

C I T Y   O F   W A N N E R O O

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER  
ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP,  
ON WEDNESDAY, 27 MARCH 1996

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor	South-West Ward
	H M WATERS, JP	North Ward
	L O'GRADY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	B J MOLONEY	South Ward
	K H WOOD to 2231 hrs	South Ward
	A B HALL	South Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	G A MAJOR	South-West Ward
	G W CURTIS	South-West Ward
	M E LYNN, JP	South-West Ward

Town Clerk:	R F COFFEY
Chief Executive Officer (Elect)	L O DELAHAUNTY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER
City Environmental Health Manager:	M AUSTIN
Acting City Parks Manager:	D CLUNING
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T M TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Publicity Officer:	O DAVIDSON
Committee Clerk:	J HARRISON
Minute Clerk:	L TAYLOR

There were 65 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 1933 hrs.

Cr Lynn requested under No 85 of Council's Standing Orders, to seek leave to make the following personal explanation before the Minutes were adopted.

"Mr Mayor, I would like to give a personal explanation relating to the Vote which took place at last month's Council Meeting in Item 56 moved by Cr O'Grady. Councillors will find the item to which I refer on Page 165 of the Minutes. I have prepared a statement in order that what I say is absolutely accurate, and I would appreciate the courtesy of being allowed to read it. A copy will be available to the Minute Clerk.

The Minutes state MOVED by Cr O'Grady SECONDED Cr Hall that Council moves a Vote of Confidence in the Media Release made by the Mayor in support of a Royal Commission and shows its full support to the Mayor. That Vote was CARRIED by Division, and I, together with others are recorded as having voted against it.

(I am not quite sure how one can actually move a Vote of Confidence in a Media Release as Votes of Confidence are moved in people or actions. Media Releases would have to be "Endorsed").

However, I have here a transcript of the relevant parts of that Debate, which I took down myself very carefully, having listened several times to the tape recording. It makes absolutely NO MENTION of a Royal Commission in the Vote that was put, - in fact the words Royal Commission were never spoken either in Cr O'Grady's original Motion at the beginning of the Debate nor by you Mr Mayor in the Motion that was voted upon.

It was of course mentioned during discussion, and when I spoke, I said quite clearly - and it is perfectly clear on the tape recording - that I had no problems with your Press Release that was circulated to Councillors, no problems with the Kyle Inquiry, no problems with the new Head of the Inquiry, nor have I ever had any opposition to a Royal Commission into Wanneroo Inc.

As a matter of fact, I welcome a Royal Commission into Wanneroo, and hope it will get to the bottom of whatever is supposed to have happened, as well as having a good look at those people who have laid allegations.

What I SAID was that I was NOT happy with this present Council's persistent involvement in an issue which is being addressed by the Government in accordance with their legal advice and the Law. Nor was I happy that a full blown media conference was

needed. I felt that your Media Release Mr Mayor, (with which I was perfectly happy when it was faxed to me) was sufficient, and I feared calling a Press Conference would provide an opportunity for a media circus and more adverse publicity for the City of Wanneroo - which it did. It was on those concerns that I voted no confidence in the way this issue was being handled by the Mayor.

Mr Mayor, I would like it recorded in tonight's Minutes that I DID NOT vote against your call for a Royal Commission...and that was NOT the Motion that was put to this Council.

As I am sure someone will tackle me on why I am bothering to make this Personal Explanation, and why I am not attempting to alter the Minutes if I believe them to be incorrect, I would like to explain.

The issue of who voted on what has become important, as, on the 13th March Mr Mayor, you went on the 6WF Peter Kennedy Show and said (amongst other things) that four Councillors voted against your call for a Royal Commission. You repeated this again the following day on the Sattler programme on 6PR, and you were quoted in the West Australian on the 14th March as saying the same thing. In fact in the West Australian, you went even further. I quote "Cr Dammers said there was a hard core of four Liberal Councillors who were intent on making his council life difficult. All had voted against his call for a Royal Commission."

I am taking the trouble to set the record straight this evening as it is important to me to be quoted accurately and to have my actions recorded properly. As Mayor you chose to make your statements on this issue which involved me, on the radio and in the press - a very public arena - and I feel it is only fair that I should have it recorded here in public that those statements - as far as I am concerned - are inaccurate.

I am not going to attempt to correct the Minutes, as, if anyone cares to listen to the tape of the last Council Meeting, or reads the transcript of this item, they will find it almost impossible to make any real sense out of what WAS actually voted on, and I believe it would be impossible to correct the Minutes without revisiting the whole issue. I am sure the Minute Clerk did the best she could by following the gist of the Debate, however, the Motion recorded in the Minutes is unfortunately NOT what was said.

I think each one of us around this table should take some responsibility for allowing such an important Vote be taken without clarifying the wording.

I would like Councillors to know that I initially made my concerns about this Motion and the Vote taken known to the Town Clerk last week. I asked Mr Coffey to listen to the tape of the relevant part of the meeting, and I gave him a copy of the transcript which I had made. I sought his advice on how the issue could be rectified without causing further disharmony in this Chamber or any embarrassment to the Mayor.

As I was not prepared to "let the matter go" as was first suggested to me that I might, my sole purpose this evening in making this Personal Explanation is to place ON RECORD, and I would like this Personal Explanation incorporated in the Minutes, that I did NOT vote against the Mayor's written Press Release, nor his call for a Royal Commission."

**MOVED** Cr Major, **SECONDED** Cr Curtis that Council defers confirmation of the Minutes of the Council Meeting held on 28 February 1996 pending a transcript being prepared of the two motions and circulated to all Councillors. **LOST**

**MOVED** Cr Lynn, **SECONDED** Cr Freame that the Minutes of the Council Meeting held on 28 February 1996 be confirmed as a true and correct record, with the exception of Item C56-02/96 and Council requests the Town Clerk to provide a verbatim transcript of that part of the debate. **CARRIED**

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

Cr Taylor submitted the following questions to Cr Arnold Dammers for the Council meeting of 27 March 1996:

- Q1 Have you this year met with Mr Paul Filing or any member of his staff or Mr Fred Chaney or Mr Tom Herzfeld or any member of Mr Paul Filing's re-election team, and if so, on what dates and with whom?
- A1 I have met with Mr Filing on many occasions, too many to readily spring to mind, in my official capacity as Mayor. As Mr Filing is the City's elected representative in Canberra, he is invited to most of Council's official functions.

As far as I can recall my only contact with any of Mr Filing's staff has been in relation to the Red Shield Appeal. His office carries out a coordinating role for the appeal and I volunteer my services as a collector for the Wanneroo townsite. I am aware several other Councillors offer their services in this regard.

To the best of my knowledge I have not ever met Mr Chaney. My wife Julie included Paul Filing and his wife Geraldine on the guest list for her recent 40th birthday party. She also invited Jackie Watkins, Senator Jim McKiernan and Cr Stephen Magyar, a member of the Green Party.

Q2 Have you this year had any telephone discussions with Mr Paul Filing, or any member of his staff or with Mr Fred Chaney or Mr Tom Herzfeld or any members of Mr Filing's re-election team, and if so, what dates and with whom?

A2 I have had many meetings with Cr Brian Cooper who I understand was a member of Mr Filing's campaign committee. His excellent attendance at full Council and committee meetings would make him difficult to avoid.

Through my work and Mayoral duties I meet many community members who may or may not have been on Mr Filing's campaign committee, but I am unaware of the committee's composition.

I have never visited Mr Filing's office, however, last Thursday at his invitation, I lunched with him and met for the first time Mr Herzfeld. The discussion that took place at this meeting ranged over a number of topics to do with obtaining Federal funding for City of Wanneroo projects.

Q3 If yes to 1 and/or 2, did you at any time discuss the City of Wanneroo Inquiry and/or the calling of a Royal Commission into the City of Wanneroo, and/or its terms of reference during these meetings or telephone conversations, and if so, when and with whom?

A3 No.

Q4 If yes to 3, did the discussions that took place relate to you taking a more public position in the calling for a Royal Commission into the City of Wanneroo and/or the calling for wider terms of reference?

A4 No.

Q5 If yes to 1 and/or 2, did any of these meetings and/or discussions refer to or relate to Mr Filing's re-election, and if so, when and with whom?

A5 No.

Q6 If yes to 3, did your increased public role relate to Mr Filing's re-election?

A6 No.

Q7 If yes to 1 and/or 2, have any of these meetings and/or discussions referred to the May 1996 Council elections for the City of Wanneroo, and if so, when and with whom?

A7 No.

In reference to "Questions of Which Due Notice Has Been Given, Without Discussion" submitted by Cr Taylor, Cr Cooper stated that he believed it was any persons' right to meet with or speak to whoever they wished and he could not see the purpose of these questions.

Cr Cooper said he is happy to assist with the Red Shield Appeal, as are other Councillors, and did not understand why this was called into question and stated there was no doubt about his being associated with Paul Filing's election committee. Cr Cooper pointed out that he is free to support any party he wishes and has previously given his views in the newspaper and on radio.

Cr Cooper queried what connection these questions had to do with the running of Council and wondered what direction Council was going in when these types of question were raised.

Cr Taylor, by way of a personal explanation, stated he agreed with Cr Cooper's comments regarding the Red Shield Appeal. However he was not the one to raise this subject or bring Cr Cooper's name into the questions. Cr Cooper referred to Question 2 and stated that Cr Taylor did in fact bring his name into it.

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

Nil

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

#### **GOLF DAYS**

The City of Wanneroo's 10th annual Pro Am golf day was held last Sunday at Marangaroo Public Golf Course. More than 200 golfers competed, with Andrew Gott winning the pro section and Tony Robson, City of Wanneroo's former Deputy Town Clerk, taking out the top amateur prize. Gez Darbyshire came in first in the ladies section and Marie Coffey second.

On the following Monday, the traditional staff golf tournament took place, also at Marangaroo, with around 150 players taking part and playing in teams. The Parks Department excelled itself coming in first and second. The winning team of Ron Hendrik, Tim Austin and Frank Nelson, all members of the Joondalup gardening crew, fought off an attack from the lawn mowing side.

#### NEW CHIEF EXECUTIVE OFFICER

The new Chief Executive Officer, Lindsay Delahaunty, commenced work with the City on 18 March, and I am pleased to welcome him here this evening.

Mr Delahaunty will replace Mr Coffey who retires in July.

Would you please stand Lindsay so people can put a face to the name. Thank you.

#### PETITIONS, MEMORIALS AND DEPUTATIONS

##### C66-03/96                    PETITION SUPPORTING HOME GUITAR TUITION - LOT 651 (41) CHADSTONE ROAD, CRAIGIE - [1151/651/41]

Cr O'Grady submitted a 29-signature petition on behalf of residents of Craigie in support of the owners/occupiers of Lot 651 (41) Chadstone Road, Craigie conducting guitar tuition from this property. The Town Clerk also submitted a copy of this petition which had been received by the Administration Department.

This petition will be referred to Town Planning Department and considered in conjunction with Item TP65-03/96.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition in support of the owners/occupiers of Lot 651 (41) Chadstone Road, Craigie conducting guitar tuition from this property be received and considered in conjunction with Item TP65-03/96.

**CARRIED**

#### JOONDALUP COMMUNITY FOUNDATION

Cr Freame reported that she deputised for the Mayor at the Annual General Meeting of the Joondalup Community Foundation, where she was presented with two commendations on behalf of the Mayor and the City of Wanneroo for the City's involvement in both the Little Feet Festival and the Spirit of Joondalup Festival.

#### LAUNCH OF THE DISABILITY COMMISSION ACCESS FOR THE DISABLED ON TO PERTH TRANSPORT

Cr Freame reported that she deputised for the Mayor at the launch of the Disability Commission access for the disabled on to Perth transport.

She stated the new flat floor bus format, combined with the mini-bus system proposed for the inner city would make travelling for all kinds of people much easier generally; as would access direct from the pavement.

Cr Freame advised she also inspected the new mini-cab taxi service facility.

**C67-03/96**            **PETITION OBJECTING TO PROPOSED CHILD CARE CENTRE,  
LOT 111 (49) WARRINGAH CLOSE, KALLAROO -  
[30/5311]**

Cr Freame tabled a 219-signature petition on behalf of residents of Kallaroo objecting to the proposed child care centre, Lot 111 (49) Warringah Close, Kallaroo.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition submitted on behalf of residents of Kallaroo objecting to the proposed child care centre, Lot 111 (49) Warringah Close, Kallaroo be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**C68-03/96**            **PETITION OBJECTING TO PROPOSED DAY CARE CENTRE,  
LOT 180, (78-80) WARBURTON AVENUE, PADBURY -  
[30/5323]**

Cr Freame tabled a 30-signature petition on behalf of residents of Padbury objecting to the proposed day care centre, Lot 180 (78-80) Warburton Avenue, Padbury. Cr Lynn also submitted a copy of this petition.

The petitioners feel that this proposed development will not only devalue their properties, but will also present problems with extended trading hours, noise generated by children, parking at the day care centre and also vehicular access to surrounding properties by adjoining neighbours. Due to the volumes of traffic, this may also increase the likelihood of traffic accidents, as well as endangering pedestrian safety.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition tabled on behalf of residents of Padbury objecting to the proposed day care centre, Lot 180 (78-80) Warburton Avenue, Padbury be received and referred to Town Planning Department for a report to Council.

**CARRIED**

C69-03/96

TRAFFIC SPEED PROBLEMS - FLINDERS AVENUE,  
HILLARYS - [510-631]

Cr Lynn tabled a letter from a concerned resident of Hillarys in relation to both the volumes and speeds at which traffic travels along Flinders Avenue, Hillarys.

The resident states the traffic problems along Flinders Avenue not only constitute a problem for neighbours in that vicinity, but also a serious safety hazard for children attending Lyburner Primary School.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the letter from a Hillarys resident in relation to both the volumes and speeds at which traffic travels along Flinders Avenue, Hillarys be received and referred to Engineering Department for a report to Council.

**CARRIED**

C70-03/96

LETTER OBJECTING TO PROPOSED CHILD CARE CENTRE,  
LOT 111 (49) WARRINGAH CLOSE, KALLAROO -  
[30/5311]

Cr Lynn tabled a letter on behalf of a Warringah Close resident objecting to the proposed child care centre, Lot 111 (49) Warringah Close, Kallaroo.

The resident states that the proposed child care centre will not only devalue their property, but will encroach on their family environment, as well as cause potential traffic problems.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the letter submitted on behalf of a Kallaroo resident objecting to the proposed child care centre, Lot 111 (49) Warringah Close, Kallaroo be received and referred to Town Planning Department for a report to Council.

**CARRIED**

C71-03/96

COMPLAINT AGAINST BUILDER'S WORK ORDER, GURON  
ROAD, DUNCRAIG - [510-1021, 019-2]

Cr Curtis submitted a letter of complaint from a Duncraig resident against a builder contracted to carry out extensions to her property.

The complainant listed a number of discrepancies that have yet to be attended to by the builder and seeks Council's advice as to the steps she may take to have these matters rectified.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the letter from a Duncraig resident in relation to building discrepancies at her property be received and referred to Building Department for action.

**CARRIED**

**C72-03/96**      **PETITION REQUESTING SPECIAL MEETING OF ELECTORS TO DISCUSS COMMERCIAL VEHICLE PARKING AND TRANSPORT DEPOTS - [780-0]**

Cr Taylor submitted a 228-signature petition requesting Council consideration of holding a Special Meeting of Electors to discuss commercial vehicle parking and transport depots as they relate particularly to the rural, special rural and residential zones.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition requesting Council consideration of holding a Special Meeting of Electors to discuss commercial vehicle parking and transport depots be received, and a Special Meeting of Electors be convened in accordance with Section 171(3) of the Local Government Act.

**CARRIED**

**C73-03/96**      **LETTER CONCERNING KEEPING OF RACING PIGEONS - LOT 199 (28) KAIBER AVENUE, YANCHEP - [447/199/28]**

Cr Ewen-Chappell tabled a letter from Mr S Harding in support of his application for approval to keep racing pigeons at his property - Lot 199 (28) Kaiber Avenue, Yanchep - Item CS30-03/96 refers.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the letter from Mr S Harding in support of his application for approval to keep racing pigeons at his property - Lot 199 (28) Kaiber Avenue, Yanchep be received and considered in conjunction with Item CS30-03/96.

**CARRIED**

**C74-03/96**      **PETITION REQUESTING INSTALLATION OF AIR-CONDITIONING, OCEAN REEF COMMUNITY HALL, BEAUMARIS - [635-16]**

Cr Cooper presented a 160-signature petition on behalf of ratepayers and various groups who conduct activities at the Ocean Reef community hall, Beaumaris.

The petitioners have stated that during the summer months it has been both difficult and uncomfortable carrying out their activities due to lack of air circulation in the community hall

and ask that Council give consideration to listing installation of air conditioning in 1996/97 draft Budget.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition on behalf of ratepayers and various user groups at the Ocean Reef community hall, Beaumaris requesting consideration of installing air conditioning in the hall be received and referred to Building Department for a report to Council.

**CARRIED**

**SECOND ANNUAL WESTERN AUSTRALIAN PLANNING COMMISSION SEMINAR**

Cr Magyar reported he had attended the 2nd Annual Western Australian Planning Commission seminar on Friday 22 March 1996, along with Cr O'Grady and thanked Council for being given the opportunity to do so.

He advised that the seminar was very informative, being addressed by both interstate and overseas guest speakers.

**OCEAN REEF ROAD/LAKE JOONDALUP WILDLIFE UNDERPASS**

Cr Magyar submitted on behalf of concerned residents of Edgewater various questions in relation to Ocean Reef Road and the Lake Joondalup Wildlife Underpass.

These questions are answered by the Town Clerk on Pages 16 and 17.

**C75-03/96**      **PROVISION OF ADDITIONAL LITTER BINS, OCEAN REEF - [504-0]**

Cr Magyar submitted a letter on behalf of an Ocean Reef resident seeking Council's assistance in providing an additional litter bin at the top of the pathway ramp at the end of the Gloriana View cul-de-sac and another at the western side of the unformed section of Ocean Reef Road.

The resident felt this was a particularly pleasant area and by his own efforts attempted to maintain it as litter free.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the letter from an Ocean Reef resident seeking Council's assistance in providing additional litter bins in Ocean Reef be received and referred to Engineering Department for action.

**CARRIED**

C76-03/96

PETITION SEEKING INSTALLATION OF SAFETY FENCING  
AT CRAFT ROOM FACILITY, GUMBLOSSOM COMMUNITY  
CENTRE, QUINNS ROCKS - [061-149-3]

Cr O'Grady submitted an 85-signature petition on behalf of Quinns Rocks residents who attend the Craft Room facility at Gumblossom Community Centre, Tapping Way, Quinns Rocks.

The petitioners are requesting enclosure of the paved outside play area with safety fencing and gates in order to separate this from other nearby public facilities and to provide greater security for children attending the community centre.

In addition to the fencing of the outside play area, they seek perimeter fencing.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition from residents of Quinns Rocks requesting installation of both security fencing and gates, along with perimeter fencing be received and referred to Building Department for a report to Council.

**CARRIED**

SECOND ANNUAL WESTERN AUSTRALIAN PLANNING COMMISSION SEMINAR

Cr O'Grady reported she had attended the 2nd Annual Western Australian Planning Commission seminar on Friday 22 March 1996, and thanked Council for being given the opportunity to do so.

Cr O'Grady pointed out it came to her attention through the internetting process, that many service industries were under the misconception that Wanneroo ended at Ocean Reef and several services did not go north of this area. She intended, with Council's support, to investigate this matter as many services were much needed in other areas.

RECYCLING FACILITIES - YANCHEP - [508-4]

Cr Waters reported she had received a letter from Yanchep Residents Association seeking clarification as to the current position in relation to recycling facilities in the Yanchep area and requested that this matter be investigated.

This matter will be referred to Engineering Department for action.

C77-03/96

TRAFFIC SPEED PROBLEMS - REDCLIFFE WAY,  
MARANGAROO - [510-2598]

A 49-signature petition has been received from Mr Ted Cunningham, JP, MLA, Member for Marangaroo on behalf of concerned residents of Redcliffe Way, Marangaroo.

The petitioners have expressed their deep concern at the continuing problems associated with vehicular traffic speeds along Redcliffe Way and are seeking Council's assistance in installing traffic treatments in a bid to slow down traffic using Redcliffe Way.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition from Mr Ted Cunningham, JP, MLA, Member for Marangaroo expressing concern at the continuing problems associated with vehicular traffic speeds along Redcliffe Way be received and referred to Engineering Department for a report to Council.

**CARRIED**

**C78-03/96**

**FUNDING REQUEST FOR CONSTRUCTION OF CYCLE/PATHWAY  
BETWEEN ST ANDREWS AND YANCHEP - [510-0923]**

A 214-signature petition has been received from Wayde Smith, JP, MLA, Member for Wanneroo on behalf of ratepayers of the City of Wanneroo requesting that funding be approved for the construction of a cycle/pathway between St Andrews and Yanchep.

The petitioners feel that provision of such a facility is necessary to ensure the safety of children who ride bicycles to school in Yanchep, as the road shoulder of Yanchep Beach Road has become extremely hazardous.

**MOVED** Cr Hall, , **SECONDED** Cr Freame that the petition received from Wayde Smith, JP, MLA, Member for Wanneroo requesting that funding be approved for the construction of a cycle/pathway between St Andrews and Yanchep be received and referred to Engineering Department for a report to Council.

**CARRIED**

**C79-03/96**

**PETITION RELATING TO EXCESSIVE NOISE - FENTON  
WAY, HILLARYS - [0628/34/13]**

An 8-signature petition has been received from residents of Hillarys in relation to excessive noise emanating from a property in Fenton Way.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition received from residents of Hillarys in relation to excessive noise emanating from a property in Fenton Way be received and referred to Environmental Health Department for action.

**CARRIED**

PETITION OPPOSING DUAL PURPOSE PATHWAY ON THE  
EASTERN SIDE OF ALFRETON WAY, DUNCRAIG -  
[510-1770]

A 53-signature petition has been received from residents of Alfreton Way, Duncraig opposing the possible construction of a north-south dual purpose pathway along the eastern side of Alfreton Way.

**MOVED** Cr Hall, **SECONDED** Cr Freame that the petition received from residents of Alfreton Way, Duncraig opposing the possible construction of a north-south dual purpose pathway along the eastern side of Alfreton Way be received and referred to Engineering Department for a report to Council.

**CARRIED**

THANKS TO COUNCILLORS

The Mayor expressed his appreciation to councillors for their help at short notice in recent days deputising on his behalf at functions he was unable to attend due to the ill health of his mother.

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

MANAGEMENT COMMITTEES

- A GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE  
Meeting held on 7 February 1996
- B WHITFORD SENIOR CITIZENS CENTRE MANAGEMENT COMMITTEE  
Meeting held on 20 February 1996
- C SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)  
Meeting held on 29 February 1996

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

**CARRIED**

ADVISORY COMMITTEES

- A DISABILITY ACCESS ADVISORY COMMITTEE MEETING  
Meeting held on 12 February 1996
- B HISTORICAL SITES ADVISORY COMMITTEE  
Meeting held on 21 February 1996
- C MULTICULTURAL ADVISORY COMMITTEE

Meeting held on 26 February 1996

D YOUTH ADVISORY COMMITTEE  
Meeting held on 26 February 1996

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

**CARRIED**

OTHER COMMITTEES

A WHITFORD RECREATION ASSOCIATION  
Meeting held on 15 January 1996

B BURNS RATEPAYERS AND RESIDENTS ASSOCIATION (INC)  
Meeting held on 8 February 1996

C OUTSIDE SITE SAFETY COMMITTEE  
Meeting held on 21 February 1996

D JUNIOR COUNCIL  
Meeting held on 8 March 1996

E OFFICE SITES SAFETY COMMITTEE  
Meeting held on 11 March 1996

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

**CARRIED**

**PUBLIC QUESTION/COMMENT TIME OF WHICH DUE NOTICE HAS BEEN GIVEN**

Mr David Charles asked the following questions and has also requested permission to address Council at its meeting on 27 March 1996 in relation to Tow Truck Parking and Tow Truck Activities at Lot 678 (163) Camberwarra Drive, Craigie - Item TP58-03/96 refers.

Q1: *The nature of the "complaints" eg. Is it the way they are parked in the driveway? What is the complaint and can the complainants "specify" their problem in detail and why have they never approached us directly? This we can not understand. They just don't like tow trucks? If this is the case why all the other misleading statements.*

A1: (a) Upon receipt of the initial complaint, the City's Planning Liaison Officer spoke to one of the residents of Lot 678 Camberwarra Drive, Craigie.

Subsequently correspondence was forwarded to the occupants on 9 October 1995.

- (b) The City is not able to require a complainant to advise other residents that they are in breach of the Town Planning Scheme. In any event, as there is a breach of the scheme, the City, upon receipt of a complaint, is required to take action.

Q2: *Why when you made the inspections have you not made yourself known to the boys. Would dates be available to us as to when this was carried out. You have made mention the truck was parked in the drive is this not the correct place for them to be so as not to detract or attract attention and lower the standard of the neighbourhood.*

A2: The City's Planning Liaison Officer spoke to one of the occupants of the premises concerning the two commercial vehicles parked on Lot 678 and subsequently wrote to them on 9 October 1995, 30 October 1995 and 26 February 1996.

You have also been advised of the dates and times of the inspections carried out by the City's Planning Liaison Officer in Council's letter of 15 March 1996.

Q3: *When the other inspection took place on what date was it carried out? Again why did you not call on the boys for a please explain. The reason for the truck being where it was is that we were told by that property owner to park it there because it is his property and at no time did we think we were breaking any of Council's by-laws.*

*If in fact we were in breach of that by-law why did you not call on the boys as an officer of the Council to inform them of the above. We are not law breakers.*

A3: (a) See 2. above.

(b) See 2. above.

Q4: *In your letter you are implying that I have not told the truth. The Dodge is Alan's truck and he does use it all the time for his personal needs eg shops, meetings, to and from Macdonald's (sic) Beldon etc. What do we have to comply with? He comes and goes as he pleased from his property. Does someone have to give him permission to do this? Sorry, I don't understand that statement.*

A4: No one is suggesting that you have not told the truth. It was agreed that one tow truck could remain on Lot 678 (163) Camberwarra Drive, Craigie, providing it was not used as a tow truck or did not affect the amenity of the area. More than one tow truck has been parked on Lot 678 as the inspections carried out by the officer has shown. The difficulty in assessing one tow truck parked on the property for private and personal use, against commercial use, cannot be distinguished by the officer or complainants.

Q5: *We have spoken to all the relevant neighbours that is both sides and across the street they have no problem with the boys at all so find enclosed letters from them.*

A5: It is not up to neighbours to say whether a breach of the town planning scheme can occur. Complaints were referred to Council regarding tow truck parking and two truck operations from Lot 678 (163) Camberwarra Drive, Craigie. It then becomes the City's responsibility to ensure that any breaches of the town planning scheme are corrected, to protect the amenity of the neighbourhood.

Mr David Charles

Mr David Charles stated he was Operations Manager for Joondalup Towing Service, as well as being father to Alan and Andrew Charles, occupiers of 163 Camberwarra Drive, Craigie.

Mr Charles submitted his response, which he read to Council, in relation to queries raised in a letter he received from Town Planning Department dated 15 March 1996.

Appendix XVIII refers.

Mr Steve Harding

Mr S Harding has requested permission to address Council at its meeting on 27 March 1996 in relation to Application - Keeping of Pigeons - Item CS30-03/96 refers.

Cr Hall left the Chamber at this point, the time being 2009 hrs.

Mr Harding stated his attendance at this evening's Council Meeting was in response to certain comments and allegations made at the Council Meeting of 28 February 1996 by a Mrs Wright and reference to the fact of his occupation as a police officer.

He reported that immediately after this meeting, he contacted the Police Internal Investigations branch and also Inspector Grant of Joondalup Police Station, who was aware of this matter.

Mr Harding stated that he has been cleared of any complaints and that there has been no complaints made against him - he is not under investigation.

Mr Harding addressed Council this evening to clarify the above points and to draw Council's attention to the current facts as they stand.

Mr Behnam Bordbar

Mr Behnam Bordbar of BSD Consultants, Consulting Engineers on behalf of Coney Project Management has requested permission to address Council at its meeting on 27 March 1996 in relation to Development Application - Shenton Avenue Access to Currambine Shopping Centre Stage 1 - Item TS68-03/96 refers.

Cr Taylor left the Chamber at this point, the time being 2012 hrs.

Mr Bordbar stated that since the meeting he held with officers from the Engineering Department on 25 March 1996, there have been further developments in relation to Development Application - Shenton Avenue Access to Currambine Shopping Centre. Mr Bordbar has held a meeting with the Manager, Road Safety - Main Roads WA to discuss these proposals which were supported in principle by Main Roads.

He reported that since these meetings, the proposal has been modified further to address the concerns which have been raised by Council's officers. In light of this, the applicants are now seeking a further deferral from Council in order that both Council's officers and Technical Services Committee may be appraised of these latest developments.

Mr Bordbar advised that this was a matter of significant importance which would ultimately have an effect on the community as a whole, and as such required careful consideration.

Mr G Stuart

Mr G Stuart of 41 Westra Way, Ocean Reef has requested permission to address Council at its meeting on 27 March 1996 in relation to Trading in Public Places - Item 8 of the Town Clerk's Report refers.

Cr Taylor entered the Chamber at this point, the time being 2014 hrs.

Mr Stuart thanked both the Mayor and councillors for the opportunity to address Council this evening.

Mr Stuart wished to raise the matter of the cost of the licence fee relevant to trading in public places. He stated he understood this was a standard fee of \$500 for one year, irrespective of the number of days one would be trading.

He believed there were serious anomalies in the fee charged and believed a person only wishing to trade for only one day was severely disadvantaged, as opposed to a person trading on several days in any one year.

Mr Stuart asked Council to give serious consideration to changing the fees for trading in public places from 1 December 1995 to a rate of \$5.00 per trading day.

### OCEAN REEF ROAD, LAKE JOONDALUP

Cr Magyar submitted the following questions on behalf of residents from Edgewater for Council's meeting of 27 March 1996.

- Q1 Who proposed and authorised the construction of the dam?
- A1 The provision of stop logs was proposed and authorised by the Metropolitan Region Planning Authority in 1978. The requirement was part of conditions placed on the upgrading of Ocean Reef Road across the Lake Joondalup Causeway. The culvert serves as a Wild Life Underpass and was designed by the Main Roads Department.
- Q2 When was the dam put in place?
- A2 The culvert under Ocean Reef Road was constructed in two stages in conjunction with the upgrading of Ocean Reef Road. Stage 1 was completed in 1982. The stop logs were placed in position at that time. Stage 2 of the culvert was completed in May 1995
- Q3 When was the water released?
- A3 The purpose of stop logs is to establish a top water level of 18.5m (highest flood level) to restrict the movement of polluted water from south to north of the causeway. Water was, therefore, not released. The stop logs were removed towards the end of February this year.
- Q4 Why isn't the floor of the underpass the same level as the natural floor of Lake Joondalup at this point?
- A4 The invert levels of the box culvert were set in 1978 to allow water fowl and long necked tortoises to move between the two bodies of water.

Q5 What effect does the construction of the dam and the underpass have on the natural water flow?

A5 The stop logs prevent water flow from the south into Lake Joondalup. Removal of the stop logs would permit northerly flow and allow the water levels of the two wetlands to equilibrate in wet times. Considering the size and volume of Lake Joondalup, this would have a negligible effect on increasing the water level within Lake Joondalup.

In dry times, the level of water in the two lakes in the vicinity of Ocean Reef Road Causeway will differ since the lake bed to the south is lower than the northern section at this point.

Q6 What is the future planning for this area?

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

A6 In the final stages of Ocean Reef Road duplication, drainage is being dispersed in swales in the old alignment of Mullaloo Drive thus preventing any direct disposal into the Southern Lake.

As part of this upgrading, the Department of Conservation and Land Management (CALM) was requested to comment on the possibility of removing the stop logs to allow natural flow. CALM has responded with a recommendation that all of the stop logs be removed when the level of the water drops sufficiently to do so. CALM suggest that the logs be stored for the time being to allow monitoring of the effects of removal. These recommendations have been accepted and the logs removed.

QUESTIONS PUT OR COMMENTS MADE BY THE PUBLIC RELATING TO BUSINESS LISTED ON THE AGENDA.

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

Cr Moloney declared an interest in Item TP43-03/96.

Cr Cooper declared an interest in Items TS62-03/96, TS68-03/96 and FA18-03/96.

Cr Wood declared an interest in Item FA18-03/96.

Cr Taylor declared an interest in Item FA24-03/96.

Cr Waters declared an interest in Items CS30-03/96 and C92-03/96.

Mr R Coffey declared an interest in Item P25-03/96.

Cr Major declared an interest in Item C93-03/96.

## **BUSINESS REQUIRING ACTION**

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### **Legend - Numbering System:**

<b>B - Business for Information</b>	<b>OC - Occasional Committee</b>
<b>C - Council</b>	<b>P - Policy</b>
<b>CS - Community Services</b>	<b>TP - Town Planning</b>
<b>FA - Finance &amp; Admin Resources</b>	<b>TS - Technical Services</b>
<b>SC - Special Council</b>	
<b>C81-03/96</b>	<b>TOWN PLANNING COMMITTEE</b>

**MOVED** Cr Cooper, **SECONDED** Cr Wood that the Report of the Town Planning Committee Meeting, held on 11 March 1996 be received.

**CARRIED**

### **ATTENDANCES**

Councillors:	B A COOPER - Chairman	Central Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North Ward
	A W WIGHT - From 1846 hrs	South Ward
	M E LYNN, JP	South-West Ward
	G W CURTIS	South-West Ward
	A G TAYLOR - Deputising for Cr Wight to 1846 hrs, Deputising for Cr Wood from 1846 hrs	South Ward
	H M WATERS, JP - Observer to 1950 hrs	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	S P MAGYAR - Observer from 1817 hrs	Central Ward
	F D FREAME - Observer	South-West Ward
	G A MAJOR - Observer	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
Committee Clerk:	J HARRISON
Minute Clerk:	S BRUYN

#### **APOLOGIES**

An apology for absence was tendered by Cr Wood; Cr Taylor deputised from 1846 hrs.

An apology for late attendance was tendered by Cr Wight; Cr Taylor deputised to 1846 hrs.

An apology for absence was tendered by Cr Moloney.

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

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

#### **CONFIRMATION OF MINUTES**

##### MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 12 FEBRUARY 1996

The Minutes of Town Planning Committee Meeting held on 12 February 1996 were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

##### DEPUTATION - PROPOSED RETAILING OF FISH AND ASSOCIATED ACCESSORIES - LOT 206 (215) SYDNEY ROAD, GNANGARA

Mr and Mrs Townsend addressed the Committee in relation to the Proposed Retailing of Fish and Associated Accessories - Lot 206 (215) Sydney Road, Gnangara - Item TP44-03/96 refers.

Mrs Townsend explained to the Committee that her husband had been on an invalid pension from 1986 to 1993 and had since been trying to re-enter the work force.

In this regard she stated that her husband had undertaken a rehabilitation course and they had invested substantial money to build above ground concrete ponds in order to avoid lifting.

Mrs Townsend stated that they also had been assisted with a grant from the Commonwealth Rehabilitation Service to support

themselves for the first year and that their income now was \$350 per week.

She commented that traffic in the area was relatively low, with approximately 10 cars on a Sunday, a few on Saturday and one or two during the week and that they had no neighbours either side and wetlands opposite them.

Mrs Townsend stated this business had been operational for a year with minimum stock level, as they only want to stock filters, a few pumps and ponds.

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

#### DEPUTATION - PROPOSED MODIFICATION TO THE SOUTH WANGARA LOCAL STRUCTURE PLAN

Mr David Caddy, of The Planning Group and Mr Colin Langer of Wanneroo Mitsubishi, addressed the Committee in relation to the proposed modification to the South Wangara Local Structure Plan - Item TP43-03/96 refers.

Mr Caddy gave an overview of the situation and said that his clients were faced with a situation where the proponents of the subdivision disagreed with the decision of Council and the Western Australian Planning Commission and that the matter has now been taken to the Minister for Planning on appeal.

He briefly reiterated reasons for the previous rejection by Council and the Western Australian Planning Commission of the proposal, and stated that this proposal would have major implications on established businesses in the area.

Mr Caddy did not believe that the proposed access would be beneficial to his clients and felt that it would add to the hazards on Wanneroo Road.

In conclusion Mr Caddy stated that he did not believe anything had changed since Council's last resolution of 29 November 1995 and requested the Committee to reject this application.

Mr Langer then addressed the Committee, explaining that he represented some of the land owners in the service trade area.

He stated that he had been involved for the last 3 1/2 years in the present structure plan and believed that the proponents of the changes had not discussed these with him and requested the Committee to reject this proposal.

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

DEPUTATION - PROPOSED MODIFICATION TO THE SOUTH WANGARA LOCAL STRUCTURE PLAN

Mr Bill Burrell of Taylor Burrell and Mr Dan MacKinnon on behalf of Gaza Nominees addressed the Committee in relation to the proposed modification to the South Wangara Local Structure Plan - Item TP43-03/96 refers.

Mr Bill Burrell explained that he was acting on behalf of Gaza Nominees and brought the Committee's attention to the fact that the option on the land for Automotive Holdings had now lapsed and the modification was now required to facilitate the upgrading of the existing tavern located on Lot 1.

He gave an outline of the position in regard to the road access for the tavern and stated that they would be appraising the Minister with the changed situation they are now facing and would be looking at the upgrade of the tavern as part of the proposal.

Mr Burrell believed that technically there was nothing wrong with the subdivision and felt that this would not have a major effect in a structural sense.

He advised that the intersection had been supported on a technical basis by Main Roads W A, the Western Australian Planning Commission and the City Planner and requested the Committee to support the modified structure plan and to advertise the amendment to the structure plan.

Mr MacKinnon then addressed the Committee and advised that he had been associated with this situation for 3 1/2 years and believed that there had been communication between the opposing parties during this time.

He explained that as the option for Automotive Holdings had lapsed they were now faced with the prospect of upgrading the tavern and requested the Committee to support the current application and base its decision on what is best for the area.

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

**DECLARATIONS OF PECUNIARY INTEREST**

Nil

**CONFIDENTIAL BUSINESS**

Nil

**MEETING TIMES**

Commenced: 1803 hrs

Closed: 2126 hrs

**REPORT NO:**

TP43-03/96

**PROPOSED MODIFICATION TO THE SOUTH WANGARA LOCAL  
STRUCTURE PLAN - [790-657]**

A request has been received from Taylor and Burrell Planning Consultants, on behalf of Gaza Nominees, which seeks Council's support to a minor modification to the South Wangara Local Structure Plan.

The City Planner provides background details of the subject matter and gives an assessment of the proposed modification to the local structure plan.

He advises that in the light of the given circumstances and the future development intentions for this area, it is considered that this proposed modification to the local structure plan is clearly a desirable one and should be supported by Council.

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

- 1 grants preliminary approval to the proposed modification of the South Wangara Local Structure Plan as requested by Taylor and Burrell Planning Consultants on behalf of Gaza Nominees;
- 2 requests BSD Consultants to incorporate the proposed modification as requested by Taylor and Burrell Planning Consultants, into the East Wanneroo Consultancy review of the subject Local Structure Plan and subsequently evaluate the desirability of this modification;
- 3 advises Taylor and Burrell Planning Consultants on behalf of Gaza Nominees, of its determination.

**RECOMMENDATION**

That Council defers consideration of the proposed modification of the South Wangara Local Structure Planning and seeks additional information from Main Roads W A as to whether or not it has any objection to the revised structure plan.

Cr Moloney declared an interest in this item.

**MOVED** Cr Waters, **SECONDED** Cr Taylor that the proposed modification of the South Wangara Local Structure Plan be refused. **LOST**

**MOVED** Cr Cooper, **SECONDED** Cr Ewen-Chappell that Council defers consideration of the proposed modification of the South Wangara Local Structure Plan and seeks additional information from Main Roads W A as to whether or not it has any objection to the revised structure plan.

**CARRIED**

Cr Moloney did not vote.

**TP44-03/96**      **PROPOSED RETAILING OF FISH AND ASSOCIATED ACCESSORIES - LOT 206 (215) SYDNEY ROAD, GNANGARA - [30/4499]**

This application is for the retailing of koi and goldfish and associated accessories such as pumps and filters from Lot 206 (215) Sydney Road, Gngangara.

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

He recommends that the application be refused, as retailing is a use that is contrary to the Special Provisions of Special Rural Zone No 7 and an approval would be contrary to orderly and proper planning and would establish an undesirable precedent.

**CITY PLANNER'S REPORT** recommended that Council refuses the application to retail fish and associated accessories from Lot 206 (215) Sydney Road, Gngangara, for the following reasons:

- 1            the proposed use is contrary to the Special Provisions contained under Town Planning Scheme No 1 for Special Rural Zone No 7;
- 2            an approval would be contrary to the interests of orderly and proper planning and the preservation of amenity in the locality;
- 3            an approval would create an undesirable precedent.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council defers consideration of the application to retail fish and associated accessories from Lot 206 (215) Sydney Road, Gngangara, and advertises in accordance with the provisions of Schedule 4 of Town Planning Scheme No 1.

**CARRIED**

**TP45-03/96**      **RESERVE 24794 LANDSDALE ROAD, LANDSDALE FARM SCHOOL - [225/-/80]**

**CITY PLANNER'S REPORT**

The Landsdale Farm School has an informal agreement with the City over 7 hectares of Reserve 24794 Landsdale Road, Landsdale. The School is permitted to utilise the reserve for a conservation park until such time that the surrounding area is urbanised and the land is required for public recreation.

A petition has been received from residents requesting the management of the bush to be vested in the School.

The City Planner provides background information on the subject matter and an assessment of the proposal and reports on the petition received.

He advises that as the land will be required for public recreation in the future, Council should not accede to the petitioners' request.

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

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council does not agree to Public Recreation Reserve 24794 Landsdale being vested in the Landsdale Farm School and continues to permit the School to utilise 7 hectares of the reserve on an informal basis until urbanisation of the area occurs and the reserve is required for its designated purpose.

**CARRIED**

TP46-03/96

**DEVELOPMENT ASSESSMENT UNIT AND DELEGATED  
AUTHORITY COMMITTEE - 26 JANUARY 1996 TO 26  
FEBRUARY 1996 - [290-1]**

**CITY PLANNER'S REPORT**

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit and the Delegated Authority Committee from 26 January 1996 to 26 February 1996.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP46-03/96.

**CARRIED**

Appendix I refers

TP47-03/96

**QUINNS NORTH LOCAL STRUCTURE PLAN AND AMENDMENT  
NO 713 TO TOWN PLANNING SCHEME NO 1 - [790-713]**

## CITY PLANNER'S REPORT

Feilman Planning Consultants, on behalf of the owners of Lots 1000, 1001 (Whitfords Beach Pty Ltd), 1002 and 2 (Homeswest), 1 (Nivlem Syndicate) and Lot 593 (St Bridget's Convent) have submitted a new draft local structure plan and report for these landholdings seeking Council's approval. The plan, which differs from those previously adopted in the area, will form the basis for Amendment No 713 to the City's Town Planning Scheme to rezone and recode Lots 1000 and 1001 in accordance with the structure plan.

The City Planner provides background information to the subject matter and reports on the Quinns North Draft Local Structure Plan and points of concern with the Draft Local Structure Plan and Report.

He advises that while there are aspects of the local structure plan and report which should still be addressed, and resubmitted as a revised draft local structure plan, it is now considered appropriate to initiate the rezoning for the landholdings. Final adoption of Amendment No 713 is subject to Council's final adoption and the gazettal of Amendment No 731 to Town Planning Scheme No 1.

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

- 1 supports the application by Feilman Planning Consultants on behalf of Whitfords Beach Ltd to initiate Amendment No 713 to Town Planning Scheme No 1 to rezone Lots 1000 and 1001 Marmion Avenue, Quinns from Residential Development R20, R25, R30, Commercial and Service Station to Residential Development R20, R25, R40 and Centre Zone in accordance with an agreed Local Structure Plan;
- 2 advises the applicant that in the interests of facilitating the development of the subject land, it has resolved to seek the above amendment, but that before forwarding the Amendment No 713 documents and the revised draft Local Structure Plan to the Hon Minister for Planning for approval to advertise, it seeks modifications, to the satisfaction of the City Planner, to the draft Local Structure Plan and Report in general accordance with the comments outlined in Report TP47-03/96.

**CARRIED**

Appendix II refers

PROPOSED MEDICAL CENTRE: LOTS 279 (22) AND 280  
(24) ENDEAVOUR ROAD AND LOT 278 (1) VENUS WAY,  
HILLARYS - [30/5283]

An application has been received from Westpoint Consulting Group Pty Ltd on behalf of Messrs B, J and G Milne for approval to establish a 5-practitioner medical centre on Lots 279 (22) and 280 (24) Endeavour Road and Lot 278 (1) Venus Way, Hillarys.

The City Planner provides background information and an assessment of the proposal and reports that one letter of objection was received after advertising.

He advises that the proposal is supported by the City's Engineering Department and the applicant has submitted amended plans which largely address the objector's security and amenity issues.

Following discussions regarding the placement of "NO PARKING" signs along Endeavour Road, Cr Taylor requested a plan be made available in this regard.

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

- 1 approves the application submitted by Westpoint Consulting Group Pty Ltd for a medical centre on Lots 279 (22) and 280 (24) Endeavour Road and Lot 278 (1) Venus Way, Hillarys subject to:
  - (a) a maximum of five practitioners operating from the centre at any one time;
  - (b) the amalgamation of Lots 278, 279 and 280 prior to the issue of a building licence, or the applicant establishing to the satisfaction of the City Building Surveyor that no easements are required over any existing services that will affect the proposed building, and the amalgamation being completed prior to the completion of the development works;
  - (c) the retention and/or upgrading of existing vegetation along the eastern boundary of the subject lots to the satisfaction of the City Planner and City Parks Manager;
  - (d) the upgrading of existing fencing along the eastern boundary of the subject lots to the satisfaction of the City Planner;

- (e) any proposed lighting is to be designed in such a manner as to avoid shining into adjoining residential properties;
- (f) standard and appropriate conditions;

2 exercises its discretion under Clause 5.9 of Town Planning Scheme No 1 and approves the relaxation of the rear setback from 7.5 metres to 3 metres.

### **RECOMMENDATION**

That Council:

- 1 approves the application submitted by Westpoint Consulting Group Pty Ltd for a medical centre on Lots 279 (22) and 280 (24) Endeavour Road and Lot 278 (1) Venus Way, Hillarys subject to:
- (a) a maximum of five practitioners operating from the centre at any one time;
  - (b) the amalgamation of Lots 278, 279 and 280 prior to the issue of a building licence, or the applicant establishing to the satisfaction of the City Building Surveyor that no easements are required over any existing services that will affect the proposed building, and the amalgamation being completed prior to the completion of the development works;
  - (c) the retention and/or upgrading of existing vegetation along the eastern boundary of the subject lots to the satisfaction of the City Planner and City Parks Manager;
  - (d) the upgrading of existing fencing along the eastern boundary of the subject lots to the satisfaction of the City Planner;
  - (e) any proposed lighting is to be designed in such a manner as to avoid shining into adjoining residential properties;
  - (f) standard and appropriate conditions;
- 2 exercises its discretion under Clause 5.9 of Town Planning Scheme No 1 and approves the relaxation of the rear setback from 7.5 metres to 3 metres;
- 3 installs "NO PARKING" signs at the applicant's expense:

- (a) on the western side of Endeavour Road from the northern driveway of Lot 7 to St Marks Drive;
- (b) on the eastern side of Endeavour Road from the crossover at Banks Avenue to the crossover at Venus Way.

#### **ADDITIONAL INFORMATION**

The City Planner advises when considering an application for a medical centre on Endeavour Road, Hillarys, the March 1996 meeting of the Town Planning Committee recommended parking prohibitions along Endeavour Road.

A plan has been prepared which is attached for Councillors' information - Appendix XIX refers.

The City Engineer has requested that this matter be deferred so that "No Parking" placement can be assessed to incorporate all the requirements.

**MOVED** Cr Taylor, **SECONDED** Cr Hall that Council defers the application for a medical centre on Endeavour Road, Hillarys for one month so that the City Engineer can assess the "No Parking" sign placement in Endeavour Road/Venus Way/ Banks Avenue.

**CARRIED**

Appendix XIX refers.

**TP49-03/96**      **MAJOR REFURBISHMENT AND ADDITIONS TO THE WANNEROO SHOPPING CENTRE, LOT 504 (32) DUNDEBAR ROAD, WANNEROO - [30/423]**

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

An application for a major refurbishment and addition to the Wanneroo Shopping Centre, Lot 504 (32) Dundobar Road, Wanneroo, has been submitted by Ken Paterson Architects, on behalf of M & L Holdings Pty Ltd.

The City Planner provides background information and an assessment of the proposal.

He reports that the Wanneroo Town Site is currently the subject of a consultant study and advises that the application should be held pending the adoption by Council of the study's recommendation so as to not prejudice or constrain its investigations.

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

- 1 defers the application for an extension and refurbishment of the existing Wanneroo Shopping Centre on Lot 504 (32) Dundobar Road, Wanneroo, submitted by Ken Paterson, Architects as consultants are about to be engaged to prepare a plan for the Wanneroo Townsite and this application may prejudice/constrain this study;
- 2 advises the applicant that upon completion of the consultant's report and its adoption by Council the application for the Wanneroo Shopping Centre would be considered and that the likely date for the completion of the Study/Report is approximately June 1996.

**CARRIED**

**TP50-03/96**      **PROPOSED SECOND STOREY RESTAURANT/OFFICE/RETAIL  
ADDITION TO COMMERCIAL FACILITIES, HILLARYS BOAT  
HARBOUR, RESERVE 39197 (58) SOUTHSIDE DRIVE,  
HILLARYS - [30/1733]**

**CITY PLANNER'S REPORT**

An application has been submitted for a 2000m<sup>2</sup> second storey restaurant/office/retail addition to the existing commercial buildings by James Christou & Partners, Architects, on Reserve 39197 (59) Southside Drive, Hillarys Boat Harbour, Hillarys.

The City Planner provides background information and an assessment of the proposal.

He advises that the proposal be approved subject to the provision of an additional access point to the Harbour from West Coast Drive and a satisfactory parking management strategy.

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

**RECOMMENDATION**

That Council approves the proposal for a 2000m<sup>2</sup> second storey restaurant/office/retail addition to the existing commercial buildings at the Hillarys Boat Harbour, Reserve 39197 (58) Southside Drive, Hillarys as submitted by James Christou & Partners, Architects, subject to:

- 1 the provision of a left in only slip lane access from West Coast Drive, entering south of St Helier Drive including the relocation of the existing dual use path and stabilisation of the foreshore dunes, to the

satisfaction of the City Engineer and all costs associated with these works being at the applicant's expense;

- 2 the provision of a car parking management strategy and its implementation to the satisfaction of the City Planner and City Engineer;
- 3 the submission of plans indicating the north, south, east and west elevations being consistent with existing buildings in architecture, colour, materials and finishes prior to the submission of an application for a Building Licence;
- 4 standard and appropriate conditions.

**MOVED** Cr Freame, **SECONDED** Cr Curtis that consideration of this matter be deferred and referred back to Town Planning Committee to allow further consideration to be given to the provision of a left in only slip lane access from West Coast Drive.

**CARRIED**

TP51-03/96      **EXTENSION AND UPGRADING OF YANCHEP LAGOON KIOSK - RESERVE 43792 - [765-16-2]**

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

The City leases Reserve 43792 from the Crown and sub-leases it to Frances Tonka Price and Robert John Price who operate the Yanchep Lagoon Kiosk and Cafe on it. The City's Head Lease runs for a period of twenty-one years but the sub-lease to the operators runs for only fourteen years and they wish to have their term extended to coincide with the expiry date of the Head Lease.

The City Planner provides background information on the subject matter and reports that the request to extend the terms of the Sub-Lease is reasonable, and provided the rent level is tied to the market trends prevailing at the time, it should be supported.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council, subject to the approval of the Minister for Local Government, agrees to the extension of the term of the Sub-Lease of Reserve 43792 to Frances Tonka Price and Robert John Price from fourteen years to twenty-one years on the condition that the rent for the extended period is to be reviewed by market valuation at the time.

**CARRIED**

An application has been received from BSD Consultants on behalf of Topmall Pty Ltd to establish a dispensary in Unit 7 of the mixed business development approved for Lot 103 (1) The Gateway, Edgewater.

The City Planner provides background information and an assessment of the proposal and recommends approval of the application.

**CITY PLANNER'S REPORT** recommended that Council approves the application submitted by BSD Consultants on behalf of Topmall Pty Ltd for a dispensary on Lot 103 (1) The Gateway, Edgewater, subject to the following conditions:

- 1 the dispensary may only sell or supply the following and only at the request of, or on a prescription from a medical practitioner;
  - (a) medicines, being substances used for the prevention, treatment and alleviation of disease or injury;
  - (b) surgical apparatus such as various body supports including crutches, walking frames, neck, finger, elbow and ankle braces or supports and trusses;
  - (c) portable machines for home use by patients, such as:
    - (i) for asthma relief - nebulising machines, humidifiers;
    - (ii) for muscle spasm - deep vibrators;
    - (iii) for muscle damage - heat appliances, ray lamps, first-aid requirements including antiseptics, dressings and bandages;
- 2 standard and appropriate conditions.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council refuses the application submitted by BSD Consultants on behalf of Topmall Pty Ltd for a dispensary on Lot 103 (1) The Gateway, Edgewater and informs the applicants that they have the right to apply for the establishment of a pharmacy on Lot 103 (1) The Gateway, Edgewater.

**CARRIED**

Council, at its meeting in July 1995 (Item TP233-07/95 refers) resolved to support Vodafone's application to construct a telecommunications tower and facilities building on Reserve 12038 Trig. Point Park, Ocean Reef. The facilities building is actually proposed to be erected on the adjoining Public Recreation Reserve No 36351 which is vested in Council and the City will need to enter into a lease agreement with Vodafone over the area concerned.

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

He advises that the Minister for Lands and the Minister for Planning will need to approve the proposed excision.

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

- 1 requests the Department of Land Administration to excise an area required for Vodafone's facilities building from Reserve 36351 Trig Point Park, Ocean Reef and set the excised area aside as a reserve for a telecommunication site with vesting in the City with power to lease for periods of up to 21 years;
- 2 subject to the telecommunications site reserve being created from Reserve 36351 Ocean Reef, enters into a lease agreement with Vodafone over the proposed new reserve for a period of up to 21 years at an initial annual rental of \$5100.00 which is to be increased by five percent each and every succeeding year.

**ADDITIONAL INFORMATION**

The City Planner advises the Town Planning Committee, at its meeting on 11 March 1996, considered the application by Vodafone to lease a portion of Trig Point Park, Ocean Reef for a telecommunications site. The Town Planning Committee resolved to:

- (b) subject to the telecommunications site reserve being created from Reserve 36351 Ocean Reef, enters into a lease agreement with Vodafone over the proposed new reserve for a period of five years with the option of four (4) five yearly renewals at an initial annual rental of \$5100.00 which is to be increased by five percent each and every succeeding year.

The Vesting Order for the reserve only allows the City to enter into a lease agreement for periods of up to twenty-one years. The lease term will therefore need to be amended to a period of five years with the option of three (3) five yearly renewals.

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

- 1 requests the Department of Land Administration to excise an area required for Vodafone's facilities building from Reserve 36351 Trig Point Park, Ocean Reef and set the excised area aside as a reserve for a telecommunication site with vesting in the City with power to lease for periods of up to 21 years;
- 2 subject to the telecommunications site reserve being created from Reserve 36351 Ocean Reef, enters into a lease agreement with Vodafone over the proposed new reserve for a period of five years with the option of three (3) five yearly renewals at an initial annual rental of \$5100.00 which is to be increased by five percent each and every succeeding year.

**CARRIED**

Cr Curtis dissented.

**TP54-03/96**      **EXTENSION OF WANGARA INDUSTRIAL ESTATE PROPOSED TOWN PLANNING SCHEME NO 23 - [780-23]**

**CITY PLANNER'S REPORT**

Tenders for professional services were invited from a panel of consulting civil engineering firms for the infrastructure design and project management for the north-western extension of the Wangara Industrial Estate (proposed Town Planning Scheme No 23).

The City Planner provides background information on the subject matter and reports on tender submissions received.

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

- 1 does not proceed with bringing down proposed Town Planning Scheme No 23 over the area bounded by O'Connor Way, Finlay Place, Wanneroo Road and Ocean Reef Road, Wangara;
- 2 authorises an application being made to the Minister for Local Government pursuant to Section 266B of the Local Government Act for approval to subdivide for the purpose of sale, the Council landholdings in the Wangara Industrial Estate;

- 3 authorises the appointment of the firm of Halpern Glick Maunsell Pty Ltd as consultant engineers for the subdivision and development of the Council landholdings in the Wangara Industrial Estate at a lump sum fee of \$68,600;
- 4 authorises the calling of tenders for the construction of infrastructure works within the Council landholdings in the Wangara Industrial Estate.

**CARRIED**

**TP55-03/96      PROPOSED REZONING OF LOT 3 ROMEO ROAD, ALKIMOS  
FROM RURAL TO RESIDENTIAL DEVELOPMENT ZONE -  
[790-756, 30/0465]**

An application has been received from Gray and Lewis Planning Consultants, on behalf of Northern Corridor Developments Pty Ltd for the rezoning of Lot 3, Romeo Road, Alkimos (approximately 226ha) from Rural to Residential Development, Commercial and Service Station Zones and Local Reserves. The rezoning application is accompanied by a report and (Local) structure plan for the site.

The City Planner provides background details of the subject matter and reports on proposed zonings and matters to be resolved.

He advises that rezoning of the site to Residential Development be initiated but the applicant be advised of matters requiring resolution prior to any additional zonings being initiated and final approval of the amendment.

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

- 1 initiates Amendment No 756 to rezone portion of Lot 3 Romeo Road, Alkimos to Residential Development Zone (R20) as per Attachment No 3 to Report TP55-03/96;
- 2 advises the applicants that prior to Amendment No 756 proceeding they will be required to provide a written undertaking that they will participate in the preparation of a regional management plan for maintaining water quality and balance in association with other land included in the MRS Alkimos-Eglinton Amendment 932/33, as outlined in EPA Bulletin 729 and that this matter will require resolution prior to the finalisation of Amendment No 756;

advises the applicant that prior to the finalisation of Amendment No 756, the following matters require resolution:

- (a) determination of the eastern boundary of the Residential Development Zone with Westrail, Main Roads and Ministry for Planning;
- (b) approval by Council of a satisfactory local structure plan, incorporating substantial changes to the submitted local structure plan, as outlined in Report TP55-03/96, including:
  - (i) inclusion of a site specific vegetation study;
  - (ii) improvement to the road layout and internal road networks;
  - (iii) improvement in the relationship of the eastern areas of Lot 3 to future railway reserve and stations;
  - (iv) increase in the provision of and improvement in the location of medium density housing;
  - (v) improvement of pedestrian/cycle access;
  - (vi) provision of a minimum of two additional underpasses;
  - (vii) validation of the need for only one primary school;
  - (viii) reduction of the size of the Marmion Avenue Local Centre to accommodate a service station and convenience store only;
  - (ix) provision of an additional community purpose site;
  - (x) modification of the provision and location of public open space;
  - (xi) provision of a drainage study to justify the size of drainage sumps and locate these outside POS areas;

- (xii) improvement of the relationship to abutting land including extension of structure planning to include land to the east of the site and to show road and pedestrian connections beyond the site;
- (c) finalisation of a legal agreement secured by a Deed with the Council, at the applicant's expense to:
  - (i) cede free of cost to Council the land required for Romeo Road, Connolly Drive and Marmion Avenue;
  - (ii) contribute toward the cost of provision of full earthworks, one carriageway, underpasses, dual use paths and drainage for the length of these roads within and abutting the site (the basis of the contribution to be now negotiated between the City, the Ministry for Planning, the Lot 3 landowner and abutting landowners);
  - (iii) provide two sites of 5000m<sup>2</sup> each for community purposes in a location to the Council's satisfaction (to form part of the 10% POS credit);

4 advises the applicant that a further amendment will be required to provide commercial and service station zonings, at such time as local structure planning is better resolved and that Council will require that any further amendment include the recoding of a minimum of 10% of the site area to R codings of R40/R60 or higher, in accordance with MFP policies DC1.6 (Development Near Railway Stations), and draft Policy DC 2.10 (Residential Densities and Housing Mix);

5 requests the Ministry for Planning to undertake a joint Station Precinct Study with the City and other relevant agencies for the Alkimos Station precinct, to provide direction in the planning and subdivision of the portions of Lot 3 within 1km of Alkimos Station;

6 includes in its 1996/97 Budget, \$5,000 as its contribution to a joint Alkimos Station precinct study.

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

- 1 initiates Amendment No 756 to rezone portion of Lot 3 Romeo Road, Alkimos to Residential Development Zone (R20) as per Attachment No 3 to Report TP55-03/96;
- 2 advises the applicants that prior to Amendment No 756 proceeding they will be required to provide a written undertaking that they will participate in the preparation of a regional management plan for maintaining water quality and balance in association with other land included in the MRS Alkimos-Eglinton Amendment 932/33, as outlined in EPA Bulletin 729 and that this matter will require resolution prior to the finalisation of Amendment No 756;
- 3 advises the applicant that prior to the finalisation of Amendment No 756, the following matters require resolution:
  - (a) determination of the eastern boundary of the Residential Development Zone with Westrail, Main Roads and Ministry for Planning;
  - (b) approval by Council of a satisfactory local structure plan, incorporating substantial changes to the submitted local structure plan, as outlined in Report TP55-03/96, including:
    - (i) inclusion of a site specific vegetation study;
    - (ii) improvement to the road layout and internal road networks;
    - (iii) improvement in the relationship of the eastern areas of Lot 3 to future railway reserve and stations;
    - (iv) increase in the provision of and improvement in the location of medium density housing;
    - (v) improvement of pedestrian/cycle access;
    - (vi) provision of a minimum of two additional underpasses;
    - (vii) validation of the need for only one primary school;
    - (viii) reduction of the size of the Marmion Avenue Local Centre to accommodate a

service station and convenience store only;

- (ix) provision of an additional community purpose site;
  - (x) modification of the provision and location of public open space;
  - (xi) provision of a drainage study to justify the size of drainage sumps and locate these outside POS areas;
  - (xii) improvement of the relationship to abutting land including extension of structure planning to include land to the east of the site and to show road and pedestrian connections beyond the site;
- (c) finalisation of a legal agreement secured by a Deed with the Council, at the applicant's expense to:
- (i) cede free of cost to Council the land required for Romeo Road, Connolly Drive and Marmion Avenue;
  - (ii) contribute toward the cost of provision of full earthworks, one carriageway, underpasses, dual use paths and drainage for the length of these roads within and abutting the site (the basis of the contribution to be now negotiated between the City, the Ministry for Planning, the Lot 3 landowner and abutting landowners);
  - (iii) provide two sites of 5000m<sup>2</sup> each for community purposes in a location to the Council's satisfaction (to form part of the 10% POS credit);

3 advises the applicant that a further amendment will be required to provide commercial and service station zonings, at such time as local structure planning is better resolved and that Council will require that any further amendment include the recoding of a minimum of 10% of the site area to R codings of R40/R60 or higher,

in accordance with MFP policies DC1.6 (Development Near Railway Stations), and draft Policy DC 2.10 (Residential Densities and Housing Mix);

- 4 requests the Ministry for Planning to undertake a joint Station Precinct Study with the City and other relevant agencies for the Alkimos Station precinct, to provide direction in the planning and subdivision of the portions of Lot 3 within 1km of Alkimos Station;
- 5 includes in its 1996/97 Budget, \$5,000 as its contribution to a joint Alkimos Station precinct study;
- 6 request the applicant to give consideration to the lot design to achieve the best solar orientation.

**CARRIED**

Appendix III refers

**TP56-03/96**      **SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY COMMITTEE - 26 JANUARY 1996 TO 26 FEBRUARY 1996 - [740-1]**

**CITY PLANNER'S REPORT**

The City Planner submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee from 26 January 1996 to 26 February 1996.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP56-03/96.

**CARRIED**

Appendix IV refers

**TP57-03/96**      **APPLICATION FOR SUPERLOT SUBDIVISION - ST ANDREWS (YANCHEP-TWO ROCKS) - [740-99414, 740-99415, 740-93162]**

Three separate applications have been received for the superlot subdivision of Tokyu Corporation's landholdings at Yanchep and Two Rocks into 25 allotments. This is to facilitate the development of these areas, by implementing the Memorandum of Understanding agreed between the Minister for Planning and Tokyu, enabling infrastructure works and land transfers to occur

at Yanchep/Two Rocks in exchange for superlot subdivision approval.

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

He recommends that Council supports the superlot subdivision subject to certain conditions being met.

**CITY PLANNER'S REPORT** recommended that Council supports the application as submitted by Tokyu Corporation for the superlot subdivision of Pt 8, 9, 12, 1010, M1688, M1689, Lot 1, Lot 1011 Yanchep/Two Rocks subject to:

1 the provisions of the Memorandum of Understanding being implemented, including:

- (a) the dedication of a road reserve to the satisfaction of the City of Wanneroo for Caves Road as shown on the submitted subdivision plan (No 93162) between the proposed alignment of Wilbinga Drive and Wanneroo Road;
- (b) the construction of a two lane rural road together with associated earthworks to the satisfaction of the City of Wanneroo, for the proposed road linking the Two Rocks Townsite to Wanneroo Road;
- (c) the ceding, free of cost to the Crown and without any payment of compensation, of that land located within the applicant's landholding;
  - (i) that is delineated on the Metropolitan Region Scheme Amendment Plan No 1.3136/1 for the Yanchep/Two Rocks area prepared by the W A Planning Commission as:
    - A Parks and Recreation Reservations (except that land proposed for acquisition by the WAPC);
    - B Controlled Access Highways Reservation;
    - C Important Regional Roads Reservations;
    - D Railways Reservation;
    - E State Forests Reservation;

- (d) commitments to the construction of Marmion Avenue;
  - (e) the ceding, free of cost to the Crown, of land required for railway station sites to the satisfaction of the WAPC and Westrail;
- 2 the extension of Wilbinga Drive northwards to the Metropolitan Region boundary;
- 3 owner's obligations with regard to:
- (a) land acquisition and contributions towards Important Regional Road and District Distributor road construction including full earthworks, one carriageway, grade separated pedestrian crossings, drainage and dual use paths;
  - (b) the provision of social infrastructure including educational facilities, community purposes sites, public open space etc;
- being determined by the Ministry and made explicit now so future owners are aware of their obligations at the time of further subdivision;
- 4 participation of the other owners affected by superlot subdivision including Lot 1, Yanchep Beach Road;
- 5 the applicant liaising with the W A Police (UXO Branch) prior to earthworks proceeding, to ensure the clearance of all unexploded ordnance from the site.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council supports the application as submitted by Tokyu Corporation for the superlot subdivision of Pt 8, 9, 12, 1010, M1688, M1689, Lot 1, Lot 1011 Yanchep/Two Rocks subject to:

- 1 the provisions of the Memorandum of Understanding being implemented, including:
- (a) the dedication of a road reserve to the satisfaction of the City of Wanneroo for Caves Road as shown on the submitted subdivision plan (No 93162) between the proposed alignment of Wilbinga Drive and Wanneroo Road;
  - (b) the construction of a two lane rural road together with associated earthworks to the satisfaction of the City of Wanneroo, for the

proposed road linking the Two Rocks Townsite to Wanneroo Road;

(c) the ceding, free of cost to the Crown and without any payment of compensation, of that land located within the applicant's landholding;

(i) that is delineated on the Metropolitan Region Scheme Amendment Plan No 1.3136/1 for the Yanchep/Two Rocks area prepared by the W A Planning Commission as:

A Parks and Recreation Reservations (except that land proposed for acquisition by the WAPC);

B Controlled Access Highways Reservation;

C Important Regional Roads Reservations;

D Railways Reservation;

E State Forests Reservation;

(d) commitments to the construction of Marmion Avenue;

(e) the ceding, free of cost to the Crown, of land required for railway station sites to the satisfaction of the WAPC and Westrail;

2 the extension of Wilbinga Drive northwards to the Metropolitan Region boundary;

3 owner's obligations with regard to:

(a) land acquisition and contributions towards Important Regional Road and District Distributor road construction including full earthworks, one carriageway, grade separated pedestrian crossings, drainage and dual use paths;

(b) the provision of social infrastructure including educational facilities, community purposes sites, public open space etc;

being determined by the Ministry and made explicit now so future owners are aware of their obligations at the time of further subdivision;

- 4 participation of the other owners affected by superlot subdivision including Lot 1, Yanchep Beach Road;
- 5 the applicant liaising with the W A Police (UXO Branch) prior to earthworks proceeding, to ensure the clearance of all unexploded ordnance from the site;
- 6 Caves Road alignment to be modified west of Wilbinga Drive to extend into the eastern end of Lisford Drive as currently constructed, to the satisfaction of the City Engineer.

**CARRIED**

**TP58-03/96            TOW TRUCK PARKING AND TOW TRUCK ACTIVITIES AT LOT 678 (163) CAMBERWARRA DRIVE, CRAIGIE - [345/678/163]**

**CITY PLANNER'S REPORT**

Investigation of complaints regarding the parking of two tow trucks and the operation of a tow truck business from Lot 678 (163) Camberwarra Drive, Craigie have been found to be justified.

The City Planner provides details of the investigations, City's Parking Policy - Commercial Vehicles Parking at Residential Premises and an assessment of the complaints.

He reports that requests to remove the vehicles from the site have been unsuccessful and in the interest of protecting the residential amenity it is recommended that the owners/occupiers of the premises be requested to remove the vehicles or face legal action.

**RECOMMENDATION**

That Council:

- 1 advises the owners/occupiers of Lot 678 (163) Camberwarra Drive, Craigie that even though the current City of Wanneroo Policy regarding Parking of Commercial Vehicles at Residential Premises allows one commercial vehicle to be parked on a residential lot, it is not prepared to allow a tow truck to be parked on Lot 678 (163) Camberwarra Drive, Craigie at any time in the interest of protecting the amenity of the surrounding residential area;
- 2 refers the matter to its solicitors for legal action should a tow truck or other commercial vehicle be

returned to Lot 678 (163) Camberwarra Drive, Craigie at any time after 5 April 1996 without prior written approval of the Council.

**MOVED** Cr Freame, **SECONDED** Cr Lynn that consideration of a tow truck being parked on Lot 678 (163) Camberwarra Drive, Craigie be deferred and referred back to Town Planning Committee.

**CARRIED**

**TP59-03/96**      **REQUESTED MODIFICATIONS TO AMENDMENT NO 716 AND TO PROPOSED LEGAL AGREEMENT FOR REZONING OF 19 MILE QUARRY, NEERABUP TO SPECIAL RESIDENTIAL - [790-716]**

At its meeting of 20 December 1995 (Item TP399-12/95 refers) Council resolved to finalise Amendment No 716 to Council's Town Planning Scheme No 1, subject to amended conditions and a Legal Agreement. The amendment was subsequently forwarded to the W A Planning Commission who have now advised that three modifications are required prior to final approval by the Hon Minister.

The City Planner provides details of the modifications required by the W A Planning Commission and advertising requirements of the legal agreement.

He recommends that two of the modifications be agreed to, but the third modification be discussed further with the W A Planning Commission.

**CITY PLANNER'S REPORT** recommended that Council advises the W A Planning Commission that Council agrees to modify Special Provisions (a) and (b) of Amendment No 716 to read:

- 1            subdivision of the estate shall generally be in accordance with the Development Guide Plan;
- 2            the number of Special Residential allotments within the estate should not exceed 165;
- 3            advises the W A Planning Commission that Council does not agree to modify Special Provision (c) as per the W A Planning Commission's request, but is prepared to modify this wording to read:

"The minimum lot size should be no less than 2000m<sup>2</sup>";

- 4            rescinds the following portion of Part 3(f) of Council's resolution TP399-12/95: "and on any printed advertising for the proposed subdivision".

### ADDITIONAL INFORMATION

The City Planner advised that the WA Planning Commission had recommended that Amendment No 716 be finalised subject to three modifications. Officers had supported two of these modifications but had disputed the third. Following negotiations with Commission Officers, Council has now been verbally advised that the Minister will support the wording of sub-clause (ii)(c) in the Special Residential Zone 8 as proposed by Council officers and set out in Item 2 of the recommendation of Report TP59-03/96.

A Legal Agreement is still being negotiated for this site and the amendment documents will be finalised by Council following completion and signing of this agreement.

Accordingly, the City Planner submitted an amended recommendation.

### COMMITTEE RECOMMENDATION

That Council:

- 1            advises the W A Planning Commission that Council agrees to modify Special Provisions (a), (b) and (c) of Amendment No 716 to read:
  - (a)        subdivision of the estate shall generally be in accordance with the Development Guide Plan;
  - (b)        the number of Special Residential allotments within the estate should not exceed 165;
  - (c)        the minimum lot size should be no less than 2000m<sup>2</sup>;
- 2            rescinds the following portion of Part 3(f) of Council's resolution TP399-12/95: "and on any printed advertising for the proposed subdivision";
- 3            requests the applicant to add to the sales brochure the special provisions applicable to the Special Residential Zone No 8.

### ADDITIONAL INFORMATION

The City Planner further advises the W A Planning Commission (WAPC) has now advised Council, in writing, that it will support the changes to items (a), (b) and (c) of Amendment No 716 as generally proposed by Council (with a minor wording addition).

As the legal agreement is nearing finalisation and can shortly be signed, it is recommended that Council proceed to finalise this amendment (as previously resolved in TP399-12/95) but to include the modifications now agreed to by the Minister and WAPC.

Council should also give the Mayor and Town Clerk the authority to sign the legal agreement for the site, subject to the satisfactory completion of Council's previous Report No TP399-12/95.

It is therefore requested that the recommendation for adoption by Council read:

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

- 1 endorses Part 2 of its previous Resolution TP399-12/95 to finally adopt Amendment No 716 to Town Planning Scheme No 1, except with the modifications to Special Provisions (a), (b) and (c) requested by the W A Planning Commission to read:
  - (a) subdivision of the estate shall generally be in accordance with the Development Guide Plan which also forms part of the scheme;
  - (b) the number of Special Residential allotments within the estate should not exceed 165;
  - (c) the minimum lot size should be no less than 2000m<sup>2</sup>;
- 2 rescinds the following portion of Part 3(f) of Council's Resolution TP399-12/95: "and on any printed advertising for the proposed subdivision";
- 3 requests the applicant to add to the sales brochure the special provisions applicable to the Special Residential Zone No 8;
- 4 authorises the Mayor and Town Clerk to sign the legal agreement, once satisfactorily completed, between Eclipse Resources and the City of Wanneroo to satisfy the City's requirements for the rezoning of Lots 1 and 2 Flynn Drive, Neerabup to Special Residential zone and Parks and Recreation Reserve.

**CARRIED**

TP60-03/96

CLOSE OF ADVERTISING: AMENDMENT NO 744 TO TOWN PLANNING SCHEME NO 1 - TO CHANGE THE DEFINITION OF "SHOWROOM" IN THE SCHEME TEXT - [790-744]

### CITY PLANNER'S REPORT

Advertising of Amendment No 744 to modify the definition of Showroom under Clause 1.8 (Interpretation) of the Scheme Text to allow the sale of secondhand clothing apparel by welfare or charitable organisations with the approval of Council, closed on 22 December 1995 with no submissions being received.

The City Planner provides background details to the subject matter and recommends finalisation of the amendment.

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

- 1 finally adopts Amendment No 744 to Town Planning Scheme No 1 to amend the definition of Showroom to include the sale of secondhand clothing or apparel by welfare or charitable agencies, with the approval of Council;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents.

**CARRIED**

**TP61-03/96**      **PROPOSED AMENDMENT NO 757 TO TOWN PLANNING SCHEME NO 1 - REZONING LOTS 1795 AND 1796 FROM RESIDENTIAL DEVELOPMENT TO ACCOMMODATE A CORNER STORE - [790-757]**

### CITY PLANNER'S REPORT

A request to rezone adjoining lots 1795 and 1796 Polglase Fairway, Clarkson to permit a corner store has been received from Ms Lourdes Herber.

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

He advises that the proposal complies with both the City's Town Planning Scheme No 1 definition and Council's Corner Store Policy and can therefore be supported.

**MOVED** Cr Wight, **SECONDED** Cr Wood that Council in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended):

- 1 supports Amendment No 757 to Town Planning Scheme No 1 to:
  - (a) rezone Lots 1795 and 1796 on the corner of Polglase Fairway and Victorsen Parade, Clarkson

from Residential Development to Residential Development, Special Zone (Additional Use) Corner Store excluding the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises;

- (b) include reference to the Special Zone in Section 1 of Schedule 1 of the Scheme Text;

2 advises the applicant, Ms Lourdes Herber, that:

- (a) a sign should be placed on site advising of the proposal;
- (b) Lots 1795 and 1796 be amalgamated to form one new lot prior to the finalisation of Amendment No 757.

**CARRIED**

**TP62-03/96**

**PART ROAD CLOSURE AND PROVISION OF PEDESTRIAN ACCESSWAY - CURRAMBINE DISTRICT CENTRE - [740-97642]**

**CITY PLANNER'S REPORT**

In order to control access to and from the Currumbine District Centre onto Shenton Avenue, Marmion Avenue and Delamere Avenue, it is necessary to close off a 0.1 metre wide strip of each road reserve and to replace it with a pedestrian accessway of the same width.

The City Planner provides details of the road closure and pedestrian accessway.

Cr Cooper declared an interest in this Item.

**MOVED** Cr Wood, **SECONDED** Cr Freame that Council authorises road closure advertising pursuant to Section 288A of the Local Government Act in respect to a 0.1 metre wide strip with designed crossing points for the sections of Marmion Avenue, Shenton Avenue and Delamere Avenue that abut the Currumbine District Centre.

**CARRIED**

Cr Cooper did not vote.

**TP63-03/96**

**SEGREGATION OF HORSES AND DOGS AT HILLARYS ANIMAL BEACH - [765-20]**

Council has received a number of petitions requesting segregation of horses and dogs at the Hillarys Animal Exercise Beach due to the conflict between dogs, horses and people, especially during summer. In this regard, Council, at its meeting of 20 December 1995, considered a proposal to segregate horses and dogs at this beach but resolved to defer the matter pending further information.

The City Planner provides background details of the proposal and reports on the extent of the animal exercise beach, the previous proposal, further investigation and revised proposal and proposed amendment to the relevant Council by-laws.

He advises that the proposed segregation of horses and dogs within this beach, with a time restriction on horses, will alleviate the overcrowding problems until such time as a separate beach is established for horses.

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

- 1 adopts Option 2 to segregate horses and dogs within the Hillarys Animal Exercise Beach and to impose a time restriction on horses between 4am and 8am;
- 2 adopts amendments to its By-laws Relating to Dogs and By-laws Relating to Reserves and Foreshores, to segregate dogs and animal exercise areas as proposed in Report TP63-03/96;
- 3 authorises affixation of the Common Seal to, and endorses the signing of the document;
- 4 agrees to extend the animal carpark northwards to accommodate a parking area for horse floats only and restrict the parking hours of the horse floats between 4am and 8am.

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

- 1 instigates segregation of the horses and dogs within the Hillarys Animal Exercise Beach for a 12 month trial period, with regular patrols undertaken of the area;
- 2 adopts amendments to its By-laws Relating to Dogs and By-laws Relating to Reserves and Foreshores, to segregate dogs and animal exercise areas as proposed in Report TP63-03/96;
- 3 authorises affixation of the Common Seal to, and endorses the signing of the document;

- 4 installs appropriate signage;
- 5 informs owners that dogs are not to be allowed off the leash until beyond the western end of the walkway;
- 6 lists for consideration within the draft 1996/97 budget funds to extend the animal carpark northwards to accommodate a parking area for horse floats only.

**CARRIED**

Appendix V refers

**TP64-03/96      SALE OF LOT 51 GIRALT ROAD, MARANGAROO -  
[1130/51/28]**

**CITY PLANNER'S REPORT**

Council, at its meeting on 4 December 1995, resolved to authorise the calling of public tenders for the sale of Lot 51 Giralt Road, Marangaroo. Tenders were called, however none were received.

The City Planner provides background details of the subject matter and reports on a valuation of the lot and an offer received from Anita Ristoska and considers that the offer is reasonable and should be accepted.

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

- 1 seeks approval of the Hon Minister of Local Government under Section 266 of the Local Government Act to sell by private treaty Lot 51 Giralt Road, Marangaroo;
- 2 subject to 1 above, accepts the offer made by Anita Ristoska to purchase Lot 51 Giralt Road, Marangaroo for the purchase price of \$55,000.

**CARRIED**

**TP65-03/06      UNAUTHORISED HOME OCCUPATION (GUITAR TUITION) -  
LOT 651 (41) CHADSTONE ROAD, CRAIGIE -  
[1151/651/41]**

Cr O'Grady referred to a memorandum she had circulated to the Mayor and all Councillors in relation to the unauthorised guitar lessons at Lot 651 (41) Chadstone Road, Craigie and to complaints raised at Public Question Time at Council's meeting held on 28 February 1996 by a neighbour experiencing problems due to vehicles attending the property.

She raised her concerns in relation to the time it will take to amend the Town Planning Scheme in relation to Home Occupations and believed that vehicle movements should be limited on this site.

#### RECOMMENDATION

That Council authorises the Mayor and Town Clerk to negotiate with the owner/occupier of Lot 651 (41) Chadstone Road, Craigie and the complainant to resolve the situation.

Cr Wight left the Chamber at this point, the time being 2056 hrs.

Cr Major submitted a copy of a petition (Item C66-03/96 refers) and letter from J and I Short which read:

"We would like the following addressed at Council meeting Wednesday 27 March 1996.

We would not agree on any mediation with the complainant, on the grounds that there is nothing to mediate about.

By checking the enclosed petition signed and commented on by neighbours either side of the complainant, and either side of Whitford Guitar Tuition along with thirty other signatures of homes nearest to Whitford Guitar Tuition proves the sheer fabrication of Mr Arnolds accusation of 60 to 80 cars a week.

Furthermore because of the anguish and harassment we have endured from Mr Arnold that Council has not been witness to for the past five months, we could not sit in the same room as this person.

Yours sincerely,  
John Short      Ita Short."

**MOVED** Cr Major, **SECONDED** Cr Lynn that no further action be taken in relation to the unauthorised guitar lessons at Lot 651 (41) Chadstone Road, Craigie. **LOST**

Cr Wight entered the Chamber at this point, the time being 2059 hrs.

**MOVED** Cr Hall, **SECONDED** Cr O'Grady that Council authorises the Mayor and Town Clerk to attempt to mediate with the owner/occupier of Lot 651 (41) Chadstone Road, Craigie and the complainant with a view to negotiating an amicable resolution of the situation.

**CARRIED**

**PROPOSED CHILD CARE CENTRE - MRS A BLACK - [303-9-0]**

Cr Freame reported that she had been contacted by Mrs A Black of 143 Glengarry Drive, Duncraig in relation to the refusal by Council of her application for a child care centre.

Mrs Black believed the parking requirement had been assessed on the basis of a 25-child requirement, however only 15 children were proposed.

The City Planner advised that he would take this matter on notice.

**PROPOSED CHILD CARE CENTRE - LOT 111 (49) WARRINGAH CLOSE, KALLAROO - [303-9-0]**

Cr Freame referred to letters she had received from neighbouring residents objecting to the proposed child care centre on Lot 111 (49) Warringah Place, Kallaroo on the basis that there is a Caveat on the property permitting single residential development only.

Cr Curtis and Cr Lynn also submitted copies of letters objecting to the proposed child care centre.

The City Planner advised he would take this matter on notice and respond to the letters accordingly.

**PERTH SOAPBOX CLUB - [465-7]**

Cr O'Grady submitted a letter from the Perth Soapbox Club outlining their position in relation to the recent conflict with the Wanneroo Soapbox Club.

This letter will be referred to the Recreation Department for action.

**PARKING PROBLEMS AT SCHOOL - [910-2]**

Cr O'Grady raised her concerns regarding recent problems with parking at her local primary school.

She advised that the signage was very poor and requested improved signage outside the school for pick-up and drop-off points.

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

**FIRE AT MINDARIE - [061-241]**

Cr O'Grady referred to the incident on Sunday last in relation to a fire within the dunes at Mindarie.

She reported that although youths had been arrested by the police, they were not charged and requested that Council write a letter to the police asking why these youths were not charged.

The Town Clerk advised he would attend to this.

**PROPOSED SECOND STOREY EXTENSION - 12 CALAIS WAY SORRENTO - [510- 2133]**

Cr Curtis submitted a letter from Mr Rick Kinsman in relation to a proposed second storey extension to his neighbour's house.

This letter will be referred to Building Department for action.

**PROPOSED CHILD CARE CENTRE - LOT 111 (49) WARRINGAH CLOSE, KALLAROO - [303-9-0]**

Cr Lynn submitted a letter from a Kallaroo resident objecting to the proposed child care centre on Lot 111 (49) Warringah Close, Kallaroo.

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

**PROPOSED CHILD CARE CENTRE - WARBURTON AVENUE, PADBURY - [303-9-0]**

Cr Lynn submitted a letter from a Padbury resident objecting to the proposed child care centre in Warburton Avenue, Padbury.

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

**APPLICATION FOR PROPOSED REZONING - LOTS 30, 31 AND 39 LANDSDALE ROAD, LANDSDALE - [790-752]**

Cr Cooper referred to a recent meeting with the City Planner and Mr Greg Rowe regarding an application for a proposed rezoning of Lots 30, 31 and 39 Landsdale Road, Landsdale from rural to residential development R20 by Mr Tilbrook.

The City Planner was requested to write to Mr Tilbrook advising that this matter will be dealt with at the Council meeting to be held on 24 April 1996 and requesting his response prior to that meeting.

**MOVED** Cr Hall, **SECONDED** Cr Moloney that the Report of the Technical Services Committee Meeting, held on 13 March 1996, be received.

**CARRIED**

#### **ATTENDANCES**

Councillors: B J MOLONEY - Chairman South Ward  
A V DAMMERS, JP - Mayor Central Ward  
L O'GRADY - From 1750 hrs North Ward  
S P MAGYAR - From 1733 hrs Central Ward  
A G TAYLOR - To 1914 hrs South  
Ward  
G A MAJOR South-West Ward  
H M WATERS - JP, Observer to 1905  
hrs, Deputising for  
Cr O'Grady to  
1750 hrs North  
Ward  
F D FREAME - Deputising for  
Cr Curtis from  
1804 hrs South-West Ward  
M E LYNN, JP - Observer, Deputising  
for Cr Curtis from  
1740 hrs to  
1804 hrs South-West Ward  
B A COOPER - Observer from  
1823 hrs Central  
Ward  
L A EWEN-CHAPPELL - Observer from  
1812 hrs Central Ward  
K H WOOD - Observer South  
Ward

Deputy Town Clerk: R E DYMOCK  
City Engineer: R McNALLY  
Design Engineer: P PIKOR - to 1815 hrs  
City Building Surveyor: R G FISCHER  
Acting City Parks Manager: D CLUNING  
Minute Clerk: S BRUYN

#### **APOLOGIES**

An apology for absence was tendered by Cr Curtis; Crs Lynn and Freame deputised.

Apologies for absence were tendered by Crs Hall and Wight.

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

The were 2 members of the Public and 1 member of the Press in attendance.

#### **CONFIRMATION OF MINUTES**

#### MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 14 FEBRUARY 1996

Cr Major drew reference to his request for a division called at the meeting of the Technical Services Committee held on 14 February 1996, which was not recognised by the Chair and therefore a division not taken. He advised that he had wished this division to be recorded and Cr Moloney apologised for her oversight in this matter.

The Minutes of the Technical Services Committee Meeting held on 14 February 1996, were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

#### DEPUTATION - APPLICATION FOR SIGN - PROPOSED SERVICE STATION REFURBISHMENT - QUINNS ROCKS

Mr David Caddy of The Planning Group addressed the Committee in relation to the application for a sign - Proposed Service Station Refurbishment - Quinns Rocks - Item TS56-03/96 refers.

Mr Caddy stated that he was representing Mobil Oil Australia Ltd, who are presently establishing a service station network in Western Australia.

He explained that by the end of 1996 Mobil Oil Australia Ltd will have 25 service stations established in the Perth metropolitan area and 7 in the City of Wanneroo.

Mr Caddy felt that it was important to try to establish ground rules on a Statewide basis in relation to their signage and pointed out that with the four service stations being opened next Monday, the two local authorities involved have agreed to the larger signs.

Mr Caddy presented a colour montage of a Mobil sign erected at a service station in Welshpool and commented that in relation to the width of the sign, it was an increase over what has already been approved of only 1/6th in the actual area of the sign.

He believed that the bylaws were very consistent between all the Councils and advised that the Councils of Canning, Gosnells and the City of Bassendean have accepted the 3m sign.

In conclusion Mr Caddy drew attention to a photo of a Quinns site showing a pylon sign with a 3m head and stated that he would like to be able to adopt, on a Statewide basis, this corporate signage.

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

**DECLARATIONS OF PECUNIARY INTEREST**

Nil

**CONFIDENTIAL BUSINESS**

Nil

**MEETING TIMES**

Commenced:	1732 hrs
Closed:	1926 hrs

**REPORT NO:**

**TS48-03/96**      **PLANT REPLACEMENT RESERVE - TENDER NUMBER 108-95/96 - [208-108-95/96]**

**CITY ENGINEER'S REPORT**

Tenders were advertised on 9 and 12 December 1995 for the supply and delivery of one Skid steer loader.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council accepts the tender submitted by Tutts for the supply and delivery of a Mustang 940 Skid steer loader with optional rake attachment at Tender No 108-95/96 for the total changeover price of \$22,365.00.

**CARRIED**

**TS49-03/96**      **PROPOSED MODIFICATIONS TO GRAND BOULEVARD AND REID PROMENADE INTERSECTION - JOONDALUP CITY CENTRE - [510-3303]**

**CITY ENGINEER'S REPORT**

LandCorp has submitted an application to modify the existing "left turn in - left turn out" movements to Reid Promenade at the Grand Boulevard intersection in the Joondalup City Centre. The existing intersection is proposed to be modified to also allow right turn in movements to both sides of Reid Promenade.

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

He reports that the modification to the Reid Promenade and Grand Boulevard intersection is not warranted on traffic needs and as the City Centre's Transportation Policy has a strong emphasis on pedestrian movements and limiting the role of vehicle usage, modification of traffic flows at this stage is not therefore supported.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1      does not approve modifications to the existing Reid Promenade and Grand Boulevard intersection;
- 2      requests LandCorp to investigate the feasibility of other measures to assist the businesses in the Joondalup City Centre.

CARRIED

TS50-03/96      MARANGAROO DRIVE DUPLICATION - MIRRABOOKA AVENUE  
TO ALEXANDER DRIVE - REALLOCATION OF FUNDS -  
[510-1403]

CITY ENGINEER'S REPORT

Council commenced the construction of the second carriageway along Marangaroo Drive in April 1995 and completed the project in November 1995.

The City Engineer provides details of a shortfall in the final project cost and seeks Council approval to reallocate funds from Account No 33187.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that Council authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$76,370.92 from Account No 33187, Burns Beach Road - Joondalup Drive to Wanneroo Road to Account No 33156, Marangaroo Drive Dualling.

CARRIED BY AN  
ABSOLUTE MAJORITY

TS51-03/96      SPEED ZONING - MARMION AVENUE, KINROSS AND  
CLARKSON - [510-254]

CITY ENGINEER'S REPORT

Main Roads WA has advised that a review of speed zoning on Marmion Avenue between Edinburgh Avenue and Baltimore Parade indicated a reduction of the 100 km per hour speed zones would be appropriate for the following sections:

Kinross - From 250m north of Edinburgh Avenue to 250m south of Anchorage Drive (south): 90 km per hour proposed;

Clarkson - From 250m north of Anchorage Drive (south) to 200m south of Renshaw Boulevard: 80 km per hour proposed.

The City Engineer also advises of a review carried out by Main Roads WA on speed zoning on the approaches to the roundabout at Hester and Marion Avenues and reports that the 80 km per hour speed limit will remain.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council concurs to Main Roads WA speed zoning the sections of Marmion Avenue:

1            from 250m north of Edinburgh Avenue to 250m south of  
             Anchorage Drive (south) at 90 km per hour;

2 from 250m north of Anchorage Drive (south) to 200m south of Renshaw Boulevard at 80 km per hour.

**CARRIED**

**TS52-03/96      JOONDALUP DRIVE - STREET LIGHTING - [510-1665]**

**CITY ENGINEER'S REPORT**

Funds have been approved in the 1995/96 Budget for the realignment of Joondalup Drive (north), extension of Burns Beach Road eastwards from Blue Mountain Drive, construction of a roundabout at the Joondalup Drive/Burns Beach Road intersection and the extension of Joondalup Drive to Wanneroo Road.

The City Engineer provides details of proposed street lighting for these works and advises that as Joondalup Drive is the major road connection to the Joondalup City Centre and associated facilities, the upgrading of street lighting to a uniform standard is supported.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council endorses the installation of underground fed street lighting utilising steel standards to the section of Joondalup Drive between Lakeside Drive (north) and the old Burns Beach Road at an estimated cost of \$34,000 with the cost of the works charged to Account No 33187 Roadworks - Joondalup Drive/Burns Beach Road.

**CARRIED**

**TS53-03/96      PETITION REQUESTING FOOTPATH AT AEROLITE WAY, BELDON - [510-1986]**

**CITY ENGINEER'S REPORT**

A petition containing 21 signatories resident in Aerolite Way seeks construction of a footpath in this street to provide a safe access to the bus stops in Craigie Drive.

The City Engineer provides details of the proposal and considers it appropriate to assess the possibility of constructing an additional connection from the south eastern corner of Aerolite Way to Craigie Drive.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

1 endorses progress of two footpath links from the western and eastern ends of Aerolite Way, Beldon to Craigie Drive, as shown on Attachment 1 to Report No TS53-03/96;

- 2 seeks the opinion of Aerolite Way residents of this intention;
- 3 obtains approval from the Water Authority of WA to construct a link across Reserve 37268 (10201);
- 4 includes the project in the 1995/96 Forward Plan subject to the receipt of ratepayer and Water Authority of WA's endorsement.

**CARRIED**

Appendix VI refers

**TS54-03/96**      **SCHEDULE OF CHARGES 1996/97 - ECONOMIC SERVICES - BUILDING CONTROL - [006-1]**

**CITY BUILDING SURVEYOR'S REPORT**

In 1992 amended sign licence fees were gazetted. A survey of four large Councils indicate that changes in the sign licence fees should be adopted.

The City Building Surveyor provides details of the proposed scale of fees for the Second Schedule.

Cr Freame requested that Report TS54-03/96 be classified so as to show the amount per pylon.

The City Building Surveyor advised that he would attend to this.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1 adopts the proposed amendment to its By-laws relating to Signs, Hoardings and Billposting, as attached to Report TS54-03/96;
- 2 authorises the affixation of the Common Seal to and endorses the signing of the documents;
- 3 authorises administrative action in accordance with Section 190 of the Local Government Act 1960, to have the proposed By-laws promulgated.

**CARRIED**

Appendix VII refers

**TS55-03/96**      **CHILD HEALTH CLINICS - [625-15-1, 303-9-04]**

**CITY BUILDING SURVEYOR'S REPORT**

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

The City Building Surveyor provides details of requested contributions from Council submitted by the Kingsley Child Health Clinic and the Woodvale Child Health Clinic and advises that the costs for the Child Health Clinics can be accommodated within Council's Building Operating budget for 1995/96.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1 authorises a contribution to the Timbertops Family Centre of \$2,649.57 from Account 22116 for costs associated with the Woodvale Child Health Clinic;
- 2 authorises a contribution to the Moolanda Child Care Centre of \$3,329.64 from Account No 22115 for costs associated with the Kingsley Child Health Clinic.

**CARRIED**

**TS56-03/96**      **PROPOSED PYLON SIGN: LOT 80 (121) QUINNS ROAD, QUINNS ROCKS - [30/2908]**

An application has been received to erect a pylon sign at the Mobil Service Station, Lot 80 (121) Quinns Road, Quinns Rocks.

The City Building Surveyor provides background details, reports on Council's by-laws and gives an assessment of the proposal.

He considers that the application should be refused because the width and surface area of the sign is in excess of the requirements permitted under Council's By-laws relating to Signs, Hoarding and Billposting.

**CITY BUILDING SURVEYOR'S REPORT** recommended that Council refuses the pylon sign at Lot 80 (121) Quinns Road, Quinns Rocks.

**COMMITTEE RECOMMENDATION**

That:

- 1 consideration of the proposed sign at the Mobil Service Station, Lot 80 (121) Quinns Road, Quinns Rocks be deferred;
- 2 Council seeks a legal opinion as to its discretion in permitting a pylon sign that otherwise would not comply with the bylaws, such information to be submitted for consideration at the Council meeting to be held on 27 March 1996.

## ADDITIONAL INFORMATION

The Technical Services Committee, at its 13 March 1996 meeting, deferred consideration on application for approval of a pylon sign at Lot 80 (121) Quinns Rocks pending legal advice about Council's power to approve the sign, Item TS56-03/96 refers.

Council's solicitors advise that it is their view, as the sign is not attached to the building, By-law 3.1.5 does not apply (discretionary By-law) and Council does not have the authority to approve the sign in breach of the specific requirements of the By-laws.

Accordingly, Council may only refuse the application.

The City Building Surveyor advises that following the above, Council has received another legal opinion from Minter Ellison Northmore Hale, courtesy of The Planning Group.

This legal opinion suggests to Council that wording contained within Section 5.11 of the By-law enables Council to approve such signs.

Section 5.11 states:

### "5.11 Pylon Signs

#### 5.11.1 A pylon sign shall:

- (a) not have any part thereof less than 2.75m or more than 6m above the level of the ground immediately below it, or exceed 2.5m measured in any direction across the face of the sign or have a greater superficial area than 4m<sup>2</sup> except in a business area or large shopping complex with the approval of the Council and unless it complies with the following:

- (i) the sign is the motif or emblem of the centre;
- (ii) only one sign is erected;
- (iii) the sign does not exceed 20m in height;
- (iv) the sign does not exceed 10m<sup>2</sup> on any face;

- (v) the sign is not erected within its own overall height of any street or right of way.
- (b) not project more than 1m over any street;
- (c) be supported on one or more piers or columns of brick, stone, concrete or steel of sufficient size and strength to support the sign under all conditions;
- (d) where the sign is supported on two or more piers or columns not be erected unless the space between the piers or column is not wholly or partly filled in with any material below 2.75m above ground level;
- (e) not, as to any part thereof, project over any street at a height of less than 2.75m;
- (f) not be within 1.8m of the side boundaries of the Lot on which it is erected unless the Lot on which it is erected abuts an intersecting street or right of way in which the Council may authorise the erection of the sign at a lesser distance than 1.8m;
- (g) not have any part thereof less than 6m from any part of another sign erected on the same lot.

5.11.2 Where two or more pylon signs are to be erected on a Lot on which unit factories or small shops are erected or are to be erected the Council may require all the pylon signs to be incorporated into one sign. All infills are to be of an equal size and space with one infill for each shop or unit on the Lot.

5.11.3 Where the Council requires two or more signs to be incorporated into one sign:

- (a) the total area of the infill signs specified under by-law 5.11.1(b) may be increased by up to 50% or to a maximum of 6m<sup>2</sup>;
- (b) the approval of the Council to each additional infill to be fitted into the sign is required."

It would appear that the legal opinion is based around the perceived definition of "business area or large shopping area" but conveniently ignores 5.11.1 which would disqualify the sign.

The City Planning Scheme defines the Quinns Shopping Centre as a local shopping centre which does not qualify as a regional or large shopping area.

It is considered that the legal opinion obtained by Council from Kott Gunning still stands, and which indicates that Council does not have the authority to approve a pylon sign in breach of the specific requirements of the By-laws. Accordingly, the recommendation remains unaltered.

Cr Major believed the wording of Clause 5.11.1(a) was unclear and requested this be clarified.

This matter will be referred to the City Building Surveyor for action.

**MOVED** Cr Waters, **SECONDED** Cr Taylor that consideration of the proposed pylon sign at Lot 80 (121) Quinns Road, Quinns Rocks be deferred for one month to allow the solicitors to come to some agreement.

Discussion ensued. Cr Waters, with the approval of Cr Taylor, advised that she wished to have the Motion **WITHDRAWN**

**MOVED** Cr Magyar, **SECONDED** Cr Wood that Council refuses the application for a pylon sign at Lot 80 (121) Quinns Road, Quinns Rocks as it exceeds the size permitted by Council's By-law relating to Signs, Hoardings and Bill posting.

**CARRIED**

Cr Taylor dissented.

**TS57-03/96**      **PROPOSED ALTERATIONS AND ADDITIONS TO DWELLING:**  
**LOT 185 (4) CLAYGATE WAY, KINGSLEY - [1327/185/4]**

An application has been submitted for approval to carry out additions and alterations to the dwelling at Lot 185 (4)

Claygate Way, Kingsley. The additions include a proposed carport with a reduced front building setback.

The City Building Surveyor provides background details of the proposed additions and alterations, reports on Council Policy and gives an assessment of the proposal.

He considers that the carport can be located in a complying location and a reduced front setback should not be approved.

**CITY BUILDING SURVEYOR'S REPORT** recommended that Council does not approve the proposed carport with a 2 metre front building setback at Lot 185 (4) Claygate Way, Kingsley and advises the applicant that it will consider amended details indicating a 3 metre front building setback.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council defers consideration of the proposed carport with a 2 metre front building setback at Lot 185 (4) Claygate Way, Kingsley for a period of one month.

**CARRIED**

**TS58-03/96**      **PROPOSED GARAGE: LOT 897 (27) COOLANGATTA  
RETREAT, HILLARYS - [2745/897/27]**

**CITY BUILDING SURVEYOR'S REPORT**

An application has been submitted for approval to construct a garage at Lot 897 (27) Coolangatta Retreat, Hillarys, with a reduced front building setback.

The City Building Surveyor provides background details of the proposed garage and gives an assessment of the proposal. He considers that as the location complies with the requirements of the Residential Planning Codes, approval should be given.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council approves the proposed garage to be constructed at Lot 897 (27) Coolangatta Retreat, Hillarys.

**CARRIED**

**TS59-03/96**      **LOT 15 WANNEROO ROAD, WANNEROO - REGENTS WATERS  
ESTATE LANDSCAPE RETICULATION - [740-98657]**

The Acting City Parks Manager provides details of a request from the developer of Lot 15 Wanneroo Road, Wanneroo - Regents Waters Estate, for reticulation to be connected to two areas of public open space in this residential development.

He reports on the two areas and advises that verges and medians will be reticulated from a bore in Area 1 and Council's Parks Department will disconnect these areas on handover.

**ACTING CITY PARKS MANAGER'S REPORT** recommended that Council approves the location of a bore in area 1 with reticulation connecting areas 1 and 2, as shown on Attachment B to Report TS59-03/96.

The Committee did not accept the principle that the reticulation would be disconnected when Council assumed responsibility and requested that a report on cost recovery be provided to the Finance and Community Services to be held on 17 April 1996.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that:

- 1 Council approves the location of a bore in area 1 with reticulation connecting areas 1 and 2, as shown on Attachment B to Report TS59-03/96;
- 2 a further report be submitted to the Finance and Community Services Committee meeting to be held on 17 April 1996 in respect of funding on the provision of non-standard services.

**CARRIED**

Appendix VIII refers

**TS60-03/96**      **PROPOSED YANCHEP TO MELALEUCA WALK TRAIL - [050-6]**

**ACTING CITY PARKS MANAGER'S REPORT**

The Parks Department has received documentation from CALM regarding a grant allocation from the Ministry of Tourism. Funds totalling \$55,000 under the Backpacker Programs Register of Innovative Projects in 1995/96 has been allocated for the proposed Yanchep to Melaleuca walk trail.

The Acting City Parks Manager provides details of the proposed trail and reports that CALM has requested that City of Wanneroo contribute \$20,000 towards the project, as the major portion of the trail proposed lies within Council's boundaries.

He advises that Council considers this request within the 1996/97 Draft Budget.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1 advises CALM it will support the proposal for extension of the Bibbulmun Track to Yanchep, and its deviation to connect with the Yaberoo Budjara Trail at Lake Joondalup;
- 2 lists in the 1996/97 Draft Budget for consideration \$20,000 for the proposal as a joint venture with CALM and the North West Metro Tourism Association.

**CARRIED**

**TS61-03/96            10TH LIGHT HORSE BARBECUE FACILITY - [057-6]**

**ACTING CITY PARKS MANAGER'S REPORT**

Council in conjunction with CALM and the Historical Society constructed a gazebo and LPG gas/brick barbecue adjoining the Neerabup National Park on Wanneroo Road. This area was part of the 10th Light Horse last camp in Wanneroo and therefore significant.

The Acting City Parks Manager provides details of repeated damage to the facility in an effort to remove the gas cylinder.

He advises that due to the repetitive damage retention of the facility has proven uneconomical and recommends the removal of the barbecue and replacing it with a seat.

**RECOMMENDATION**

That Council:

- 1 removes the gas barbecue facility at the 10th Light Horse site on Wanneroo Road;
- 2 replaces the barbecue structure with a concrete/brick seat;
- 3 advises the Heritage Committee of its decision.

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

- 1 removes the gas barbecue facility at the 10th Light Horse site on Wanneroo Road;
- 2 replaces the barbecue structure with a concrete/brick seat;
- 3 advises the Heritage Committee of its decision;

4 issues a press release in relation to the repetitive damage to the barbecue facility and the reasons for its removal.

**CARRIED**

**TS62-03/96**      **TENDER NO 117-95/96 - SUPPLY, INSTALLATION AND COMMISSIONING OF AN AUTOMATIC RETICULATION SYSTEM AT KORELLA PARK, MULLALOO - [208-17-95/96]**

**ACTING CITY PARKS MANAGER'S REPORT**

The tender for the Supply, Installation and Commissioning of an Automatic Reticulation System at Korella Park, Mullaloo was advertised during February 1996.

The Acting City Parks Manager reports on the tender submissions received.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1            accepts the tender submitted by Hugall and Hoile at a price of \$24,580.20 for Tender No 117-95/96 - Supply, Installation and Commissioning of an Automatic Reticulation System at Korella Park, Mullaloo;
- 2            authorises signing of tender documents.

**CARRIED**

**TS63-03/96**      **TRAFFIC STUDY - GURON ROAD, DUNCRAIG - [510-1021]**

**CITY ENGINEER'S REPORT**

There have been a number of traffic surveys, public meetings and questionnaires to residents of Guron Road, since 1990 regarding the need for traffic calming measures. A most recent questionnaire followed a 5 December 1995 public meeting and subsequent Council resolution (Item C626-12/95 refers) requesting a report on suggestions raised at the meeting.

The City Engineer provides details of the public meeting and reports on various traffic control measures discussed at this meeting.

He comments on the results of a recent questionnaire and advises that the strong No Change response and low overall response rate would suggest that the need for additional treatments to control driver behaviour on Guron Road does not have a high priority.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1 defers consideration of further traffic treatment options for Guron Road until sufficient community support for any traffic calming measures can be demonstrated;
- 2 advises residents of Guron Road and abutting streets accordingly.

**CARRIED**

**TS64-03/96 KOONDOOLA REGIONAL OPEN SPACE ADVISORY COMMITTEE REPRESENTATIVES - [745-6]**

Council at its meeting of 6 December, 1995 received Report No TS395-12/95 and resolved the following:

- 1 authorises establishment of the Koondoola Regional Open Space Advisory Committee;
- 2 authorises the Parks Department to advertise for two community representatives via the Community News;
- 3 requests nomination of a representative from the Hainsworth Recreation Centre; and
- 4 authorises Parks Department to liaise with various Government Departments regarding delegates for the Committee during the establishment phase.

The Acting City Parks Manager reports on the nominations received after advertising and advises that it is proposed that this committee operate in conjunction with the existing Hepburn Heights Advisory Committee.

**ACTING CITY PARKS MANAGER'S REPORT** recommended that Council:

- 1 nominates two Ward Councillors as delegates for the Koondoola Open Space Advisory Committee;
- 2 accepts the community applications as submitted:  
  
Mr D Pike  
Ms P Robertson  
Mr J Lavers  
Mr R Rayson  
Ms C Tauss
- 3 authorises the committee to meet, elect a chairperson, formalise the Terms of Reference and initiate works within the areas vested within Council.

Cr Magyar and Cr Taylor both expressed an interest in being a representative on the Koondoola Open Space Advisory Committee.

Cr O'Grady nominated Cr Magyar.

Cr Ewen-Chappell nominated Cr Curtis.

Cr Wight nominated Cr Taylor.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

1 nominates Councillors Magyar, Curtis and Taylor as delegates for the Koondoola Open Space Advisory Committee;

2 accepts the community applications as submitted:

Mr D Pike  
Ms P Robertson  
Mr J Lavers  
Mr R Rayson  
Ms C Tauss

3 authorises the committee to meet, elect a chairperson, formalise the Terms of Reference and initiate works within the areas vested within Council.

**CARRIED**

**TS65-03/96** **OLDHAM PARK DEVELOPMENT - [061-272]**

**ACTING CITY PARKS MANAGER'S REPORT**

Council at its meeting of 13 September 1995, recommended that a working group be established and a final report submitted to Council prior to 1996/97 budget submissions.

Council recommended this action as a result of various petitions requesting provision for a senior sports oval in Yanchep or Two Rocks and also objecting to any additional development at Oldham Park.

The Acting City Parks Manager provides details of a site inspection carried out on 26 November 1995 and reports on discussions held regarding this matter.

He advises a concept plan was prepared and comments on the positives and negatives of this plan.

He also advises that a full size oval will be required in Yanchep/Two Rocks to accommodate sports and the ultimate high

school usage and the proposal to proceed with development is justified.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1 lists for consideration funds totalling \$255,000 in the 1996/97 Draft Budget for the development of Oldham Park, 40 bay carpark and toilet facilities;
- 2 advises petitioners of its decision.

**CARRIED**

**TS66-03/96**      **MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]**

**CITY BUILDING SURVEYOR'S REPORT**

The City Building Surveyor reports on the number and value of building licences issued during the month of February 1996, building control activity, swimming pool inspections and Council's building works programme.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS66-03/96.

**CARRIED**

Appendix IX refers

**TS67-03/96**      **EXTRACTIVE INDUSTRY LICENCE - LOT M1688 YANCHEP - [30/5354]**

Council has received an application for development approval and extractive industry licence relating to Lot M1688 Two Rocks from W A Limestone on behalf of Yanchep Sun City Pty Ltd.

WA Limestone has requested Council to consider this application at its March round of meetings to allow the repair work in relation to the two breakwaters at Two Rocks Marina to be completed before the main winter storm period.

The City Engineer provides background details on the subject matter and reports that as the breakwater is a significant community asset and important to many Yanchep and Two Rocks residents income because of the local fishing industry, it is appropriate for Council to give the application special consideration.

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

1 approves the applications by W A Limestone to commence development of the limestone rubble quarry on Lot M1688, Yanchee, in accordance with the provision of its Town Planning Scheme. The approval is for the period to 30 July 1996 and subject to:

- (a) the use of the land for quarrying purposes ceasing by 30 July 1996 unless a further approval is granted by Council;
- (b) the operator of the quarry maintaining a water allocation or secure water supply for dust control;
- (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks and being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- (d) the applicant paying a \$1,000 road maintenance contribution;
- (e) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (f) hours of quarry operation being restricted to:
  - Monday to Friday.....0630 - 1800  
(except public holidays)
  - Saturdays.....0630 - 1800
  - Sundays.....(work not permitted)
  - Public Holidays.....(work not permitted)
  - Truck Traffic restricted to.....0700 - 1700
- (g) all site equipment being suitably sound proofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- (h) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the

crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;

- (i) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (j) no adverse recommendation from the Western Australian Planning Commission;
- (k) standard conditions;

2 approves Extractive Industry Licence for W A Limestone on Lot M1688 Yancheep, with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 4 months to 30 July 1996;
- (c) rehabilitation bond - \$5,000.

#### **ADDITIONAL INFORMATION**

The City Engineer advised that Council's Town Planning Department has now finalised its assessment of the application paying particular regard to procedural, management and rehabilitation issues. There is a need to modify the City Engineer's recommendation, in part, to satisfactorily address these issues.

The City Planner submitted modified wording to Point 1 with three amended conditions.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that Council:

- 1 upon receiving favourable advice from the Western Australian Planning Commission in regard to the proposal, approves the application submitted by W A Limestone to commence development of a limestone extractive industry on Lot M1688 (49) Damepattie Drive, Two Rocks subject to:
  - (a) the use of the land for quarrying purposes ceasing by 30 July 1996 unless a further approval is granted by Council;
  - (b) the operator of the quarry maintaining a water allocation or secure water supply for dust control;

- (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks and being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- (d) the applicant paying a \$1,000 road maintenance contribution;
- (e) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (f) hours of quarry operation being restricted to:  
Monday to Friday.....0630 - 1700  
(except public holidays)  
Sundays.....(work not permitted)  
Public Holidays.....(work not permitted)  
Truck Traffic restricted to.....0700 - 1700
- (g) all site equipment being suitably sound proofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- (h) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
- (i) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (j) standard conditions;
- (k) management and rehabilitation conditions as deemed appropriate by the City Planner;
- (l) conditions imposed by the Western Australian Planning Commission considered by the City Planner to be suitable;

2 approves Extractive Industry Licence for W A Limestone on Lot M1688 (49) Damepattie Drive, Two Rocks, with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 4 months to 30 July 1996;
- (c) rehabilitation bond - \$5,000.

**CARRIED**

**TS68-03/96**      **DEVELOPMENT APPLICATION - SHENTON AVENUE ACCESS TO CURRAMBINE SHOPPING CENTRE STAGE 1 - [770-22, 510-2]**

**CITY ENGINEER'S REPORT**

At its meeting on 28 February 1996, Council deferred further consideration of the access from the Currumbine Shopping Centre to Shenton Avenue for one month and referred this matter to the Technical Services Committee.

The City Engineer provides background details on the subject matter and comments on a proposal by the Project Team for a temporary unrestricted Tee intersection from Shenton Avenue.

He advises that the fundamental issue is that on traffic safety grounds there is insufficient spacing for another Tee junction with all traffic movements onto Shenton Avenue and therefore, the provision of right turn in and right turn out movements to the access at Shenton Avenue is not supported.

**ADDITIONAL INFORMATION**

The City Engineer advised that, further to Report TS68-03/96, additional correspondence dated 15 March 1996 has been received from Coney Project Management.

It has indicated that the Project Managers have reassessed their request regarding access from Shenton Avenue and wish to submit a revised proposal.

This proposal is "for an access that allows, in addition to that being supported by the City of Wanneroo Technical Services Committee (left in - left out), for only a right hand turn in off Shenton Avenue and not a right hand turn out, ie 3 of the 4 movements and not all movements".

The Project Managers have engaged BSD Consultants to present this alternative proposal.

A meeting was held on 21 March with the Traffic Consultant where the preliminary strategy being evaluated was to provide a lower "speed environment" along this section of Shenton Avenue.

However, the fundamental issue is that on traffic safety grounds for this road function there is insufficient spacing for another Tee junction with right turning movements.

Therefore, the provision of a right turn in is still not supported.

The recommendation, as outlined in report TS68-03/96 is reiterated.

### RECOMMENDATION

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

Cr Cooper declared an interest in this item.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Waters that consideration of access from Currumbine Shopping Centre to Shenton Avenue be deferred and referred back to Technical Services Committee to allow Coney Project Management to submit a revised proposal.

**CARRIED**

Cr Cooper did not vote.

### OBJECTIONS TO RECENT CLIFF STREET, MARMION TRAFFIC STUDY - [510-18]

Cr Lynn submitted copies of letters from residents of Marmion expressing their objections to Option 1 of the recent traffic study completed on Cliff Street, Marmion.

These letters will be referred to the Engineering Department for action.

### **TS69-03/96**      STREET LIGHTING IN SUBDIVISIONS - [221-2]

Cr Cooper raised his concerns in relation to Council's policy on non-standard street lighting in new subdivisions and requested that Council implement a policy to enable developers of all new subdivisions to have a choice of light fitting types.

He felt that this was easy to do with superlots but that with smaller subdivisions it was difficult to get agreement from all owners on a particular type of treatment.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that a report be submitted to Council in relation to formulation of a policy dealing with street lighting in new subdivisions.

**CARRIED**

**TS70-03/96      LANDSCAPING - [502-15]**

Cr Cooper raised his concerns in relation to landscaping of new subdivisions and requested a report on costing and different ways of landscaping in specified areas.

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

**MOVED** Cr Moloney, **SECONDED** Cr Hall that a report be submitted to Council on costing and different ways of landscaping in specified areas.

**CARRIED**

**TOP HAT AND TAILS - AIR CONDITIONING PROBLEMS AT ART CENTRE - [635-11-2]**

Cr Cooper referred to a letter he had received from Top Hat and Tails reporting that the air conditioning was not working at the Art Centre.

The City Building Surveyor advised that this matter was being attended to.

**TS71-03/96      FIRE AT MINDARIE - [061-241]**

Cr O'Grady referred to a recent fire within the dunes at Mindarie and requested a report from the Engineering and Parks Departments on a management strategy for the carpark and reserve at Longbeach Promenade.

**MOVED** Cr Moloney, **SECONDED** Cr Hall that a report be submitted to Council in respect to a management strategy for the carpark and reserve off Longbeach Promenade in Mindarie.

**CARRIED**

**ROTARY PARK, WANNEROO - [061-315]**

Cr Magyar submitted a letter from Mr Ted Jackson in relation to various matters concerning the barbecues and swing area in Rotary Park.

This letter will be referred to Parks Department for action.

**COLOURED LIGHT POLES - [221-2]**

Cr Major referred to a telephone call he had received in relation to coloured light poles.

He commented that the dark green lights poles were very popular but were very hard to see at night time and requested that safety issues at night time be considered in the new policy for street lighting.

This matter will be referred to Engineering Department for action.

**OVERGROWN BUSHES - POYNTER PRIMARY SCHOOL - [218-1-1]**

Cr Major referred to a ratepayers meeting held on Tuesday, 12 March 1996 and the concerns expressed at this meeting in relation to overgrown bushes near Poynter Primary School.

In particular he referred to a disagreement between Council and the Education Department over responsibility for the site and queried what was happening in this regard and who was responsible for the general upkeep around the school.

The Acting City Parks Manager advised of a site meeting held at the school and cautioned conceding responsibility for this site.

**OBSTRUCTION ON CHESSELL DRIVE - [510-1467]**

Cr Major raised his concerns in relation to a dead stump found on Chessell Drive across from Stott Avenue.

He commented that the stump had been there for some time and considered it to be a dangerous obstruction.

This matter will be referred to Parks Department for action.

**TRAFFIC FLOW - GLENUNGA WAY - [510-1150]**

Cr Major referred to a telephone call from a resident of Glenunga Way who lives near the child care centre.

He requested that a traffic counter be placed along Glenunga Way for a period before and after the child care centre opens and then perhaps six months after it has opened to gauge the difference in traffic volume following closure of the southern section of the road.

**TRAFFIC FLOW - CHADSTONE AVENUE - [510-0-1, 510-1151]**

Cr Major enquired as to the current traffic volume in Chadstone Avenue and the traffic volume the road was designed to accommodate.

The City Engineer reported that he would supply Cr Major with the requested information.

**PATH ALONG ALFRETON WAY, DUNCRAIG - [502-1770]**

Cr Major referred to the path along Alfreton Way and queried the progress of this path.

The City Engineer reported that he had received a petition in relation to this path and would be reporting further in this regard.

**AMENDMENTS TO TOWN PLANNING SCHEME - [790-1]**

Cr Major enquired as to the present position in relation to amendments to Town Planning Scheme No 1 to ensure that Council is able to control take-away food services.

This matter will be referred to Town Planning Department for a response to Cr Major.

**LYSANDER PARK, HEATHRIDGE - [061-224]**

Cr Moloney raised her concerns in relation to the dust problem at Lysander Park, Heathridge and queried what size the park would need to be to enable this problem to be rectified.

The Acting City Parks Manager reported that he had received a petition requesting Lysander Park be subdivided and would report further on this matter.

**RECYCLED NEWSPAPER - [508-4]**

Cr Moloney requested the City Engineer to provide her with an update on what was happening in relation to recycling newspapers.

The City Engineer reported on the current charges applying for recycled newspapers.

**C83-03/96 FINANCE & COMMUNITY SERVICES COMMITTEE**

**MOVED** Cr Waters, **SECONDED** Cr Hall that the Report of the Finance and Community Services Committee Meeting, held on 18 March 1996, be received.

**CARRIED**

## ATTENDANCES

Councillors:	H M WATERS, JP - Chairman	North Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	A B HALL - From 1810 hrs to 1914 hrs	South Ward
	F D FREAME	South-West Ward
	M E LYNN, JP	South-West Ward
	A G TAYLOR - Deputising for Cr Moloney	South Ward
	S P MAGYAR - Observer from 1815 hrs	Central Ward
	G A MAJOR - Observer	South-West Ward

Deputy Town Clerk:	R E DYMOCK
City Treasurer:	J TURKINGTON
City Environmental Health Manager:	M AUSTIN
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Minute Clerk:	S BRUYN

## APOLOGIES

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

Apologies for absence were tendered by Cr O'Grady and Cr Wight.

## PUBLIC/PRESS ATTENDANCE

There were 3 members of the Public in attendance.

## CONFIRMATION OF MINUTES

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

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

## PETITIONS AND DEPUTATIONS

Cr Waters advised that she had requested that the following two deputations be tape recorded.

### DEPUTATION - APPLICATION - KEEPING OF PIGEONS

Mr S Harding, addressed the Committee in relation to Application - Keeping of Pigeons - Item CS30-03/96 refers.

Mr Harding explained that in relation to his application to keep racing pigeons which was considered at the last full Council meeting, certain comments were made by Mrs Wright in regard to this proposal relating to diseases and the way that he controls the birds and he wanted the opportunity to address those comments.

He remarked that Mr Turley, President of the Pigeon Racing Federation, WA and Mr DeMarte, President of the Independent Racing Pigeon Federation, WA were unable to attend this meeting but they gave their full support to his application and welcomed contact in this regard from the City of Wanneroo at any time.

Mr Harding submitted a copy of a report from a Dr Rob Marshall, Pigeon Veterinarian, which had been prepared as a result of a similar case in the Town of Kwinana, in regard to racing pigeons and the consequences they could have on humans.

He also advised of various other experts he had contacted in regard to diseases and stated that it was believed that diseases could only be contracted by continuing involvement with birds who are kept in unhygienic conditions, is not a threat to humans and a person was more likely to contract disease from a household budgie than from racing pigeons.

Mr Harding referred to other comments made by Mrs Wright in relation to a conversation she had with a member of the Pigeon Racing Federation of WA Inc. In this regard he submitted a copy of a phone conversation supplied by an Officer of the Pigeon Racing Federation of WA Inc who at no time stated that the pigeons would alight on a roof structure or pergola as they enter and exit the loft at the one point.

Mr Harding commented that it was inconceivable that the racing pigeons would go anywhere other than the loft as otherwise races would be lost.

He stated that his pigeons are thoroughbred racing pigeons and not feral pigeons and they are not allowed the courtesy of sitting on roofs as they have a set programme when they are training and when they race.

Mr Harding then explained the widower method of racing he uses, which is a system of racing developed in Europe with cock birds only being used and the stock birds not being released and so there would not be 75 birds flying at the one time.

He commented that he had 22 birds at present, with another 14 birds to come in a few weeks if successful in his application and that a bird would be disposed of if it did not come back to the loft.

Mr Harding stated that he was not in the process of trying to cause a nuisance as a neighbour and is only trying to participate in a sport that he has been involved in for 20 years.

In relation to comments made by Mrs Wright regarding wild birds, he stated that he did not feed the wild birds but that his wife and two children did.

In this regard Mr Harding said that there were many wild birds in the Yanchep area and that approximately 30 neighbours also fed the wild birds and referred to a letter he had from the previous owner stating that wild birds had been fed on his property since 1980.

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

Due to Mr Harding's concern at certain points raised by Mrs Wright at the Full Council in February, Cr Dammers granted Mr Harding the right of reply and gave him permission to speak at the Council meeting to be held on 27 March 1996.

#### DEPUTATION - APPLICATION - KEEPING OF PIGEONS

Mrs I Wright addressed the Committee in relation to Application - Keeping of Pigeons - Item CS30-03/96 refers.

Mrs Wright referred to her address to Council in February and submitted a copy of an article she had since obtained regarding the death of a man from a disease carried by birds.

She also referred to a report from her lung specialist which indicated she could be in danger from this disease.

Mrs Wright commented on a neighbour in the UK who had contracted this disease from pigeons, and therefore had concerns in relation to this application.

She questioned Council's consideration of granting a licence in this matter when both neighbours object, as she stated that the owner of the other house next to Mr Harding, not the occupier, also objected to this application.

Mrs Wright also queried the granting of permission for so many pigeons at Mr Harding's present property as she stated that his house is still on the market and is advertised for urgent sale.

She asked why he wished to introduce them to this property if he might not be there for long.

In conclusion Mrs Wright requested Councillors to take into consideration that if they lived next to a property where an application for 75 pigeons had been made, would they not be upset if Council granted permission to those birds contrary to Council policy.

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

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

Cr Taylor declared an interest in Item FA24-03/96.

Cr Waters declared an interest in Item CS30-03/96.

#### **MEETING TIMES**

Commenced: 1801 hrs

Closed: 1959 hrs

**FINANCE & ADMINISTRATIVE SECTION**

REPORT NO:

**FA16-03/96      AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

**CITY TREASURER'S REPORT**

The City Treasurer submits details of requests for authorisation to reallocate funds within the 1995/96 Budget.

He reports that the net result of these reallocations and adjustments is a budget deficit of \$813,882.

**ADDITIONAL INFORMATION**

The City Treasurer submitted supplementary Schedule of Budget Reallocation Requests - Appendix X refers.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council authorises, in accordance with Section 547 (12) of the Local Government Act, amendments to the adopted 1995/96 Budget as detailed in the Schedule of Budget Reallocation Requests - 18 March 1996, together with supplementary Schedule of Budget Reallocation Requests.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix X refers.

**FA17-03/96      OUTSTANDING GENERAL DEBTORS - FEBRUARY 1996 -  
[020-0]**

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

He makes comments on the action being taken with long outstanding accounts and recommends the write-offs of debts totalling \$124.60 which are considered to be irrecoverable.

**CITY TREASURER'S REPORT** recommended that Council writes out of its General Debtors Ledger an amount of \$124.60, representing debts considered irrecoverable, as detailed in Attachment B to Report FA17-03/96.

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

1      writes out of its General Debtors Ledger an amount of \$124.60, representing debts considered irrecoverable, as detailed in Attachment B to Report FA17-03/96;

2 contacts Mr Nick Trandos of the Olympic Kingsway Soccer Club in relation to arranging a meeting to discuss the club's indebtedness.

**CARRIED**

Appendix XI refers

**FA18-03/96**      **WARRANT OF PAYMENTS FOR THE PERIOD ENDING 29  
FEBRUARY 1996 - [021-1]**

**CITY TREASURER'S REPORT**

The City Treasurer submits the Warrant of Payments for the period ending 29 February 1996, the total sum expended being \$17,144,512.65.

Crs Cooper and Wood declared an interest in this Item.

**MOVED** Cr Waters, **SECONDED** Cr Lynn that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 29 February 1996, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$17,144,512.65:

<u>Funds</u>	<u>Vouchers</u>	<u>Amount - \$</u>
Advance Account No 1	25692 - 27229	\$ 7,011,005.72
Municipal	000209 - 000216C	10,133,506.93
Trust	-	-
		<hr/>
		\$17,144,512.65

**CARRIED**

Crs Cooper and Wood did not vote.

Appendix XII refers

**FA19-03/96**      **INTERNAL AUDIT - [002-1]**

**CITY TREASURER'S REPORT**

Subsequent to the audit for the year ended 30 June 1995, Auditor, Mr Graham McHarrie, raised with the Mayor and Town Clerk the issue of internal audit activities.

He suggested a programme of this nature could be focused on ensuring that policies and procedures of Council are properly

applied, that adequate controls are in place and that the City's procedures are in keeping with current best practice.

The City Treasurer provides details of areas which might be considered appropriate for an internal audit review programme and reports on the cost of undertaking an audit of current practices.

He comments that as tendering/contracting, ordering and stores procedures involves a large volume of Council's annual expenditure, it would be a logical area on which to focus initially.

It was noted that in future Internal Audit programmes there would be a necessity to consider recreation procedures before golf courses.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council authorises the Auditor, Mr Graham McHarrie, to undertake an audit of Council's tendering/contracting, ordering and stores procedures to ensure compliance with procedures, adequacy of controls and best practice concepts are operating within the City. Costs of approximately \$10,000 - \$12,500 to be debited to budget item 20114, Consultancy Fees - Town Clerk's Executive.

**CARRIED**

**FA20-03/96**      **1996/97 BORROWING PROGRAMME - [015-0]**

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

Council is required, pursuant to Section 601 of the Local Government Act, to submit to State Treasury by 31 March 1996, an estimate of its 1996/97 loan borrowings. This is to enable the State Treasury to advise the Australian Loan Council of its requirements.

The City Treasurer provides details of Council's loan borrowings since 1984/85 and an estimate of Council's 1996/97 loan borrowings.

He reports that at this early stage, Council is not in a position to accurately predict what portion of its 1996/97 capital works programme can be funded direct from its own resources and hence assess how much is required to be funded by way of borrowings but a more accurate assessment will be undertaken prior to budget.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council, pursuant to the provisions of Section 601 of the Local Government Act, Council advises State Treasury that its 1996/97 loan borrowing requirements will be \$2,000,000.

**FA21-03/96      CRAIGIE LEISURE CENTRE - CASH FLOAT - [680-5]****CITY TREASURER'S REPORT**

A request has been received from the Recreation and Cultural Services Manager to increase the cash float at the Craigie Leisure Centre from \$310 to \$510.

The City Treasurer reports that the increase is required as the current entry fee structure for use of the facilities is such that small change is constantly required and advises that adequate audit controls will be implemented for the correct recording and security of the cash float.

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

- 1            authorises the adjustment of the cash float at the Craigie Leisure Centre from \$310 to \$510;
- 2            ensures the cash float is operated in accordance with current accounting principles.

**CARRIED**

**FA22-03/96      LOAN 278 REDEMPTION - [015-278]****CITY TREASURER'S REPORT**

The 1995/96 Budget provided for the refinancing of Loan 278 on 2 April 1996 for a further period of 2 years.

The City Treasurer provides background details of the loan and a "payout" option and details of Council's debt service commitments.

He advises that given the cost savings on the redemption of this loan, it appears financially prudent and makes sound commercial sense to opt for the "payout" option.

**MOVED** Cr Waters, **SECONDED** Cr Major that Council authorises, in accordance with the provisions of Section 547 (12) of the Local Government Act, the redemption of Loan 278 on 2 April 1996 at a figure of \$482,072.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA23-03/96      RATE EXEMPTION - 65 NORTHSIDE DRIVE, HILLARYS -  
[018-6]**

## CITY TREASURER'S REPORT

The City Treasurer submits an application for rate exemption from the Department of Transport for the Hillarys Yacht Club (Inc) at Reserve No 39139, Leased Area 5, 65 Northside Drive, Hillarys.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council disallows the application for rate exemption on Reserve No 39139, Leased Area 5, 65 Northside Drive, Hillarys (Hillarys Yacht Club Inc).

**CARRIED**

### **FA24-03/96      DONATIONS - [009-1]**

## CITY TREASURER'S REPORT

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

- National Callisthenics Competition, Sydney;
- National Rowing Championships, Penrith;
- Australian Track Cycling Championships, Perth;
- National Age Swimming Championships, Queensland;

Balya Cancer Self Help and Wellness (Inc) is seeking financial support to enable funding for existing retreats and to acquire land for its own premises in the future.

Cr Taylor declared an interest in this item.

**MOVED** Cr Wood, **SECONDED** Cr Wight that Council donates \$50 to each of the following persons to assist with costs to participate in his/her respective sport:

Miss Monique Morris  
Miss Tegan Radalj  
Miss Haylee Radalj  
Miss Janelle Connor  
Mr Aaron Corner  
Miss Hayley Rodda  
Mr Peter Wolski  
Miss Priscilla Hill

Such donations to be from Budget Item No 29470 - Sundry Donations - Recreation Control.

**CARRIED**

Cr Taylor did not vote.

FA25-03/96

NON STATUTORY DONATIONS - GLENN HOFFMAN APPEAL -  
[009-1]

**CITY TREASURER'S REPORT**

The City Treasurer provides details of a request for financial assistance from Council for the Glenn Hoffman Family Appeal.

He reports that Mr Hoffman was an active member of the Wundowie Volunteer Fire Brigade and comments that it would be appropriate for this City, with a close affinity with Volunteer Bush Fire Brigades and a large bush fire volunteer contingent, to make a donation to the cause.

**MOVED** Cr Lynn, **SECONDED** Cr Waters that Council authorises, in accordance with the provisions of Section 547 (12) of the Local Government Act, a non statutory donation of \$500 to the Glenn Hoffman Family Appeal.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

FA26-03/96

NON STATUTORY DONATION - BELDON SCOTTISH COUNTRY  
DANCE GROUP - [009-1]

**CITY TREASURER'S REPORT**

The City Treasurer provides details of a request for financial assistance from Council for the Beldon Scottish Country Dance Group to attend the Jakarta Highland Games at the end of May 1996.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council declines the request from the Beldon Scottish Country Dance Group for financial assistance to assist with costs to travel to the Jakarta Highland Games in 1996.

**CARRIED**

FA27-03/96

NON STATUTORY DONATION - SICILIANI ASSOCIATION OF  
WA (INC) - [009-1]

**CITY TREASURER'S REPORT**

The City Treasurer provides details of a request for financial assistance from Council for the Siciliani Association of WA (Inc) to upgrade furniture in its clubrooms in Fortune Street, Balcatta.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council advises the Siciliani Association of WA (Inc) that as its headquarters are

located outside the municipality of Wanneroo, it cannot accede to its request for financial assistance.

**CARRIED**

**FA28-03/96      NON STATUTORY DONATION - MARANGAROO LADIES GOLF CLUB INC - [009-1]**

**CITY TREASURER'S REPORT**

The City Treasurer provides details of a request for financial assistance from Council for the Marangaroo Ladies Golf Club Inc to have a perpetual trophy.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council declines the request for financial assistance in the form of a perpetual trophy for the Marangaroo Ladies Golf Club Inc.

**CARRIED**

**FA29-03/96      RATE EXEMPTION - 64 MARANGAROO DRIVE, GIRRAWHEEN - [1403/ /64]**

**CITY TREASURER'S REPORT**

The City Treasurer submits an application for rate exemption from Riam Pty Ltd, Leased to Society of St Vincent De Paul Western Australia (Inc) for Shop Number 4 Newpark Shopping Centre, 64 Marangaroo Drive, Girrawheen.

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

- 1 grants rate exemption pursuant to Section 532 (3) (c) of the Local Government Act on Shop 4 Newpark Shopping Centre, 64 Marangaroo Drive, Girrawheen, effective 1 July 1995;
- 2 amends the rate book accordingly.

**CARRIED**

**FA30-03/96      RATE EXEMPTION - 11 HENDERSON DRIVE, KALLAROO - [018-6]**

**CITY TREASURER'S REPORT**

The City Treasurer submits an application for rate exemption from Northshore Country Club and Residents Association (Inc) for Lot 55 (11) Henderson Drive, Kallaroo.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council disallows the application for rate exemption on Lot 55 (11) Henderson Drive, Kallaroo (Northshore Country Club & Residents Association (Inc).

**CARRIED**

**FA31-03/96**

**NON STATUTORY DONATION - SCHOOL VOLUNTEER  
PROGRAMME - [009-1]**

**CITY TREASURER'S REPORT**

The City Treasurer provides details of a request for financial assistance from Council from Mrs Yvonne Sykes, 27 Fontley Road, Kingsley for the School Volunteer Program.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council contributes \$250 from Budget Item 21962 to support the School Volunteer Program.

**CARRIED**

COMMUNITY SERVICES SECTION

CS30-03/96      APPLICATION - KEEPING OF PIGEONS - [447/199/28]

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

An application has been received from Mr Steve Harding of Lot 199 (28) Kaiber Avenue, Yanchep to keep up to 75 pigeons at the above property.

The City Environmental Health Manager provides details of this request and reports that one of his two immediate neighbours consents to the keeping of pigeons and the other neighbour has objected.

At the Finance and Community Services Committee Meeting the following Recommendation was Moved by Councillor Ewen-Chappell and Seconded by Councillor Hall; however, the Motion was Lost:

"That Council approves the application from Mr Steve Harding, Lot 199 (28) Kaiber Avenue, Yanchep subject to his compliance with Council's Health By-laws relating to the Keeping of Pigeons."

Cr Waters declared an interest in this item.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Moloney that Council approves the application from Mr Steven Harding, Lot 199 (28) Kaiber Avenue, Yanchep subject to his compliance with Council's Health By-laws relating to the Keeping of Pigeons.      **LOST**

**MOVED** Cr Taylor, **SECONDED** Cr Wight that Council refuses the application from Mr Steven Harding, to keep up to 75 racing pigeons at Lot 199 (28) Kaiber Avenue, Yanchep.

**CARRIED**

Cr Waters did not vote.

CS31-03/96      HEALTH PROMOTION - FOOD HANDLER TRAINING - [241-5-2]

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

Council is advised that the City Environmental Health Manager is proposing that the City participate in a state wide Health Promotion initiative to assist in addressing recent increases in enteric (intestinal) disease. The programme involves an initiative within Eating Houses to provide basic food handler

training, an area that has been implicated in the enteric disease epidemic.

The City Environmental Health Manager provides background details on the subject matter and reports that the programme would involve the issue of packages to all eating houses, to train their staff in basic safe food handling techniques.

He advises that the portability and flexibility of this programme makes it suitable for small premises where previous programmes have been more structured and have required a substantial time commitment on the part of Environmental Health Officers to implement.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council approves an additional allocation of \$7,500 to the Health Education Food Handlers account for the 1996/97 financial year to enable participation in the Food Safe Food Handler Training Programme. **CARRIED**

**CS32-03/96**      **OFFENSIVE TRADE APPLICATION - FISH PROCESSING -**  
**[930-14, C30/1031]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

Council is advised of an application from Woolworths Supermarket to establish an offensive trade (fish processing establishment) at the Kingsway City Shopping Centre, Lot 2 (168) Wanneroo Road, Landsdale.

The City Environmental Health Manager reports on advertising carried out.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council approves the establishment of an offensive trade (fish processing establishment) at Woolworths Supermarket, Kingsway Shopping Centre, Landsdale, subject to:

- 1      the premises complying in all respects with the Health Act Regulations and By-laws made thereunder;
- 2      no valid health objections being received by 25 March 1996.

**CARRIED**

**CS33-03/96**      **MEDICAL OFFICER OF HEALTH - [859-2]**

Council is advised that under Section 27 of the Health Act 1911; "a Local Authority may, and when required by the Executive

Director, Public Health shall, appoint a Medical Practitioner as Medical Officer of Health".

The City Environmental Health Manager provides background details and an assessment of the subject matter and reports on the appointment in 1985 and later resignation in 1993 of Dr Richard Baker.

He submits that an appointed Medical Officer of Health is not seen as a necessity and therefore Council should exercise its option in such a case.

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT** recommended that Council rescinds its Motion 8.3.53 of 27 February 1985 viz:

- "1 Dr Richard Baker of 17 Lawley Terrace, North Beach be offered the position of "Medical Officer of Health" for the Shire of Wanneroo in accordance with Section 27 of the Health Act 1911 as amended and at the remuneration currently budgeted for;
- 2 the event of Dr Richard Baker accepting the position, Council authorises the Shire Clerk to obtain approval for the appointment from the Executive Director of Public Health pursuant to Section 28 of the Health Act, 1911."

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council terminates the appointment of Dr Richard Baker as Council's Medical Officer of Health.

**CARRIED**

**CS34-03/96**      **POLLUTION ABATEMENT NOTICE - [30/1331]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

In July 1995 Council endorsed the service of a Pollution Abatement Notice on the Christian Outreach Church, 4 Hocking Road, Kingsley and gave authority to initiate legal action them subject to the outcome of an appeal lodged with the Minister for the Environment.

The City Environmental Health Manager provides background details on the subject matter and reports on negotiations held between the Church, the Appeal's Convenor for the Minister for the Environment, affected residents and the Manager of the Cherokee Village Caravan Park.

He advises that the drafting of a new Pollution Abatement Notice was proposed and provides details of the requirements of this Pollution Abatement Notice.

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

- 1       revokes the Pollution Abatement Notice dated 17 March 1995 served under Section 65 of the Environmental Protection Act, 1986 on Christian Outreach Centre, 4 Hocking Road, Kingsley;
- 2       re-issues a new Pollution Abatement Notice on the Christian Outreach Centre, 4 Hocking Road, Kingsley.

**CARRIED**

**CS35-03/96       PROPOSED NOISE STUDY - JANDAKOT AIRPORT - [863-1]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

Correspondence has been received from the City of Cockburn inviting Council to consider contributing to a study on noise exposure levels at residential locations surrounding Jandakot Airport. Whilst this study is of no immediate benefit to the City of Wanneroo, the information would be invaluable should a similar airport be planned within the City.

The City Environmental Health Manager provides background details on the subject matter and comments that Wanneroo could serve as a background site as transportation and housing developments are occurring on a similar scale to that of the affected Councils.

He reports that the field work for the project will require the establishment of eight monitoring sites for a period of 32 hours minimum.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council advises the City of Cockburn of its approval to donate an 'in kind' contribution to the proposed noise survey of Jandakot Airport in the form of 32 - 40 hours of an Environmental Health Officer's time and equipment to conduct sound level measurements subject to this City being presented with a copy of the Consultant's final report on this survey.

**CARRIED**

**CS36-03/96       MATTERS ARISING FROM MANAGEMENT AND ADVISORY COMMITTEES - [264-3]**

The City Recreation and Cultural Services Manager reports on matters arising from meetings of the Historical Sites Advisory Committee and the Gloucester Lodge Museum Management Committee.

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

recommended that Council:

- 1 (a) increases the Historical Sites Advisory Committee's community membership from four to five members, to provide a position on the committee for Margaret Cockman and thereby amends the Terms of Reference as follows:  
  
"Definition and Membership 1 (xi) five members having specialised knowledge relative to the National Estate, the natural environment and/or the built environment of the City of Wanneroo";
- (b) during Heritage Week 1996, installs a plaque at the recently upgraded lookout area on West Coast Drive, Sorrento, to identify the location of Marmion's Chimney and recognise its significance as an historic land mark;
- 2 accepts the resignation of Mr K Gibbs from the Gloucester Lodge Museum Management Committee and the subsequent appointment of Miss M Cockman;
- 3 waives the entry fee (ie eighty cents per person for 16-20 people) for the Two Rocks Senior Citizens Group's tour of Gloucester Lodge Museum on 17 April 1996;
- 4 endorses the revised opening hours for Gloucester Lodge Museum during the summer months as follows:

Tuesday	11.30 am - 4.30 pm
Wednesday	11.30 am - 4.30 pm
Saturday	11.30 am - 4.30 pm
Sunday	11.30 am - 4.30 pm
Public Holidays	11.30 am - 4.30 pm

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

- 1 (a) increases the Historical Sites Advisory Committee's community membership from four to five members, to provide a position on the committee for Margaret Cockman and thereby amends the Terms of Reference as follows:

"Definition and Membership 1 (xi) five members having specialised knowledge relative to the National Estate, the natural environment and/or the built environment of the City of Wanneroo";

- (b) during Heritage Week 1996, installs a plaque at the recently upgraded lookout area on West Coast Drive, Sorrento, to identify the location of Marmion's Chimney and recognise its significance as an historic land mark;
- 2 authorises, in accordance with Section 181 of the Local Government Act, the resignation of Mr K Gibbs from the Gloucester Lodge Museum Management Committee and the subsequent appointment of Miss M Cockman;
- 3 waives the entry fee (ie eighty cents per person for 16-20 people) for the Two Rocks Senior Citizens Group's tour of Gloucester Lodge Museum on 17 April 1996;
- 4 endorses the revised opening hours for Gloucester Lodge Museum during the summer months as follows:

Tuesday	11.30 am - 4.30 pm
Wednesday	11.30 am - 4.30 pm
Saturday	11.30 am - 4.30 pm
Sunday	11.30 am - 4.30 pm
Public Holidays	11.30 am - 4.30 pm

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**CS37-03/96      GUIDELINES FOR COMMUNITY USE OF PERRY'S PADDOCK -  
[057-4]**

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

At its meeting on 22 November 1995, Council resolved to formulate a policy for the use of Perry's Paddock. This decision was taken in response to the number of requests from various groups seeking access to this particular reserve for community purposes (Item CS213-11/95 refers).

The City Recreation and Cultural Services Manager provides details of Perry's Paddock and reports on guidelines to be followed by recreational users of the site.

**RECOMMENDATION**

That Council, upon receipt of a lease agreement from the Ministry for Planning, agrees to endorse the following guidelines for community use of Perry's Paddock, Woodvale:

- 1 community use of the site should be restricted to specific areas designated by the City Parks Manager and

vehicle access should be strictly controlled within these parameters;

- 2 event organisers should be expected to provide adequate toilet facilities, rubbish bins and drinking water;
- 3 fires should not be lit unless approval is obtained in writing from the Manager of Municipal Law and Fire Services;
- 4 all requests for the consumption of alcohol should be submitted to the Manager of Municipal Law and Fire Services for approval prior to the event;
- 5 due care should be taken with respect to the surrounding environment and the area should be left in a clean and tidy condition at the conclusion of the event;
- 6 all requests should be administered through the Facility Hire Form process with a bond of \$100 being payable at the time of booking. This amount should be refunded following the event if all conditions are complied with;
- 7 a hire fee of \$100 should be imposed for full day use when no admission charge is made for public entry. This should reduce to \$50 for half day events;
- 8 when admission is charged for public entry the hire fee should be \$200 for a full day and \$100 per half day;
- 9 all requests for community use should be balanced against the conservation values associated with the site. Any proposals of a doubtful nature should be submitted to Council for determination.

**MOVED** Cr Taylor, **SECONDED** Cr Freame that Council upon receipt of a lease agreement from the Ministry for Planning, agrees to endorse the following guidelines for community use of Perry's Paddock, Woodvale:

- 1 community use of the site should be restricted to specific areas designated by the City Parks Manager and vehicle access should be strictly controlled within these parameters;
- 2 event organisers should be expected to provide adequate toilet facilities, rubbish bins and drinking water;
- 3 fires should not be lit unless approval is obtained in writing from the Manager of Municipal Law and Fire

Services, with approved fire fighting equipment being available at all times;

- 4 all requests for the consumption of alcohol should be submitted to the Manager of Municipal Law and Fire Services for approval prior to the event;
- 5 due care should be taken with respect to the surrounding environment and the area should be left in a clean and tidy condition at the conclusion of the event;
- 6 all requests should be administered through the Facility Hire Form process with a bond of \$100 being payable at the time of booking. This amount should be refunded following the event if all conditions are complied with;
- 7 a hire fee of \$100 should be imposed for full day use when no admission charge is made for public entry. This should reduce to \$50 for half day events;
- 8 when admission is charged for public entry the hire fee should be \$200 for a full day and \$100 per half day;
- 9 all requests for community use should be balanced against the conservation values associated with the site. Any proposals of a doubtful nature should be submitted to Council for determination.

**CARRIED**

CS38-03/96      GIRRAWHEEN FESTIVAL - "MASQUE FANTASTIQUE" -  
[429-1-12]

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

The City Recreation and Cultural Services Manager reports that 1996 is the Hainsworth Leisure Centre's 20th Anniversary. As a form of celebration, a festival in the area is being devised. Key participants will be young people and multicultural groups.

He provides details of the key objectives of the Festival and advises that the Festival will feature a street parade and a selection of multicultural performers will showcase their talents in Liddell Reserve.

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

- 1 endorses the concept of a Festival involving young people and multicultural groups in the Girrawheen/Koondoola area to celebrate the 20th Anniversary of the Hainsworth Leisure Centre;

2 lists the sum of \$4,380 in the 1996/97 Draft Budget as Council's contribution to this event.

**CARRIED**

**CS39-03/96      TOPPER SAILING SCHOOL HIRE PROPOSAL - [470-1, 30/1733]**

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

In November 1992 Council granted permission to Mr Ken Lindsay to operate a sailing school and hire business at Hillarys Beach (Item G41118 refers).

The business has since changed hands and a request has been received from the new owner, Mr Gordon Lamb, seeking approval to continue the operation.

The City Recreation and Cultural Services Manager provides background details of the subject matter and reports on the conditions of operation.

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

1 Council grants Mr Gordon Lamb of "Topper Sailing" approval to operate a Topper Sailing School and Hire business at Hillarys Beach (200m north of Marina) for a period of two seasons from October 1995 - June 1996 and October 1996 - June 1997, subject to the conditions of operation as follows:

- (a) Dates: October to June, 7 days per week;
- (b) Times: Sunrise to sunset;
- (c) Craft to be Used: Fleet of 12 toppers;
- (d) Beach Access: for 4-wheel drive vehicle for service, loading and rigging. Vehicle to remain on beach area, access gates to be closed;
- (e) Insurance requirements: Public liability insurance to the value of \$5 million;
- (f) Operational Area: Hillarys Beach 200 metres north of Hillarys Marina; Pinnaroo Point (in the instance that the northern beach at Hillarys is inaccessible due to the build up of seaweed);
- (g) all equipment to be removed from beach each day;

- (h) Safety: mobile phone, rescue boat, and a ratio of one instructor to every six sailing boats;
- (i) the operator not being permitted to sell food or drink;
- (j) due consideration is given to other beach users, including organised groups and members of the public;
- (k) appropriate care is taken in regard to the fragile dune environment;

2 the operation is administered through the "Facility Hire Form" system and a rate of \$10 per week of trading. The payment of all fees shall be in advance of each season.

**CARRIED**

**CS40-03/96      BUCKINGHAM HOUSE CURATOR - HONORARIUM - [263-1]**

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

Council employs a number of people on a part time basis by way of an honorarium for services rendered. One of these positions is the Curator at Buckingham House. The present honorarium has remained static for the past four years. The current Curator has signified that she will relinquish this role on 29 March 1996.

The City Recreation and Cultural Services Manager reports that as a replacement is necessary, it would be appropriate to review the level of the honorarium before the position is advertised and provides details of this position.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council authorises an honorarium of \$2,250 for the Curator at Buckingham House and advertises the vacancy accordingly.

**CARRIED**

**CS41-03/96      REQUEST FOR A REDUCTION IN FEES FOR USE OF  
KINGSLEY RESERVE TENNIS COURTS - [061-197-2]**

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

A request has been received from the Woodvale Baptist Church for Council to reduce the fees for its use of the Kingsley Reserve

Tennis Courts. The Church suggests that regular users of tennis courts should enjoy a discounted fee.

The City Recreation and Cultural Services Manager provides background details to this request and considers that an undesirable precedent would be set should Council accede to the Woodvale Baptist Church's request.

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

- 1 maintains its existing tennis court fee schedule with no discount for regular public use;
- 2 advises the Woodvale Baptist Church accordingly.

**CARRIED**

**CS42-03/96**      **WAIVER OF HIRE FEES - USE OF KINGSLEY RESERVE -  
ACTIV INDUSTRIES - [061-197]**

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

A request has been received from ACTIV Industries Wanneroo for a waiver of hire fees for the use of Kingsley Reserve Complex for a social cricket match on Sunday 10 March 1996.

The City Recreation and Cultural Services Manager provides details of the request.

He advises that in consideration of the high maintenance costs of sporting grounds and associated cleaning requirements, the hire fee should stand.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council does not waive the \$36.00 hire fee for Kingsley Reserve on 10 March 1996.

**CARRIED**

**CS43-03/96**      **INCREASE IN FEES - VOLUNTARY TRANSPORT SERVICES -  
[858-3]**

**MANAGER, WELFARE SERVICES' REPORT**

Due to an unprecedented increase in the demand for voluntary transport services, particularly in the northern region of the City, it has become necessary to review the current user pay structure.

The Manager Welfare Services provides background details of this service and details of a comparison in the increase in demand for the service between July 1995 and February 1996.

She reports on the present fee for the service, lists the most commonly requested transports and comments that a more realistic and equitable fee structure could be based on the client paying \$1.00 per 10 kilometre zone.

She advises that provision should be made for negotiation in situations of genuine financial hardship or where clients require multiple trips for chemotherapy or radiotherapy.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council approves the increase in fees for its community transport service for aged and disabled residents to \$1.00 per 10 kilometre zone effective from 1 April 1996.

**CARRIED**

**CS44-03/96**      **DOG ACT APPEAL - MR R SAUNDERS, 25 THROSBY WAY, PADBURY - [1041/777/25]**

**MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT**

On 21 December 1995 Council refused an application by Mr R Saunders of 25 Throsby Way, Padbury to keep three dogs at his resident. All applications to keep more than two dogs on residential properties are refused by Council (Council Resolution G50713).

The Manager Municipal Law and Fire Services reports that the Minister for Local Government has upheld an appeal lodged by Mr Saunders and directs Council to grant an exemption to Mr Saunders under Section 26(5) of the Dog Act to keep three dogs at his premises.

He provides details of the conditions which are subject to the exemption and also details of the dogs involved.

**MOVED** Cr Waters, **SECONDED** Cr Freame that Council advises the applicant and adjoining neighbours of the Minister's decision and of the conditions specified.

**CARRIED**

**KINGSWAY FOOTBALL CLUB FACILITY - [061-198-6-1]**

Cr Major asked the City Recreation and Cultural Services Manager whether he had been approached by the Kingsway Softball Club in relation to their possible use of the Kingsway Football Club facility, as junior football club charges are considered too high.

The City Recreation and Cultural Services Manager replied that the issue between the two softball clubs had been settled and the issue of the Northern Districts Softball Club gaining access to the football club via the baseball club will be addressed in the next few months.

Cr Dammers advised that he would be attending a meeting with the Wanneroo Football Club on Thursday to resolve this matter and would like a recommendation from Council to enable negotiations to be made with other clubs.

**MOVED** Cr Cooper, **SECONDED** Cr Taylor that Town Clerk's Item C84-03/96 be considered at this time in conjunction with Kingsway Football Club Facility.

**CARRIED**

**C84-03/96**                    **WANNEROO FOOTBALL & SPORTING CLUB (INC) -**  
**[061-198]**

Councillors would be aware of the ongoing difficulties the Wanneroo Football & Sporting Club (Inc) has experienced over the last couple of years.

At the last Council meeting, Council authorised the Mayor to negotiate with the Club an acceptable arrangement for the \$20,000 debt outstanding and the lease payment for the next six months.

Correspondence from the Wanneroo Football Club has been received, advising that the Club is in no position to pay the lease payments for the next six months, but it will be able to clear the debt by the end of the season. As an integral part of the arrangement, it has agreed to an early surrender of the current lease.

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

- 1            agrees to the revoking of the lease of the football club rooms on Reserve 28058, Kingsway Sporting complex;
- 2            accepts the payment of a once only fee of \$20,000 by the Wanneroo Football and Sporting club (Inc) - \$10,000 to be paid on 1 April 1996 and thereafter at the rate of \$1,500 on the first day of each month for five (5) months, with the final payment of \$2,500 being due on 1 October 1996;
- 3            agrees to Wanneroo Football and Sporting Club having guaranteed access to the facilities and grounds for match and training purposes;

4 agrees with the formation of a Sports Club, at which time the Wanneroo Football and Sporting Club seeks due consideration in becoming an active party within the said Club.

**CARRIED**

**SORRENTO BOWLING CLUB - [319-3]**

Cr Freame advised she had been approached by the Sorrento Bowling Club three or four weeks ago in relation to an additional bowling green.

She advised that the land had been set aside for a croquet club and raised her concerns in relation to the request for a green and the rationalisation of the relevant land.

Cr Wight left the Chamber at this point, the time being 2140 hrs.

The City Recreation and Cultural Services Manager advised her that the City Building Surveyor was presenting a report to the next Technical Services Committee meeting to be held on 15 April 1996 in relation to this matter.

By way of clarification, Cr Freame gave further information in relation to the bowling greens.

**RATE PAYMENTS FOR 1996/97 - [018-1]**

The City Treasurer reported that the new Local Government Act would permit rate payments by instalments and that the scheme would be similar to the one used by the Water Authority.

He reported on four possible payment options and proposed that a workshop be held in early April to advise Council of the requirements of the Act and ways to deal with the issue of rate payments.

**VOLUNTARY BUS DRIVERS APPRECIATION DINNER - [911-0]**

Cr Waters referred to a recommendation passed at a Council meeting in December in relation to holding an appreciation dinner for the Voluntary Bus Drivers group from Yanchep and queried when this was to be held - Item CS262-12/95 refers.

This matter will be referred to the Welfare Services Department for action.

**PERTH SOAPBOX CLUB - [465-7]**

The City Recreation and Cultural Services Manager referred to a letter submitted by Cr O'Grady at the Town Planning Committee meeting held on 11 March 1996 in relation to the recent conflict with the Wanneroo Soapbox Club.

He stated that he had received a letter advising of a meeting held on 13 March 1996 between the conflicting clubs and that a temporary compromise had been achieved. He outlined the arrangements made by the two clubs and advised that they would refer these matters to their respective committees and report back by 22 March 1996.

**C85-03/96 BUSINESS FOR INFORMATION**

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that the Business for Information Reports be received.

**CARRIED**

Cr Wight entered the Chamber at this point, the time being 2144 hrs.

#### **REPORTS**

#### **TOWN PLANNING COMMITTEE**

**B37-03/96 APPEAL DETERMINATION - RESORT DEVELOPMENT, LOT 3  
(1397) WANNEROO ROAD, WANNEROO - [30/33]**

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

An application for a restaurant, function room, chapel, 42 self contained chalet units and caretaker residence was submitted on 19 August 1994.

Council refused the application at its July 1995 meeting as it was considered an excessive and intensive proposal which conflicted with Council's strategy for the development of land adjacent to the north eastern boundary of the Yellagonga Regional Park.

The City Planner provides details of the Minister's decision and advises that the appeal against Goldrange Pty Ltd's refusal was conditionally upheld subject to conditions that the City of Wanneroo might reasonably impose on a proposal of this type.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY PLANNER'S REPORT B37-03/96 be received.

**CARRIED**

B38-03/96

APPEAL DETERMINATION - SECOND PRACTITIONER TO  
MEDICAL CONSULTING ROOM, LOT 1 (31) LINEAR  
AVENUE, CNR MARMION AVENUE, MULLALOO - [30/2428]

**CITY PLANNER'S REPORT**

The application for a second practitioner was to legitimise a situation that had existed for several years whereby two practitioners were operating at the same time from the practice, both on a full-time basis.

Council refused the application as it was considered an over-development of the site.

The City Planner reports on the Minister's decision and advises that the appeal against Mr Hans Fisch was upheld subject to conditions as the City of Wanneroo might reasonably impose.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY PLANNER'S REPORT B38-03/96 be received.

**CARRIED**

B39-03/96

APPEAL DETERMINATION - BARBARELLA'S STORE  
"RESTRICTED PREMISES", LOT 2 UNIT 6/115 GRAND  
BOULEVARD/REID PROMENADE, JOONDALUP - [30/4521]

**CITY PLANNER'S REPORT**

As part of the appeal process, the Hon Minister requested that the proposal be advertised in accordance with the City's Town Planning Scheme No 1 requirements.

The City Planner reports that at the close of advertising, forty individual letters and two major petitions opposing the proposal were received and directed to the Hon Minister's office.

He provides details of the Minister's decision and advises that this appeal was not upheld as the Minister for Planning considered that the site chosen may not be the most appropriate for the purpose.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY PLANNER'S REPORT B39-03/96 be received.

**CARRIED**

B40-03/96

APPEAL DETERMINATION - RENEWAL OF USE APPROVAL:  
MARKET GARDEN SALES, LOT 32 (10) MENCHETTI ROAD,  
NEERABUP - [30/2363]

**CITY PLANNER'S REPORT**

On 28 March 1995 a renewal of the Use Approval - Market Garden Sales was received. Council considered the renewal application at its June meeting.

The City Planner reports on the conditions which were the subject of the appeal and provides details of modifications the Minister made to these conditions.

He advises that this appeal was conditionally upheld with the modified conditions imposed by the Minister for Planning.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY PLANNER'S REPORT B40-03/96 be received.

**CARRIED**

**B41-03/96**            **APPEAL DETERMINATION - LOT 7 HONEY STREET, CORNER  
CAPORN STREET, MARIGINIUP - [740-97909]**

**CITY PLANNER'S REPORT**

The application proposed to create two lots of 1.65 hectares and 2.0 hectares.

The City Planner advises that this appeal was upheld, as the Minister for Planning considered that the proposed lot sizes are commensurate with those that exist in the immediate area.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY PLANNER'S REPORT B41-03/96 be received.

**CARRIED**

**TECHNICAL SERVICES COMMITTEE**

**B42-03/96**            **ENGINEERING CURRENT WORKS - [202-0]**

**CITY ENGINEER'S REPORT**

The City Engineer reports on current work undertaken by the Engineering Department for the period ending 23 February 1996.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY ENGINEER'S REPORT B42-03/96 be received.

**CARRIED**

**B43-03/96**            **PROPOSED ROUNDABOUT TREATMENT - GIRALT ROAD AND  
PARIN ROAD JUNCTION, MARANGAROO - [510-1130]**

**CITY ENGINEER'S REPORT**

A letter was tabled from a resident in Giralt Road at Council's August meeting objecting to a proposal to construct a roundabout at the junction of Giralt Road and Parin Road (Item C384-08/95 refers).

The City Engineer reports on discussions held with the affected resident on the overall strategy and design aspects and advises that the resident has generally accepted that the treatment will proceed.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY ENGINEER'S REPORT B43-03/96 be received.

**CARRIED**

**B44-03/96**            **ROAD RESERVE - WHITFORD BEACH ESTATE - [512-0]**

**CITY ENGINEER'S REPORT**

Councillor Hall requested a report to be presented on the feasibility of restricting vehicles from driving along the verge area to the south of Whitfords Avenue opposite North Shore Drive (Item TP430-12/95 refers).

The City Engineer provides details of the verge area and reports that in order to restrict vehicles entering this area a line of bollards would be required to be installed for the full 1.5km at an approximate cost of \$17,250.

He suggests that as the area appears neat and tidy that it be left in its current state and does not support the expenditure of \$17,250 on the installation of bollards.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY ENGINEER'S REPORT B44-03/96 be received.

**CARRIED**

**FINANCE AND COMMUNITY SERVICES COMMITTEE**

**B17-03/96**            **FINANCIAL REPORT FOR THE PERIOD ENDED 29 FEBRUARY 1996 - [002-3]**

**CITY TREASURER'S REPORT**

The City Treasurer submits the financial statements for the period ended 29 February 1996.

He advises that revenue and expenditure trends are generally within budget estimates.

**ADDITIONAL INFORMATION**

The City Treasurer advised of an error to Report B17-03/96.

Page 3, Aquamotion - Pool; the figure "34,379" requires to be amended to "334,379".

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY TREASURER'S REPORT B17-03/96 and ADDITIONAL INFORMATION be received.

**CARRIED**

**B18-03/96**      **MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [006-1]**

**CITY TREASURER'S REPORT**

The City Treasurer reports on a comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY TREASURER'S REPORT B18-03/96 be received.

**CARRIED**

**B19-03/96**      **MINDARIE REGIONAL COUNCIL - 1994/95 ANNUAL FINANCIAL REPORT - [508-5-5]**

**CITY TREASURER'S REPORT**

The City Treasurer submits the Mindarie Regional Council's Financial Report for the year ended 30 June 1995.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY TREASURER'S REPORT B19-03/96 be received.

**CARRIED**

**B20-03/96**      **STAFF AND OUTSIDE WORKERS' OVERTIME - FEBRUARY 1996 - [404-10]**

**CITY TREASURER'S REPORT**

The City Treasurer submits the staff overtime return for the month of February 1996, together with details of the outside workers' overtime for the same period.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY TREASURER'S REPORT B20-03/96 be received.

**CARRIED**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

The City Environmental Health Manager reports on the outcome of two recent court cases heard at the Joondalup Court of Petty Sessions:

- 1 Coles Supermarkets Australia Pty Ltd pleaded guilty and the Magistrate imposed a fine of \$500 with costs of \$275;

Council's legal fees amounted to \$294.21.

- 2 George Weston Foods Ltd were found guilty and the Magistrate imposed a fine of \$1250 with costs of \$836.50;

Council's legal fees amounted to \$1197.02.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT B21-03/96 be received.

**CARRIED**

RECREATION AND CULTURAL SERVICES DEPARTMENT  
MONTHLY ACTIVITIES REPORT - [260-0]**CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT**

The City Recreation and Cultural Services Manager reports on the major activities of the Recreation and Cultural Services Department during the month of February 1996. These included:

- filming of a children's television series "Bush Patrol" in the exterior grounds of Gloucester Lodge Museum;
- City of Wanneroo 1996 Art Award Opening Night at the "Great Space" Lakeside Joondalup Shopping Centre;
- community design and creation of a sculpture led by Helen Driesen at the Jenolan Way Community Centre;
- Sierra Maestra, a Cuban Latin American band, played at an outdoor concert in Neil Hawkins Park, Joondalup;
- survey conducted of Edgewater residents regarding the development of the Limestone Quarry in Edgewater;

- "Precious Cycle of Life" sculpture opened in the Warwick Open Space bushland;
- other projects included Learn to Swim and Coaching programmes, swimming carnivals, 'Walking' and 'Aeroboxing' classes, Junior Netball and Basketball programmes, children's and adults' leisure courses, construction of new bowling greens adjacent to the Warwick Open Space Clubrooms, work continuing on McNaughton Clubrooms in Kinross, Open Day Art/Craft Show scheduled for March to celebrate Sorrento Duncraig's 21st birthday.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B22-03/96 be received.

**CARRIED**

**B23-03/96**

**COMMUNITY SPORTING AND RECREATION FACILITIES FUND**  
**- [323-1-1]**

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

At its meeting on 25 October 1995, Council endorsed applications from several local groups seeking assistance from the Community Sporting and Recreation Facilities Fund.

The City Recreation and Cultural Services Manager reports that the Ministry of Sport and Recreation have sent a facsimile advising Council of the outcomes affecting community groups within the City of Wanneroo and formal advice will be forthcoming in the next few days.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B23-03/96 be received.

**CARRIED**

**B24-03/96**

**MUNICIPAL LAW & FIRE SERVICES DEPARTMENT -**  
**ACTIVITIES FROM 1 OCTOBER 1995 TO 31 DECEMBER**  
**1995 - [905-1]**

**MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT**

The Manager Municipal Law and Fire Services reports on the major activities carried out by the Municipal Law and Fire Services Department for the period 1 October 1995 to 31 December 1995.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT B24-03/96 be received.

CARRIED

B25-03/96

NOISE COMPLAINT DOG KENNELS - [471/6/181]

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT**

In November 1995 the Minister for the Environment wrote to the Mayor requesting Council review its position on the noise issue for the Wanneroo Boarding Kennels at Lot 6 (181) Perry Road, Pinjar.

The City Environmental Health Manager provides background details and an assessment on the noise complaint and reports that as no new evidence has been presented since the original resolution of 1989, that the status quo remain.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT B25-03/96 be received.

CARRIED

C86-03/96

**POLICY COMMITTEE**

**MOVED** Cr Hall, **SECONDED** Cr Curtis that the Report of the Policy Committee Meeting, held on 20 March 1996 be received.

CARRIED

**ATTENDANCES**

Councillors: A V DAMMERS, JP, Mayor - Chairman Central Ward  
H M WATERS, JP from 1850 hrs to North Ward  
2030 hrs  
B A COOPER from 1810 hrs. Central Ward  
K H WOOD to 1930 hrs South Ward  
G A MAJOR from 1815 hrs South-West Ward  
G W CURTIS from 1853 hrs South-West Ward  
L O'GRADY - Observer, Deputising  
for Cr Waters to 1850 hrs  
and from 2030 hrs North Ward  
S P MAGYAR - Observer, Deputising for  
Cr Cooper to 1810 hrs. Central Ward  
A B HALL - Deputising for Cr Moloney  
to 2012 hrs South Ward  
A G TAYLOR - Observer, Deputising for  
Cr Wood from 1930 hrs South Ward  
F D FREAME - Observer from 1813 hrs,  
Deputising for Cr Curtis  
to 1853 hrs South-West Ward  
M E LYNN, JP - Observer, Deputising  
for Cr Major to 1815 hrs South-West Ward

Town Clerk:	R F COFFEY
Chief Executive Officer (Elect)	L O DELAHAUNTY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
City Recreation and Cultural Services Manager:	R BANHAM
Committee Clerk:	J HARRISON

#### **APOLOGIES**

Apologies for absence were tendered by Crs Ewen-Chappell and Moloney.

An apology for late attendance was tendered by Cr Curtis; Cr Freame deputised.

#### **CONFIRMATION OF MINUTES**

The Minutes of Policy Committee Meeting held on 21 February 1996 were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

Nil

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

Town Clerk declared an interest in Item P25-03/96

#### **MEETING TIMES**

Commenced:	1805 hrs
Closed:	2038 hrs

**REPORT NO:**

**P15-03/96                    POLICY MANUAL REVIEW - [702-1]**

The Town Clerk reports that as part of the process of an Annual Review of the Policy Manual, it is suggested that a number of changes be incorporated into the Policy Manual for 1996.

He advises that due to the amount of changes that departments have put forward, proposed amendments will be put forward for discussion over the next six months and that as per the timeline Section H6 (Libraries) has been put forward for review in March.

The Committee was advised of a request from Cr Curtis that Policy H6-15, Point 5, be amended to read "...rejecting on moral, political, racial, religious or conservation grounds...". However, this amendment was not considered necessary.

Following discussion on Policy H6-29, it was agreed that Paragraph 2 be amended to read "... shall be approved by the City Librarian ..."

**TOWN CLERK'S REPORT** recommended that Council adopts Section H6 as detailed on Attachment B to Report P15-03/96 and amends the Policy Manual Accordingly.

**COMMITTEE RECOMMENDATION**

That Council:

1            adopts Section H6 as detailed on Attachment B to Report P15-03/96, subject to the following amendment to Policy H6-29, Paragraph 2:

"All materials, other than library or Council advertisements, shall be approved by the City Librarian before being displayed. Notices advertising for private or personal monetary gain shall not be displayed unless authorised by Council."

2            subject to the above, amends the Policy Manual accordingly.

**MOVED** Cr Curtis, **SECONDED** Cr Magyar that an additional point be added to the Committee Recommendation, to read:

"Policy H6-15, Point 5, be amended to read "... rejecting on moral, political, racial, religious or conservation grounds...".

Discussion ensued. Cr Curtis, with the approval of Cr Magyar, advised that he wished to have the Motion

**WITHDRAWN**

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

- 1 adopts Section H6 as detailed on Attachment B to Report P15-03/96, subject to the following amendment to Policy H6-29, Paragraph 2:

"All materials, other than library or Council advertisements, shall be approved by the City Librarian before being displayed. Notices advertising for private or personal monetary gain shall not be displayed unless authorised by Council."

- 2 subject to the above, amends the Policy Manual accordingly.

**CARRIED**

Appendix XIII refers

**P16-03/96**                    **AUSTRALIA DAY CELEBRATIONS 1996 AND PROPOSED CELEBRATIONS 1997 - [301-5-1]**

Despite the success of the Australia Day Citizenship Celebrations on 26 January 1996, at Neil Hawkins Park, Joondalup, it is felt that future ceremonies could be enhanced by the addition of certain suggestions.

The Town Clerk provides details of these suggestions and reports on an application by the Girrawheen/Koondoola Recreation Association to hold the 1997 Australia Day Citizenship Ceremony at Hainsworth Leisure Centre.

He suggests that Council move to hold all future Australia Day Citizenship Ceremonies in an independent location, permitting Recreation Associations to continue organising their own functions as they have done in previous years.

**TOWN CLERK'S REPORT** recommended that Council:

- 1 holds an independent Australia Day Citizenship Ceremony in a central location within close proximity to the Administration Centre;
- 2 makes provision to identify invited guests by way of a clearly visible self adhesive sticker;
- 3 investigates sun protection for VIPs and guests if early morning ceremonies are to be conducted.

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

- 1 holds independent Australia Day Citizenship Ceremonies in a central location within close proximity to the Administration Centre, such ceremonies to commence at 5.30 pm;
- 2 makes provision to identify invited guests by way of a clearly visible self adhesive sticker;
- 3 advises the Girrawheen/Koondoola Recreation Association that Council is prepared to participate in a function to recognise the 10th Anniversary of the Association and invites the Association to submit a proposal to Council for consideration;
- 4 in the event of an Australia Day Citizenship Ceremony being held during the period following the close of nominations and the conducting of a Federal or State Election, extends invitations to all endorsed candidates and their partners to attend the ceremony.

**CARRIED**

**P17-03/96                    EDUCATION BUS - OUT OF SCHOOL USE - [301-5-1]**

**TOWN CLERK'S REPORT**

A number of requests are received on a regular basis by both the Community Transport Section of Welfare and the Public Relations Section, for the use of a bus by various Senior Citizens Clubs, Youth Groups and Community Groups from within the City.

The Town Clerk provides details of these requests and reports that in the interest of cost efficiency, it is felt that the Education Bus could alleviate unnecessary expenditure by the Leisure Centres, as well as perhaps generating revenue, during the periods when it is not being used for educational tours.

He advises that a clear policy decision on the use of this vehicle would assist with future enquiries and prevent the necessity of having to approach Council on each individual request.

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

- 1 authorises the use of the Education Bus outside school hours by Community Groups subject to:
  - (a) usual rental/hire charges to apply;
  - (b) the bus being left fully serviced/cleaned, etc, for use for educational purposes;

- 2 scheduling of the Education Bus outside of school hours to be arranged between the Community Transport Section of Welfare, and Administration's Bus Driver/Tour Guide;
- 3 reviews this arrangement in twelve (12) months, and a report be submitted to the Policy Committee in this regard.

**CARRIED**

**P18-03/96 GRATUITY PAYMENTS TO RETIRING STAFF MEMBERS - [404-0]**

**DEPUTY TOWN CLERK'S REPORT**

The Deputy Town Clerk provides details of a policy adopted at the June 1994 Council meeting in relation to gratuity payments to retiring staff members.

He advises that under the new Act, which is to be proclaimed on 1 July 1996, Council is required to prepare a policy in regard to payments to past employees which are above contract or ward payments.

The Deputy Town Clerk reports on the structuring of a gratuity policy and comments that should Council wish to give particular recognition to a long serving executive officer, it may wish to do so within the structure of a performance contract.

**MOVED** Cr Wood, **SECONDED** Cr O'Grady that:

- 1 Council adopts in principle the methodology as outlined in Report P18-03/96 together with the suggested amounts, with the proviso that the suggested amounts under the delegation would be in gross terms;
- 2 a further report be submitted when the new legislation is in place.

**CARRIED**

Appendix XIV refers

**P19-03/96 HUMAN RESOURCE ISSUES - [404-0]**

**DEPUTY TOWN CLERK'S REPORT**

Council at its meeting on 26 July 1996, having considered a report which outlined key components to be incorporated into a strategic Human Resources Management Plan, resolved that a

further report be submitted in February 1996, on human resource initiatives addressing working climate, training needs and exit interviews.

The Deputy Town Clerk reports on staff turnover, exit interviews, broadbanding, working climate and training needs.

He advises that a number of issues have caused concern, the most critical being broadbanding which clearly has had a dysfunctional effect. He also comments that other initiatives such as enterprise bargaining, training and performance reviews may have an adverse effect in the short term, but in the longer term prove beneficial.

**MOVED** Cr Wood, **SECONDED** Cr O'Grady that DEPUTY TOWN CLERK'S REPORT P19-03/96 be received.

**CARRIED**

**P20-03/96**                    **EMPLOYEE ASSISTANCE PROGRAMME (EAP) - [404-17]**

**DEPUTY TOWN CLERK'S REPORT**

Employee assistance programmes are now widely used by private industry, Federal and State Governments and Local Government. They provide employees with independent confidential counselling. In addition, they support management by providing an independent mechanism for counselling staff without requiring managers to become involved in personal issues.

The Deputy Town Clerk provides background details on the subject matter and advises that as part of the Waste Management Services Enterprise agreement, Council agreed to provide employees with an independent confidential counselling service.

He reports on the adoption of an employee assistance programme and comments that as part of the implementation of this programme, there is a need to train all supervisors in the application of the service and how it can be used as a management tool.

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

- 1            adopts the principle of an Employee Assistance Programme;
- 2            appoints PACE WA to train supervisors and provide the programme for up to eighteen (18) months;
- 3            reviews the programme after one (1) year of operation and a further report be submitted to Council.

**CARRIED**

P21-03/96

ADVERTISING SIGNS - POLICY - CONFISCATION FROM  
ROAD RESERVES - [219-1]

**CITY ENGINEER'S REPORT**

At its October 1995 meeting, Council suggested that owners of advertising signs placed within road reserves contrary to policy, be informed of Council policy prior to undertaking removal.

The City Engineer reports that this suggestion prompted a review of the current practice and provides details of a proposed "zone of tolerance" forward of the boundary to be established on the premise that road user safety would not be compromised.

He advises that in conjunction with this re-assessment of road reserve usage, the works crew responsible for road reserve signage hand delivers an advice to business houses outlining the policy and warning that any future transgressions will require signage confiscation.

**MOVED** Cr Wood, **SECONDED** Cr O'Grady that CITY ENGINEER'S REPORT P21-03/96 be received.

**CARRIED**

P22-03/96

USE OF METAL DETECTORS WITHIN THE CITY OF  
WANNEROO - [308-4]

Council, at its meeting on 20 December 1995, requested a report addressing the use of metal detectors on historical sites within the City of Wanneroo (Item CS224-12/95 refers).

The City Recreation and Cultural Services Manager provides details of the subject matter and reports on the safety of artifacts and historical sites in the municipality.

He advises that excavation should not be undertaken on any historical site in the municipality, by anyone other than professionally trained archaeologists. Additionally, nothing should be done that changes in any way the character of the archaeological evidence.

**CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT**  
recommended that Council:

- 1 prohibits the searching of historical sites for artifacts or materials, with or without metal detectors, in the municipality;

- 2 seeks professional archaeological opinion for any Council supervised search;
- 3 displays any artifacts or materials found on its historical sites in a public museum collection.

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

- 1 prohibits the searching of historical sites for artifacts or materials, with or without metal detectors, on property vested in the City of Wanneroo;
- 2 seeks professional archaeological opinion for any Council supervised search;
- 3 makes every effort to retain, and either display or store, any artifacts or materials found on its historical sites in a public museum collection in Wanneroo.

**CARRIED**

**P23-03/96** **NOISE COMPLAINTS - COMMUNITY HALLS - [635-2]**

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

Council at its meeting on 29 November 1995 resolved to assess the impact of noise from social functions on all Council facilities and determine options to control noise problems (Item CS218-11/95 refers).

The City Recreation and Cultural Services Manager provides details of noise restrictions placed on several community halls and Leisure Centres and discusses noise problems and social functions at different venues.

He advises that the conditions of hire should be amended to permit the deduction of bond monies should the noise limits be exceeded and funds should be placed in the 1996/97 draft Municipal Budget for the installation of a noise control unit at Ocean Reef Hall.

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

- 1 amends the Conditions of hire for Social Functions to:
  - (a) increase the bond from \$200 to \$300 for all social functions;
  - (b) enable the deduction of the costs of "call out" from the bond should the noise levels exceed the

provisions of the Environmental Protection Act (1986);

- (c) require the hirer to liaise with Council's Environmental Health Department concerning the use of amplification equipment should the Recreation Facilities Manager consider it necessary;
- (d) require the hirer of a Council venue to monitor the noise level periodically at those property boundaries most likely to give rise to noise complaints;

2 authorises the City Recreation and Cultural Services Manager to restrict the hours of social functions to 12.00 midnight if in his opinion it is considered necessary;

3 (a) lists funds in the draft 1996/97 Municipal Budget for the installation of a Noise Control Unit at Ocean Reef Community Hall;

(b) permits social functions at Ocean Reef Community Hall once installation of the Noise Control Unit is complete;

4 lists funds in the five year forward plan for the installation of sound control units in those venues that continue to be the subject of complaint.

**CARRIED**

P24-03/96

**FINAL REPORT - INTEGRATED HUMAN SERVICES PROJECT,  
STAGE 2 - [012-0-1]**

**TOWN CLERK'S REPORT**

The City of Wanneroo Integrated Human Services Project, Stage II Final Report has been submitted by the project consultant, Tim Muirhead and Associates. The Stage II - Final Report builds on an Interim Report submitted to Council in April, 1995 (Item P2-04/95 refers).

The Town Clerk provides details of the Final Report for Stage II and comments on project results.

He advises that the City of Wanneroo is now recognised as leading local government in this State in the planning and co-ordination of the provision of human services.

The Town Clerk felt it should be noted, that while the changes have been significant and highly successful, Council's continued commitment and support to these processes are critical for its ongoing success.

Cr Cooper stated this was a very worthwhile project and asked that the Wanneroo Times be requested to give publicity for this project.

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

- 1 receives the Integrated Human Services Project, Stage II - Final Report;
- 2 endorses the distribution of the Integrated Human Services Project, Stage II - Final Report to interested parties;
- 3 notes the following recommendations outlined in the consultant's report and request the Town Clerk to report further in detail on the ramifications of implementing the recommendations:
  - (a) that Council embarks on a comprehensive, ongoing strategic and corporate planning process;
  - (b) that the City of Wanneroo develops Community Development Training packages for selected officers. These will include most staff from the Departments of Welfare Services and Recreation and Cultural Services.

Modules from the Community Development Training would be relevant to selected staff from all Departments that interact with the public, including Parks, Libraries, Building, Town Planning, Engineering and Municipal Law and Fire Services. Of particular interest would be community involvement strategies.

- (c) Council should immediately budget for employment of Community Development workers. In order of priority these workers would include:
  - (i) a "new suburbs" worker to build formal and informal supports in suburbs that are in the early years of settlement;
  - (ii) "established suburbs" worker to focus on the suburbs of Girrawheen and Koondoola,

given the high level of stress in this area;

- (iii) a generic community worker who would respond to initiatives from communities and groups throughout Wanneroo, providing information, assistance and support, and building partnerships between such groups and Council.

The funding for these positions would need to be considered in the context of the availability of funds in the 1996/97 or 1997/98 budget;

- (d) develops a clear policy and capacity for effective public involvement, along with comprehensive training packages in public consultation;
- (e) establishes a Strategic Development Unit or similar mechanism to co-ordinate and facilitate the effective management of strategic planning processes, corporate planning processes, community development, public involvement and human services planning;
- (f) establishes a working party to consider the implementation of the Strategic Development Unit consisting of the Mayor, two Councillors, Town Clerk, Chief Executive Officer (elect), Deputy Town Clerk, Executive Assistant and Human Services Planning Co-ordinator;

- 4 amends the Human Services Planning Co-ordinator's Duty Statement to have reference to "community planning in established suburbs" deleted. The Co-ordinator should not be required to co-ordinate planning work in fully established suburbs. She should focus all efforts on future, newly developing suburbs as outlined in sections 1, 2 and 3 (of the Consultant's report).

**CARRIED**

P25-03/96

**CHIEF EXECUTIVE OFFICER/TOWN CLERK - [702-0]**

**RECOMMENDATION**

That Council:

- 1 agrees to a request from the Town Clerk to extend the period of his Contract of Employment to conclude on 20

December 1996 thus allowing payments in respect to accrued annual and long service leave to be made into a superannuation fund;

- 2 authorises the Mayor and Town Clerk to finalise an appropriate amendment to the Contract of Employment;
- 3 in accordance with the provisions of Clause 5.36 of the Local Government Act (effective 1 July 1996) the Chief non-elected officer of Council be known as the Chief Executive Officer;
- 4 in future, redrafting of the Council By-laws, policies etc, the title Town Clerk be replaced with Chief Executive Officer;
- 5 agrees that official transfer of authority to Mr Delahaunty occur on 1 July 1996.

#### **ADDITIONAL INFORMATION**

At the meeting of the Policy Committee on 20 March 1996 the Town Clerk requested consideration be given to extending his Contract of Employment to allow payments in respect of annual and long service leave to be made into a superannuation fund.

The Town Clerk advised that whilst appreciating the Committee's decision to support an extension to the contract he now wishes to withdraw the request.

Accordingly whilst recommendations 1 and 2 are not relevant, the remaining recommendations 3, 4 and 5 are still considered appropriate.

The Town Clerk declared an interest in this item.

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

- 1 in accordance with the provisions of Clause 5.36 of the Local Government Act (effective 1 July 1996) the Chief non-elected officer of Council be known as the Chief Executive Officer;
- 2 in future, redrafting of the Council By-laws, policies etc, the title Town Clerk be replaced with Chief Executive Officer;
- 3 agrees that official transfer of authority to Mr Delahaunty occur on 1 July 1996.

**CARRIED**

SCHEDULE OF STANDING COMMITTEE DATES - 1996/97 - [702-0]

In order to expedite further consideration of Town Planning applications, particularly those referred back from Council meetings, the Town Clerk asked Councillors whether they were agreeable to Town Planning Committee meetings being scheduled later in the month, in the week prior to the Council meeting. This would require alterations to be made to the dates of the other Standing Committee meetings.

The Councillors present were agreeable to this arrangement and the Town Clerk advised he would submit the schedule of meeting dates for Council's approval at the appropriate time.

**P26-03/96**                    SHELL (AUSTRALIA) PTY LTD - V - CITY OF WANNEROO  
- TRIBUNAL APPEAL 34/95 - [30/0007, 30/0374]

The City Planner referred to legal advice received from Council's solicitors, McLeod and Co in relation to the future conduct of the response to the above appeal regarding the service station and convenience store on Lot 504 (60) Marangaroo Drive, Girrawheen.

He outlined the options available to Council, which are:

- to continue with opposition to the appeal with officers representing the Council at the hearing;
- Council engaging legal representation for the appeal;
- Council taking a non-adversary role in the appeal;
- Council informing the Tribunal that it no longer opposes the appeal;
- Council informing the local people who have objected to the development that it is open to them to seek and obtain leave to be represented in the appeal and themselves to undertake the opposition to the appeal.

**MOVED** Cr Wood, **SECONDED** Cr O'Grady that Council authorises the Mayor, Chairman of Town Planning Committee, City Planner and a community representative to represent Council on the appeal with support being prepared by McLeod and Co.

**CARRIED**

REMOVAL OF ELECTION SIGNS - [219-1]

Cr Major reported that several election signs had not been removed following the recent Federal election and requested that

Council notifies the relevant persons to arrange removal of these signs.

This matter will be referred to Engineering Department for action.

**RSL MEMORIAL - [318-3]**

Cr Major advised of a recent discussion with a gentleman from the RSL in relation to a request to Council for financial assistance for the erection of a war memorial in Central Park.

The Mayor advised he was aware of this matter. He stated the land in question was not vested in the City of Wanneroo and Council was therefore not able to assist with the funding. He understood the work was to be undertaken and financed by LandCorp in time for the 1996 Anzac Day Service.

**PERRY'S PADDOCK - [057-4]**

Cr Curtis queried the nature of the trench at Perry's Paddock.

The City Planner advised this was a sewerage line.

**TENDERS GENERALLY - [208-0]**

Cr Curtis queried Council's policy in relation to tendering and asked what happened to plans submitted by unsuccessful tenderers.

Town Clerk advised that plans submitted by unsuccessful tenderers were returned.

**P27-03/96            REQUEST FOR REPORT ON THE FEASIBILITY OF MOBILE CONVENIENCE SHOP IN DEVELOPING AREAS - [930-19]**

Cr O'Grady advised she had been approached by young mothers in the Merriwa/Clarkson on the feasibility of a mobile convenience shop operating in areas where shopping facilities were unavailable. She requested advice from Health and Town Planning Departments and also comments from the Town Clerk.

**MOVED** Cr Wood, **SECONDED** Cr O'Grady that a report be submitted to Policy Committee on the feasibility of mobile convenience shops operating in areas where shopping facilities were unavailable, such report to incorporate matters relating to health and town planning issues.

**CARRIED**



## REPORTS

OC8-03/96 PROGRESS REPORT NO 2 - [730-8-8-1]

### CITY BUILDING SURVEYOR'S REPORT

The City Building Surveyor provides details of the progress of the Civic and Cultural Facilities Project and reports on bulk earthworks, construction, variations and submits a financial summary.

**MOVED** Cr Moloney, **SECONDED** Cr Lynn that CITY BUILDING SURVEYOR'S REPORT OC8-03/96 be received.

**CARRIED**

OC9-03/96 REGISTRATION OF INTEREST: COFFEE SHOP - [730-8-8-1]

### CITY BUILDING SURVEYOR'S REPORT

Council, in September 1995, endorsed in principle the leasing of the Coffee Shop to be constructed in the Joondalup Library.

The City Building Surveyor provides background details, reports on expressions of interest and the lease and recommends that the registrants be invited to tender.

He advises that the tenderers will be required to propose rent over a five year period with an option for a further five years.

In addition, the trading name for the business is to be proposed, so that Council can ensure it accords with the image it has for the development.

**MOVED** Cr Moloney, **SECONDED** Cr Lynn that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council, invites Cream of Cuisine, Richard Jensen and Gail McIlroy to submit tenders for the lease of the Coffee Shop and Storeroom at the Joondalup Library.

**CARRIED**

OC10-03/96 REGISTRATION OF INTEREST: FUNCTION ROOMS, CATERING AND MANAGEMENT

### CITY BUILDING SURVEYOR'S REPORT

Council, in September 1995, endorsed in principle the leasing of the function areas in the proposed Civic Centre.

The City Building Surveyor provides background details, reports on expressions of interest and the lease and recommends that the registrants are invited to submit a tender.

He advises that Council will have the opportunity of establishing an annual calendar of events, with special discounts to apply for use of the area.

**MOVED** Cr Moloney, **SECONDED** Cr Lynn that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council, invites Beaumonde Catering, Cream of Cuisine and Delight Caterers to submit a tender for the lease of the function centre in the Civic Centre.

**CARRIED**

**CHOICE OF ROOF TILES - [730-8-8-1]**

Mr John Main of James Christou and Partners presented a sample of the Monier concrete tile which was currently proposed for the roof of the building, to show profile and colour choice.

Mr Main stated that whilst the concrete tile meets the requirement of cost saving compared with clay, there were certain disadvantages in terms of lack of guarantee of colour and longevity. Guarantees were generally only provided for the normal 2 years on workmanship.

Mr Main forwarded a suggestion from Mr James Christou, that the Committee might look at Sorrento Quay where some discoloration has occurred. He was unsure whether this discoloration was due to the location or whether it was caused by a problem associated with the tile.

In relation to colour choice, the Committee was agreeable to the colour as presented. As it was noted that concrete tiles would require to be sprayed after approximately 8 years, the Mayor believed it would be helpful to investigate the cost of such work. Cr Major advised the Committee that the cost would be in the order of \$12,000.

City Building Surveyor was requested to investigate this matter and report to the Committee accordingly.

**C88-03/96 TOWN CLERK'S REPORT**

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the Town Clerk's Report be received.

**CARRIED**

**C89-03/96**

**SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF  
AFFIXING THE COMMON SEAL - [200-0-1]**

Document:	Crown Lease	
Parties:	City of Wanneroo and Minister for Lands	
Description:	Reserve 43792 (Yanchep Lagoon Kiosk)	
Date:		23.2.96
Document:	Deed	
Parties:	City of Wanneroo and T M D Ashender and S J Bain	
Description:	Lot 253 Badgerup Road, Wanneroo	
Date:		26.2.96
Document:	Easement	
Parties:	City of Wanneroo and Her Majesty Queen Elizabeth II and Minister for Lands	
Description:	Location 11977 Fernwood Square, Padbury	
Date:		1.3.96
Document:	Easement	
Parties:	City of Wanneroo and Her Majesty Queen Elizabeth II and Minister for Lands	
Description:	PAW between Barre Place and Casilda Road, Duncraig	
Date:		1.3.96
Document:	Transfer of Land	
Parties:	City of Wanneroo and Gamehill Holdings Pty Ltd	
Description:	Unit 7, 10 Mindarie Drive, Quinns (Health Centre)	
Date:		5.3.96
Document:	Deed	
Parties:	City of Wanneroo and Keith William Studman	
Description:	Copyright Agreement - Oral History	
Date:		5.3.96
Document:	Deed	
Parties:	City of Wanneroo and Elizabeth Bail	
Description:	Copyright Agreement - Oral History	
Date:		5.3.96
Document:	Deed	
Parties:	City of Wanneroo and May Campbell	
Description:	Copyright Agreement - Oral History	
Date:		5.3.96
Document:	Deed	
Parties:	City of Wanneroo and Connie Van Enden	
Description:	Copyright Agreement - Oral History	
Date:		5.3.96
Document:	Deed	
Parties:	City of Wanneroo and Colleen Burgess	

Description:	Copyright Agreement - Oral History	
Date:		5.3.96
Document:	Deed	
Parties:	City of Wanneroo and Joyce Mullins	
Description:	Copyright Agreement - Oral History	
Date:		5.3.96
Document:	Easement	
Parties:	City of Wanneroo and Lessar Pty Ltd and Troynard Pty Ltd	
Description:	Lot 195 Marri Road, Duncraig	
Date:		7.3.96
Document:	Withdrawal of Caveat (2)	
Parties:	City of Wanneroo and Yatala Nominees Pty Ltd	
Description:	Swan Location 2579 Neerabup	
Date:		8.3.96
Document:	Application	
Parties:	City of Wanneroo and Mercantile Mutual Life Insurance Co Ltd	
Description:	Application for Participation in Employer Pooled Super	
Date:		12.3.96
Document:	Withdrawal of Caveat	
Parties:	City of Wanneroo and Mr Mobilia	
Description:	Lot 251 Badgerup Road, Wanneroo	
Date:		13.3.96
Document:	Withdrawal of Caveat	
Parties:	City of Wanneroo and Mr Mobilia	
Description:	Lot 259 Badgerup Road, Wanneroo	
Date:		13.3.96

**MOVED** Cr Wood, **SECONDED** Cr Freame that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

**CARRIED**

**C90-03/96            HUMAN RESOURCE MATTERS - [404-0]**

This report gives details of staff appointments and resignations and seeks approval for payment of a gratuity.

**STAFF APPOINTMENTS**

<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
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Assist Librarian - Libraries	Vanessa MURPHY	05.03.96
Shelver - Libraries		Sheryl
GALBRAITH	21.02.96	
Admin Officer - Libraries	Tracey GRAHAM	05.03.96
Graphic Support Asst - Admin	Angela ELLIOTT	05.03.96
Library Clerk - Libraries	Peta BOURHILL	19.02.96
Assist Librarian - Libraries	Wendy LAURENCE	19.02.96
Cadet Env Health Off - Health	Ben STONE	26.02.96
Prog D'ment Co-ord - Rec	Kim LOW	05.02.96
Heritage Officer - Recreation	Julie MACKAY	29.01.96

#### RESIGNATIONS

JET worker - Welfare	Glenda LAMARO	14.02.96
ASC Supervisor - Recreation	Janet BAILEY	09.02.96
ASC Supervisor - Recreation	Veronica RATHBONE	09.02.96
Local Studies Librarian - Libraries	Janet NOWICKI	01.03.96
Sen Admin Officer - Eng	Tony WILSON	08.03.96
Welfare Officer - Welfare	Ken GRAIMES	16.02.96
Purchasing Officer - Treasury	John SANDERSON	23.02.96
Asst Librarian - Libraries	Deborah SMITH	09.02.96
Bores/Pumps Supervisor - Parks	Keith CUNNINGHAM	26.02.96
Reticulation Supr - Parks	Bob HARMAN	09.02.96

#### GRATUITY PAYMENT

Mr T Gunn, Parks Department employee has resigned with effect from 15 March 1996. Mr Gunn has been employed by Council since April 1985 and in accordance with adopted policy he is entitled to a gratuity payment of \$500 nett value.

The Acting City Parks Manager confirms Mr Gunn's loyal and dedicated service during his employment with the City of Wanneroo.

#### ADDITIONAL INFORMATION

Town Clerk recommends the following gratuity payments:

Mrs Audrey Copeland has resigned due to ill health, to take effect from Friday 29 March 1996.

Mrs Copeland has been an exemplary and loyal employee of Council for twenty two years. She has worked in the position of Senior Clerk at the Sorrento-Duncraig Library for the duration of her employment.

Ms Amanda Smith has submitted her resignation to take effect from Friday 29 March 1996.

Ms Smith has been employed by Council for thirteen years and currently holds the position of Senior Library Clerk.

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

- 1 in accordance with the provisions of Section 157a of the Local Government Act, approves the appointment of all officers as detailed in this report;
- 2 in accordance with adopted policy, approves gratuity payments to the nett value of \$500 each to Mr T Gunn, Mrs A Copeland and Ms A Smith.

**CARRIED**

**C91-03/96** **NOMINATION - MEMBER/DEPUTY MEMBER - BUSH FIRES BOARD - [312-2]**

Due to the expiration of terms of the present members, vacancies have arisen for the following positions - 4 Members and 4 Deputy Members - Bush Fires Board.

Council has been invited to nominate Councillors for these positions. The selection of council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

The Committee meets on a monthly basis and has a term of office of three years. Meetings are held on the second Thursday of the month and are approximately 3 hours in duration.

Committee membership is comprised of representatives from Conservation and Land Management, WA Fire & Rescue and the Police Department.

Cr Taylor nominated Cr Wight.

**MOVED** Cr Wood, **SECONDED** Cr Freame that Council nominates Cr Wight for consideration of appointment to the position of Member - Bush Fires Board.

**CARRIED**

**C92-03/96** **NOMINATION - PUBLIC LIBRARIES ABORIGINAL REFERENCE GROUP - [312-2]**

Due to the recent establishment of the following committee, a vacancy has arisen for the position of member - Public Libraries Aboriginal Reference Group.

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional

on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

Nominees should possess a knowledge of Aboriginal issues, particularly the delivery of services to Aboriginal communities.

The Committee meets on a quarterly basis for approximately 2 hours.

The terms of reference for the group are:

- 1 to advise on such matters that may be referred to it by The Library Board of Western Australia;
- 2 to consider and determine direction on all matters concerning public library services for Aboriginal people that come to the attention of the group;
- 3 to advise on means by which Aboriginal people themselves may best be involved in the planning for and provision of public library services suitable to their requirements;
- 4 to advise on and participate in the mechanisms for evaluating all services provided to the Aboriginal community through the State-wide public library network;
- 5 to foster and encourage liaison and co-ordination of activities between Aboriginal people, their representative organisations, relevant Government departments and agencies, Local Government, public libraries and Library Information Service WA in all aspects of public library service;
- 6 to encourage the recognition of the ongoing reality of indigenous cultures and to foster an awareness and respect for them, through the State-wide public library network, in ways that are mutually acceptable and culturally appropriate;
- 7 to advise on and participate in the provision of adequate professional development facilities and courses for librarians and other staff associated with public library services for Aboriginal people.

Committee membership is comprised of representatives from the LISWA, Library Board of WA and ATSIC.

Cr O'Grady nominated Cr Waters.

Cr Waters declared an interest in this Item.

**MOVED** Cr Wood, **SECONDED** Cr Hall that Council nominates Cr Waters for consideration of appointment to the position of Member - Public Libraries Aboriginal Reference Group.

Cr Waters did not vote.

**C93-03/96**            **NOMINATION - WA LOCAL GOVERNMENT GRANTS COMMISSION - [312-2]**

Due to the recent expiration of term of the present member a vacancy has arisen for the position of member - WA Local Government Grants Commission.

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

There are no particular qualifications required for the position. The Committee meets on a monthly basis with an additional five weeks of country travel.

The purpose of the committee is to recommend to the Minister for Local Government, allocations of general purpose and identified local road funding to WA Local Governments.

Committee membership is comprised of representatives from the Country Shire Councils Association and the Country Urban Council's Association.

Cr Ewen-Chappell nominated Cr Major.

Cr Major declared an interest in this Item.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Wood that Council nominates Cr Major for consideration of appointment to the position of Member - WA Local Government Grants Commission.

**CARRIED**

Cr Major did not vote.

**C94-03/96**            **NOMINATION - DEPARTMENT OF TRANSPORT'S DISABILITY SERVICE PLAN CONSULTATIVE GROUP - [312-2]**

Due to the recent establishment of the following committee a vacancy has arisen for the position of member - Department of Transport's Disability Service Plan Consultative Group.

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

Nominees should possess a knowledge of disability issues in a Local Government context. The Committee meets on a monthly basis for approximately 2 hours.

The terms of reference for the group are:

- 1 To monitor the implementation and effectiveness of the proposed strategies and associated actions in the Disability Service Plan.
- 2 Consult with the wider community on transport access issues.
- 3 Raise awareness amongst service providers of the problems experienced by people with disabilities in accessing transport services.

Committee membership is comprised of representatives from the Department of Transport and 10 representatives from Disability Organisations (5) and Transport Service Providers (5).

Cr Lynn nominated Cr O'Grady. Cr O'Grady advised she would be interested in being considered for appointment to this position, however required further details of when meetings are held prior to accepting this nomination.

**MOVED** Cr Wood, **SECONDED** Cr Freame that Council, subject to further confirmation from Cr O'Grady, nominates Cr O'Grady for consideration of appointment to the position of Member - Department of Transport's Disability Service Plan Consultative Group.

**CARRIED**

**C95-03/96**

**MEETING OF CONNOLLY ADVISORY COMMITTEE - [324-13]**

Following a request from the Connolly Residents Association, Council at its meeting held on 23 August 1995 resolved to establish the Connolly Advisory Committee comprising representatives of Council, Landcorp and the Association to meet as and when required to advise Council on verge treatments and maintenance items for Connolly (Item C409-08/95 refers).

The Connolly Advisory Committee held its second meeting on Wednesday 21 February 1996, where the following items were discussed:

- Connolly Verge Treatments;
- Woodvale Waters Maintenance Agreement;
- Maintenance of Uniform Fencing;
- Joondalup Resort Hotel Entry Statement;
- Community Building - Connolly;
- Public Open Space, Connolly;
- St Michaels Park - Removal of Turf;
- Lighting Problems
- Covenants;
- Long Weekend Clean-up.

**MOVED** Cr Wood, **SECONDED** Cr Freame that the information regarding the Connolly Advisory Committee Meeting held on 21 February 1996 be received.

**CARRIED**

**C96-03/96            TRADING IN PUBLIC PLACES - [930-19]**

At its meeting of 28 February 1996, Council resolved that it:

- "1            requests Mr Geoffrey Stuart of 41 Westra Way, Ocean Reef to, within fourteen (14) days, remit \$500 to this City and collect his Licence to Trade in a Public Place regarding the sale of Christmas trees between 8 - 24 December 1995;
  
- 2            initiates legal action against Mr Geoffrey Stuart of 41 Westra Way, Ocean Reef upon default of payment of \$500 outstanding for a Trading in Public Places Licence for the period 8 - 24 December 1995."

The above resolution followed Council's consideration of a report concerning the unlicensed sale of Christmas Trees by Mr Stuart from the BP Service Station, Whitfords Avenue, Padbury in December 1995 - Item CS5-02/96 refers.

Mr Stuart applied for a Trading in Public Places Licence on 11 December 1995, citing his proposed dates of operation as 8 - 24 December 1995.

Despite several personal visits to the service station site and a letter on 21 December 1995 to request Mr Stuart to remit the \$500 fee, the licence fee was not paid.

At 9.10 pm on 22 December 1995, the City received a facsimile request from Mr Stuart indicating the licence fee would be fair and reasonable at \$5 per day. He also requested that his proposal be submitted to Council for consideration.

Unfortunately a further request by Mr Stuart to address either the Committee or Council was inadvertently overlooked. An apology has been issued and it is now proposed that Mr Stuart be given that opportunity on Wednesday 27 March 1996.

**MOVED** Cr Wood, **SECONDED** Cr Freame that the information in relation to the request by Mr G Stuart to address Council at its meeting on Wednesday 27 March 1996 be received.

**CARRIED**

**C97-03/96**

**PROPOSED MODIFICATIONS TO AMENDMENT NO 719 -  
LANDSDALE - [790-719, 790-762]**

**SUMMARY**

Chapman Glendinning and Associates have requested Council to allow the rezoning of their clients' landholdings to proceed by initiating Amendment No 762 and to delete these landholdings from Amendment No 719. As various matters are affecting the progress of Amendment No 719 it is reasonable to support this request.

**BACKGROUND**

Council at its June 1995 meeting (Report TP197-06/95) considered a joint application submitted by Chapman Glendinning and Associates and Feilman Planning Consultants for the rezoning of a number of landholdings within the Landsdale area to accommodate residential development (Appendix XV refers). This application also included a proposed buffer along the southern boundary of Furniss Road in the form of a row of Mixed Business lots. (Appendix XVI refers).

Although Council acknowledged the need to separate the existing industrial area from the proposed future residential development, it was also recognised that similar proposals elsewhere within the City have been fraught with problems. Consequently, Council resolved that before it initiated Amendment No 719, it would require the applicant to satisfactorily demonstrate how it was intended for the mixed business lots to operate as an effective buffer.

**CURRENT PROPOSAL**

Chapman Glendinning and Associates have advised Council that they represent some 20 landowners within the Landsdale area that were included in Amendment No 719 with Feilman Planning Consultants representing the remaining landholdings that abut Furniss Road.

Unfortunately, for various reasons, Feilman Planning Consultants have not progressed the planning of the Mixed Business buffer. Consequently, in accordance with the Council's previous resolution the amendment has not been acted upon by the City. This has resulted in the rezoning of all the subject landholdings (even those not affected by the proposed Mixed Business buffer) being delayed.

In an effort to progress the planning and development of the area for residential purposes Chapman Glendinning and Associates have requested Council to split Amendment No 719 to exclude their clients from this amendment and allow the rezoning of their landholdings to proceed via a separate amendment (ie Amendment No 762).

Council will note that whilst this proposal is generally supported, there are still various elements of Amendment No 719 which will still affect the finalisation of Amendment No 762, eg proximity of poultry and pig farms. Such issues will therefore still be required to be resolved prior to the finalisation of both rezonings.

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

1 rescinds resolution TP197-06/95 viz:

"1. in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended:

(a) supports the rezoning of:

Pt Loc 1441  
Lots 500 and 501 Furniss Road  
Lots 1, 2, 3, 4, 5, 6, 20 Kingsway and  
Lots 28, 29, 32, 33, 47, 48 and 49  
Landsdale Road  
and  
Lots 8, 45, 34, 35 and 46 Evandale Road  
Landsdale from Rural to Residential  
Development R20 and Mixed Business;

(b) forwards the documentation for Amendment No 719 to the Minister for Planning for preliminary approval to advertise;

2 advises Feilman Planning and Chapman Glendinning that in the interest of facilitating the development of the area, it has resolved to seek the amendment on the basis as described above,

however, before granting final approval to Amendment No 719 it will require:

- (a) an approved local structure plan for the area bounded by Wanneroo Road, the Hepburn Avenue alignment, Mirrabooka Avenue alignment, the realigned Gnangara Road and Furniss Road;
- (b) a letter of undertaking being submitted from the subject landowners stating that they will make the necessary infrastructure contributions for the subject cell on the basis as set out in the State Planning Commission letter to Council dated 3 May 1994;
- (c) the applicants to demonstrate to Council that the land within 500 metres of the poultry farm and pig farm, can be dealt with to the satisfaction of the Ministry for Planning and the Environmental Protection Authority;
- (d) the applicants to demonstrate that Pt Loc 1441 and Lots 500 and 501 Furniss Road are not adversely affected from previous landfilling and dumping which occurred on these lots and that residential development can be accommodated to the satisfaction of Council;

3 writes to the consultants and advises that prior to Amendment No 719 being initiated, they will be required to demonstrate to Council that the proposed Mixed Business lots can be satisfactorily dealt with to ensure that an effective buffer can be established between the Industrial and Residential areas. Alternatively, Council will require that this buffer be provided as a 50 metre wide landscape strip which will not comprise part of the area's 10% POS contribution;

4 subject to Point 3 above being satisfied requests the North West District Planning Committee to request the Western Australian Planning Commission to amend the Metropolitan Region Scheme to rezone the land subject to Amendment No 719 from Urban Deferred to Urban;

- 5 delegates authority to the City Planner to approve the special provisions for the Mixed Business lots."
- 2 (a) in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended:
- (i) supports the rezoning of Lots 500 and 501 and Location 1441 Furniss Road, Landsdale from Rural to Residential Development R20 and Mixed Business;
  - (ii) forwards the documentation for Amendment No 719 to the Minister for Planning for preliminary approval to advertise;
- (b) writes to the consultants and advises that prior to Amendment No 719 being initiated, they will be required to demonstrate to Council that the proposed Mixed Business lots can be satisfactorily dealt with to ensure that an effective buffer can be established between the Industrial and Residential areas. Alternatively, Council will require that this buffer be provided as a 50 metre wide landscape strip which will not comprise part of the area's 10% POS contribution;
- (c) advises Feilman Planning that subject to Point B in the interest of facilitating the development of the area, it has resolved to seek the amendment on the basis as described above, however, before granting final approval to Amendment No 719 it will require:
- (i) the applicants to demonstrate to Council that the land within 500 metres of the poultry farm and pig farm, can be dealt with to the satisfaction of the Ministry for Planning and the Environmental Protection Authority;
  - (ii) the applicants to demonstrate that Pt Loc 1441 and Lots 500 and 501 Furniss Road are not adversely affected from previous landfilling and dumping which occurred on these lots and that residential development can be accommodated to the satisfaction of Council;

- (d) subject to Point (b) above being satisfied requests the North West District Planning Committee to request the Western Australian Planning Commission to amend the Metropolitan Region Scheme to rezone the land subject to Amendment No 762 from Urban Deferred to Urban;
  - (e) delegates authority to the City Planner to approve the special provisions for the Mixed Business lots.
- 3
- (a) in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended:
    - (i) supports the rezoning of Lots:  
1, 2, 3, 4, 5, 6 and 20 Kingsway;  
28, 29, 32, 33, 47, 48 and 49 Landsdale Road and 8, 34, 35, 45 and 46 Evandale Road, Landsdale from Rural to Residential Development R20;
    - (ii) forwards the documentation for Amendment No 762 to the Minister for Planning for preliminary approval to advertise;
  - (b) advises Chapman Glendinning that in the interest of facilitating the development of the area, it has resolved to seek the amendment on the basis as described above, however, before granting final approval to Amendment No 719 it will require the applicants to demonstrate to Council that the land within 500 metres of the poultry farm and pig farm, can be dealt with to the satisfaction of the Ministry for Planning and the Environmental Protection Authority;
  - (c) requests the North West District Planning Committee to request the Western Australian Planning Commission to amend the Metropolitan Region Scheme to rezone the land subject to Amendment No 762 from Urban Deferred to Urban.

**CARRIED**

Appendices XV and XVI refer

C98-03/96

**FURTHER MODIFICATIONS REQUESTED BY MINISTER TO  
AMENDMENT NO 731 TO TOWN PLANNING SCHEME NO 1  
INTRODUCING URBAN DEVELOPMENT AND CENTRES ZONES  
- [790-731]**

## BACKGROUND

Council resolved to initiate Amendment No 731 in July 1995 to introduce Urban Development and Centres zones into the City's Town Planning Scheme No 1 (TP250-7/95). The Western Australian Planning Commission (WAPC) subsequently requested modifications be made prior to advertising commencing. Following the advice of Council's solicitors, a number of text changes were proposed by Council to overcome the Commission's concerns (TP426-12/95) and were forwarded to the WAPC.

The WAPC has now advised that the Minister will require three further modifications to Amendment No 731 prior to advertising.

## PROPOSED MODIFICATIONS

Changes requested are the deletion of:

1. Second paragraph of Clause 5.45(b)
2. Second paragraph of Clause 5.46(b)
3. Clause 10.4.3.

The pages affecting these changes are included as Appendix XVII with the deletions requested in italics.

- (a) Deletion of Second Paragraphs of Clauses 5.45(b), 5.46(b)

The Minister has requested the deletion of parts of these clauses, stating they are unnecessary and may impede an applicant's right of appeal.

These paragraphs essentially provided that Council shall not approve development in the absence of an Agreed Structure Plan, or otherwise than in conformity with an Agreed Structure Plan. Though this was non-discretionary and therefore may have impeded any appeal right, in the case of the requirement for development to conform with an Agreed Structure Plan, there would still have been opportunity for an applicant to pursue a non-conforming proposal to an appeal by requesting an amendment of the Agreed Structure Plan to make the proposal a conforming one. (A refusal to approve an amendment would be appealable.) In this respect, the deletion of these paragraphs is of no real consequence.

However, regarding the requirement that no development shall be approved until an Agreed Structure Plan is in place, deletion of this requirement would mean that a situation may arise where land is included in the Urban

Development or Centre Zone and a development application submitted prior to an Agreed Structure Plan being in place. This would clearly be a recipe for ad hoc development and the City would need to rely upon the proper judgement of the body determining an appeal (in the event of Council refusing the application) that such ad hoc development is contrary to all notions of proper orderly planning and would therefore discuss the appeal. The proposed Scheme provision that such development should not be permitted in the absence of an Agreed Structure Plan should assist in this regard.

In the case of Centre Zones, there would be greater risks involved in having Centre Zones in place without corresponding Agreed Structure Plans. It is therefore intended that in due course, a further report will be presented to Council, recommending that Council adopt a Planning Policy to the effect that Council will not rezone land to Centre Zone unless an Agreed Structure Plan is put in place at the same time as the rezoning of the land concerned.

(b) Deletion of Clause 10.4.3

This clause was included to ensure that the time period after which an appeal right would become available did not commence until the structure plan and information relating to it were in order to enable proper assessment of it. The Minister wishes this clause to be deleted, arguing that the structure plan is to have regard to the matters set out in Schedule 9. Council's solicitors have recommended that Clause 10.4.2 be modified, as shown by the deletion and new text underlined on Appendix XVII. These modifications will ensure that submitted structure plans contain adequate information.

It is recommended that Council adopts the three deletions proposed by the Minister and requests the modification to Clause 10.4.2 as outlined above. Provided the Western Australian Planning Commission agrees to the amendment in this modified form, it will proceed to advertising.

**MOVED** Cr Wood, **SECONDED** Cr Freame that Council advises the Western Australian Planning Commission that it consents to the deletion of Clause 10.4.3 and the deletion of the second paragraphs of Clauses 5.45(b) and 5.46(b) subject to the modification of Clause 10.4.2, set out in Appendix XVII hereto.

**CARRIED**

Appendix XVII refers

C99-03/96

HISTORICAL ESSAY COMPETITION - [240-12]

City Librarian's Report marked "Confidential - Not For Publication" was circulated to Councillors under separate cover.

This matter was referred for consideration later in the meeting, Behind Closed Doors.

C100-03/96

YELLAGONGA REGIONAL PARK - [061-408]

By letter dated 25 March 1996 the Chairperson of the Friends of Yellagonga Regional Park (Inc) has written -

"In July 1996 we intend to conduct a 1.5 day public seminar to bring together all the many stakeholders (including the City of Wanneroo), who have an interest in Yellagonga Regional Park, to workshop suitable management strategies for the Park. We intend to publish the proceedings with a grant from the National Land Care Programme. The Department Environmental Protection's Catchment Management Branch is interested in funding part of the organizational costs and our own group is providing funds, skills and expertise to the project.

The aim of the seminar is to reach consensus on some of the major management objectives and methods for the park so all the stakeholders can work together in a co-ordinated and co-operative manner.

The National Landcare Programme requires a letter from the City of Wanneroo informing them that the City, as a major stakeholder in the Park, is aware of our plans for the seminar, is willing to participate in the seminar and will give serious consideration to its outcomes.

We apologise for the short notice given to you for considering this matter, however the Department of Conservation and Land Management require a reply by Thursday 28.3.96 to progress this matter.

**MOVED** Cr Curtis, **SECONDED** Cr Magyar that Council advises the Department of Conservation and Land Management the City of Wanneroo would welcome an invitation to participate in a public seminar to workshop suitable management strategies for the Yellagonga Regional Park and give consideration to its outcomes.

**CARRIED**

## SUMMARY

Inspections and reports reveal the dwelling constructed at Lot 171 (2) Worlanna Mews, Quinns Rocks requires substantial work to overcome structural workmanship and issues. Prosecution and service of a notice of the builder is recommended.

## BACKGROUND

In March 1994 an application for a building licence was received for the construction of a dwelling at Lot 171 (2) Worlanna Mews, Quinns Rocks. The dwelling was a two storey timber framed dwelling utilizing a truss roof system. The approved plans included details of the wall and bracing system prepared by Strutterre Consulting Engineers. The licence was issued on 14 April 1994. Records show that a footing inspection was carried out on 10 June 1994 and that the dwelling was completed about September 1994.

Over a period of time, commencing about June 1995, inspections and reports, prepared by various parties were received by the City. It was also indicated that the Builders' Registration Board (BRB) was involved in proceedings. Council received a number of Engineer's reports which indicated there were a number of structural issues. It became known that in October 1995 the proceedings with the BRB were stopped and it was understood arbitration had commenced. It now appears the arbitration proceedings have not proceeded.

In December 1995, Council Consulting Engineers, Pritchard & Francis, were asked to comment on the reports, and in February 1996 an inspection of the property took place. Council's Consulting Engineer advises that there are a number of structural items that should be attended to. He was not of the view there was any immediate danger. On 21 March 1996, the Solicitor for the owner met with the Town Clerk, Council Officers and Council's Legal Advisor and lodged claims seeking damages against the Council. A written claim has not been received at the time of writing this memorandum. Notwithstanding the claim, our Legal Advisor recommends we continue to pursue the statutory options. Clearly, there are a number of departures from the approved drawings in that there are structural issues requiring rectification, and that the workmanship is of a poor standard. Council's options are limited to prosecution proceedings and the service of a notice in accordance with Section 401 of the Local Government Act.

**MOVED** Cr O'Grady, **SECONDED** Cr Wood that Council, with respect to Lot 171 (2) Worlanna Mews, Quinns Rocks:

- 1 instigates prosecution proceedings against Kestral Holdings Pty Ltd for departure from the approved plans;
- 2 serves a notice on Kestral Holdings Pty Ltd under Section 401 of the Local Government Act requiring rectification of structural and workmanship issues.

**CARRIED**

**C102-03/96      LUISINI WINERY - [050-15]**

Correspondence has been received from the Ministry for Planning in regard to long term proposals for the Luisini Winery. The WA Planning Commission has resolved to call tenders for the preparation of a conservation plan for the Winery. It further resolved to invite the City of Wanneroo to partake in discussions to ensure a satisfactory outcome.

The WA Planning Commission has allocated \$20,000 in its 1995/96 budget for the preparation of the conservation plan. In order for the works to be substantially completed prior to end of the financial year, it is necessary for discussions to take place as a matter of urgency.

At its meeting on 20 March 1996, the Historical Sites Advisory Committee recommended Council:

- 1 establishes a working committee, comprising representatives from the Historical Sites Advisory Committee, Council officers and WA Planning Commission representatives, to liaise with consultants appointed by the Ministry for Planning, to assist with consultations for the conservation and development of the Luisini Winery;
- 2 agrees, in principle, to accept a lease on the Luisini Winery, conditional upon Council's endorsement, upon advice from the Historical Sites Advisory Committee, of any future use for the property, as determined by the outcome of the Conservation Plan;
- 3 establishes a sub-committee of the Historical Sites Advisory Committee to determine potential uses for the Luisini Winery in the context of Council's historical objectives;
- 4 ensures adequate community consultation occurs in consideration of this matter.

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

- 1 establishes a working committee, comprising representatives from the Historical Sites Advisory Committee, Council officers and WA Planning Commission representatives, to liaise with consultants appointed by the Ministry for Planning, to assist with consultations for the conservation and development of the Luisini Winery;
- 2 agrees, in principle, to accept a lease on the Luisini Winery, conditional upon Council's endorsement, upon advice from the Historical Sites Advisory Committee, of any future use for the property, as determined by the outcome of the Conservation Plan;
- 3 establishes a sub-committee of the Historical Sites Advisory Committee to determine potential uses for the Luisini Winery in the context of Council's historical objectives;
- 4 ensures adequate community consultation occurs in consideration of this matter.

**CARRIED**

**C103-03/96**      **1996 IMM NATIONAL CONGRESS - 19-22 MAY 1996,**  
**CANBERRA - [202-1-5]**

The annual National Congress of the Institute of Municipal Management will again be held at the National Convention Centre in Canberra, this year over the period 19-22 May.

The Conference theme is *Sailing the "C's" of Challenge* ; and will address the key issues of Creativity, Commitment, Competitiveness, Communication and Culture. The theme of the conference is based on the premise that the attainment of excellence requires more than the application of technical skills to achieve efficiency, effectiveness and increased productivity; creativity and "people skills" are also vital tools in the pursuit of excellence.

Registration fees, accommodation and airfares are in the order of \$3,000 per person. Whilst funds are available within account 20151, Town clerk's Department - Executive - Conference Expenses, an overexpenditure is required against allocation 20006, Members of Council - Conferences to facilitate the attendance of an elected member.

The IMM National Congress is consistent in its quality and relevance, and participation is highly recommended.

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

- 1 authorises the attendance of the Mayor and the Chief Executive Officer Elect at the 1996 IMM National Congress to be held in Canberra over the period 19-22 May 1996;
- 2 authorises, in accordance with the provisions of Section 547(12) of the Local Government Act, the expenditure of funds from allocation 20006 to facilitate attendance by the Mayor;
- 3 authorises the expenditure of funds from allocation 20151 to facilitate the attendance of the Chief Executive Officer Elect.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT**

**REQUEST FOR SPEED SIGNS - KAROBORUP ROAD, CARABOODA - [510-466]**

Cr Waters requested that Council contacts Main Roads WA requesting speed signs on Karoborup Road, Carabooda.

This matter will be referred to Engineering Department for action.

**C104-03/96      REQUEST FOR TRANSCRIPT - CR WATERS - [702-0]**

Cr Waters requested a transcript of the deputations heard at the Finance and Community Services Committee meeting on 18 March 1996. This section of the Committee meeting was taped at the request of Cr Waters.

Councillors were not in agreement to a transcript being provided, and a suggestion was made that the tape be held for a period of three months, and thereafter destroyed.

**MOVED** Cr Major, **SECONDED** Cr Lynn that the tape recording of the deputations heard at the Finance and Community Services Committee meeting on 18 March 1996 be held by the Committee Clerk for a period of three (3) months and thereafter destroyed.

**CARRIED**

Cr Ewen-Chappell dissented.

**FIRE AT MINDARIE - [061-241]**

Cr O'Grady referred to the recent fire within the dunes at Mindarie and the memorandum from the Manager, Municipal Law and Fire Services, outlining details of the incident, which was sent to Councillors.

Cr O'Grady wished to know why no police action had been taken and requested that Council contacts the Police Department in this regard.

**C105-03/96      UPGRADING OF PARKING PROVISIONS - EDGEWATER  
PRIMARY SCHOOL - [502-6]**

Cr Cooper referred to damage being caused to the lawns at the front of the Edgewater Primary School and to the houses opposite and believed that the Education Department ought to take responsibility for parking arrangements. He requested that Council obtains the views of affected residents and then contacts the Education Department regarding it contributing to the provision of parking arrangements, similar to those in Joondalup City Centre.

**RESOLVED** that a report be submitted to Technical Services Committee outlining the costs and feasibility of improving the parking arrangements around the Edgewater Primary School similar to the parking arrangements within Joondalup City Centre, with a view to approaching the Education Department for a contribution for parking.

**C106-03/96      REQUEST FOR REPORT - PARKING OFFICERS - [502-6]**

Cr Ewen-Chappell requested a report on the feasibility of parking officers being employed to patrol parking problems, in preference to Rangers undertaking this work.

**RESOLVED** that a report be submitted to Finance and Community Services Committee on the feasibility of parking officers being employed to patrol parking problems.

Crs Waters and Magyar left the Chamber at this point, the time being 2220 hrs.

**IDENTIFICATION SIGNAGE FOR COUNCIL FACILITIES - [210-2]**

Cr Moloney referred to the discussion held at the Council meeting on 28 February 1996 in relation to Identification Signage for Council Facilities - Item TS24-02/96 refers. During this discussion it was pointed out that Council's staff did not have the expertise in-house to undertake the work and this comment, together with the cost involved, has raised a great deal of public concern.

Cr Moloney requested that Council issues a press release outlining the reasons why it is considered necessary to engage a consulting firm to develop a signage strategy for the identification and promotion of Council facilities.

This matter will be referred to Building Department for action.

Cr Hall left the Chamber at this point, the time being 2223 hrs.

**EFFLUENT DISPOSAL - LAKELANDS VILLAGE CARAVAN PARK - [30/95]**

Cr Taylor referred to legal proceedings in relation to Effluent Disposal, Lakelands Village Caravan Park (Item CS156-09/95 refers) and enquired whether he would still be required to give evidence on this matter.

City Environmental Health Manager advised that witnesses were no longer required, as a plea of guilty had been entered. He apologised for not advising Cr Taylor sooner.

**WORKSHOP - COMMUNITY CONSULTATION - [702-0]**

Cr Curtis requested a workshop be held to discuss improved ways of consulting with members of the community.

Crs Hall and Waters entered the Chamber at this point, the time being 2226 hrs.

The Mayor advised a report would shortly be submitted to Policy Committee in this regard.

Cr Magyar entered the Chamber at this point, the time being 2227 hrs.

Cr Taylor left the Chamber at this point, the time being 2227 hrs.

**C107-03/96      REQUEST FOR REPORT - RETICULATION OF DRY PARKS - [250-6]**

Cr Cooper requested a report be submitted to Technical Services Committee on the cost and feasibility of reticulation being installed in dry parks, with priority being given to larger dry parks.

**RESOLVED** that a report be submitted to Technical Services Committee on the cost and feasibility of reticulation being installed in dry parks, with priority being given to larger dry parks.

C108-03/96

LOCAL GOVERNMENT ACT/STATE PLANNING ACT -  
[970-2-3]

Cr Cooper referred to the new Local Government Act and State Planning Act, and advised that comments had been made to him of possible problems which may arise from these Acts due to the lack of attention to the legalities.

Cr Ewen-Chappell left the Chamber at this point, the time being 2228 hrs.

He requested a report be submitted to Finance and Community Services Committee, from senior officers, on the desirability of Council obtaining legal interpretations on the new Local Government Act and State Planning Act.

**RESOLVED** that a report be submitted to Finance and Community Services Committee on the desirability of Council obtaining legal interpretations on the new Local Government Act and State Planning Act.

TRAFFIC SPEED PROBLEMS - FLINDERS AVENUE, HILLARYS - [510-631]

Cr Freame referred to a letter submitted earlier in the Meeting from Doreen Lishman in relation to both the volumes and speeds at which traffic travels along Flinders Avenue, Hillarys - Item C69-03/96 refers. Cr Freame advised that problems were being experienced by residents when entering and exiting driveways in Flinders Avenue and requested the traffic flow be monitored between Nos 1 and 2 Flinders Avenue and Mawson Crescent.

This matter will be referred to Engineering Department for action.

C109-03/96

LIBRARIANS - SALARIES - [404-0]

Cr Freame submitted a letter from the professional librarians relating to inequities in salaries and requested a report in this regard.

**RESOLVED** that a report be submitted to Policy Committee in relation to salaries for professional librarians.

C110-03/96

LETTER RELATING TO ENVIRONMENTAL ISSUES -  
WANNEROO ROAD, WOODVALE - [30/0088]

Cr Freame submitted a letter from Mr Paul Conti of Wanneroo Road, Woodvale in relation to environmental issues of dust and odour emanating from the adjacent chicken sheds.

This letter will be referred to Environmental Health Department for a report to Council.

**RESOLVED** that the letter from Mr Paul Conti in relation to environmental issues of dust and odour emanating from the adjacent chicken sheds be received and referred to Environmental Health Department for a report to Council.

**LETTER OBJECTING TO ROADSIDE ELECTION SIGNS - [219-1]**

Cr Freame submitted a letter from the Marmion Sorrento Duncraig Progress and Ratepayers Association Inc requesting that roadside election signs no longer be permitted within the City of Wanneroo.

This letter will be referred to Engineering Department for action.

Cr Ewen-Chappell entered the Chamber at this point, the time being 2230 hrs.

**WANNEROO MARKETS - SAFETY EXITS - [885-1]**

Cr Freame submitted a letter from the Marmion Sorrento Duncraig Progress and Ratepayers Association Inc in relation to safety exits at Wanneroo Markets.

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

**C111-03/96      REPORT IN RELATION TO FEES - TRADING IN PUBLIC PLACES - [930-19]**

Cr Freame requested a report be submitted to Policy Committee in relation to the fees for Trading in Public Places, in light of the address made to Council at its meeting of 27 March 1996 by Mr G Stuart.

**RESOLVED** that a report be submitted to Policy Committee in relation to the fees for Trading in Public Places.

Cr Taylor entered the Chamber at this point, the time being 2231 hrs.

**FOOTPATH - BANKS AVENUE, HILLARYS - [510-390]**

Cr Freame referred to the footpath on the northern side of Banks Avenue, Hillarys. She advises the footpath ends, for no apparent reason, between the undercover car park and the car park at National Mutual and requested this matter be investigated.

This matter will be referred to Engineering Department for action.

Cr Wood left the Chamber at this point, the time being 2231 hrs.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING**

Nil

**PUBLIC QUESTION/COMMENT TIME**

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS WERE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

**MOVED** Cr Curtis, **SECONDED** Cr Taylor that the Meeting be held behind closed doors, the time being 2246 hrs.

**CARRIED**

The public and members of the press left the Chamber at this point.

**CONFIDENTIAL BUSINESS**

**C99-03/96      HISTORICAL ESSAY COMPETITION - [240-12]**

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

- 1            CITY LIBRARIAN'S REPORT (Attached hereto in the Minute Book) be received;
- 2            Council awards prizes for the 1996 Historical Essay Competition as outlined in the City Librarian's Report and presents such prizes at the annual Pioneer Luncheon on 19 April 1996;
- 3            names of prize winners be kept confidential until such date.

**CARRIED**

**MOVED** Cr Magyar, **SECONDED** Cr Waters that the Meeting be held with the doors open.

**CARRIED**

**DATE OF NEXT MEETING**

The next Ordinary Meeting of Council has been scheduled for **WEDNESDAY 24 APRIL 1996.**

There being no further business, the Chairman declared the Meeting closed at 2248 hrs, the following Councillors being present at that time:

COUNCILLORS:    WATERS  
                  FREAME  
                  O'GRADY  
                  DAMMERS  
                  COOPER  
                  EWEN-CHAPPELL  
                  MOLONEY  
                  MAGYAR  
                  HALL  
                  WIGHT  
                  TAYLOR  
                  MAJOR  
                  CURTIS  
                  LYNN