget and Forward Plan has commenced. This is a significant undertaking requiring the combined efforts of many officers from each department/directorate of the City. At this juncture it is appropriate that Council provides broad budget guidelines to assist officers in the compilation process and their estimating and prioritising decisions.

The City Treasurer sought direction in relation to the relativities between the commercial and residential rate in the \$ for the 1997/98 Draft Budget compilation.

REPORT RECOMMENDATION: THAT Council:

- 1 approves the compilation of the Draft 1997/98 Budget and Forward Plan on a Directorate/Business Unit format;
- 2 approves the compilation of the Draft 1997/98 Budget and Forward Plan on a detailed Business Sub Unit Account basis for management purposes and a consolidated Business Unit Revenue and Expenses 'nature' basis for budget adoption purposes;
- 3 approves the distribution of overhead administration costs and identification of governance costs in accordance with the principles outlined in Attachments 'C' and 'D' to Report FA24-03/97;
- 4 adopts the following financial parameters as broad guidelines for the preparation of the Draft 1997/98 Budget and Forward Plan:
 - (a) expenditure levels to be curtailed to similar levels as in the 1996/97 Annual Budget to achieve an overall nil rate increase;
 - (b) the Draft 1997/98 Budget to be constructed on the basis of nil loan borrowings;
 - (c) with the exception of specific concessions to children and senior citizens the principle of user pays to be applied as far as practicable to the provision of Council's services and the use of Council's facilities;
 - (d) for Salaries and Wages estimates and in those circumstances where it is considered appropriate to apply an inflationary factor for budget estimating purposes an increase of 2% to be applied.

MOVED Cr Lynn, SECONDED Cr Taylor that Council:

- 1 approves the compilation of the Draft 1997/98 Budget and Forward Plan on a Directorate/Business Unit format;
- 2 approves the compilation of the Draft 1997/98 Budget and Forward Plan on a detailed Business Sub Unit Account basis for management purposes and a consolidated Business Unit Revenue and Expenses 'nature' basis for budget adoption purposes;
- 3 approves the distribution of overhead administration costs and identification of governance costs in accordance with the principles outlined in Attachments 'C' and 'D' to Report FA24-03/97;
- 4 adopts the following financial parameters as broad guidelines for the preparation of the Draft 1997/98 Budget and Forward Plan:
 - (a) expenditure levels to be curtailed to similar levels as in the 1996/97 Annual Budget to achieve an overall nil rate increase;
 - (b) the Draft 1997/98 Budget to be constructed on the basis of nil loan borrowings;
 - (c) with the exception of specific concessions to children and senior citizens the principle of user pays to be applied as far as practicable to the provision of Council's services and the use of Council's facilities;
 - (d) for Salaries and Wages estimates and in those circumstances where it is considered appropriate to apply an inflationary factor for budget estimating purposes an increase of 2% to be applied;
- 5 that the Draft 1997/98 Budget be constructed using the current relativities with any adjustment or fine tuning to be received and reassessed at Budget time. **CARRIED**

Appendix XV refers

FA25-03/97 MINIMUM PAYMENT - RATING - [018-4]

This report considers the effect that the abolition of the minimum payment would have on the 1996/97 Budget in terms of rate in the dollar and average rates. It outlines the virtues of the continuation of a minimum payment.

At the Finance and Community Services Committee Meeting, Cr Major referred to the memorandum he had distributed on 17 March 1997, in relation to minimum payments for vacant lots and requested that the proposal submitted in this memorandum be considered by Council.

Cr Major gave an overview and explanation of papers he had prepared addressing the concerns held by a number of Councillors in relation to the minimum rating payment.

A copy of these papers will be circulated to all Councillors for their consideration.

MOVED Cr Lynn, SECONDED Cr Taylor that Council continues to apply a minimum payment as permitted by the provisions of Section 6.35 of the Local Government Act 1995 for its 1997/98 rating determinations. CARRIED

FA26-03/97 INTERNAL AUDIT REVIEW - STORES, ORDERING AND TENDERING PROCEDURES - [002-1]

Council's Auditor, Mr Graham McHarrie of Deloitte Touche Tohmatsu, Chartered Accountants undertook an internal audit review of the City's Stores, Ordering and Tendering procedures to ensure compliance with relevant legislation and to ensure industry best practice. The review recommended action be taken on various matters.

MOVED Cr Lynn, SECONDED Cr Taylor that the recommendations outlined in the Independent Audit Review of Stores Ordering and Tendering Procedures be considered within the appropriate Directorates following the management restructure. CARRIED

FA27-03/97**DONATIONS - [009-1]**

This report details requests for financial assistance during the month of February, 1997. The requests for financial assistance are:

1. for sports persons who have been selected to represent Western Australia in various categories of sport;
2. a charitable institution which assists residents living within the City of Wanneroo;
3. twenty nine students who reside within the municipality who will perform in the senior orchestra, stage band, symphonic wind ensemble and choir during a International Music Tour of Singapore and China.

MOVED Cr Lynn, SECONDED Cr Taylor that Council:

- 1 **donates \$50.00 to each of the following persons to assist with costs to participate in their respective sports:**

| | | | |
|----------------------|---|------------------------------|------|
| Miss Amber Lilley | - | 8 Sherington Road, Greenwood | 6024 |
| Mr Matthew Fussell | - | 2 Finney Crescent, Marmion | 6020 |
| Mr John Fussell | - | 2 Finney Crescent, Marmion | 6020 |
| Miss Priscilla Hill | - | 22 Charlton Court, Kingsley | 6026 |
| Miss Hayley Rodda | - | 19 Talbot Drive, Kingsley | 6026 |
| Mrs Annette Burns | - | 8 Ensign Way, Beldon | 6025 |
| Miss Christina Burns | - | 8 Ensign Way, Beldon | 6025 |
| Miss Jennifer Barton | - | 30 Cimbrook Way, Duncraig | 6023 |

such donations to be from Budget Item number 29470 - Sundry Donations - Recreation and Sport - Other;

- 2 **donates \$50.00 to the following charitable institution:**

Arthritis Foundation of WA - P O Box 34, Wembley 6014

such donation to be from Budget Item number 26531 - Sundry Donations - Other Welfare Services;

- 3 **does not donate to Miss Jan Metzger of 14 Amethyst Way, Carine;**

- 4 **donates \$200 to the Churchlands Senior High School, 1997 Tour Sub Committee to assist with offsetting costs to attend the Singapore/China Music Tour 1997. Such donation to be from Budget Item number 29470 - Sundry Donations, Recreation and Sport - Other.**

CARRIED

FA28-03/97**PUBLIC APPEAL - ASHBURTON RIVER FLOODS - [009-1]**

This report details a request for financial assistance from the Shire of Ashburton for the Ashburton River floods. The Shire of Ashburton has launched a Public Appeal to assist the station owners who have suffered extreme severe losses, by way of fencing damage, bore damage and stock losses.

MOVED Cr O'Grady, SECONDED Cr Wight that Council authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the expenditure of \$1,000 for assistance to flood victims in the Ashburton district. CARRIED BY AN ABSOLUTE MAJORITY

FA29-03/97**EXTENSION OF WANGARA INDUSTRIAL ESTATE -
WATER AND SEWERAGE HEADWORKS AND ROAD
CLOSURE CHARGES - [740-99666]**

Council is in the process of subdividing and developing its landholding in the north west sector of Wangara into sixteen industrial lots as shown on Attachment No 1. The development requires Council to pay in the order of \$30,000 to the Water Corporation for water and sewerage headworks services and \$1000 to the Department of Land Administration for the land contained within road and recreation reserves that are to be partially closed or cancelled.

Cr Popham referred to the last two paragraphs on page 1 of Report FA29-03/97 and queried the position in relation to the standard contribution for the Water Corporation headworks.

The City Treasurer advised he would take this matter on notice.

At the Finance and Community Services Committee Meeting Cr Taylor queried who had responsibility for the naming of streets and requested that Council investigate the feasibility of naming a street in the Wangara area, possibly near the end of Mary Street, after the Vlahov family.

Cr Dammers advised that any request for naming of streets would need to be considered by the East Wanneroo Development Occasional Committee.

ADDITIONAL INFORMATION

The City Planner advised that in considering Report No FA29-03/97 at its March meeting, the Finance and Community Services Committee requested clarification as to why the water and sewer headworks and the underground power cable supply were not included in the civil engineering contract for the provision of services within this subdivision.

The contract that was awarded to Triad Contractors at the tendered price of \$431,638 was for the construction or installation of roadworks, drainage, sewer reticulation, water reticulation and underground power cable. With the exception of the underground power cable, the materials required for the construction or installation of those services are readily available on the open market from a number of different suppliers and it is the contractor's responsibility to obtain those materials to the required standard at the best price.

At the time the component items of the civil engineering contract were being designed and quantified for inclusion in a tender, Western Power was the only source of supply for the underground cable. The construction industry standard practice was for the developer to purchase the cable from Western Power and make it available to the contractor for installation.

The operational procedures of Western power were altered on 1 January 1997 in response to State Government privatisation initiatives and supply arrangements may now be different, however the change occurred after this tender had closed.

The Water Corporation's standard headworks charge is a contribution to the Corporation's major infrastructure works and is the responsibility of the developer. The infrastructure works include currently existing or defined future requirements for storage, treatment, collection and disposal of water and sewerage facilities on a State and regional basis that the new lots created by the subdivision will utilise. There is no involvement on the part of the contractor in that proportionate contribution and it therefore was not included in the civil engineering contract.

MOVED Cr Lynn, SECONDED Cr Taylor that Council authorises payment from Account No 33198 - Extension of Wangara Industrial Estate as follows:

- 1 to the Water Corporation for headworks contributions to service the extension of the Wangara Industrial Estate in the amount of \$46,432;
 - 2 \$1000 plus conveyancing fees for partial road closure and recreation reserve cancellation to the Department of Land Administration;
 - 3 an amount equal to the amount received from Mr A & Mrs R Z Vlahov to accommodate the provision of water and sewer reticulation connections to their property at Pt Lot 51 Mary Street, Wangara as a variation to the works contract commissioned by Council.
- CARRIED**

FA30-03/97 SALE OF COUNCIL PROPERTY - LOT 138 (57) NANOVICH AVENUE, GIRRAWHEEN (NANOVICH HOUSE) - [180/138/57]

The Council property at 57 Nanovich Avenue, corner of Denston Way, Girrawheen (Nanovich House) was advertised in the State-wide press for sale by private treaty. An offer to purchase the property for the price of \$56,000 has been received from Mr C D Morgan.

MOVED Cr Lynn, SECONDED Cr Taylor that Council authorises State-wide public notice being given as required by Section 3.58 of the Local Government Act 1995 of its intention to dispose of the property at 57 Nanovich Avenue, Girrawheen to C D Morgan at the price of \$56,000 and invites submissions in respect to the intended disposition.

CARRIED

FA31-03/97 CIVIC RECEPTIONS & FUNCTIONS - [703-3]

Approval is sought from Council for the official launch of the City of Wanneroo Shipwreck Trail by His Worship the Mayor, and the hosting of a morning tea for approximately 50 guests, at the Two Rocks Marina, Two Rocks. The proposed date of Wednesday, 16 April 1997, has been requested to coincide with the 1997 Heritage Festival.

MOVED Cr Lynn, SECONDED Cr Taylor that Council:

- 1 approves the official launch of the City of Wanneroo Shipwreck Trail and the presentation of Appreciation Certificates to those persons involved in establishing the Trail;
- 2 issues invitations to all Councillors, Department Heads, Local Politicians, the Historical Sites Advisory Committee, Gloucester Lodge Museum staff, selected WA Maritime Museum staff and representatives of the Two Rocks Marina Senior Personnel, to a maximum of 50 guests;
- 3 authorises the use of the Council Education Bus to transport guests from the Administration Centre to the Two Rocks Marina;
- 4 provides a morning tea for guests following the official launch. **CARRIED**

FA32-03/97 OUTSTANDING GENERAL DEBTORS - FEBRUARY 1997 -
CASH-IN-LIEU OF CAR PARKING SALTWATER CAFE -
\$16,687.50 - [020-0]

The proprietors of the Salt Water Cafe have an outstanding amount of \$16,687.50 due to Council for cash in lieu of car parking for Lot 119 (80) Ocean Drive, Quinns Rocks.

Council officers made an original arrangement with the proprietors to pay the cash in lieu of car parking account by four instalments of \$5,562.50. Only one instalment was paid on 23 September 1997.

Due to financial hardship the proprietors have now sought further relief via a payment programme of 12 monthly instalments plus one "balloon" payment of \$10,000 in March 1998. They requested that no interest penalty be levied.

REPORT RECOMMENDATION: That Council advises the proprietors of the Saltwater Cafe, J & S Pertile, that it:-

1. agrees to a repayment programme for the repayment of the outstanding cash-in-lieu of car parking levy of \$16,687.50. Such repayment programme to include an interest component calculated at Council's overdraft rate (currently 9.25%);
2. agrees that the repayment programme comprise the following elements:-

| | |
|--|-------------|
| 12 monthly payments (at the end of each month) of \$557.00 | \$ 6,684.00 |
| 1 final payment (including interest of \$1,170.00) on 31 March 1998 | \$11,173.00 |
| | <hr/> |
| | \$17,857.00 |
| | <hr/> |

3. will investigate the option of placing a memorial or caveat on the property title to protect Council's interest in the land. Such actions to be at the proprietor's cost.

MOVED Cr Lynn, SECONDED Cr Taylor that Council:

- 1 **rejects the proposal from Saltwater Cafe for repayment of its account and gives the proprietors 14 days to bring their account into conformity with the original agreement;**
- 2 **instigates legal proceedings against Saltwater Cafe should Item (1) above not be satisfied within the time specified. CARRIED**

FA33-03/97 STAFF ORGANISATIONAL REVIEW - [404-6]

The introduction of broadbanding as required by the Local Government Officers (WA) Award gave rise to some anomalies. Following an undertaking being given to staff and the Australian Services Union that an independent review would be conducted, a Consultant was engaged to oversee the process, including the carrying out of independent translations, in order to achieve equity and relativities across the organisation. The review has now been completed. New position descriptions were developed, using a standard format developed by the consultant and these position descriptions were the source of translation, with staff being classified in accordance with definitions laid down within the LGO Award.

MOVED Cr Lynn, SECONDED Cr Taylor that Council:

- 1 **the salary reclassifications as detailed in Attachment 1 to Report FA33-03/97, with payment to take effect from the first pay period on or from 1 January 1997;**
- 2 **provision of the necessary funds to accommodate the cost of the reclassifications to be met from salaries savings. CARRIED**

Appendix XVI refers

FA34-03/97 HISTORICAL ESSAY COMPETITION - [240-12]

The Historical Essay Competition closed on 14 February 1997. Entries have now been considered by the judges and recommended winners forwarded for Council determination.

MOVED Cr Lynn, SECONDED Cr Taylor that Council:

- 1 **awards prizes for the 1997 Historical Essay Competition as outlined in Report FA34-03/97 and presents such prizes at the annual Pioneer Luncheon on 18 April 1997;**
- 2 **names of prize winners to be kept confidential until such date. CARRIED**

Appendix XVII refers

COMMUNITY SERVICES SECTION**CS30-03/97 FOOD COMPLAINT - SAMPLE NO 120C - [851-1]**

Council is advised of a complaint regarding a foreign material found within a 1 litre carton of Masters Iced Coffee purchased from Coles Supermarket, Beldon on 7 October 1996. The inclusion of foreign material in food is termed adulteration and the preparation and sale of such food is an offence under the Health Act 1911.

MOVED Cr Freame, SECONDED Cr Lynn that Council in accordance with the provisions of the Health Act 1911 instigates legal proceedings against Coles Supermarket, Unit 20, 36 Gwendoline Drive, Beldon WA 6027 and/or Masters Dairy, 86 Radium Street, Bentley WA 6102 with respect to food complaint sample number 120C.

CARRIED

CS31-03/97 FOOD COMPLAINT - SAMPLE NO 123C - [851-1]

Council is advised of a complaint regarding foreign material found within a 200g packet of Murphy's Potato Chips purchased from Action Food Barns, Whitford City Shopping Centre on 11 November 1996. The inclusion of foreign material in food is termed adulteration and the preparation and sale of such food is an offence under the Health Act 1911.

MOVED Cr Freame, SECONDED Cr Lynn that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against Action Food Barns, Whitford City Shopping Centre, 470 Whitfords Avenue, Hillarys WA 6025 and/or Murphy's Crisps Pty Ltd, 1/3 Absolom Street, Palmyra WA 6157 with respect to food complaint sample number 123C.

CARRIED

CS32-03/97 BREACH OF HEALTH ACT 1911 - SUBSTANDARD FOOD - [30/853-6]

Council is advised of the results of a recent chemical analysis of sausages purchased from Marmion Village Meats, Shop 6 Marmion Village Shopping Centre. The analysis revealed a sulphur dioxide concentration level of 610g/kg present in the sausages; 110g/kg over the permitted level, as prescribed in the Australian Food Standards Code 1992. The excess of preservative can be termed adulteration which is an offence under the Health Act 1911.

MOVED Cr Freame, SECONDED Cr Lynn that Council in accordance with the provisions of the Health Act 1911 instigates legal proceedings against the proprietors of Marmion Village Meats, Shop 6 Marmion Village Shopping Centre, Sheppard Way, Marmion WA 6020 in regard to the sale of adulterated food being sausages, listed as sample number 256.

CARRIED

CS33-03/97 HEALTH ACT NOTICE - SPLITZ, WANNEROO MARKETS, SHOP 184, 33 PRINDIVILLE DRIVE, WANGARA - [30/1901-184]

Council is advised of the service of a Health Act Notice upon Mr A Cardile, the occupier of Splitz, Wanneroo Markets, Shop 184, 33 Prindiville Drive, Wangara on 25 February 1997. The Notice related to items of cleaning, pest control and maintenance. Council is requested to endorse the service of the Notice and authorise legal action for default.

MOVED Cr Freame, SECONDED Cr Lynn that Council:

- 1 endorses the issue of the service of the Health Act Notice of 25 February 1997
on Mr A Cardile, 49 Archer Street, Wanneroo;
- 2 authorises legal action against Mr A Cardile for default of the Notice dated 25
February 1997. CARRIED

CS34-03/97 **OFFENSIVE TRADE APPLICATIONS - FISH PROCESSING -**
[30/300 C30/5102]

Council is advised of an application from Woolworths Supermarkets WA Pty Ltd to establish an offensive trade (fish processing establishment) at two stores, being Whitford City Shopping Centre, Lot 501 (470) Whitfords Avenue, Hillarys and Currumbine Market Place Shopping Centre, Lot 929 (1244) Marmion Avenue, Currumbine.

MOVED Cr Freame, **SECONDED** Cr Lynn that Council approves the establishment of an offensive trade (fish processing establishment) at Woolworths Supermarket, Whitford City Shopping Centre, Lot 501 (470) Whitfords Avenue, Hillarys and the Currambine Market Place Shopping Centre, Lot 929 (1244) Marmion Avenue, Currambine, subject to:

- 1 the premises complying in all respects with the Health Act Regulations and
Local Laws made thereunder;
- 2 the applicant obtaining a Form 2 Building Licence approval for the proposed
shop fit outs.
- CARRIED**

CS35-03/97 NOISE - STEREO MUSIC FROM 24 HARFORD WAY
GIRRAWHEEN - [177/685/24]

Council is advised of the issuing of a Pollution Abatement Notice upon the owners/occupiers of 24 Harford Way Girrawheen for noise, being stereo music, emanating from that premises. Formal endorsement of the Notice and Council's support to initiate legal action upon default is sought.

MOVED Cr Freame, SECONDED Cr Lynn that Council:

- 1 ratifies the issuing of the Pollution Abatement Notice of 13 March 1997 against the owners/occupiers of 24 Harford Way Girrawheen, Noel Bradley Ronan and Tamera Faye Ronan;
- 2 authorises the instigation of legal proceedings against Noel Bradley Ronan and Tamera Faye Ronan should default occur against the Pollution Abatement Notice.

CARRIED

- (d) employs an electrical contractor to vary light emissions of lighting to Council facilities along Scenic Drive, Wanneroo, estimated cost \$600;

- 3 requires the submission of a Draft Integrated Control Strategy prior to September 1997. **CARRIED**

CS38-03/97 KEEPING OF PIGEONS - [1941/62/16]

Council has received an application from Mr David Mearns, 16 Addington Way, Marangaroo to keeping racing pigeons at his property.

MOVED Cr Freame, SECONDED Cr Lynn that Council approves the application by Mr David Mearns, 16 Addington Way, Marangaroo to keep 75 pigeons subject to the following:

- 1 Mr Mearns providing proof that he is a registered fancier or member of a recognised incorporated pigeon racing club;
- 2 Mr Mearns complying with Council's Local Law Relating to the Keeping of Pigeons. **CARRIED**

CS39-03/97 JOONDALUP LOTTERIES HOUSE - [890-18]

The Lotteries House Steering Committee is seeking approval from Council to lodge an application to the Lotteries Commission for funding the construction of a Lotteries House on Lot 496 Davidson Terrace, Joondalup. The project, estimated at a cost of \$3,425,000, will provide accommodation for eleven non government organisations. The proposal to the Lotteries Commission also includes a contribution from Council of land and parking.

REPORT RECOMMENDATION: THAT Council:

- 1 approves the submission of an application for funding to the Lotteries Commission for the construction of a Lotteries House at Lot 496 Davidson Terrace, Joondalup;
- 2 subject to the establishment of a satisfactory lease arrangement, approves the construction of a Lotteries House part of Lot 496 Davidson Terrace, Joondalup, subject to the normal planning and building approval processes;
- 3 as part of its contribution, proposes the project budget is reduced by \$480,000 on the basis it will meet the carparking responsibilities as follows:
 - (a) in the short term, permit carparking in the existing temporary on grade carpark;
 - (b) in the longer term, agrees to make parking provision for tenants of the Lotteries House in any future undercroft parking in the civic and cultural precinct at Joondalup;
- 4 agrees to meet the deferred cost of any future podiums or pedestrian walkways which will link the Lotteries House with facilities within the civic and cultural complex.

Cr Freame declared an interest in this Item as she is a member of a possible tenant group of the proposed building in question.

Cr Freame left the Chamber at this point, the time being 2210 hrs.

MOVED Cr Taylor, SECONDED Cr Cooper that Council:

- 1 approves the submission of an application for funding to the Lotteries Commission for the construction of a Lotteries House at Lot 496 Davidson Terrace, Joondalup;
- 2 subject to the establishment of a satisfactory lease arrangement, approves the construction of a Lotteries House part of Lot 496 Davidson Terrace, Joondalup, subject to the normal planning and building approval processes;
- 3 as part of its contribution, proposes the project budget is reduced by \$480,000 on the basis it will meet the carparking responsibilities as follows:
 - (a) in the short term, permit carparking in the existing temporary on grade carpark;
 - (b) in the longer term, agrees to make parking provision for tenants of the Lotteries House in any future undercroft parking in the civic and cultural precinct at Joondalup;
- 4 agrees to meet the deferred cost of any future podiums or pedestrian walkways which will link the Lotteries House with facilities within the civic and cultural complex;
- 5 allocates funds in the 1998/99 Budget totalling \$70,000 for the provision of landscaping. **CARRIED**

CS40-03/97 NEW FEE STRUCTURE - FAMILY DAY CARE - [856-0]

A proposal is being put forward by the Family Day Care Advisory Committee to increase user fees from both carers and parents registered with the Council's Family Day Care Scheme. The increase is necessary due to:

- increase in salaries and on costs;
- decrease in grant funding due to a reduction in the demand for the service.

Cr Freame declared an interest in Item CS40-03/97 as she is employed under the Scheme mentioned. Cr Freame was not present in the Chamber at this time.

REPORT RECOMMENDATION: THAT Council, BY AN ABSOLUTE MAJORITY:

- 1 approves the increase of Family Day Care playgroup fees to \$40.00 per annum effective from 1 July 1997;
- 2 approves the increase of the Family Day Care Parent Administration Fee to 10 cents per child per hour of child care, effective from 1 May 1997.

MOVED Cr Taylor, SECONDED Cr Tippet that Council:

- 1` approves the increase of Family Day Care playgroup fees to \$40.00 per annum effective from 1 July 1997;
- 2 approves the increase of the Family Day Care Parent Administration Fee to 10 cents per child per hour of child care, effective from 1 May 1997;
- 3 in accordance with the provisions of Section 6.19 of the Local Government Act 1995, gives public notice of its intention to impose the fees.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Freame entered the Chamber at this point, the time being 2212 hrs.

CS41-03/97 LIBRARY DEVELOPMENT SCHEDULE - [240-2]

The Clarkson/Tamala Park Library is ranked first in the Five Year Capital Works Programme for construction in 1997/98. Delays to both the anticipated land developer's schedule and provision of stock by The Library Board of Western Australia impact on Council's proposed programme.

REPORT RECOMMENDATION: THAT Council:

- 1 revises the Clarkson/Tamala Park Library Capital Works Schedule to proceed over two financial years, 1997/98 and 1998/99;
- 2 seeks an extension of the agreement time with Westrail for the Mobile Library to continue service from the Currambine Railway Station until December 30, 1998;
- 3 advises the Library Board of Western Australia of its continued commitment to construction of the Clarkson/Tamala Park Library.

MOVED Cr Freame, SECONDED Cr Lynn that Council:

- 1 revises the Clarkson/Tamala Park Library Capital Works Schedule to proceed over two financial years, 1997/98 and 1998/99;
 - 2 seeks an extension of the agreement time with Westrail for the Mobile Library to continue service from the Currumbine Railway Station until December 30, 1998;
 - 3 advises the Library Board of Western Australia of its continued commitment to construction of the Clarkson/Tamala Park Library;
 - 4 seeks a deputation to the Minister for Arts, the Honourable P.G Foss MLC
- CARRIED**

CS42-03/97 PURCHASE OF SURPLUS CLEANING EQUIPMENT -
CRAIGIE LEISURE CENTRE - (680-1)

One tender was received on Friday 21 February 1997 for surplus cleaning equipment at Craigie Leisure Centre. Council's endorsement to sell the various items of equipment to the tenderer is sought.

MOVED Cr Lynn, SECONDED Cr Hancock that Council:

- 1 accepts the tender from Briskleen Supplies to purchase:

Polivac Rotary Shampoo Machine \$350
 Polivac Suction Polisher \$500
 - 2 does not accept the tender from Briskleen Supplies to purchase the Rotobic Rocket Vacuum Cleaner;
 - 3 in accordance with the provisions of Section 5.43 of the Local Government Act 1995 authorises the Chief Executive Officer to dispose of:

Whirl Away High Pressure Machine
 Karcher High Pressure Cleaner HD850WS
 Rotobic Rocket Vacuum Cleaner
 Advance Carpetreiver 28P Upright Vacuum
 Advance Convertamatic 26B Scrubber
 - 4 writes the Polivac Rotary Shampoo Machine and Polivac Suction Polisher out of Council's asset register.
- CARRIED BY AN
 ABSOLUTE MAJORITY**

CS43-03/97 DONATION - COMMITTEE FOR THE PREVENTION OF
CHILD ABUSE IN THE CITY OF WANNEROO - (202-1-2,
C880-1)

A request has been received from the Committee for the Prevention of Child Abuse in the City of Wanneroo seeking a donation of hire fees for its use of two rooms at Wanneroo Recreation Centre.

The committee comprises representatives from the Department of Family and Children's Services, Education Department personnel from primary and high schools and other professional persons working in the area of child abuse.

The committee is voluntary and is not financially supported by the Department of Family and Children's Services or the Education Department.

MOVED Cr Freame, SECONDED Cr Lynn that Council makes a non-statutory donation of \$238.60 to cover:

| | | |
|----------|------------------------|-----------------|
| 1 | Facility hire | \$138.60 |
| 2 | Creche donation | \$100.00 |

from Account No 26531 Sundry Donations, Other Welfare to the Committee for the Prevention of Child Abuse in the City of Wanneroo, for the hire of the Coffee Lounge and Meeting Room at Wanneroo Recreation Centre on 8 April 1997 with the proviso that it duly acknowledges the sponsorship of the City of Wanneroo. **CARRIED**

CS44-03/97 YANCHEP YOUTH SERVICE - [483-2]

The first month of operation of Yanchep Youth Service has highlighted a greater need for services and support to young people in the area than was originally anticipated. Demands on the service have been far greater than expected. This has emphasised the need for additional staff hours and funds for operating costs, activities and equipment.

MOVED Cr Wight, SECONDED Cr O'Grady that Council authorises in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, an additional unbudgeted expenditure of \$6,555 for the Yanchep-Two Rocks Youth Project to ensure effective service provision for the remainder of the 1996/97 financial year, such funds to be allocated as follows:

| | |
|---|----------------|
| Budget Item No. 26711 Salaries and Wages | \$3,055 |
| Budget Item No. 31171 Youth Services Yanchep | \$2,500 |
| Budget Item No. 26795 Minor Equipment | \$1,000 |

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CS45-03/97 CULTURAL DEVELOPMENT 1997/98 DRAFT BUDGET
ITEMS - [429-1-12]**

Two regular community development projects will no longer be promoted by staff in the Recreation and Cultural Services business unit. They include the annual Festival of Perth Concert at Neil Hawkins Park (Item CS128-07/96) and Children's Book Week, which will now be co-ordinated by Library staff together with representatives from the Education Department (Item CS194-11/96).

Funds normally allocated to these projects in the Cultural Development budget have been deleted. New projects are currently being researched for implementation. This report outlines these initiatives and seeks Council support for their inclusion in the 1997/98 draft budget.

REPORT RECOMMENDATION: THAT Council authorises the following projects to be listed for consideration in the 1997/98 Cultural Development draft budget:

| | |
|-------------------------------|----------------|
| Tales of Time Past | |
| Arts WA | \$2,000 |
| City of Wanneroo | \$6,000 |
| Total | <u>\$8,000</u> |
| Youth Theatre Project | |
| Healthway | \$3,000 |
| City of Wanneroo | \$6,850 |
| Total | <u>\$9,850</u> |
| Totem Pole Project | |
| Total | <u>\$3,000</u> |
| Cultural and Historical Walks | |
| Corporate Sponsor | \$2,000 |
| City of Wanneroo | \$5,000 |
| Total | <u>\$7,000</u> |

Following a request by Cr O'Grady, the City Recreation and Cultural Services Manager advised he would submit information prior to the Council meeting to be held on 26 March 1997 in relation to the Youth Theatre Project.

Cr Major queried public awareness and participation in these projects.

The City Recreation and Cultural Services Manager will submit further information prior to the Council meeting to be held on 26 March 1997.

COMMITTEE RECOMMENDATION

That Council:

- 1 authorises the following projects to be listed for consideration in the 1997/98 Cultural Development draft budget:

Tales of Time Past

Arts WA \$2,000

City of Wanneroo \$6,000

Total \$8,000

Youth Theatre Project

Healthway \$3,000

City of Wanneroo \$6,850

Total \$9,850

Totem Pole Project

City of Wanneroo \$3,000

Total \$3,000

| | |
|-------------------------------|-----------------------|
| Cultural and Historical Walks | |
| Corporate Sponsor | \$2,000 |
| City of Wanneroo | \$5,000 |
| Total | <u>\$7,000</u> |

- 2 seeks further advice from the City Recreation and Cultural Services Manager in relation to the proposed projects prior to the Council meeting to be held on 26 March 1997.

ADDITIONAL INFORMATION

The City Recreation and Cultural Services Manager advised that at its meeting on 19 March 1997, the Finance and Community Services Committee requested further information on several cultural initiatives planned for the forthcoming financial year. This report provides additional information associated with these projects. The new projects are considered to be important to the development of cultural activity within the municipality.

DETAILS

Tales of Times Past aims to provide creative integration of senior citizens from a variety of cultural backgrounds and promote social integration between the elderly community and school students.

The twelve week storytelling workshops will be conducted by a professional artist. The workshops will be organised in consultation with the senior citizens clubs and organisations within the municipality. The project has two stages:

Stage One The workshops will develop participants' storytelling skills and confidence. Additionally, it will prepare and assist participants in their public performances. In consultation with the participants, the co-ordinator of the project will liaise with school librarians and offer and accept bookings for storytelling performances.

Stage Two Assessment of the project will involve the development of an ongoing group of storytellers available to schools and community groups.

| | |
|------------------|---------|
| Arts WA | \$2,000 |
| City of Wanneroo | \$6,000 |

Total Cost \$8,000

An application for funding assistance was forwarded to Arts WA on 28 February 1997 (Attachment 1 refers).

Expenditure Items

| | | |
|--------------------------|--|---------|
| <i>Professional fees</i> | Artists fees (50hrs @ \$40.00/hr) | \$2,000 |
| | Co-ordinator's fees (112 hrs @ \$25.00/hr) | \$2,800 |

| | | |
|-------------------------|---|----------------|
| <i>Production costs</i> | Launch | \$ 275 |
| | Workshops (\$15.00 x 15 workshops) | \$ 225 |
| | Venue hire (function and workshop areas) | \$ 200 |
| | Advertisements (Wanneroo Times 2 x \$300) | \$ 600 |
| | Documentation (photography/video) | \$ 100 |
| | Posters/flyers | \$1,500 |
| | Administration costs (phone, fax, video tapes, postage) | \$ 300 |
| | Total cost | \$8,000 |

The **Youth Theatre Project** is a “one off” development programme.

According to the WA State Government’s young people and the arts policy, the official age group of young people is 0-24. The Youth Theatre Project aims to involve young people in the age group of 16-26. Theatre is available to students within some upper secondary level schools; however, young people between the ages of 17-24 are not easily accommodated in the area of youth theatre.

The most reputable theatrical institution within Western Australia offers theatre to individuals over the age of 21 years. This leaves a gap for many young people endeavouring to achieve skills in the theatre industry.

The Youth Theatre Project aims to achieve the following objectives:

- to enhance artistic and theatre skills of young people by working with professional artists;
- to enhance the profile of young people;
- to train participants in management production such as stage management, sound, lighting, direction, theatrical discipline, publicity, promotion and performance;
- to encourage team work and collaboration between young people and the wider community;
- to provide a quality theatrical production for the general public.

The Northern Youth Theatre will be accessed for the project, as the group has a well researched data base of young people residing in the municipality. There will be a total of 50 participants who will be accepted on an interview basis. The participants will have the opportunity to gain skills in a variety of areas from production and stage to performance.

Specialists from the professional theatre industry will provide a mentor system and assist in the development of skills that will benefit the artistic endeavours of participants wishing to enter the professional arena.

| | |
|-------------------|-----------------|
| Healthway | \$ 5,000 |
| City of Wanneroo | \$ 6,000 |
| Inkind Support | \$ 4,000 |
| Total cost | \$15,000 |

An application was forwarded to Healthway on 4 March 1997, requesting \$5,000 assistance (Attachment 2 refers).

Expenditure Items

| | | |
|--------------------------|--|-----------------|
| <i>Professional Fees</i> | Theatre Director (50 hrs @ \$50/hr) | \$2,500 |
| | Set Designer (40 hrs @ \$35/hr) | \$1,400 |
| | Co-ordinator's fees (60 hrs @ \$20/hr) | \$1,200 |
| <i>Production Costs</i> | Advertisement Wanneroo Times | \$ 500 |
| | Venue Hire | \$ 700 |
| | Refreshments | \$ 400 |
| | Posters | \$ 800 |
| | Flyers | \$ 400 |
| | Documentation (video/photographs) | \$ 300 |
| | Costumes | \$ 400 |
| | Set design/props | \$ 800 |
| | Lights/Sound | \$ 700 |
| | Photocopying | \$ 300 |
| | Stage | \$ 600 |
| Total cost | | \$11,000 |

The **Totem Pole Project** is a "one off" project that will involve school students throughout the local area. All primary schools will be targeted. The project will provide the opportunity for the development of artistic skills amongst primary school students. Additionally, the students and artist will work towards a common goal with the production of a totem pole, which will be displayed permanently in a public place.

Expenditure Items

| | | |
|--------------------------|-----------------------------------|----------------|
| <i>Professional Fees</i> | Artist (36 hrs @ \$25/hr) | \$ 900 |
| <i>Production Costs</i> | Materials | \$1,300 |
| | Documentation (video/photographs) | \$ 50 |
| | Flyer | \$ 350 |
| | Installation/transport | \$ 400 |
| Total cost | | \$3,000 |

The **Cultural Tours** are a series of walks and tours associated with public art and heritage within the City of Wanneroo. The public art tours will involve a series of walks. The heritage tours will be through rally tours with the use of vehicles. Details relating to the project are outlined below.

| | |
|-------------------|----------------|
| Corporate Sponsor | \$2,000 |
| City of Wanneroo | \$5,000 |
| Total cost | \$7,000 |

Expenditure Items

| | | |
|--------------------------|--|----------------|
| <i>Professional Fees</i> | Presenter/guide (37 hrs @ \$16.75/hr) | \$ 620 |
| | Clerical Assistant (70 hrs @ \$12.22/hr) | \$ 860 |
| <i>Production Costs</i> | Brochures | \$ 350 |
| | Transportation | \$ 450 |
| | Posters | \$ 550 |
| | Flyers | \$ 250 |
| | Advertisements | |
| | (Wanneroo Times/West Australian) | \$ 820 |
| | Documentation (video/photographs) | \$ 240 |
| | Materials | \$ 260 |
| | Prizes | \$1,300 |
| | Transportation | \$ 400 |
| | Road signs/signage | \$ 400 |
| | Catering | \$ 500 |
| Total cost | | \$7,000 |

RECOMMENDATION

That Council authorises the following projects to be listed for consideration in the 1997/98 Cultural Development draft budget:

| | | |
|------------------------------|-------------------|-----------------|
| Tales of Times Past | Arts WA | \$2,000 |
| | City of Wanneroo | \$6,000 |
| Total | | \$8,000 |
| Youth Theatre Project | Healthway | \$5,000 |
| | City of Wanneroo | \$6,000 |
| | In kind support | \$4,000 |
| Total | | \$15,000 |
| Totem Pole Project | City of Wanneroo | \$3,000 |
| | Total | \$3,000 |
| Cultural Tours | Corporate Sponsor | \$2,000 |
| | City of Wanneroo | \$5,000 |
| | Total | \$7,000 |

MOVED Cr Taylor, **SECONDED** Cr O'Grady that the several cultural initiatives to be listed for consideration in the 1997/98 Cultural Development draft budget be deferred to the April Finance and Community Services Committee Meeting in order that the appropriate officer may be present to give a current update. **CARRIED**

CS46-03/97**NORTHERN DISTRICTS SOFTBALL CLUB - APPLICATION
FOR CLUB RESTRICTED LIQUOR LICENCE - [061-198-1
c930-17]**

Council has received a request from the Northern Districts Softball Club to apply for a Club Restricted Liquor Licence. This licence is for the Baseball Clubrooms located on Kingsway Reserve, Landsdale.

MOVED Cr Freame, SECONDED Cr Lynn that Council:

- 1 **approves the application by the Northern Districts Softball Club to apply for a Club Restricted Liquor Licence for Baseball Clubrooms, Kingsway Reserve, Landsdale from 1 April to 30 September on the following days and times:**

 Tuesdays 6.00pm to 10.00pm
 Thursdays 6.00pm to 10.00pm
 Sundays 1.00pm to 9.00pm
- 2 **informs the applicant that no structural alterations are to be made to the building without Council approval;**
- 3 **provides the applicant with a letter of endorsement that stipulates the change in dates of the Wanneroo Baseball Club's Liquor Licence to the Office of Racing and Gaming along with the required site and floor plans. CARRIED**

CS47-03/97**APPOINTMENT OF HONORARY PARKING INSPECTOR -
PADBURY PRIMARY SCHOOL, PADBURY**

Council, at its meeting on 18 December 1996 resolved to endorse the proposal to appoint Honorary Parking Inspectors to schools who have registered an interest in such appointments (C215-12/96 refers).

One nomination has been received from Padbury Primary School for the appointment of an Honorary Parking Inspector.

The Manager Municipal Law and Fire Services was requested to submit further details in relation to the nominated person prior to the next Council meeting to be held on 26 March 1997.

ADDITIONAL INFORMATION

The Acting Manager, Municipal Law & Fire Services advised that at the Finance and Community Services Committee meeting held on 19 March 1997 it was requested that further information be provided on the person nominated as an Honorary Parking Inspector for Padbury Primary School (CS47-03/97 refers).

The information on this person is as follows:

Julie Anne Newton of 7B

Tietkins Way, Padbury, age 29 (DOB 4/12/67), student at Edith Cowan University.

MOVED Cr Freame, SECONDED Cr Lynn that Council:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints Julie Anne Newton as an Honorary Parking Inspector for the Padbury Primary School, McDonald Avenue, Padbury 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 Local Laws for the City of Wanneroo only around the boundaries of the Padbury Primary School, Padbury as detailed hereunder:**

(a) Local Laws Relating to Parking Facilities.

CARRIED

REQUEST FOR SECOND GREEN BIN - [508-1]

Cr Freame referred to a request she had received from the Homestead in Beldon for Council to issue a second green bin.

She requested that the Committee consider an amount of \$110 be offered to the Homestead in the form of a donation.

TENNIS HIRE FEES - [478-1]

Cr Cooper referred to a telephone call he had received from a resident who expressed concern that there were no tennis facilities available in the City of Wanneroo without fees being charged.

The City Recreation and Cultural Services Manager reported on present hire fee arrangements.

BUILDING LICENCE - [019-2]

Cr Taylor referred to the uncompleted houses opposite Chicken Inn in Wanneroo Road that have now recommenced construction and requested the Chief Executive Officer to investigate whether the building licences were still relevant.

The Chief Executive Officer will investigate this matter.

APPEAL BY SEVENTH DAY ADVENTIST CHURCH - [30/2249]

Cr Taylor referred to the article published in the Wanneroo Times on March 18, 1997 in relation to concerns of Landsdale residents in regard to the lack of notice for an appeal by the Seventh Day Adventist Church to be heard on 26 March.

He expressed concern at the short notice given to residents as he believed that Council minutes had resolved to inform local residents that they were able to represent themselves in an appeal.

Cr Taylor requested the Chief Executive Officer to take action to ensure that this does not occur again.

Cr Taylor queried whether advice on the appeal by the Seventh Day Adventist Church had been received. The City Planner advised that to date this information had not been received.

HOME OCCUPATION, DUNCRAIG - [770-13]

Cr Major referred to correspondence he had received from a resident of Duncraig in relation to the packaging of confectionery at his home and advised he would refer this matter to the City Planner for follow up.

This matter will be referred to Town Planning and Health Departments for action.

ALTERNATE YEARS FOR ELECTIONS AND BUDGET - [702-3]

Cr Major requested a report on the ramifications of implementing a two year budget instead of an annual budget, with elections to be held on alternate years to the budget.

He believed this would enable new Councillors to make a more informed decision on budget issues.

The Chief Executive Officer advised that this matter would be taken on notice and a report would be prepared.

WANNEROO EISTEDDFOD - 10TH ANNIVERSARY - [429-1-1]

Cr Major requested that a concert be held on Saturday, 9 August 1997 in the new function area to celebrate the 10th anniversary of the Wanneroo Eisteddfod.

He suggested that light refreshments be served following the concert to mark this occasion.

Following discussion, Cr Major was requested to liaise with the City Librarian to arrange the date for this concert.

GREENWOOD HIGH SCHOOL - AVIATION CAREERS EXPO - [97/RES32586/101]

Cr Hancock referred to a request she had received from several parents of children attending Greenwood High School for Council to make a financial contribution to their Aeronautics Careers Expo to be held on 8 April 1997.

She was advised to request the parents concerned to submit an application in writing, outlining the reasons the funds are required.

REQUEST FOR MEMORIAL - [702-3]

Cr Hancock referred to the death in 1996 of the grandmother of a Junior Councillor who was also a leader in the Aboriginal community and requested that a plaque or trail be named in commemoration of this lady.

She advised that the family had indicated they would be grateful for this to happen and stated that there would be a meeting with the family on Friday, 21 March 1997 to discuss the matter.

ADDITIONAL INFORMATION

Cr Hancock pointed out that the Junior Councillor's grandmother had passed away during the last two weeks, not in 1996 as stated at the Finance and Community Services Committee meeting.

FAREWELL TO RON BANHAM, CITY RECREATION AND CULTURAL SERVICES MANAGER - [702-3]

Cr Lynn took the opportunity on behalf of the Finance and Community Services Committee to thank Mr Ron Banham, the City Recreation and Cultural Services Manager, for his contributions to the City during his 20 years of service and wished him well for the future.

C79-03/97 BUSINESS FOR INFORMATION

MOVED Cr O'Grady, **SECONDED** Cr Healy that the Business for Information Reports, be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B21-03/97 **PROPOSED SANTA BARBARA PARADE PRE-FUNDING
ARRANGEMENTS - QUINNS ROCKS SUBDIVISION - [510-
403, 510-4084]**

Council considered a further report at its meeting on 18 December 1996 (Item TS373-12/96 refers) on the proposed Santa Barbara parade pre-funding arrangements and results of the Public Meeting held on 26 November 1996.

This report provides the current status of negotiations with the Developers regarding a proposal to jointly fund the extension of Santa Barbara Parade.

ADDITIONAL INFORMATION

Further to Report B21-03/97 which outlined a proposal for the joint funding and co-ordinated extension of Santa Barbara Parade the three Developer's responses to this proposal has now been received.

Both Silverton Limited (Section C) and Homeswest (Section B) have indicated their "in principle" agreement to the proposal.

With regard to construction of Section A which is the initial section immediately north of the existing pavement at Morialta Avenue, the Nivlem Syndicate has advised that it is unable to give any commitment on the timing of construction of this section.

This position was confirmed at a meeting with the trustees on 7 March 1997. The trustees indicated that on economic grounds they could not commit the syndicate to a construction programme as this section is dependent on the demand for land in the Estate. However, they would agree to Council pre-funding the works.

Therefore, on this basis, Council has 3 options as follows:

1. undertakes the pre-funding of Section A with Section B at an estimated cost of \$600,000 and proceeds with the construction of Santa Barbara Parade with Silverton Limited (Section C) in the original timeframe to commence prior to July 1998;
2. defers the pre-funding arrangement until the Nivlem Syndicate commits to its construction of Section A;
3. withdraws from the pre-funding arrangement and allows for the developers' programmes for the construction of Santa Barbara Parade to prevail.

MOVED Cr Wight, SECONDED Cr Freame that Council defers consideration of the joint and co-ordinated pre-funding arrangement with the developers for Santa Barbara Parade until the Nivlem Syndicate commits to its construction of Section A.CARRIED

B22-03/97 MONTHLY REPORT FEBRUARY 1997 - PARKS DEPARTMENT - [201-5]

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 February 1997 by the Parks Department

MOVED Cr O'Grady, SECONDED Cr Healy that Report B22-03/97 be received.

CARRIED

TOWN PLANNING COMMITTEE

B23-03/97 DEVELOPMENT ENQUIRIES - FEBRUARY 1997 - [290-0]

The following schedule lists those enquiries received in February 1997 and where possible indicates the area suggested by the enquirer to be the preferred location for such development, together with a resumé of advice given by the department.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B23-03/97 be received.

CARRIED

B24-03/97 COSTS ASSOCIATED WITH ACHIEVING A CHANGE IN LOCALITY NAME - GIRRAWHEEN AND KOONDoola - [727-0]

Council, at its meeting on 26 February 1997, resolved to defer consideration of item TP24-02/97 on the name change process for Girrawheen. That report recommended "that Council does not promote any change of name for the locality of Girrawheen". A further report was requested on costs associated with sending a name change questionnaire to all properties in Girrawheen and Koondoola.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B24-03/97 be received.

CARRIED

B25-03/97 PEDESTRIAN ACCESSWAY CLOSURES MONTHLY PROGRESS REPORT : - [520-2, 702-0]

Council, at its meeting on 26 February 1997 (Item No TP22-02/97) resolved to include in the Business for Information section a report each month on the progress of pedestrian accessway closures.

This report provides a summary detailing the current situation regarding every pedestrian accessway closure application the City is processing.

Following a query from Cr Freame on what the date column at the end of each page referred to, the City Planner advised he would have this section reformatted.

Cr Taylor referred to the initial letter sent to adjoining landowners and requested that this letter be re-worded to advise landowners that if no response is received within 90 days, the application will lapse and no further action would be taken.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B25-03/97 be received.

CARRIED

B26-03/97

**MINISTERIAL APPEAL DETERMINATION : PROPOSED
SERVICE STATION AND CONVENIENCE STORE AT LOT
3 (57) JOONDALUP DRIVE, EDGEWATER - [30/3769]**

An application submitted by The Planning Group on behalf of Edgewater Gate Pty Ltd for a Service Station and Convenience Store at Part Lot 3 (57) Joondalup Drive, Edgewater was approved by Delegated Authority on 11 June 1996. Subsequently the applicants lodged an appeal with the Hon Minister for Planning in respect of Condition 3 of the planning approval which required the relocation of the proposed access points, to the satisfaction of the City Planner and City Engineer. The appeal was dismissed by the Hon Minister on 23 February 1997, however the applicant and the City were encouraged to undertake further negotiations to arrive at a mutually acceptable and workable solution to the access problems.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B26-03/97 be received.

CARRIED

B27-03/97

**WESTERN AUSTRALIAN PLANNING COMMISSION
PLANNING BULLETIN 18 : DEVELOPER
CONTRIBUTIONS FOR INFRASTRUCTURE - (780-0)**

The Western Australian Planning Commission has released a Planning Bulletin (No 18) entitled 'Developer Contributions for Infrastructure'. This sets out the Commission's policy on developer contributions and the process for recouping these contributions. The Bulletin advises that the Commission considers it unacceptable for local governments to require developer contributions as conditions or prerequisites of rezoning as it considers there is no head of power or proper legislative basis for doing this, and because it considers that only the Commission is to determine the scope of developer contributions. Council's legal advisers on planning matters, McLeod & Co, confirm that there is no provision under the Town Planning Regulations for imposing conditions or prerequisites on rezonings. An approach for dealing with rezoning applications (for which agreements on developer contributions or changes to plans are to be sought) is outlined which should allow Council to still seek such contributions or changes, while still complying with the Commission policy and the advice of McLeod & Co.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B27-03/97 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE**B28-03/97 FINANCIAL REPORT FOR THE PERIOD ENDED
28 FEBRUARY 1997 - [002-3]**

With 8 months of the year expired trends indicate that some budgetary over-runs will be experienced. In accordance with sound budgeting and financial practice the majority of these over-runs have been previously reported to Council and budget reallocations have been activated to avoid any adverse budgetary impacts.

With interest rates and available cash at lower levels than expected budget estimates for interest earnings will not be achieved. This together with the 'unfunded' budget over-runs mentioned above will have an adverse impact on Council's financial position. However savings on discount allowed (\$346,000) and general 'under-runs' throughout Council's programmes together with additional revenue from the General Purpose Grant (\$112,000) will offset, to some degree, these over-runs.,

MOVED Cr O'Grady, SECONDED Cr Healy that Report B28-03/97 be received.

CARRIED

**B29-03/97 STAFF AND OUTSIDE WORKERS' OVERTIME -
FEBRUARY 1997 - [404-10]**

This report details the staff and outside workers' overtime for the month of February 1997.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B29-03/97 be received.

CARRIED

**B30-03/97 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 Healy that Report B30-03/97 be received.

CARRIED

**B31-03/97 INTERNET SERVICES - IMPACT OF TIMED LOCAL
CALLS - [206-8]**

The potential financial impact of timed local calls related to the proposed Internet service to the public has been investigated. Council's method of connection to the Internet will avoid direct costs, however it is probable the level of demand will be higher, due to increased home costs. Administrative procedures have been developed to manage these increases.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B31-03/97 be received.

CARRIED

B32-03/97 TRANSFER OUT OF SCHOOL CARE SERVICES - [262-1]

At its meeting on 18 December 1996, Council endorsed the transfer of the Whitfords and Warrandyte Out of School Care programmes to the Perth YMCA as of the beginning of Term 2, 1997, and the Sorrento-Duncraig programme as of the April 1997 Vacation Care Period (Item CS204-12/96 refers).

Correspondence has been received from the YMCA, withdrawing from this undertaking and recommending that Council continues operating the Out of School services.

MOVED Cr O'Grady, SECONDED Cr Healy that Report B32-03/97 be received.

CARRIED

B33-03/97 WA ALIVE FUNDING GRANTS - [323-1-1]

At its meeting on 23 October 1996, Council endorsed applications from several local groups seeking assistance from the WA Alive funding scheme (CS170-10/96 refers).

MOVED Cr O'Grady, SECONDED Cr Healy that Report B33-03/97 be received.

CARRIED

C80-03/97**CHIEF EXECUTIVE OFFICER'S REPORT**

MOVED Cr Cooper, **SECONDED** Cr Freame that the Chief Executive Officer's Report be received.

CARRIED**C81-03/97**

**SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Withdrawal of Caveat
 Parties: City of Wanneroo and Smith Corporation and Church of Latter Day Saints
 Description: Lot 1839 Baltimore Parade, Merriwa
 Date: 28.2.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 731
 Date: 13.3.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 759
 Date: 13.3.97

Document: Transfer of Land
 Parties: City of Wanneroo and Tokyu Corporation
 Description: Lots 212, 213, 320, 321 and 322 Breakwater Drive, Yanchep
 Date: 18.3.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 731
 Date: 18.3.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 772

MOVED Cr Cooper, **SECONDED** Cr Freame that the Schedule of Documents executed by means of Affixing the Common Seal be received.

CARRIED**C82-03/97**

**VACANCIES - WESTERN
AUSTRALIAN PLANNING
COMMISSION - [312-2, 319-7]**

SUMMARY

WAMA has invited nominations to the WA Planning Commission and related committees. The Commission and committees meet in Perth and are involved in various aspects of town planning.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit nominations for the following four positions;

WAMA Metropolitan Member and Deputy - WA Planning Commission

WAMA Member - WAPC Statutory Planning Committee

WAMA Member - WAPC Transportation Committee

WAMA Member - WAPC Infrastructure Co-ordination Committee

DETAILS

All vacancies are due to the expiration of the term of the present member. All terms commence on the 1 July 1997 and are for three years. Meetings for each of the four committees are held at the Ministry of Planning, Albert Facey House, 469 Wellington Street, Perth. Nominees should have an interest and knowledge of town planning issues. The following specific information applies to each committee.

WA Planning Commission

The WA Planning Commission is legislated under the Town Planning Act. The Commission meets on the fourth Tuesday of each month at 2:30pm. Meetings are of approximately three hours duration and incumbents will be paid a meeting fee of \$3 750 per annum. WA Planning Commissioners may be required to participate in planning related sub-committees which may meet outside the metropolitan area. The Commission is comprised of a metropolitan and a non-metropolitan WAMA representative, the Lord Mayor of the City of Perth, community representatives, a regional representative and government agency representatives.

WAPC Statutory Planning Committee

The WAPC Statutory Planning Committee is involved in statutory planning matters such as subdivisions of land, strata titles and local government town planning schemes. The Committee meets every Tuesday at 12:00 noon. Meetings last for approximately two hours and incumbents will be paid a meeting fee of \$3 750 per annum. The committee is comprised of representatives from business/industry, the community, local government and the Ministry for Planning.

WAPC Transportation Committee

The WAPC Transportation Committee is involved in transportation issues for the State. The Committee meets every second month on the third Wednesday at 2:30pm. Meetings last for approximately 2 hours and a meeting fee of \$73 for a half day will be paid. Representatives on the Committee include the Director General of Transport, Commissioner for Main Roads, CEO of Metrobus, Commissioner for Railways and the CEO of the Ministry for Planning.

WAPC Infrastructure Co-ordinating Committee

The Infrastructure Co-ordinating Committee deals with infrastructure issues across the State. Meetings are held on the third Wednesday of every second month. The meetings

commence at 2:30pm are of approximately 2 hours duration. The incumbent will be paid a meeting fee of \$73 for a half day. The committee members include the Director General of Transport, representatives from the Office of Water Regulations, Alinta Gas, Western Power, Education Department, Health Department, Regional Development, Minerals and Energy and the Department of Environmental Protection.

Nominations were made for WAMA Member WAPC Transportation Committee and WAMA Member - WA Planning Commission - (Items C83-03/97 and C84-03/97 refer).

No nominations were made in respect of WAMA Member - WAPC Statutory Planning Committee or WAMA Member - WAPC Infrastructure Co-ordination Committee.

C83-03/97 VACANCY - WAMA MEMBER - WAPC TRANSPORTATION COMMITTEE - [312-2, 319-7]

Cr Cooper nominated Cr Magyar for consideration of appointment as WAMA Member - WAPC Transportation Committee.

Cr Magyar declared an interest in this Item as he had been nominated for consideration as WAMA Member - WAPC Transportation Committee.

Cr Magyar left the Chamber at this point, the time being 2220 hrs.

MOVED Cr Cooper, SECONDED Cr O'Grady that Council nominates Cr Magyar for consideration of appointment to the position of WAMA Member - WAPC Transportation Committee. CARRIED

Cr Magyar entered the Chamber at this point, the time being 2221 hrs.

C84-03/97 VACANCY - WAMA MEMBER - WA PLANNING COMMISSION - [312-2, 319-7]

Cr Ewen-Chappell nominated Cr Wight for consideration of appointment as WAMA Metropolitan Member - WA Planning Commission.

Cr Wight declared an interest in this Item as he had been nominated for consideration as WAMA Metropolitan Member - WA Planning Commission.

Cr Wight left the Chamber at this point, the time being 2222 hrs

MOVED Cr Taylor, SECONDED Cr Tippet that Council nominates Cr Wight for consideration of appointment to the position of WAMA Member - WA Planning Commission. CARRIED

Cr Wight entered the Chamber at this point, the time being 2223 hrs.

**C85-03/97 WAMA MEMBER - ADVISORY COUNCIL ON WASTE
MANAGEMENT - [312-2, 508-1]**

SUMMARY

WAMA has invited nominations to the Advisory Council on Waste Management. The Council meets monthly in Perth and advises the Minister for the Environment on waste management policies and regulations.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit a nomination to the position of WAMA Member - Advisory Council on Waste Management.

DETAILS

The purpose of the Advisory Council is to advise the Minister for the Environment on waste management policies and regulations; and to co-ordinate recycling and implementation of the State Recycling Blueprint. Nominees should have experience or an interest in waste management principles. The term of office expires on the 31 December 1998 and a meeting fee will be paid to the incumbent.

The Council meets on the fourth Wednesday of the month at 10:00am and meetings are approximately three hours long. The meetings are held at the Department of Environmental Protection, St George's Terrace, Perth. The Council is comprised of representatives from industry, the community and local government.

Cr Tippet nominated Cr Popham.

Cr O'Grady nominated Cr Magyar.

As two nominations were made, Cr Popham advised he would withdraw from being considered, but indicated should Cr Magyar be unsuccessful in being re-elected in the May elections, he would like to be considered for the position of WAMA Member - Advisory Council on Waste Management.

Cr Magyar declared an interest in this Item as he had been nominated for consideration of appointment to the position of WAMA Member - Advisory Council on Waste Management.

Cr Magyar left the Chamber at this point, the time being 2224 hrs.

MOVED Cr O'Grady, SECONDED Cr Healy that Council nominates Cr Magyar for consideration of appointment to the position of WAMA Member - Advisory Council on Waste Management.

CARRIED

Cr Magyar entered the Chamber at this point, the time being 2225 hrs.

C86-03/97 UPDATE - ELECTION PROCEDURES 1997 - [801-1-97]

This report provides an update on arrangements for the elections being conducted on Saturday, 3 May 1997.

Nominations opened on Thursday 20 March 1997 and as at noon on Friday, 21 March the following persons had nominated :

| | |
|----------------|-----------------|
| John BOMBAK | South West Ward |
| Arthur VENTHAM | Central Ward |

Councillors will be aware that a Prospective Candidates' Forum has been arranged. This will be held in the Function Area, Joondalup Administration Centre on Monday, 24 March commencing at 7.00 pm.

All candidates are being advised that the drawing of lots for positions on the ballot paper will be carried out at **6.00 pm** on nomination day - Thursday, 3 April 1997, in the Council Chamber.

Appendix IV hereto is a schedule of the polling places appointed. It should be noted that the traditional polling place in Warwick (Kindergarten, Dugdale Street), is not available this year. The Greenwood-Warwick Community Care Centre has therefore been appointed. This facility is considered most suitable and is close to the previously used building.

The only other change to polling places is the deletion of Hillarys Kindergarten transportable which no longer exists. The Flinders Park Community Care Centre, Broadbeach Boulevard has been appointed in its place.

Councillors will observe from the attached schedule that five (5) early voting places have been appointed. These will operate between the hours of 10.00 am and 4.00 pm Monday to Friday, except Joondalup Administration Centre which will be open throughout normal business hours. Early voting commences on Friday, 11 April 1997 and closes at 4.00 pm on Friday, 2 May 1997.

Both Councillors and Candidates will be provided with an electoral roll. Rolls are currently being prepared and these are expected from the printer early next month.

All other arrangements for the elections are progressing smoothly.

ADDITIONAL INFORMATION

The Chief Executive Officer advised that as at 26 March 1997 a further two nominations had been received as follows:

| | |
|----------------|--------------|
| Stephen MAGYAR | Central Ward |
| David TIPPETT | South Ward |

MOVED Cr Cooper, SECONDED Cr Freame that the information regarding Election Procedures 1997 be received. CARRIED

Appendix XVIII refers

C87-03/97 LEAVE OF ABSENCE - CR HEALY - [702-0]

Cr Healy has requested leave of absence from Council duties for the period 16 to 19 March 1997 inclusive to attend a waste management conference in Melbourne.

MOVED Cr Cooper, SECONDED Cr Freame that Council approves the leave of absence for Cr P Healy taken from 16 to 19 March 1997 inclusive. CARRIED

C88-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]

In accordance with the provisions of Clause 3.1 of Councils Policy A2-12 relating to legal representation, the following applications have been received

MS A DAVIDSON - (former Public Relations Officer)

At its meeting of 26 February, Council was advised that interim assistance had been granted to Ms Davidson. She was summonsed by the Royal Commission in respect to the Parins Panel Works line of inquiry.

Legal advice obtained indicated that the application conformed to Councils policy, however, due to a possible conflict of interest it was appropriate to retain a separate solicitor.

Bradford & Co, Barristers and Solicitors who were retained by Ms Davidson have submitted an account for \$14,140. A substantial proportion of the account relates to the evidence and cross examination of other persons giving evidence.

In his summing up this issue, Mr R J Nash, Counsel Assisting made the following submission to the Commission -

"I submit it is open to this commission to prefer the evidence of Inspector McLeod in respect of exhibit 13A to the evidence of Alexandra Davidson, Victor Parin and Wayde Smith to the extent there is conflict between them. In the event the commission makes that finding, it follows that the commission would also find Alexandra Davidson and Wayde Smith were involved in coaching and assisting Victor Parin prior to the public meeting on 14 August 1990, that Alexandra Davidson and Wayde Smith adopted a partisan attitude and approach in favour of Vic Parin to the Parin application and thereby misled residents attending the meetings on 12 August 1990 and 14 August 1990 by purporting to them to be impartial. And (3) Alexandra Davidson acted in breach of her duty to the City of Wanneroo by coaching and assisting and supporting Mr Parin in his rezoning application and in his dealing with the public meeting on 14 August 1990."

On the basis of the summing up, it is recommended that Council does not approve any further payment above the \$3,000 but reviews its decision when the final report of the Royal Commission is handed down.

DR W BRADSHAW

Stables Scott, Barristers and Solicitors acting on behalf of Dr Bradshaw have sought approval for legal representation.

The request relates to the requirement for Dr Bradshaw to appear before the Royal Commission in respect to the Belridge Medical Centre line of inquiry.

Clause 4 of Councils policy places restrictions on the funding of legal expenses in certain circumstances. However Council can override those restrictions if it is of the opinion (carried by an absolute majority resolution) that special circumstances exist which justify the exercise of a discretion in favour of the applicant.

One of the restrictions defined in Clause 4 is as follows :

“in the opinion of the City’s solicitors, adverse findings have been made against the applicant in a previous Royal Commission or a duly constituted inquiry under the Local Government legislation.”

Councils solicitors have advised that in their opinion adverse findings have been made against Dr Bradshaw.

As there does not appear to be special circumstances which would justify the exercise of a discretion in favour of Dr Bradshaw, it is recommended that the application be refused.

MR O DRESCHER (City Planner)

Council has previously approved of legal representation for Mr Drescher to appear before the Royal Commission. Mr Drescher has appeared on several occasions however his legal expenses have now reached the limit set under Councils policy, therefore a further approval was necessary.

In accordance with Council’s policy interim approval has been granted in respect to the following -

- 1 Woodvale Shopping Centre line of inquiry - Summons No 595/97
- 2 Belridge Medical Centre line of inquiry.

MAYOR A DAMMERS

By Summons 565/97 dated 4 March 1997 Mayor Dammers was required to attend the Royal Commission on 7 March to give evidence in respect to matters relating to the constructions of a batching plant.

In accordance with Councils policy on legal representation interim assistance was granted on March 6, 1997.

MAYOR A DAMMERS (defamation action)

At its meeting of 27 November 1996 Item Number C510-11/96, Council approved an application from Mayor A Dammers for legal representation in respect to a defamation action brought by Dr W Bradshaw.

Council's solicitors have advised that the Supreme Court has issued an order striking out parts of the plaintiffs Statement of Claim. The Claim is now reduced to a single issue which relates to evidence Councillor Dammers gave to the Kyle Inquiry. That evidence was that John Halden, MLC had shown him photocopies of two cheques each for \$5,000. Both cheques were drawn by Hooker Corporation in favour of Dr Bradshaw.

Clause 6 of Council's policy states that

"a ceiling of \$3,000 will be set upon each grant of assistance, such ceiling not to be exceeded except by a further direction of Council increasing the ceiling (or in the case of emergency, by the Chief Executive Officer".

At the present time approximately \$2,900 of the \$3,000 has been committed. Mayor Dammers has made an application for a further approval.

On the basis of the outcome of the action to date, a further approval for legal assistance for the sum of \$3,000 is recommended.

COUNCILLOR G MAJOR

Councillor Major was summonsed to appear before the Royal Commission in respect to the redevelopment of Parin's Panel Works on Lots 327 and 328 Wanneroo Road, Greenwood.

He has requested legal representation to enable him to clarify evidence which he gave and which has now been the subject of a closing address.

It is recommended that Council approve of Councillor Major's request for legal representation.

MR COLIN EDWARDES (former Councillor)

In a letter dated 26 September 1996 Freehill Hollingdale & Page made application for legal expenses on behalf of Mr Edwardes. They advised that Mr David Clyne of the Independent Bar would represent Mr Edwardes and that they would only act as a conduit for information between the Royal Commission and Mr Clyne.

Although the application did not specify the terms of reference for which funding was sought, it suggested that there were at least two and that the costs were likely to exceed the \$3,000 specified in Council's policy.

Council's solicitors advised that Mr Edwardes should be allowed to retain independent legal representation in respect to the line of enquiry relating to the relationship with certain Councillors and the Vietnamese community. This recommendation was based on the fact that they were aware that at least one Councillor would be giving evidence in a manner inconsistent with the interests of Mr Edwardes.

Although Clause 5 of Council's policy specifically excludes the use of barristers from the Independent Bar, Council's solicitors suggested that it would be inappropriate to apply such a restriction where a person had already been represented by a barrister before the Commission.

At its meeting of 23 October 1996, Council passed the following resolution :

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

Freehill Hollingdale and Page have rendered an account for \$4135 in the name of Mr C G Edwardes. Appended was an account for \$20,860 from David Clyne to Freehill Hollingdale & Page relating to services provided in respect of Mr Edwardes.

The accounts rendered indicate that Mr Edwardes has been represented in respect to five lines of inquiry. In addition David Clyne has maintained a watching brief in respect of all other lines of inquiry at a cost of \$8750.

Although Council's solicitors advised that Mr Edwardes should be granted approval to retain independent legal representation in respect of the line of inquiry related to the Vietnamese Community, the recommendation was made on the premise that the solicitors would have been faced with a conflict of interest. This recommendation was not intended to cover all lines of inquiry.

It is recommended that Council -

- 1 Advise Mr Edwardes that should he wish to be provided with representation on any further issue before the Royal Commission, he should seek approval in advance in accordance with Council's policy on legal representation.

In addition, Council's approval to retain independent counsel related to the line of inquiry in respect to the Vietnamese Community. If in future he wished to retain independent counsel he should seek approval in advance.

- 2 Requests Mr Edwardes' Solicitors to provide details of costs incurred in respect to each of the five lines of inquiry in which they have represented him.
- 3 Agree to reconsider the claim when a detailed costing is available.

COUNCILLOR B COOPER

On 20 March 1997, Councillor Cooper applied for legal representation. The Royal Commission summonsed Councillor Cooper in respect of the Woodvale North Shopping Centre.

As the application conformed to Council's policy and there was insufficient time to place the matter before Council, interim assistance was granted.

RECOMMENDATION

It is recommended that Council :

- 1 endorses the Chief Executive Officers decision to grant interim assistance to

 Mr O Drescher
 Councillor B Cooper
 Mayor A Dammers
- 2 does not approve Ms A Davidson's request to fund the balance of her legal expenses but agrees to review its decision when the final report of the Royal Commission is handed down
- 3 does not agree to approve of Dr Bradshaw's request to fund legal costs in respect to the Belridge Medical Centre line of enquiry
- 4 approves Mayor A Dammers application for a further approval of \$3,000 to fund legal expenses in respect of the defamation action brought by Dr W Bradshaw
- 5 approves Councillor G Majors request for legal representation
- 6 advises Mr Edwardes, that should he wish to be provided with representation on any further issue before the Royal Commission, he should seek approval in advance in accordance with Council's policy on legal representation. In addition, Council's approval to retain independent counsel related to the line of inquiry in respect to the Vietnamese Community. If in future he wished to retain independent counsel he should seek approval in advance.
- 7 requests Mr Edwardes Solicitors to provide details of costs incurred in respect to each of the five lines of inquiry in which they have represented him.

- 8 agrees to reconsider Mr Edwardes claim for legal expenses when a detailed costing is available.

Cr Ewen-Chappell requested that Points 1 - 8 of the Recommendation be dealt with separately in order that not all persons concerned are absent from the Chamber at one time. The Mayor advised that it was appropriate that each point be dealt with individually.

C89-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - MR O DRESCHER, COUNCILLOR B COOPER AND MAYOR A DAMMERS - [702-8]

Mr O Drescher, Councillor B Cooper and Mayor Dammers declared an interest in this item as they had applied for legal representation and left the Chamber at this point, the time being 2226 hrs. Cr Freame assumed the Chair.

MOVED Cr O'Grady, SECONDED Cr Lynn that Council endorses the Chief Executive Officer's decision to grant interim assistance to Mr O Drescher, Councillor B Cooper and Mayor A Dammers. CARRIED

Mr O Drescher, Councillor B Cooper and Mayor Dammers entered the Chamber at this point, the time being 2228 hrs. Cr Dammers resumed the Chair.

C90-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - MS A DAVIDSON - [702-8]

Cr Popham expressed his concern as to the interpretation of Council's Policy and felt that the matter of legal representation for Miss A Davidson should be dealt with at the conclusion of the Royal Commission, when it was possible to seek reimbursement of funds expended.

MOVED Cr Healy, SECONDED Cr O'Grady that Council does not approve Ms A Davidson's request to fund the balance of her legal expenses but agrees to review its decision when the final report of the Royal Commission is handed down. CARRIED

C91-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - DR W BRADSHAW - [702-8]

MOVED Cr O'Grady, SECONDED Cr Magyar that Council does not agree to approve Dr Bradshaw's request to fund legal costs in respect to the Belridge Medical Centre line of inquiry. CARRIED

C92-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - MAYOR A DAMMERS - [702-8]

Cr Dammers declared an interest in this item as he had applied for legal representation and left the Chamber at this point, the time being 2230 hrs. Cr Freame assumed the Chair.

MOVED Cr Healy, SECONDED Cr Ewen-Chappell that Council approves Mayor A Dammers application for a further approval of \$3,000 to fund legal expenses in respect of the defamation action brought by Dr W Bradshaw. CARRIED

Cr Dammers entered the Chamber at this point, the time being 2234 hrs and resumed the Chair.

C93-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - COUNCILLOR G MAJOR - [702-8]

Cr Major declared an interest in this item as he had applied for legal representation and left the Chamber at this point, the time being 2234 hrs.

MOVED Cr Cooper, SECONDED Cr O'Grady that Council approves Councillor G Major's request for legal representation. CARRIED

Cr Major entered the Chamber at this point, the time being 2235 hrs.

C94-03/97 LEGAL REPRESENTATION - ROYAL COMMISSION - MR C EDWARDES - [702-8]

Cr Cooper advised Mr Edwardes contacted him on the evening of Tuesday, 25 March 1997 and faxed to him documents which he in turn passed on to the Chief Executive Officer.

Cr Freame requested Council write to Mr Edwardes informing him of Council's Policy in regard to legal representation. Mr Edwardes is under the impression it is only necessary for him to apply once for legal representation, whereas he is required to make a separate application for each occasion he applies for funding.

Cr Freame also requested that Council write to Mr Edwardes solicitors seeking more detailed information for the accounts that Mr Edwardes has submitted.

MOVED Cr Cooper, SECONDED Cr Freame that Council:

- 1 defers consideration of legal representation sought by Mr Edwardes;**
- 2 requests Manager Corporate Services to seek further clarification from Mr Edwardes' solicitors to his satisfaction and refer back to next Policy Committee Meeting. CARRIED**

C95-03/97 NOMINATION - WAMA MEMBER: SALINITY ACTION PLAN, RURAL TOWN RESCUE PROGRAMME TECHNICAL ASSESSMENT PANEL - [312-2]

SUMMARY

Nominations are invited in relation to a vacancy in the position of WAMA Member - Salinity Action Plan, Rural Town Rescue Programme Technical Assessment Panel.

BACKGROUND

The Salinity Action Plan, Rural Town Rescue Programme Technical Assessment Panel is a newly established committee comprising six members from the public and private sectors.

Under the State Government's Salinity Action Plan, a large number of rural towns have been identified as areas of concern in relation to salinity caused by rising groundwater tables. Thirteen rural towns have been selected under the Rural Town Rescue Programme for immediate assistance and funds have been allocated by the Government to start tackling the problem. Those towns are Brookton, Corrigin, Cranbrook, Dowerin, Dumbleyung, Katanning, Kellerberrin, Merredin, Morawa, Narembeen, Perenjori, Tambellup and Wagin.

A consultant has been appointed and is required to advise the Technical Assessment Panel on issues relating to those action plans the subject of funding applications.

DETAILS

Whilst the focus of the Rural Town Rescue Programme is on rural towns, the Technical Assessment Panel carries WAMA representation that is not restricted to rural councils.

Discussion with the Committee's convenor from Agriculture WA, suggests that any elected member or local government officer with experience in land management, salinity control, groundwater management or environment management generally would be welcome to nominate.

The Technical Assessment Panel will meet twice in each year, in April/May and July. The location, time and duration of meetings is yet to be determined, and whilst sitting fees will be paid for elected members, the amount of that fee is also yet to be determined.

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 WAMA Member - Salinity Action Plan, Rural Town Rescue Program Technical Assessment Panel.

Cr Major left the Chamber at this point, the time being 2245 hrs.

MOVED Cr Lynn, SECONDED Cr Cooper that Council nominates Cr Major for consideration of appointment to the position of WAMA Member - Salinity Action Plan, Rural Town Rescue Program Technical Assessment Panel. CARRIED

Cr Major entered the Chamber at this point, the time being 2246 hrs.

C96-03/97 COMMUNICATION OF COUNCIL RESOLUTIONS - [702-0]

Council's Policy A2-02 - Communication of Council Resolutions states that "written notification of Council resolutions shall not be conveyed to affected parties prior to 3.00 pm on the Friday immediately following the Council meeting"

Council has in the past set aside Policy A2-02 in cases where its offices are closed due to public holidays.

As Council's offices will be closed on Good Friday, 28 March, it is suggested that Council sets aside its policy in this instance to allow the communication of resolutions from the 26 March meeting of Council.

MOVED Cr Wight, SECONDED Cr Taylor that Council sets aside its policy A2-02 in respect of communication of Council Resolutions to allow for immediate action on all items within the Council Minutes of 26 March 1997 after 3.00 pm Thursday, 27 March 1997.

CARRIED

C97-03/97 NON STATUTORY DONATION - GREENWOOD SENIOR HIGH SCHOOL - 1997 AVIATION CAREERS EXPO - [009-1]

SUMMARY

This report details a request for financial assistance to the Greenwood Senior High School to assist with conducting the 1997 Aviation Careers Expo on Tuesday, 8 April 1997.

BACKGROUND

Councillors will recall that at the Finance and Community Services Committee meeting on 19 March 1997 Councillor Hancock referred to a donation request for the Greenwood Senior High School to assist with conducting the 1997 Aviation Careers Expo.

It was agreed that this matter be subject to a late report to Council following the receipt of a formal request from the school.

DETAILS

Greenwood Senior High School has been a specialist Aeronautics school for the last seven years. It is the only school in the north-west metropolitan area to offer this specialisation. In 1994, an Aeronautics Parents' Support Group was formed to assist with the provision of a high quality aviation program, and in 1995, this group decided to hold an Aviation Careers Expo at the school.

The purpose of the Expo has been to provide students with information on the wide variety of careers available in the aviation industry, both military and civil. Students in Years 7 to 12 from approximately 70 schools in the north west metropolitan area have been invited to attend, resulting in the attendance of approximately 800 people to each of the last two Expos.

On the evening of Tuesday, 8 April 1997 the Greenwood Senior High School Aeronautics Support Group is holding their third annual Aviation Careers Expo.

All proceeds of the evening will go towards enhancing the Aeronautics education program at Greenwood Senior High School. In particular this year, it is hoped to raise enough to pay for a gliding camp for upper school Aeronautics students, and scholarships for high achievers in our Aeronautics program.

COMMENT/FUNDING

Council's policy in relation to donations to schools is as follows:

"Contributions of cash or goods shall not be made to school fetes or similar events:

Persons applying for such donations shall be advised that Council considers its authority to contribute on a dollar for dollar basis towards the improvement of school grounds, where it can be established that the community in the vicinity of the school will derive some benefit from the improvement, as the appropriate means of assistance to schools.

Requests for contributions on such a basis shall be determined on their individual merit and any offer of contribution shall be subject to budget limitations".

It would seem that this is a worthwhile project and Council may wish to set aside its policy in this particular instance to support this initiative.

Council's 1996/97 Budget provided \$300 in Budget Item 21962 - Education Other - Donations Miscellaneous. Year to date expenditure is currently \$100, leaving \$200 should Council consider it appropriate to support this project.

MOVED Cr Hancock, SECONDED Cr Popham that Council donates \$200.00 to the Greenwood Senior High School to assist with costs to hold the Aviation Careers Expo on

Tuesday, 8 April 1997. Account to be debited 21962 Education Other - Miscellaneous.

CARRIED

Appendix XXII refers.

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

**C98-03/97 FORECOURT AREA, OCEAN RIDGE RECREATION CENTRE
- [330-5-1]**

Cr Freame reported that the forecourt area of the Ocean Ridge Recreation Centre is in a disgraceful condition, being covered in such things as chewing gum, grease/oil and other substances.

As this was the entrance to one of Council's facilities, Cr Freame requested a report be submitted on the means and costs involved of having these substances removed.

RESOLVED that a report be submitted to Technical Services Committee on the means and costs involved of having substances removed and entrance way cleaned of the Ocean Ridge Recreation Centre.

**COMPENSATION PAYMENTS - LOT 560 (3) MANAKOORA RISE,
SORRENTO - [3090/560/3]**

Cr Hancock queried the delay in compensation payments relating to Messrs Brislin and Delborello in view of the fact that this matter was passed to Council's insurers in December 1996.

Cr Hancock called for a full public inquiry into this matter.

The Mayor advised that the Chief Executive Officer would take the matter up with the appropriate people with regard to Council's insurers.

The Chief Executive Officer reported that he had had discussions with the principal of the insurance company who advised they were attempting to arrange a meeting, but were awaiting advice from the solicitors acting for the parties concerned.

He further advised that negotiations were still in hand but endeavours were being made to bring this matter to a conclusion as soon as possible.

COUNCIL POLICY - LEGAL REPRESENTATION - [702-8]

Cr Popham requested that Council's Policy on Legal Representation be listed for review on the next Policy Committee Agenda for meeting of 7 April 1997.

C99-03/97 PETITION IN RELATION TO PRESERVATION OF THE CHURCH OF ST ANTHONY'S, WANNEROO ROAD, WANNEROO - [290-15, 30/228]

Cr Cooper requested that a figure be obtained for the dismantling of St Anthony's Church, currently located in Wanneroo Road, Wanneroo and for possible relocation at Perry's Paddock, Ocean Reef Road.

Cr Cooper stated the building was the oldest Church in Wanneroo and for this reason was worthy of preservation.

RESOLVED that a report be submitted to the Town Planning Committee on costs associated with the dismantling and relocation of St Anthony's Church.

SAND DRIFT PROBLEMS IN RELATION TO 52 KORELLA STREET, MULLALOO - [310-419-52]

Cr Magyar requested Council takes action to ensure that the residents of Korella Street, are not affected by sand drift from 52 Korella Street, Mullaloo and ensures that all materials and sand associated with the proposed development be contained on site to ensure the residential amenity of Korella Street is maintained.

WANNEROO DISTRICTS HISTORICAL SOCIETY (INC) - [458-1]

Cr Magyar requested Council consider a 50/50 funding arrangement with the Wanneroo Districts Historical Society for the provision of a division wall, door and security screen to be installed at the Society's office 935 Wanneroo Road, Wanneroo.

He asked that this be listed as a consideration in the 1997/98 draft Budget.

BY-LAW IN RELATION TO KEEPING OF PIGEONS - [241-0]

Cr Magyar raised the Item of Council's By-laws in relation to the Keeping of Pigeons listed as Urgent General Business No 1 to Finance and Community Services Committee meeting in February. He advised that this Item was deferred for one month and queried whether this matter still needed to be dealt with.

The City Environmental Health Manager advised that draft By-laws are currently being forwarded to Council's solicitors for their comment prior to Council formally adopting a By-law in this regard.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

PUBLIC QUESTION TIME

15-minute period of question time, during which questions may be put by the public on business discussed during the course of the meeting.

Mr Vic Harman, Ocean Reef Residents Association

Q1 Page 6, P24-03/97

Could the Chief Executive Officer advise me on how to contact the Geographic Names Committee - does it come under a Ministry?

A1 The Chief Executive Officer advised this Committee came under Department of Land Administration (DOLA). Previously it was known as the Nomenclature Committee.

Q2 Mr Harman quoted as follows:

"The Chief Executive Officer shall liaise with Directors in determining the names of Council Buildings and make a recommendation to the Council".

He queried the context of the word "Directors?". Who are they?

A2 The Chief Executive Officer advised the terminology under the new structure has six directors that have been appointed for the different directorates, forming a management team to work in conjunction with the Chief Executive Officer.

Q3 Page 26 - TS89-03/97

Mr Harman queried what the situation was with regard to activation of the Government Scheme and whether Council had any up to date information in this regard?

- A3 The Mayor advised that he would take this question on notice.
- Q4 Mr Harman requested that costs be obtained for a small van incorporating a petrol driven compressor with spray equipment in relation to graffiti.
- Q5 Page 44 - TP38-03/97 - Mr Harman expressed his thanks to Council in relation to the closure of the pedestrian accessway between Bacchante Circle and Westra Way, Ocean Reef.
- Mr Harman queried how soon work would commence on the closure of the accessway, whether advice would be received from Council on how ratepayers should proceed and finally were there any steps that could be taken to prevent the accessway from being closed?
- A5 The City Planner advised that the process for a pedestrian accessway closure was lengthy - it may be 9 months or longer. It required to be advertised, await receipt of responses and then proceed with the closure through DOLA (Department of Land Administration).
- Q6 Outstanding Business - Technical Services Committee
- Mr Harman quoted as follows:
- "Cr Magyar requested a progress report on the verge planting within Santiago Park, Ocean Reef".
- Mr Harman queried whether the Ocean Reef Residents Association could have a copy of that report?"
- Q7 Mr Harman queried whether Public Question Time could revert back to Public Question/Comment Time?
- A7 The Mayor responded in the negative.

Mrs Audrey Hine, Dundobar Road, Wanneroo

- Q1 Reference was made this evening to Whitford City Shopping Centre. An advertisement has been appearing in the West Australian newspaper for another shopping centre in Hillarys. Is it necessary to have another shopping centre?
- A1 The City Planner advised that this advertisement referred to the shopping centre on the corner of Waterford Drive/Flinders Avenue where the proposed police station for Hillarys is to be located.
- Q2 Royal Commission - Is the lawyer very representative of this Council? Is Council convinced that correct advice and representation has been by this lawyer?

Does Council still intend to use the services of this lawyer in the future for any Council business from now on in view of the fact that the Legal Practitioners Tribunal has found him guilty of unprofessional conduct?

A2 The Mayor advised that to date this matter has not been discussed by Council.

Q3 Page 23 - Technical Services

Mrs Hine referred to a partly installed security system in the new Shire Depot and queried whether this was a more full proof system than was installed in the Council Building, Boas Avenue when this building was broken into.

A3 The City Building Surveyor advised that the system is an improvement over the existing system.

Mr John Hollywood, Burns Beach Road

Q1 Mr Hollywood referred to building plans he had submitted for approval two weeks ago. On checking their progress he was informed it would take another 5-6 weeks for approval, and queried the time delay.

A1 The City Building Surveyor advised that some delays were being experienced in the Building Department, but not to the extent Mr Hollywood talked of and that he would look into this.

MOVED Cr Cooper, **SECONDED** Cr Magyar that the meeting be held Behind Closed Doors to discuss the appointment of a senior staff member, the time being 2310 hrs.

CARRIED

The public and members of the press left the Chamber at this point.

CONFIDENTIAL BUSINESS

C100-03/97 **APPOINTMENT - DIRECTOR OF COMMUNITY SERVICES -**
[PERSONAL, C HALL]

The above position was advertised Australia-wide in late January, early February 1997.

The position attracted a very high number of quality applicants totalling eighty one. After conducting interviews in March, the recommended candidate is Mr Chris Hall.

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

1 **Report C100-03/97 (Attached hereto in the Minute Book) be received;**

2 **Council endorses the appointment of Mr Chris Hall to the position of Director, Community Services and the Chief Executive Officer be authorised to finalise contract arrangements.**

CARRIED

C101-03/97 APPRECIATION DINNER/GIFTS - RETIRING OFFICERS -
[404-0]

MOVED Cr Wight, SECONDED Cr Cooper that Council:

1 hosts an appreciation dinner on the retirement of:

**Mr Ron Banham, City Recreation and Cultural Services Manager;
Mr Frank Griffin, City Parks Manager;
Mr Terry Trewin, Manager, Municipal Law and Fire Services**

with invitations extended to all present Councillors;

**2 presents appropriate gifts to Mr Ron Banham, Mr Frank Griffin and Mr
Terry Trewin to the value of \$500 each. CARRIED UNANIMOUSLY**

**MOVED Cr Cooper, SECONDED Cr Taylor that the meeting be held with the doors
open, the time being 2331 hrs.**

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for 7.30 pm on **WEDNESDAY
23 APRIL 1997**

CLOSE OF BUSINESS

There being no further business, the Chairman declared the Meeting closed at 2332 hrs, the
following Councillors being present at that time:

| | |
|---------------------|----------------------|
| COUNCILLORS: | DAMMERS |
| | FREAME |
| | COOPER |
| | LYNN |
| | EWEN-CHAPPELL |
| | MAGYAR |
| | O'GRADY |
| | WIGHT |
| | TAYLOR |
| | MAJOR |
| | HANCOCK |
| | HEALY |
| | POPHAM |
| | TIPPETT |

