

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, 25 SEPTEMBER 1996

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor, Acting Chairman	
	from 2026 hrs to 2028 hrs	South-West Ward
	L O'GRADY	North Ward
	P O HEALY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	T W POPHAM	South Ward
	D K TIPPETT, JP	South Ward
	G A MAJOR	South-West Ward

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

Apologies for absence were tendered by Crs Lynn, Duffy and Hancock.

There were 62 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 1932 hrs.

## **PUBLIC QUESTION TIME**

Mr Whitehall of 320 Warwick Road, Warwick submitted the following question at the Council meeting of 28 August 1996:

Q1(a) Why did the Building Department pass plans for retaining walls on his property which were inadequate. On approaching the Building Department, no reasonable answers have been given, and this matter has been ongoing for a number of years and answers are requested.

Answer: The application for the building licence for the proposed retaining walls was correctly submitted and the engineers details provided were acceptable. There is no reason why the building licence should not have been issued.

Q1(b) Also the contractor did not construct the retaining walls on the boundary as shown on the plans, as the parting wall between the two houses should have had a parting fence on top following construction and this cannot be done. Cr Major has raised this issue on a number of occasions.

Answer: Where a retaining wall is constructed on a boundary, Council's Local Laws require that the boundary fence be located on the higher level. This was a condition of approval on the approved plans. The builder of the retaining wall has stated that he advised the owners that the fence was to be located on the higher level but its relocation was not part of his quote. The adjoining owners advised that they were unable to assist with the realignment of the fence. It is considered that the provision of retaining and erection of the fence is the responsibility of the owner.

Mr John Del Borello of Newby Place, Sorrento submitted the following letter at the Council meeting of 25 September 1996:

"I would like this letter placed on notice for consideration by the full Council at its next meeting.  
In the past months, I have grown concerned at events surrounding the construction of a dwelling at Lot 560 Manakoora Rise in Sorrento.  
This residence is opposite my home and my brother Tony has been among those to raise objections over its approval by Council and the course of the work since.  
As a builder, I have always endeavoured to adhere strictly to the rules and regulations set out by Council and in particular I

have always felt it necessary to conform to the plans approved by Council in each project I undertake.

The residence at Lot 560 appears to feature a most liberal interpretation of the rules and regulations with some of its features well outside my own understanding of those rules. I understand that work on the site has been stopped due to departures from the approved plans.

I would like to ask Council to take the strongest possible line in dealing with these matters as the principles at stake here, and the way Council deals with them, must surely send a strong signal to others in the building industry."

The Chief Executive Officer advised that this matter is currently under investigation and expected to be resolved in the near future.

Mr R J Bastow of Lacepede Drive, Sorrento submitted the following questions at the Council meeting of 25 September 1996:

Q1 Can you explain why a registered builder has apparently deviated from approved plans to the extent that is described in the article?

A1 No. It appears that the builder acted on instructions from the owner.

Q2 Living as I do near the intersection of Lacepede and Ashmore Way, Sorrento, I am deeply concerned that Council has approved such a massive structure which clearly impacts in such a detrimental way on adjoining neighbours due to its excessive height.

A2 The concerns are noted.

Q3 As I am a registered builder, could you explain to me why the appropriate setbacks were not adopted on this building site and why there is clearly a breach of good planning processes and the R Codes in relation to this dwelling?

A3 The matter is currently the subject of investigation and negotiations with the relevant parties.

Q4 It appears to me Council has been totally inept or incompetent in this planning matter and as a result residents are distressed and totally dissatisfied by Councils actions.

A4 The comment is noted.

- Q5        Could you please advise me on what action Council intends to take to make the builder correct the departures from the approved plans?
- A5        Council has served a stop work order on the builder. An appeal has been lodged with the Minister for Local Government by the owners. The matter is now being considered by the Minister who may dismiss or uphold the appeal with or without conditions.
- Q6        What steps do you intend to take to limit the height of the building and remedy the situation to the satisfaction of local residents and the plans approved by Council?
- A6        The issue of height is one of the issues being considered in the appeal. It should be noted that the Residential Planning Codes do not directly impose height restrictions.

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

- Q1        Page 92, Item 9. Consultancy contract 24/4/96. Is there a proper contract in writing and who was a witness to this document?
- Q2        Page 7 Legal advice. How much has it cost Council in legal fees in this Financial year? Have any tenders been put out this year?
- Q3        Page 7 "Newsextra". How much was Newsextra worth? Did this go to tender? Who is the agent who delivers Newsextra, for how much?

The Chief Executive Officer advised he would take these questions on notice and advise Mrs Hine accordingly.

Mr Barry Higgins of Bernard Road, Carabooda submitted the following questions at the Council meeting of 25 September 1996:

- Q1        Does the Wanneroo CC Royal Commission Interim Report contain any adverse findings concerning any Councillor(s)/employee(s)?
- A1        Yes, both employees and Councillors were criticised in the report.
- Q2        If so, who are those Councillor(s)/employee(s) and what is the nature of such findings?

- A2 In this forum it is not appropriate to endeavour to summarise the report or explain the criticism. The report is a public document and copies can be obtained from the State Law Publisher.
- Q3 What action is proposed/has been taken by Council as a consequence of such findings?
- A3 No offences have been committed which would require action by this Council. Where criticism relates to policies or administrative procedures action has been taken to correct the situation and should the Royal Commission believe that it has evidence of illegality it will refer the matter to the Director of Public Prosecutions.

Mr Vic Harman of Ocean Reef referred to a question he had previously submitted regarding telecommunication towers.

Mr Harman drew to Council's attention an article in the September issue of Electronics Australia regarding the proposed introduction of a global satellite system in 1998. He requested the support of Council for representation to the Federal Government to have a moratorium on the construction of any further towers or placing of overhead cables.

The Chief Executive Officer advised that a written response to his question would be sent to Mr Harman. He further stated that this issue is continuing and Council is dealing with the WA Municipal Association in representing all of local government in Western Australia. The Chief Executive Officer believed that Senator Alston is visiting WA in the next week or two and it is hopeful that representatives of the major Councils will be able to talk to him direct on this problem.

#### **CONFIRMATION OF MINUTES**

**C403-09/96**      **MINUTES OF COUNCIL MEETING, 28 AUGUST 1996**

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that the Minutes of the Council Meeting held on 28 August 1996, be confirmed as a true and correct record.

**CARRIED**

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

Nil

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

Nil

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

### **GLOUCESTER LODGE MUSEUM OPEN DAY**

Although the weather was far from favourable those attending Gloucester Lodge Museum Open Day at Yanchep on Sunday 15 September enjoyed this annual event.

One of the highlights of the day was the first public viewing of the restored clinker built row boat, a relic of when Yanchep was a popular holiday resort.

The row boat, which gave so much pleasure to holidaymakers was restored by eight young LEAP participants, and is now part of the museum's display.

I had much pleasure in presenting these young people with a certificate in recognition of a job well done.

### **CROSS CULTURAL WORKSHOP**

Tomorrow and Friday, the City of Wanneroo will host a Cross Cultural Workshop programme aimed at building a better relationship between Aboriginal and Torres Strait Islanders and the community.

Members of the WA Council of Aboriginal Elders and Council staff will take part in the workshop as a first step in developing a permanent relationship with our Aboriginal community.

I believe this Cross Cultural Consultation will establish improved understanding between the participants which will then flow on to the wider community.

### **PERRY'S PADDOCK PICNIC DAY**

This annual free family event will take place on Sunday, 20 October from 10.00 am to 4.00 pm at Perry's Paddock on Ocean Reef Road, Woodvale.

A number of new attractions such as a giant maze, a climbing wall, performances by members of multicultural groups within the district, displays of sheep shearing and sheep dog trials, and an innovative mail man relay race involving runners, cyclists and horse riders will add to the fun of the day.

Other popular activities, which have become part and parcel of Perry's Paddock, are the children's races, the tug-o-war, the pony events, a fashion parade of clothes worn in the 1920's and

30's, and lessons in the old Wanneroo school house now relocated in Perry's Paddock and reminiscent of the education received by the grandparents of today's children.

Of course, the day will culminate in the Perry's Paddock Cup stockman's horse race.

#### **PETITIONS, MEMORIALS AND DEPUTATIONS**

##### **CELEBRATION MASS - SISTERS OF MERCY**

Cr Freame informed Council she had represented Council at a celebration mass held on 22 September 1996 at the Perth Entertainment Centre to celebrate 150 years service by the Sisters of Mercy.

She advised it was a most beautiful service and presented a copy of the programme of the day to the City Librarian to be placed in the Archives. The Sisters of Mercy have made a home here in Wanneroo for their retirement sisters.

##### **ATTENDANCE AT CONFERENCE - CR TAYLOR**

Cr Taylor took this opportunity to thank Council for sending him to the recent Conference "Roads 96".

Cr Taylor stated he went with the hope of broadening his technical knowledge to allow a better understanding of the Engineering reports, and believes this objective was achieved. He strongly recommended interested Councillors contact the City Engineer to obtain literature and discussion papers.

Cr Taylor felt the interaction and discussion with members of staff of other local government authorities was beneficial regarding the different approaches taken in relation to structural reform and in this regard urged Councillors to support the Item within the Chief Executive Officers' Report - "Organisational Structure Review".

##### **ATTENDANCE AT CONFERENCE - CR WIGHT**

Cr Wight thanked Council for the opportunity to attend the Building Surveyors Conference in Melbourne which he found very informative.

##### **ATTENDANCE AT CONFERENCE - CR MAGYAR**

Cr Magyar thanked Council for allowing him to attend the 3 day Groundwater and Land Use Planning Conference in Fremantle. He stated the main point of interest from this conference was that Perth is extremely fortunate in having the Gngangara Mound.

**C404-09/96**      **PETITION OPPOSING INCREASED QUARRYING HOURS - PT  
LOT 6 WESCO ROAD, NOWERGUP - [30/2831]**

Cr O'Grady submitted a 76-signature petition from residents of Gibbs Road, Wattle Avenue and surrounding area requesting Council to reject the application by the operator of the quarry on Pt Lot 6 Wesco Road, to operate outside the current licensed times.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the petition from residents of Gibbs Road, Wattle Avenue and surrounding area requesting Council to reject the application by the operator of the quarry on Pt Lot 6 Wesco Road, to operate outside the current licensed times be received and referred to Town Planning Department for a report to Town Planning Committee.

**CARRIED**

**C405-09/96**      **LETTER OBJECTING TO THREE STOREY BUILDING - TYSON  
PLACE, QUINNS ROCKS - [30/5255]**

Cr O'Grady submitted a letter from A and J Duplock objecting to the proposed three storey dwelling in Tyson Place, Quinns Rocks.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the letter from A and J Duplock objecting to the proposed three storey dwelling in Tyson Place, Quinns Rocks be received and referred to Building Department for a report to Technical Services Committee.

**CARRIED**

**JUNIOR COUNCIL CAMP**

Cr O'Grady thanked Councillors on behalf of Junior Council for supporting them in the Junior Camp. It was a highly motivated camp and everyone that attended gained from the experience.

The Mayor took this opportunity to thank Cr O'Grady on behalf of fellow Councillors for her interest in Junior Council. He stated Council is very appreciative of the amount of work she had put into it.

**C406-09/96**      **PETITION OBJECTING TO ILLEGAL DUMPING - LOT 171  
ARISTRIDE AVENUE, KALLAROO - [2935/171/1]**

A 4-signature petition has been received from residents of Kallaroo objecting to the illegal dumping of sand and rubbish on Lot 171 Aristride Avenue and seeking Council assistance for its removal.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the petition from residents of Kallaroo objecting to the illegal dumping of sand and rubbish on Lot 171 Aristride Avenue be received and referred to Town Planning Department for a report to Town Planning Committee.

**CARRIED**

**C407-09/96**      **PETITION OPPOSING THE USE OF PERFORMING ANIMALS  
IN CIRCUSES - [260-8]**

Three petitions of 18-signatures, 31-signatures and 1-signature have been received from residents of Western Australia opposing the use of performing animals in circuses because:

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

Council considered this matter at its meeting of August 1996 (item P82-08/96 refers). These petitions will be referred to Recreation and Cultural Services Department for noting.

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

**CARRIED**

**C408-09/96**      **PETITION OBJECTING TO EXCESSIVE NOISE - SIMPSON  
DRIVE, PADBURY - [1093/35/6]**

A 4-signature petition has been received from Padbury residents objecting to excessive noise emanating from a property in Simpson Drive, Padbury.

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

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

**CARRIED**

**C409-09/96**      **REQUEST FOR REMOVAL OF TRAFFIC ISLAND, KYLE COURT, JOONDALUP - 510-3300**

A 42-signature petition has been received from residents requesting the removal of the traffic island at Kyle Court, Joondalup.

The petitioners state that the traffic island is proving a dangerous hazard, which may result in an accident.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the petition from residents requesting the removal of the traffic island at Kyle Court, Joondalup be received and referred to Engineering Department for a report to Technical Services Committee.

**CARRIED**

**C410-09/96**      **PETITION IN SUPPORT OF NIGHT DRIVING RANGE, JOONDALUP GOLF COURSE - [30/4576]**

A 70-signature petition has been received from members of Joondalup Country Club supporting the existence of the night driving range at Joondalup Golf Course.

The petitioners believe this is an excellent facility, both for the members of the Country Club and the surrounding community.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the petition from members of Joondalup Country Club supporting the existence of the night driving range at Joondalup Golf Course be received and referred to Town Planning Department for a report to Town Planning Committee.

**CARRIED**

**C411-09/96**      **PETITION OPPOSING HOME MEDITATION & HEALING SEMINARS - [0419/745/9]**

A 13-signature petition has been received from residents of Quinns Rocks opposing the conducting of meditation and healing seminars from a private residence in Quinns Rocks.

The petitioners are strongly opposed to this activity as they feel it would have an adverse effect on the locality.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the petition from residents of Quinns Rocks opposing the conducting of meditation and healing seminars from a private residence in Quinns Rocks be received and referred to Town Planning Department for a report to Town Planning Committee.

**CARRIED**

**C412-09/96**      **REQUEST FOR PART CLOSURE OF DALTON CRESCENT,  
KINGSLEY - [510-2177]**

A 34-signature petition has been received from Kingsley residents requesting the part closure in the middle of Dalton Crescent, Kingsley.

The petitioners are requesting this course of action in an attempt to alleviate the constant reckless speeding vehicles that are using Dalton Crescent as a thoroughfare.

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

**MOVED** Cr Freame, **SECONDED** Cr Popham that the petition from Kingsley residents requesting the part closure in the middle of Dalton Crescent, Kingsley be received and referred to Engineering Department for a report to Technical Services Committee.

**CARRIED**

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

**MANAGEMENT COMMITTEES**

- A      SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)  
         MANAGEMENT COMMITTEE  
         Meeting held 25 July 1996
- B      GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE  
         Meeting held 7 August 1996  
         Meeting held 4 September 1996

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

**CARRIED**

ADVISORY COMMITTEES

- A CULTURAL DEVELOPMENT ADVISORY COMMITTEE  
Meeting held 22 July 1996
- B DISABILITY ACCESS ADVISORY COMMITTEE  
Meeting held 1 August 1996
- C BUSH FIRE ADVISORY COMMITTEE  
Meeting held 8 August 1996
- D CHILDREN'S SERVICES ADVISORY COMMITTEE  
Meeting held 26 August 1996
- E HISTORICAL SITES ADVISORY COMMITTEE  
Meeting held 28 August 1996
- F MULTICULTURAL ADVISORY COMMITTEE  
Meeting held 11 September 1996

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

**CARRIED**

OTHER COMMITTEES

- A BURNS RATEPAYERS & RESIDENTS ASSOCIATION (INC)  
Meeting held 8 August 1996
- B QUINNS ROCKS RECREATION ASSOCIATION  
Meeting held 13 August 1996  
Meeting held 4 September 1996
- C BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION  
Meeting held 15 August 1996
- D WHITFORD RECREATION ASSOCIATION  
Meeting held 19 August 1996
- E JUNIOR COUNCIL  
Meeting held 4 September 1996

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

**CARRIED**

**DECLARATIONS OF FINANCIAL INTEREST**

Cr Dammers declared an interest in Item TP209-09/96.

Cr Taylor declared an interest in Item TS242-09/96

Cr Wight declared an interest in Items TS259-09/96 and C425-09/96

Cr Tippett declared an interest in Items C424-09/96 and C428-09/96

Cr Healy declared an interest in Item C436-09/96

**BUSINESS REQUIRING ACTION**

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**Legend - Numbering System:**

**B - Business for Information**

**C - Council**

**CS - Community Services**

**OC - Occasional Committee**

**P - Policy**

**TP - Town Planning**

**FA - Finance & Admin Resources**  
**SC - Special Council**

**TS - Technical Services**

**MOVED** Cr Cooper, **SECONDED** Cr Healy that the Report of the Policy Committee held on 9 September 1996 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	A W WIGHT	South Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward
	P O HEALY - Deputising for Cr O'Grady	North Ward
	T W POPHAM - Observer	South Ward
	S P MAGYAR - Observer	Central Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Environmental Health Manager:	M AUSTIN
Committee Clerk:	J HARRISON

**APOLOGIES**

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

Apologies for absence were tendered by Crs Lynn, Cooper and Taylor.

**CONFIRMATION OF MINUTES**

The Minutes of Policy Committee Meeting held on 12 August 1996 were confirmed as a true and correct record.

**PETITIONS AND DEPUTATIONS**

P92-09/96 PETITION REQUESTING PROVISION OF DUAL PURPOSE TRACK - LAKE JOONDALUP - [750-12]

P93-09/96 REQUEST FOR DONATION - [009-1]

**DECLARATIONS OF FINANCIAL INTEREST**

Nil

**MEETING TIMES**

Commenced: 1802 hrs  
Closed: 1906 hrs

**REPORT NO:**

**P86-09/96**            **CODE OF CONDUCT - [312-2]**

In April 1995, Council considered the draft Voluntary Code of Conduct submitted by the WA Municipal Association and recommended minor amendment to the draft. The draft code was subsequently issued, without reflecting Council's suggested amendments, and has now been adopted by a number of local governments.

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

- 1            nominates Crs Freame and Popham to form a Code of Conduct Working Party, together with an officer nominated by the Chief Executive Officer;
- 2            requires the Code of Conduct Working Party to research and address the issues related to Codes of Conduct, prepare a draft Code of Conduct for the City of Wanneroo and submit that draft, together with a discussion paper, to the Policy Committee no later than December 1996.

**CARRIED**

**P87-09/96**            **ON-SITE MEETINGS - [702-3]**

This Item was considered later in the meeting following Item P88-09/96.

**P88-09/96**            **POLICY - ACCESS TO AUDIO-TAPES OF COUNCIL PROCEEDINGS - [702-3]**

As the number of requests for verbatim transcripts has increased this has resulted in an unacceptable diversion of staff resources to the provision of this service.

It is proposed that the public be allowed to purchase copies of the taped proceedings of Council as a way of providing this information without reducing the level of service provision.

The Chief Executive Officer raised an issue that was not discussed at Policy Committee, but which has an effect in accordance with the change of this policy, in that under the old policy there was a paragraph that read as follows:

"No person shall be permitted to tape record any proceedings of the Council or to bring into any Council Meeting a tape or other recorder without the prior approval of the Council."

He pointed out that Councillor's attention should be drawn to the fact of whether they wished to implement that same paragraph in the new policy, or whether they were happy to relinquish that control.

#### RECOMMENDATION

That Council:

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

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

"ACCESS TO AUDIO-TAPE RECORDINGS OF COUNCIL MEETINGS

#### OBJECTIVE

To provide open and accountable local government.

#### STATEMENT

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

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

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

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

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

Cost of tape \$ 3.50

Staff Time (per hour for the first hour or part thereof; additional hours to be pro rata) \$30.00

**MOVED** Cr Taylor, **SECONDED** Cr Cooper that the following be included in the proposed Policy:

"Councillors may obtain a copy of any relevant Item or Items (free of charge) with the approval of the Chief Executive Officer. Should this be rejected, the matter to be referred to Council."

Discussion ensued. Cr Taylor, with the approval of Cr Cooper advised that he wished to have this Motion **WITHDRAWN**

**MOVED** Cr Taylor, **SECONDED** Cr Cooper that consideration of Council's policy in relation to access to audio-tapes of Council proceedings be deferred and referred back to Policy Committee. **CARRIED**

Cr Taylor requested that Item P87-09/96 be reconsidered at this point.

**P87-09/96** **ON-SITE MEETINGS - [702-3]**

Some Councillors have expressed concern that on-site meetings with electors, officers and Councillors may be called without other Ward Councillors receiving due notice of the meeting.

**RECOMMENDATION**

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

"ON SITE MEETINGS

Objective

To keep Ward Councillors informed of proposed Site Meetings.

Statement

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

**MOVED** Cr Major, **SECONDED** Cr Taylor that consideration of the adoption of Council's policy in relation to on-site meetings with electors, officers and Councillors be deferred and referred back to Policy Committee for further discussion.

**CARRIED**

**P89-09/96** **AUSTRALIAN HORSE RIDING CENTRES (WA BRANCH) - [460-1]**

Council recently received correspondence from the Australian Horse Riding Centre. The Centre is seeking support for its campaign to ensure horse riders wear safety helmets when riding horses in public areas.

**RECOMMENDATION**

That Council:

- 1 writes a letter of support to the Australian Horse Riding Centre (WA Branch);
- 2 writes to local Members of Parliament suggesting that they support the proposal that all people wear safety helmets whilst riding horses in public areas.

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

- 1 writes a letter of support to the Australian Horse Riding Centre (WA Branch);
- 2 writes to local Members of Parliament and the Minister for Police suggesting that they support the proposal that all people wear safety helmets whilst riding horses in public areas.

**CARRIED**

**P90-09/96**

**HOT LINE TO ANSWER AFTER HOURS ENQUIRIES FROM THE PUBLIC - [905-3]**

Council has sought a report addressing the possible use of telecommunications technology to provide a dial-up information service. The Building Department is currently negotiating with Telstra in respect to a telephone system called SPECTRUM. Among other things this system would provide a hot line facility.

**REPORT RECOMMENDATION:** That Council considers options for the enhancement of its after-hours communications service upon completion of the Building Department's evaluation of Telstra's Spectrum system.

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

- 1 Council considers options for the enhancement of its after-hours communications service upon completion of the Building Department's evaluation of Telstra's Spectrum system;

2 a report be submitted to the October 1996 meeting of the Policy Committee giving anticipated timeframe for receipt of options.

**CARRIED**

**P91-09/96**            **DELEGATION OF AUTHORITY - POLICY ITEM E1 - [201-1, 920-5]**

Council is advised of an ambiguity in Council Policy Item E1 which deals with Caravan Parks - Erection of Annexual Structures.

This report provided background details of the current Policy E1 and relevant By-law and advises that as the By-law prevails, it is appropriate to rewrite the relevant Policy item.

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

1 Council adopts the following Policy in relation to Caravan Additional Structures:

The City Environmental Health Manager may approve applications for the erection of all "other structures" referred to in Item 5 of Schedule Y of Council's Caravan Parks and Camping Grounds By-laws. Such structures to conform with the following conditions:

- (a) all applications to be endorsed by Park Manager;
- (b) construction to be all metal where practicable;
- (c) structure not to encroach on 4.5 metre bay clearance;
- (d) structure must be capable of being dismantled easily;
- (e) structure to be neat and aesthetic;
- (f) structure to be subject to a building licence;

2 the \$40 fee for Building Licence 96080233 be refunded to Mr John Evans of 62 Fitzgerald Road, Morley.

**CARRIED**

**P92-09/96**            **PETITION REQUESTING PROVISION OF DUAL PURPOSE TRACK - LAKE JOONDALUP - [750-12]**

Cr Hancock submitted a 283-signature petition from residents of the City of Wanneroo requesting urgent consideration be given to the provisions of a dual purpose bicycle and walk track around

the borders of Lake Joondalup to link the eastern side of the lake with the existing walk trails on the western side of Lake Joondalup.

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

**MOVED** Cr Freame, **SECONDED** Cr Wight that the petition from residents of the City of Wanneroo requesting urgent consideration be given to the provisions of a dual purpose bicycle and walk track around the borders of Lake Joondalup to link the eastern side of the lake with the existing walk trails on the western side of Lake Joondalup be received and referred to Town Planning Department for a report to Town Planning Committee.

**CARRIED**

**P93-09/96            REQUEST FOR DONATION - [009-1]**

Cr Popham submitted a request for financial assistance for Marcus Wulf to represent Western Australia at the National State Schoolboys Under 18 Rugby Competition in Sydney on 15 September 1996.

This request will be referred to Treasury Department for a report to Finance and Community Services Committee.

**MOVED** Cr Freame, **SECONDED** Cr Wight that the request for financial assistance for Marcus Wulf be received and referred to Treasury Department for a report to Finance and Community Services Committee.

**CARRIED**

**P94-09/96            NEIL HAWKINS PARK - AUSTRALIA DAY - 26 JANUARY**  
**1997 - [301-5-1]**

At its meeting in March 1996, Council resolved that all future Citizenship ceremonies held on Australia Day be conducted at 5.30 pm to permit Councillors to attend Australia Day breakfasts in their own Wards.

As it is anticipated that the volume of people utilising Neil Hawkins Park on Australia Day could present a problem in relation to the setting up of the venue for the ceremony, consideration is sought from Council for the closure to the public of this venue on the 26 January 1997.

**RECOMMENDATION**

That Council:

- 1 approves the closure of Neil Hawkins Park for Australia Day, Sunday 26 January 1997;
- 2 advertises the closure of the park in the local press, and at the entrance to the park, 30 days prior to 26 January 1997.

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

- 1 rescinds Point 1 of its resolution P16-03/96, viz:  
"That Council 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 conducts an Australia Day Citizenship Ceremony in Neil Hawkins Park at 8.00 am, followed by a breakfast for participants and invited guests.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**P95-09/96            SALE OF FLOWERING SHRUBS - [250-0]**

Cr Duffy referred to the volume of flowering shrubs on verges and queried whether a proportion of these flowers could be picked and sold.

This matter will be referred to Parks Department for a report to Technical Services Committee.

**MOVED** Cr Freame, **SECONDED** Cr Wight that a report be submitted to Technical Services Committee on the feasibility of a proportion of flowering shrubs from Council's verges being picked and sold.

**CARRIED**

**LEGAL ADVICE - [960-1]**

Cr Duffy queried the amount spent each year on legal advice.

Manager, Corporate Services advised of the figure spent last year, and stated that, as a requirement of the new Local Government Act, tenders will be prepared for future legal services.

**P96-09/96            POLICY RELATING TO RENTAL OF CONDOMINIUMS -  
[30/3487]**

Cr Duffy requested details of Council's policy relating to the rental of condominiums. Cr Duffy referred to a property in

Yanchev which he believed was being rented for short period and understood this was not permitted.

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

**MOVED** Cr Freame, **SECONDED** Cr Wight that a report be submitted to Town Planning Committee on Council's policy relating to rental of condominiums.

**CARRIED**

**"NEWS EXTRA" - [702-3]**

Cr Popham asked what feed back has been received following the recent distribution of "News Extra".

Cr Dammers advised that approximately 150 replies had been received, all of which were being answered, with the majority of suggestions relating to recycling. He advised of certain problems which had been experienced with delivery which were to be raised with the distributors.

Chief Executive Officer advised that comments would be summarised for consideration by Council with the Strategic Plan.

**CONDOMINIUM - YANCHEP - [0443/-/5A, 0443/-/5B]**

Cr Hancock raised the issue of a Yanchev resident, who was awaiting a response from Council regarding condominiums. Cr Hancock stated she would refer this matter to the Chief Executive Officer for action.

**OPPOSITION TO CLOSURE OF PEDESTRIAN ACCESSWAY - EDNA WAY AND READSHAW ROAD, DUNCRAIG - [510-726]**

Cr Hancock stated she had been advised by a Junior Councillor, who was a student at Duncraig Senior High School, that local children were opposed to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig - Item TP223-09/96 refers.

This information will be referred to Town Planning Department.

**ADVERTISING ON INTERNET - [206-13]**

Cr Freame requested that investigations be undertaken on the possibility of Council advertising on the Internet.

Chief Executive Officer advised that a report was being prepared in this regard.

**MOVED** Cr Magyar, **SECONDED** Cr Healy that the Report of the Technical Services Committee Meeting, held on 11 September 1996 be received.

**CARRIED**

#### ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	A V DAMMERS, JP - Mayor	Central Ward
	P O HEALY	North
	Ward	
	A W WIGHT - From 1805 hrs	South Ward
	V G HANCOCK	South-West
	Ward	
	G A MAJOR	South-West Ward
	T W POPHAM - Deputising for	
	Cr Taylor	South
	Ward	
	L O'GRADY - Observer from 1805 hrs	North
	Ward	
	S P MAGYAR - Observer	Central Ward
	F D FREAME - Observer to 1916 hrs	South-West Ward

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

#### APOLOGIES

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

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

#### PUBLIC/PRESS ATTENDANCE

There were 8 members of the Public in attendance.

#### PUBLIC QUESTION TIME

Mrs A Hine:

Q1 Is there a reason why some mature trees have been removed from the Wanneroo Showgrounds.

A1 Chairman's response: This matter will be taken on notice and will be answered in writing.

City Parks Manager's response: The trees removed were diseased and had armalarra root rot.

In response to the particular species of trees involved, he advised he would identify these and report in writing.

## **CONFIRMATION OF MINUTES**

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

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

## **PETITIONS AND DEPUTATIONS**

### DEPUTATION - TRAFFIC MANAGEMENT STRATEGY, OCEANSIDE PROMENADE, MULLALOO

Mr Max Taylor and Mr Young addressed the Committee in relation to Traffic Management Strategy, Oceanside Promenade, Mullaloo - Item TS246-09/96 refers.

Mr Taylor advised that he lived on Oceanside Promenade and in reference to the proposed Traffic Management Strategy for Oceanside Promenade commented that Mr Young would be speaking on behalf of concerned residents.

Mr Young stated he resided at 130 Oceanside Promenade in Mullaloo and was concerned with a number of problems associated with Oceanside Promenade in relation to increased volume of traffic and a propensity in recent years towards anti social behaviour on the foreshore.

He referred to the proposed Traffic Management Strategy for Oceanside Promenade and commented that some of the traffic calming initiatives were long overdue and would be welcomed by most people living in Oceanside Promenade.

Mr Young sought clarification of the future of the northern most car park as he believed this car park was prone to mis-use which resulted in anti social activities being conducted in the area

and hoped Council would propose some initiative to solve the problem.

He queried whether consideration had been given to re-surfacing the northern part of Oceanside Promenade as he commented that this section was similar to a country road surface and created a lot of noise.

Mr Young believed that if the foreshore management plan for Oceanside Promenade were to dovetail with other initiatives then consideration should be given to moving car parks as far away as practicable from houses as there were continuing problems for people who reside there.

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

#### **DECLARATIONS OF FINANCIAL INTEREST**

Nil

#### **CONFIDENTIAL BUSINESS**

Nil

#### **MEETING TIMES**

Commenced:	1803 hrs
Closed:	1947 hrs

**REPORT NO:**

**TS236-09/96      TENDER NO 114-95/96 - SUPPLY OF MOBILE GARBAGE BINS - [508-3, 208-114-95/96]**

The tender for supply of Mobile Garbage Bins was considered by Council at its February 1996 meeting (Item TS5-02/96 refers).

This report advises of quality problems with the bins provided by the main supply contractor, reports on bins supplied by the secondary contractor and recommends that the supplier be changed.

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

- 1        terminates Contract Number 114-95/96, supply of Mobile Garbage Bins with McDonald Johnston Engineering Company Pty Limited under Clause 15 of the contract because the goods supplied have not been to the required specification;
- 2        accepts the tender from Brickwood Holdings Pty Limited for Tender No 114-95/96, Supply of Mobile Garbage Bins to supply "BRICKWOOD" bins for the period ending 30 June 1997.

**CARRIED**

**TS237-09/96      METROPOLITAN REGIONAL ROAD PROGRAMME 1997/98 - [540-0]**

Main Roads WA has sought project submissions for the five year rolling Metropolitan Regional Road Programme commencing in 1997/98.

This report outlines road improvement projects to be submitted to Main Roads WA and advises that these projects and other developing roads will be re-evaluated on an annual basis and the five year programme adjusted in accordance with the results of the Multi-Criteria Analysis.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council endorses the City Engineer's submission of the following projects to Main Roads WA for consideration for funding as part of the Metropolitan Regional Road Programme:

Road Improvement Projects

Year

Road

Section

1997/98	Hodges Drive	Marmion Avenue to Joondalup Drive Duplication
1998/99	Marmion Avenue	Anchorage Drive to Baltimore Parade Duplication
1999/2000	Alexander Drive	Gnangara Road to Landsdale Road Duplication
2000/2001	Whitfords Avenue	Endeavour Road to Flinders Avenue Duplication
2001/2002	Marmion Avenue	Burns Beach Road to Kinross Drive Duplication
2001/2002	West Coast Drive	Hepburn Avenue to St Helier Drive Duplication

Road Rehabilitation Projects

1997/98	Alexander Drive	Hepburn Avenue to 100m north of Kingsway Road	Resurface 70mm of asphalt
	Gnangara Road	Wanneroo Road to Hartmann Drive	Resurface 30mm of asphalt
1998/99	Beach Road	Marmion Avenue to Erindale Road	Resurface 30mm of asphalt
1999/2000	Warwick Road Nth Carriageway	Marmion Avenue to Wanneroo Road	Resurface 25mm and 40mm sections of asphalt
2000/2001	West Coast Drive	Beach Road to Hepburn Avenue	Resurface 25mm of asphalt
	Whitfords Avenue	Freeway to CH 6020	Resurface 30mm of asphalt
2001/2002	Pinjar Road	Wanneroo Road to Spence Street	Resurface 30mm - 90mm sections with asphalt

**CARRIED**

**TS238-09/96**      **STATE ROAD FUNDS TO LOCAL GOVERNMENT MEMBERSHIP  
OF NORTH WESTERN REGIONAL ROAD SUB GROUP - [540-  
0]**

Main Roads WA, in co-operation with Local Government develops and manages the road network to meet the needs of the Community. To assist Local Government in road management, the State provides funds for a number of programs administered by the Road Funding Advisory Committee.

This report advises that Main Roads WA has prepared a Procedures Manual for State Road Funds to Local Government and reports on management structure, establishment of an Advisory Committee, Regional Road Groups and membership.

Cr Cooper nominated Cr Taylor.

**MOVED** Cr Cooper, **SECONDED** Cr Freame that Council nominates Councillor Taylor to be its member on the North Western Metropolitan Regional Road Sub Group.

**CARRIED**

**TS239-09/96**      **MINDARIE REGIONAL COUNCIL - AMENDMENTS TO  
CONSTITUTION - [508-5-5]**

This report considers amendments to the constitution of the Mindarie Regional Council to satisfy City of Stirling requirements and to allow the entry of the Towns of Cambridge, Vincent and Victoria Park as members of the Mindarie Regional Council. The City of Stirling has asked for further changes to the draft considered by Council in April 1996 (Item TS75-04/96 refers).

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council advises the Mindarie Regional Council that it agrees to the proposed:

- 1            Deed of Variation of Constitution as detailed in Attachment 2 to Report No TS239-09/96;
- 2            Deed of Settlement as detailed in Attachment 3 to Report No TS239-09/96;
- 3            Deed of Variation of Lease as detailed in Attachment 4 to Report No TS239-09/96;
- 4            Deed of Variation of Constitution admitting New Municipalities as detailed in Attachment 5 to Report No TS239-09/96 provided it is signed after the Deed of

Variation of Constitution, Deed of Settlement and Deed  
of Variation of Lease;

and authorises the affixation of the Common Seal and endorses  
the signing of these documents.

**CARRIED**

Appendices I, II, III and IV refer.

**TS240-09/96      HILLARYS BOAT HARBOUR PARKING STATION - [30/1733]**

In accordance with Section 3.12(2) of Local Government Act  
SUMMARY OF PURPOSE AND EFFECT was read aloud by The Mayor).

*"Council has received a request from the Harbour Master of the  
Hillarys Boat Harbour seeking authority to install general  
parking prohibitions within the Boat Harbour car park.*

*Prior to the installation of any approved prohibitions, it will  
be necessary to amend the Parking Facilities Local Laws to  
include Hillarys Boat Harbour as an additional parking station  
location.*

*This will allow the approved Honorary Parking Inspectors to  
enforce the City of Wanneroo Parking Facilities Local Laws."*

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

- 1        in accordance with the provision of Section 3.12 of the  
Local Government Act 1995, amends its Local Laws  
Relating to Parking Facilities by including Hillarys  
Boat Harbour car park to be established as a parking  
station park as delineated on Drawing No E1232-1 at  
Attachment 1 to Report No TS240-09/96;
- 2        fourteen (14) days after publication of the Local Law  
amendment in the Government Gazette:
  - (a)        authorises the Harbour Master to install "NO  
STANDING ANY TIME" signs within the car park in  
accordance with Australian Standard AS 1742.11 as  
amended and as shown on Drawing No E1232-2 at  
Attachment 2 to Report No TS240-09/96;
  - (b)        authorises the Harbour Master to install "NO  
PARKING ANY TIME" signs along the access roads  
within the car park in accordance with Australian  
Standard AS 1742.11 as amended and as shown on  
Drawing No E1232-2 at Attachment 2 to Report No  
TS240-09/96;

- (c) authorises the Harbour Master to install the following ZONE restrictions "BUS ZONE", "TAXI ZONE", and "LOADING ZONE" signs in accordance with Australian Standard AS 1742.11 as amended and as shown on Drawing No E1232-2 at Attachment 2 to Report No TS240-09/96;
- (d) authorises the Harbour Master to install "FOUR HOUR PARKING" signs within the car park in accordance with Australian Standard AS 1742.11 as amended and as shown on Drawing No E1232-2 at Attachment 2 to Report No TS240-09/96;
- (e) authorises the Harbour Master to install "NO PARKING EMERGENCY VEHICLES EXCEPTED" signs within the car park in accordance with Australian Standard AS 1742.11 as amended and as shown on Drawing No E1232-2 at Attachment 2 to Report No TS240-09/96;
- (f) authorises the Harbour Master to install "TICKET PARKING" signs at the entry points to the northern car park in accordance with Australian Standard AS 1742.11 as amended and as shown on Drawing No E1232-2 at Attachment 2 to Report No TS240-09/96.

**CARRIED**

Appendices V and VI refer.

**TS241-09/96      LAKESIDE JOONDALUP SHOPPING CENTRE - PARKING STATION - [30/3513]**

In accordance with Section 3.12(2) of Local Government Act SUMMARY OF PURPOSE AND EFFECT (was read aloud by The Mayor).

*"Council has received a request from the Management of the Lakeside Joondalup Shopping Centre seeking authority to install general parking prohibitions within the Shopping Centre car park.*

*Prior to the installation of any approved prohibitions, it will be necessary to amend the Parking Facilities Local Laws to include Lakeside Joondalup Shopping Centre as an additional parking station location.*

*This will allow the approved Honorary Parking Inspectors to enforce the City of Wanneroo Parking Facilities Local Laws."*

In relation to Report TS241-09/96 Cr Magyar queried where staff of Lakeside Joondalup Shopping Centre would park their cars.

The Acting City Engineer advised he would take this matter on notice and report to the next meeting of Council to be held on Wednesday, 25 September 1996.

#### **ADDITIONAL INFORMATION**

In response to the query raised by Councillor Magyar at the September meeting of the Technical Services Committee regarding the parking of staff vehicles at the Lakeside Joondalup Shopping Centre.

The Management of the Lakeside Shopping Centre has advised that staff parking is provided in designated areas of the existing car park. All staff vehicles are recorded on a register to enable easy identification by the Centre's Security Staff, the nominated Honorary Parking Inspectors. An identification system such as "STAFF" stickers or "Staff Parking Area Only" zones are not supported by the Management as they may attract vandals and car thieves.

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

- 1 in accordance with the provisions of Section 3.12 of the Local Government Act 1995, amends its Local Laws Relating to Parking Facilities by including Lakeside Joondalup Shopping Centre car park as a parking station as shown on Attachment 1 to Report No TS241-09/96;
- 2 fourteen (14) days after publication of the Local Law amendment in the Government Gazette:
  - (a) authorises the management of the Lakeside Joondalup Shopping Centre to install "FOUR HOUR PARKING" signs within the car park in accordance with Australian Standard AS 1742.11 as amended and as shown on Drawing No E1231-2 at Attachment 2 to Report No TS241-09/96;
  - (b) authorises the management of the Lakeside Shopping Centre to install "NO STANDING ANYTIME" signs along the access roads within the car park in accordance with Australian Standard AS 1742.11 as amended and as shown on Attachment 2 to Report No TS241-09/96;
  - (c) authorises the management of the Lakeside Joondalup Shopping Centre to install "NO PARKING ANYTIME" signs to allow immediate set down and

pickup of passengers and goods adjacent to the main entrances to the shopping centre in accordance with Australian Standard AS 1742.11 as amended and as shown on Attachment 1 to Report No TS241-09/96.

**CARRIED**

Appendices VII and VIII refer.

**TS242-09/96      PARKING STATION NO 6 - WARWICK RAIL STATION -  
[627-9-4]**

Parking Station Number 6, Warwick Rail Station, has been considered by Council on several occasions previously (Items I11202, TS272-09/95 and C561-11/95 refer). At its November 1995 meeting, Council deferred consideration of amendments to the Parking Prohibitions pending the outcome of a meeting between Westrail and Council on the operation and extent of the secured car park.

**RECOMMENDATION**

That Council requests Westrail to:

- 1            submit plans showing the required parking restrictions for Parking Station Number 6 - Warwick Rail Station;
- 2            ensure all disabled parking bays are to Council standard;
- 3            amend the signage at the entrance to the Parking Station from "City of Wanneroo" to "Westrail".

Cr Taylor declared an interest in this Item, as his business is located adjacent to the Warwick Rail Station.

**MOVED** Cr Wight, **SECONDED** Cr Cooper that prior to leaving the Chamber, Cr Taylor be permitted to explain the current situation in relation to this Item.

**CARRIED**

Cr Taylor then gave a brief outline of the current situation as he understood it.

Cr Taylor left the Chamber at this point, the time being 2017 hrs.

**MOVED** Cr Wight, **SECONDED** Cr Cooper that consideration of Parking Station Number 6, Warwick Rail Station be deferred and referred back to Technical Services Committee.

CARRIED

Cr Taylor entered the Chamber at this point, the time being 2019 hrs.

C415-09/96            TRAFFIC CALMING CONTROLS - [502-16, 510-1729, 510-2602, 510-0258, 510-0516]

Cr Cooper made reference to Items TS243-09/96, TS246-09/96, TS247-09/96 and TS249-09/96.

He raised his concerns in relation to traffic calming controls within the City of Wanneroo and the prohibitive costs involved in installing these devices. Cr Cooper felt it more appropriate that an approach be made to the Minister of Transport for the use of multi-nova cameras on local roads.

**MOVED** Cr Cooper, **SECONDED** Cr Wight that Council requests a meeting with the Minister of Transport to discuss road traffic management controls within the City of Wanneroo by one of the following options:

- 1            approval being given to this Council to operate multi-nova cameras; or
- 2            the supply of sufficient multi-nova cameras by the Ministry of Transport for use in controlling traffic management and speeds on local roads.

CARRIED

TS243-09/96            TRAFFIC MANAGEMENT SCHEME - TRAPPERS DRIVE, WOODVALE - [510-1729]

Council has previously considered a petition from residents of Woodvale concerned with the volume and speed of traffic on Trappers Drive (Items C2-02/96 and TS136-06/96 refer). At the June Council meeting it was resolved to list for funding consideration of the construction of pedestrian refuge islands and painted median treatment along Trappers Drive between Timbercrest Rise and Trailwood Drive. A further report outlining a traffic management scheme for Trappers Drive between Trailwood Drive and Camarino Drive was also requested. This would then complete the traffic management for the length of Trappers Drive.

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

- 1            approves in principle the traffic management scheme for Trappers Drive, Woodvale as shown at Attachment 1 to Report No TS243-09/96;

2 advises the petitioners accordingly.

**CARRIED**

Appendix IX refers.

**TS244-09/96      HIRE OF BANNER MASTS IN GRAND BOULEVARD,  
JOONDALUP - [510-2521, 509-3]**

The Water Corporation's Perth North Region has submitted a request to display 16 banners in Grand Boulevard, Joondalup from 20 - 27 October 1996 in association with the Corporation's promotion of National Water Week which is an Australia wide promotion of water conservation. The Water Corporation has previously used the banner masts in 1994 and 1995 for the promotion of Water Awareness Week.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council approves the application submitted by the Water Corporation to hire the banner masts in Grand Boulevard at its junction with Boas Avenue and Reid Promenade from 20-27 October 1996, to promote National Water Week as shown on Attachments 1, 2 and 3 to Report No TS244-09/96.

**CARRIED**

Appendix X refers.

**TS245-09/96      QUINNS FORESHORE EROSION - [765-12, 061-400]**

A letter from Quinns Rocks Recreation Association in relation to the erosion problem along the foreshore at Quinns Beach was tabled at the June 1996 meeting of Council (Item C270-06/96 refers).

The Association expressed particular concern about the impact on the Frederick Stubbs Grove picnic area and the annual erosion of the beach.

The Acting City Engineer advised that correspondence has been received from the Department of Transport outlining that the Department is considering amalgamating requests from a number of local authorities for supplementary funding towards sand renourishment operations in order to approach the Government for a special funding allocation. Council's request will be included in this amalgamated submission. The Department also confirmed that it will contribute up to 75% of the funding for an investigation of the coastal reef problem at Quinns and long term coastal management options.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council endorses the City Engineer's submissions to the Department of Transport for 75% funding of:

- 1 the sand renourishment operations to the Quinns Beach shoreline adjacent to Frederick Stubbs Grove;
- 2 a consultant to plan, investigate and design a long term solution to the coastal erosion at Quinns Beach.

**CARRIED**

**TS246-09/96**      **TRAFFIC MANAGEMENT STRATEGY - OCEANSIDE PROMENADE, MULLALOO - [510-2602]**

At its May 1996 meeting Council received two petitions concerning Oceanside Promenade, Mullaloo (Items C179-05/96 and C174-05/96 refer). The petitions referred to the Draft Mullaloo Ocean Reef Foreshore Management Plan which will be subject of a separate Town Planning Report. However, a point raised in one of the petitions was the converting of Oceanside Promenade into a cul-de-sac and the construction of a realigned foreshore road together with small car parks closer to the coast between Korella Street and Ocean Reef Road.

**REPORT RECOMMENDATION** - That Council:

- 1 does not approve that Oceanside Promenade be made into a cul-de-sac at Korella Street, Key West Drive and Ocean Reef Road;
- 2 authorises the City Engineer to circulate a Traffic Management Scheme for Oceanside Promenade, from Mullaloo Drive to Ocean Reef Road to the local community for comment;
- 3 advises the petitioners and "Mullaloo Beach Concerned Residents" accordingly.

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

- 1 does not approve that Oceanside Promenade be made into a cul-de-sac at Korella Street, Key West Drive and Ocean Reef Road;
- 2 authorises the City Engineer to circulate a Traffic Management Scheme for Oceanside Promenade, from Mullaloo Drive to Ocean Reef Road to the local community for comment;
- 3 advises the petitioners and "Mullaloo Beach Concerned Residents" accordingly;

4 advises residents that they will be able to have input into the foreshore management plan for Oceanside Promenade.

**CARRIED**

**TS247-09/96      PETITION REQUESTING TRAFFIC CALMING MEASURES - HIGH ROAD, WANNEROO - [510-0258]**

At its July meeting Council received a petition requesting traffic calming measures for High Road, Wanneroo (Item C333-07/96 refers). The petitioners have expressed concern about speeds on this road, and in particular of vehicles travelling west approaching the schools, as there is no speed limit posted. There is a Pre-Primary, a Primary and a High School all in close proximity at the western end of High Road.

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

- 1 monitors motorists' behaviour on High Road, Wanneroo following the implementation of the 40kph speed limit zone at the school frontage;
- 2 requests Police Department enforcement of the 60kph speed limit on High Road;
- 3 advises the petitioners accordingly.

**CARRIED**

**TS248-09/96      ROAD CLOSURE - MERRIFIELD PLACE, MULLALOO - [510-300]**

The owner and resident of Lot 3 Merrifield Place has requested Council to consider closing the short length of road adjacent to his property, while still maintaining access to his garage which is at the rear of the lot. This request has been made due to social behaviour problems associated with vehicles being parked on this section of road.

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

- 1 lists for consideration in the 1997/98 Capital Works Forward Plan the modifications to Merrifield Place, Mullaloo at an estimated cost of \$4,600 including kerbing, bollards and pinebranching as shown on Attachment 2 to Report No TS248-09/96;

- 2 installs "NO PARKING ANY TIME CARRIAGEWAY OR VERGE" signs on the east side of Merrifield Place opposite Lot 3 as shown on Attachment 3 to Report No TS248-09/96;
- 3 advises the resident of Lot 3 Merrifield Place accordingly.

**CARRIED**

Appendix XI refers.

**TS249-09/96 NOLYANG CRESCENT, WANNEROO - [510-0516]**

At its July meeting, Council received a petition requesting speed humps be installed at the corner in Nolyang Crescent, Wanneroo (Item C332-07/96 refers).

The petitioners maintain that vehicles are losing control at the midblock 'right angle' bend in Nolyang Crescent in wet weather.

It has been reported that vehicles are skidding onto the residents' front lawns and onto Frederick Duffy Reserve.

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

- 1 requests Main Roads WA to install appropriate advisory signs and pavement markings at the bend in Nolyang Crescent, Wanneroo;
- 2 advises the petitioners accordingly.

**CARRIED**

**TS250-09/96 REQUIREMENTS FOR DEVELOPERS TO MULCH - [502-8]**

At its February 1995 meeting, Council requested a report on the feasibility of requiring developers to mulch green material removed from land being developed (Item C72-02/95 refers). The Department of Environmental Protection (DEP) is the responsible authority on this matter and has published guidelines for developers carrying out clearing works.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council defers consideration of requiring developers to mulch green material removed from land being developed pending release of the Department of Environmental Protection's formal guidelines.

**CARRIED**

**TS251-09/96 LITTERING - OCEAN REEF ROAD, HEATHRIDGE - [904-2, 510-1288, 508-1]**

Council requested a report on littering in the Beldon Shopping Centre and Ocean Reef Road per letter 623257 from a resident in Heathridge (Item C267-06/96).

Cr Ewen-Chappell referred to the loss of parking bays due to the installation of a playground area at the McDonald's restaurant.

This matter will be referred to the City Planner for investigation.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council directs the Manager, Municipal Law and Fire Services, to monitor the situation in Ocean Reef Road and issue Litter Infringement Notices to offenders.

**CARRIED**

**TS252-09/96      RENEWAL ANNUAL CLEANING CONTRACT FOR BUILDINGS IN THE QUINNS ROCKS/MERRIWA AREA - [208-35-95/96]**

Council endorsement is sought for the extension of the existing annual contract for a second year with Dominant Property Services for the cleaning of Council facilities in the Quinns Rocks/Merriwa area.

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

- 1      Council extends the contract with Dominant Property Services for a second period terminating at 30 June 1997 for the annual cleaning of documented buildings in the Quinns Rocks/Merriwa area as per the attached Schedule to Report No TS252-09/96 for the 12 monthly fee of \$52,445.76;
- 2      a report be submitted prior to the end of the 1996/97 financial year detailing any agreement proposed by the Contractor to extend the contract period and the performance of the contractor in the execution of the works.

**CARRIED**

Appendix XII refers.

**TS253-09/96      PROPOSED RETAINING WALL: LOT 38 (34) WILKIE AVENUE, YANCHEP - [450/38/34]**

An application has been submitted for approval to construct a limestone retaining wall at Lot 38 (34) Wilkie Avenue, Yanchep to a maximum height of 3.0 metres. It is considered that approval should be given.

The City Building Surveyor will seek comments from the owner of Lot 196 as to whether they have any objections and will report to the next meeting of Council to be held on Wednesday, 25 September 1996.

#### ADDITIONAL INFORMATION

With reference to questions asked at the Technical Services Committee meeting on 11 September 1996 concerning the impact of the wall on adjoining properties, the adjoining owner had supplied a written comment of no objection to the applicant.

An inspection of the properties reveals Lot 37 Wilkie Avenue is vacant, Lot 196 Kaiber Avenue has a shed only built on it and Lot 195 Kaiber Avenue has a dwelling built on it.

When the proposed retaining wall has been constructed and a dividing fence erected to the higher ground level, it is expected that a greater degree of privacy will be achieved for the subject lot and the adjoining lower lots in Wilkie and Kaiber Avenue.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council approves the construction of the retaining walls at Lot 38 (34) Wilkie Avenue, Yanchep to a maximum height of 3.0 metres.

**CARRIED**

**TS254-09/96**      **KOONDOOLA REGIONAL BUSHLAND, HEPBURN HEIGHTS AND GREEN PLAN WORKING GROUP REPRESENTATIVES - [745-6, 745-7, 253-4]**

This report submits a list of delegates who have requested continued participation in an advisory capacity as representatives for Koondoola Regional Bushland, Hepburn Heights and Green Plan.

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

- 1            accepts the existing Working Groups for Koondoola Regional Bushland, Hepburn Heights and Green Plan;
- 2            appoints Mrs M Zakrevsky to the Green Plan Working Group.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**TS255-09/96**      **TURF WICKET MAINTENANCE AGREEMENT - KINGSWAY - [447-1]**

Council at its meeting of 23 August, 1995 authorised the City Parks Manager to formalise an Agreement with the Wanneroo Districts Cricket Club (Inc) for contract maintenance of turf wickets for a trial period of 12 months. This is in accordance with the initial Agreement initiated in 1995 - refer Report No TS247-08/95.

Discussions with the Club officials will be required to review the long term objectives and the option of reducing Council's contribution.

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

- 1 Council authorises extension of the Turf Wicket Maintenance Agreement at Kingsway Sports Complex with Wanneroo Districts Cricket Club (Inc) effective 1 October 1996 to 30 September 1997 at a cost of \$50,000;
- 2 Parks and Recreation Departments review the current hire charges and maintenance costs associated with provision of turf wicket and submit a report to Council prior to May 1997.

**CARRIED**

**TS256-09/96** **EXTENSION OF MARMION AVENUE TO YANCHEP AND TWO ROCKS - [510-2]**

At its August meeting last year, Council received a petition submitted on behalf of residents of Yanchep, requesting the extension of Marmion Avenue to Yanchep and Two Rocks. Council resolved that a report on the matter be presented to it. This report briefs Council upon the current situation regarding the future extension of Marmion Avenue northwards to the Yanchep-Two Rocks area.

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

- 1 authorises the City Engineer to coordinate the developer's construction staging programmes of Marmion Avenue between Lagoon Drive and Baltimore Parade, Merriwa;
- 2 advises the petition coordinator accordingly.

**CARRIED**

**TS257-09/96** **ADDITIONAL FUNDING PROGRAM - ROAD SAFETY PROJECTS 1996/97 - [540-0]**

Main Roads Western Australia has made funding available through its Additional Funding Program - Road Safety Projects 1996/97

for road projects which enhance safety for various categories of road user. Council has been successful in securing funding of \$350,000 for a number of projects.

**MOVED** Cr Cooper, **SECONDED** Cr Ewen-Chappell that Council authorises, in accordance with the provisions of Section 6.8(1)(b) of the Local Government Act 1995 amendments to its 1996/97 Budget to include the Road Safety Program works as outlined on Attachment 1 to Report No TS257-09/96 such works to be funded by grant from Main Roads WA.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

Appendix XIII refers.

**TS258-09/96**      **OBJECTION TO COUNCIL RULING: PROPOSED FENCE:  
LOT 163 (7) TRENTON WAY, DUNCRAIG - [683/163/7]**

The owners of Lot 163 (7) Trenton Way, Duncraig, have lodged an objection to Council's refusal to approve a non-complying fence. It is considered that Council should refuse it again and the applicants given the right of appeal to the Minister for Local Government/Clerk of Court.

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council responds to the objection made by the owners of Lot 163 (7) Trenton Way, Duncraig, stating that approval will not be considered under Clause 3 of the Local laws because it would create an undesirable precedent, and advise them of their right of appeal to the Minister for Local Government/Clerk of the Court.

**CARRIED**

**TS259-09/96**      **AUSTRALIAN BUILDING CODES BOARD CONFERENCE,  
QUEENSLAND - [202-1-1]**

The Australian Building Codes Board is conducting a Conference Workshop at the Marriott Surfers Paradise Resort from 14 to 19 October , 1996.

Council approval is sought for the City Building Surveyor and a Councillor to attend.

Cr Taylor nominated Cr Wight.

Cr Popham nominated Cr Hancock.

Cr Wight declared an interest in this Item, as he had been nominated to attend the "Building Australia's Future" Conference.

Cr Wight left the Chamber at this point, the time being 2023 hrs.

As two nominations were made, a secret ballot was conducted and the Chief Executive Officer and Executive Assistant left the Chamber at this point in order to count the votes.

On their return, the Mayor declared Cr Wight duly elected as delegate to the "Building Australia's Future" Conference.

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

- 1 endorses the attendance of Mr R Fischer, City Building Surveyor at the "Building Australia's Future" Conference and authorises the Conference registration fee, accommodation and air fare expenses from allocation 39851;
- 2 nominates Councillor Wight to attend the "Building Australia's Future" Conference to be held at the Marriott Surfers Paradise Resort, Queensland;
- 3 authorises the payment of the Conference registration fee, accommodation and air fare expenses from allocation 200006 - Member Expenses.

**CARRIED**

Cr Wight entered the Chamber at this point, the time being 2026 hrs.

**TS260-09/96** **ELCAR PARK/CENTRAL PARK TOILET BLOCK -**  
**[061-442-2]**

Following requests from LandCorp for provision of toilet facilities in Central Park, Joondalup it is proposed that funds allocated for the construction of a toilet block at Elcar Park are reallocated for the construction of toilets in Central Park. Issues concerning design, location and cost need to be determined with LandCorp.

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

- 1 agrees, in accordance with section 6.8(1) of the Local Government Act, to change of purpose of funds of \$60,000 in account number 30949 assigned for the Elcar Park toilet building to the purpose of constructing public toilets in Central Park, Joondalup;
- 2 agrees to transfer funds to LandCorp at the time of the practical completion of the new building subject to

satisfactory agreements with LandCorp relating to the design of Central Park, including the east/west pedestrian link, park maintenance, water treatment vesting of the Park in the City of Wanneroo and design and location of the toilet block.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**TS261-09/96      MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]**

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

**MOVED** Cr Wight, **SECONDED** Cr Healy that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS261-09/96.

**CARRIED**

Appendix XIV refers.

**ROAD SURFACE - PINJAR ROAD - [512-0]**

Cr Dammers requested the Acting City Engineer to investigate the road surface of Pinjar Road, between Ziatius Street and Pederick Road as he believed the shoulder of the road was deteriorating and felt this was becoming dangerous and could lead to an accident.

He suggested that this section of road would need re-building and requested it be placed in next year's budget.

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

**TRAFFIC COUNT - INTERSECTION OF ANCHORAGE DRIVE AND MARMION AVENUE - [502-16]**

Cr O'Grady requested a traffic count be conducted at the intersection of Anchorage Drive and Marmion Avenue.

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

**TRAFFIC PROBLEMS - KINGSWAY AND WANNEROO ROAD - [502-16]**

Cr Popham raised his concerns in relation to traffic problems being experienced at the intersection of Kingsway and Wanneroo

Road and queried whether a sign could be placed on Kingsway directing traffic to Hepburn Avenue and Wanneroo Road.

The Acting City Engineer reported that sporting clubs using the Kingsway facility had advised their members of alternate roads to use and advised he would investigate this matter.

**TS262-09/96      LACK OF FACILITIES IN GREENWOOD - [890-9]**

Cr Popham submitted and read to the Committee a letter from Mrs S Korzec of Greenwood in relation to the lack of facilities in Greenwood.

This letter will be referred to Parks and Engineering Departments for action.

**MOVED** Cr Wight, **SECONDED** Cr Healy that the letter from Mrs S Korzec in relation to the lack of facilities in Greenwood be received and referred to Parks and Engineering Departments for action.

**CARRIED**

**FLOODING - HACKNEY WAY, YANCHEP - [322-18-3]**

Cr Hancock raised her concerns in relation to flooding occurring in Hackney Way, Yanchep.

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

**THEFT OF EQUIPMENT - [013-4]**

Cr Hancock referred to information received from a ratepayer in relation to the theft of equipment from the depot and queried whether equipment had been stolen recently.

The Acting City Engineer reported that items had disappeared from the depot and advised that a meeting had since been held with the Departments involved in the security of the depot and funds had been budgeted to investigate security measures to be installed around the fences.

**TRAFFIC LIGHTS - GLENGARRY DRIVE AND WARWICK ROAD - [502-16]**

Cr Major queried the technical trigger used for the traffic lights at the intersection of Glengarry Drive and Warwick Road as he believed the length of time between changes in the lights was too long.

He advised he had received a number of requests in relation to this matter and was concerned that accidents were occurring due to driver frustration at the long wait.

The Acting City Engineer advised that Main Roads WA had control of traffic lights and commented that Main Roads were reviewing accidents at intersections and would be reporting to Council on recommendations for major works at traffic lights.

He advised he would inform Cr Major of the recommendations when known.

**TS263-09/96      PLASTIC RECYCLING - [508-4]**

Cr Major referred to the lack of plastic recycling in the City of Wanneroo and commented that recycling collections have fallen since Council discontinued this practice.

He suggested that consideration be given to collecting plastic items for recycling as he believed this would improve collection of other items as well.

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

**MOVED** Cr Wight, **SECONDED** Cr Healy that a report be submitted to Council on the feasibility of collecting plastic items for recycling.

**CARRIED**

**C416-09/96 TOWN PLANNING COMMITTEE**

**MOVED** Cr Major, **SECONDED** Cr O'Grady that the Report of the Town Planning Committee Meeting, held on 16 September 1996 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	G A MAJOR - Chairman	South-West Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL - Observer,	Central Ward
	Deputising for	
	Cr Magyar to	
	1826 hrs	
	S P MAGYAR - From 1826 hrs	Central Ward
	A W WIGHT	South Ward
	W D DUFFY	South Ward
	V G HANCOCK - Deputising for	South-West Ward
	Cr Lynn	
	P O HEALY - Observer from 1811 hrs	North Ward
	A G TAYLOR - Observer, deputising	
	for Cr Duffy from	
	1827 hrs to 1837 hrs	South Ward
	T W POPHAM - Observer from 1803 hrs	South-Ward
	F D FREAME - Observer from	
	1810 hrs to 2002 hrs	South-West Ward

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

In Attendance:

Cr Elect D Tippett - Observer

**APOLOGIES**

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

An apology for late attendance was tendered by Cr Magyar; Cr Ewen-Chappell deputised.

An apology for absence was tendered by Cr Cooper.

**PUBLIC/PRESS ATTENDANCE**

There were 6 members of the Public in attendance.

#### **PUBLIC QUESTION TIME**

Member of the Public (name unstated):

Q1 A deputation was requested tonight for TRANSAG but was refused. Under the circumstances, is the deferral going to be mentioned.

A1 Chairman's response: Yes.

#### **CONFIRMATION OF MINUTES**

##### MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 19 AUGUST 1996

The Minutes of Town Planning Committee Meeting held on 19 August 1996 were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

The City Planner advised of two requests received for deputations and outlined details as to why approval was not granted.

1 Peta Webb & Associates concerning TP215-09/96.

2 Land Planning Consultants concerning TP217-09/96.

#### **DECLARATIONS OF FINANCIAL INTEREST**

Cr Dammers declared an interest in Item TP209-09/96.

Cr Duffy declared an interest in Item TP213-09/96.

#### **CONFIDENTIAL BUSINESS**

The following Item was considered Behind Closed Doors

TP228-09/96 APPLICATION TO PURCHASE A PORTION OF PUBLIC RECREATION RESERVE 38260 COMPASS CIRCLE, YANCHEP - [755-38260]

#### **MEETING TIMES**

Commenced: 1802 hrs

Closed: 2030 hrs

**REPORT NO:**

**TP209-09/96      DEVELOPMENT ASSESSMENT UNIT AND DELEGATED  
AUTHORITY COMMITTEE - 3 AUGUST TO 30 AUGUST 1996  
- [290-1]**

This report submits a resumé of the development applications processed by the Development Assessment Unit from 3 August to 30 August 1996.

Cr Taylor queried the zoning of land in relation to Item 30/1226.

The City Planner advised he would confirm the zoning of land for this application.

In reply to Cr Taylor's query, the City Planner advised in relation to Lot 6, 239 Gngara Road, Wangara this land is zoned residential, but zoned Industrial under the Metro Region Scheme.

In time this land will be rezoned under Council's Scheme for industrial purposes. It was on this basis in 1990 that Council supported the transport depot/wood yard on that particular lot.

Cr Dammers declared an interest in this item as he owns land within Planning Control Area 29.

Cr Dammers left the Chamber at this point, the time being 2026 hrs.

Cr Freame assumed the Chair.

**MOVED** Cr Wight, **SECONDED** Cr Cooper that Council that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP209-09/96.

**CARRIED**

Cr Dammers entered the Chamber at this point and resumed the Chair, the time being 2028 hrs.

Appendix XV refers.

**TP210-09/96      PROPOSED HOME OCCUPATION WORKSHOP - [770-13]**

The Wanneroo Chamber of Commerce has written to Council expressing concern regarding businesses operating from residences and recommends a workshop to examine problems and suggest changes to policies relating to this matter.

**REPORT RECOMMENDATION:** That Council invites representatives of the Wanneroo Chamber of Commerce (Inc), the Regional Economic Development Group (RED Group) and other interested organisations to attend a workshop to be held at an appropriate time to examine issues relating to Home Occupations and home-based employment and recommend principles to form a basis for Town Planning Scheme provisions and Council.

**COMMITTEE RECOMMENDATION:**

That Council invites representatives of the Wanneroo Chamber of Commerce (Inc), the Regional Economic Development Group (RED Group), the Small Business Association and other interested organisations to attend a workshop to be held at an appropriate time to examine issues relating to Home Occupations and home-based employment and recommend principles to form a basis for Town Planning Scheme provisions and Council.

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

- 1 invites representatives of the Wanneroo Chamber of Commerce (Inc), the Regional Economic Development Group (RED Group), and the Small Business Association to attend a workshop to be held at an appropriate time to examine issues relating to Home Occupations and home-based employment and recommend principles to form a basis for Town Planning Scheme provisions and Council related policies;
- 2 advertises for submissions from other special interested groups and individuals who wish to participate in a workshop.

**CARRIED**

**TP211-09/96** **PROPOSED 2000 SQ METRE SECOND STOREY RESTAURANT OFFICE/RETAIL ADDITION TO COMMERCIAL FACILITIES, HILLARYS BOAT HARBOUR, RESERVE 39197 (58) SOUTHSIDE DRIVE, HILLARYS - [30/1733]**

At its meeting on 27 March 1996 (TP50-03/96) Council considered an application 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 (58) Southside Drive, Hillarys Boat Harbour, Hillarys.

Further investigations have supported the original report's recommendation to approve the application subject to the additional access point and a parking management strategy being satisfactory.

**REPORT 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, with the design 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 Major, **SECONDED** Cr Popham that:

- 1 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:
  - (a) the provision of a car parking management strategy and its implementation to the satisfaction of the City Planner and City Engineer;
  - (b) 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;
  - (c) standard and appropriate conditions;
- 2 the provision of a left in only slip lane access from West Coast Drive, entering south of St Helier Drive be

deferred until the car parking management strategy has been assessed.

**CARRIED**

**TP212-09/96      PROPOSED CONFERENCE CENTRE USE AT LOT 21 (26)  
PINELAKE TRAIL, MARIGINIUP - [30/5473]**

An application has been submitted by Feilman Planning Consultants, on behalf of Mr and Mrs Hewitt seeking to use Lot 21 (26) Pinelake Trail, Mariginiup as a conference centre. The proposal has been advertised and no submissions were received. It is now considered appropriate to approve the application.

**REPORT RECOMMENDATION:** That Council approves the application submitted by Feilman Planning Consultants on behalf of Mr and Mrs Hewitt for the use of Lot 21 (26) Pinelake Trail, Mariginiup as a conference centre subject to:

- 1            an application for approval to commence development for any required construction works being submitted to, and approved by the City, prior to the establishment of this use;
- 2            a sign being placed on site stating that Council's approval has been granted for a Conference Centre, such sign to remain on site until the completion of development works for the first stage of the centre.

**ADDITIONAL INFORMATION**

In relation to TP212-09/96, one submission has been received on 22 September 1996. The submission is an objection to the proposal. The reasons for objection are increased noise and traffic, a depreciation in property value and detrimental effect to the rural amenity of the area. As indicated in the report, the future development is not expected to significantly increase noise or increase vehicular traffic beyond the capacity of existing infrastructure. The dense pine tree boundary around the entire lot will also limit noise and vehicle impacts and help to ensure the rural amenity of the area is maintained. Further, it is not expected that the proposal will cause a depreciation in surrounding property values.

On the basis of this submission, it is not considered appropriate to modify the recommendation to Council.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council approves the application submitted by Feilman Planning Consultants on behalf of Mr and Mrs Hewitt for the use of Lot 21 (26) Pinelake Trail, Mariginiup as a conference centre subject to:

- 1 an application for approval to commence development for any required construction works being submitted to, and approved by the City, prior to the establishment of this use;
- 2 a sign being placed on site stating that Council's approval has been granted for a Conference Centre, such sign to remain on site until the completion of development works for the first stage of the centre;
- 3 the applicant satisfying the City Engineer in terms of the ultimate traffic management at the junction of Coogee Road and Pinjar Road.

**CARRIED**

**TP213-09/96      MODIFICATIONS TO SPECIAL PROVISIONS OF SPECIAL RURAL ZONE NO 15 (MEADOWLANDS) NEAVES ROAD, MARIGINIUP - WESTERN AUSTRALIAN PLANNING COMMISSION REQUEST FOR THE INCLUSION OF AN ADDITIONAL CLAUSE - [790-736]**

Amendment No 736 to Town Planning Scheme No 1 was initiated by Council on 25 October 1995 (TP338-10/95) and seeks to modify clause no 2 of the Special Provisions relating to the Meadowlands Special Rural Zone No 15. This clause relates to the location of dwellings and effluent disposal systems with respect to groundwater levels.

A letter has now been received from the Western Australian Planning Commission stating its consent for Amendment 736 to be advertised for public inspection subject to the inclusion of an additional clause. The additional clause sought by the Western Australian Planning Commission would provide the requirements for modified, nutrient attenuating effluent disposal systems in relation to the maximum water table level and the natural ground level.

**REPORT RECOMMENDATION:** That Council:

- 1 modifies Amendment No 736 to Town Planning Scheme No 1 to read as follows:
  - "2 As the land is subject to periodic flooding, no dwelling shall be constructed unless it is on at least a 1,000m<sup>2</sup> portion of the lot, located behind the building setback, which will result in:
    - (a) the finished floor level of the dwellings being:

- (i) within areas determined by the City of Wanneroo to be flood prone - a minimum of thirteen hundred (1300) millimetres above the Reduced Level to which flooding may occur (as determined from time to time by the City of Wanneroo);
  - (ii) within areas determined by the City of Wanneroo to not be flood prone - a minimum of four hundred (400) millimetres above natural ground level;
- (b) the underside of effluent disposal chambers of conventional effluent disposal systems servicing dwellings being a minimum of two (2) metres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;
- (c) the underside of effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings being a minimum of five hundred (500) millimetres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government Agency;
- (d) the effluent disposal chambers of conventional on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of one hundred (100) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation;
- (e) the effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of fifty (50) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation."

2 adopts the modified form of Amendment No 736 to Town Planning Scheme No 1.

**COMMITTEE RECOMMENDATION:**

That Council:

1 modifies Amendment No 736 to Town Planning Scheme No 1 to read as follows:

"2 As the land is subject to periodic flooding, no dwelling shall be constructed unless it is on at least a 1,000m<sup>2</sup> portion of the lot, located behind the building setback, which will result in:

- (a) the finished floor level of the dwellings being:
  - (i) within areas determined by the City of Wanneroo to be flood prone - a minimum of thirteen hundred (1300) millimetres above the Reduced Level to which flooding may occur (as determined from time to time by the City of Wanneroo);
  - (ii) within areas determined by the City of Wanneroo to not be flood prone - a minimum of four hundred (400) millimetres above natural ground level;
- (b) the underside of effluent disposal chambers of conventional effluent disposal systems servicing dwellings being a minimum of two (2) metres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;
- (c) the underside of effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems as approved by the Health Department of Western Australia servicing dwellings being a minimum of five hundred (500) millimetres above the estimated maximum water table level as determined from time to time by the Water

and Rivers Commission or equivalent State Government Agency;

- (d) the effluent disposal chambers of conventional on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of one hundred (100) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation;
- (e) the effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of fifty (50) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation."

2 adopts the modified form of Amendment No 736 to Town Planning Scheme No 1.

Cr Taylor queried the discrepancy in information supplied by the Water Authority in 1993 in relation to the 1 metre water level variation to the information currently supplied. He asked whether clarification could be provided on this by way of a report.

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

1 consideration of the modification of Amendment No 736 to Town Planning Scheme No 1 be deferred and referred back to Town Planning Committee for a further report and evaluation;

2 Council defers approval of any new building applications received until such time as this matter has been satisfactorily resolved.

**CARRIED**

**TP214-09/96      UNAUTHORISED DEVELOPMENT (USE) LANDFILL, LOT 218**  
**(24) GRAHAM ROAD, QUINNS ROCKS - [421/218/24]**

The City's Building Department was advised in August 1995 that unauthorised landfill was taking place on Lot 218 (24) Graham Road, Quinns Rocks. Several requests to the owners of the property by the City to remove the unauthorised landfill has resulted in the owners refusing to remove the fill, stating that they intend to add more fill to the site.

**REPORT RECOMMENDATION:** That Council:

- 1 advises the owners of Lot 218 (24) Graham Road, Quinns Rocks that the unauthorised development (use) landfill of the property is in breach of the City's Town Planning Scheme No 1;
- 2 requests the owners of Lot 218 (24) Graham Road, Quinns Rocks to remove the unauthorised landfill from the property within 28 days notification or face legal action;
- 3 authorises the City Planner to initiate legal action should the request in Item 2 above not be satisfied within the time period required.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council advises the owners of Lot 218 (24) Graham Road, Quinns Rocks that:

- 1 the unauthorised landfill on the property is in breach of the City's Town Planning Scheme No 1;
- 2 it is prepared to consider approving the landfill subject to:
  - (a) the cessation of any further unauthorised landfill;
  - (b) the submission within 28 days of a report from a suitably qualified civil/structural engineer certifying to the satisfaction of the City Engineer and City Building Surveyor that the site/landfill is suitable for unrestricted construction;
  - (c) an approval to commence construction being granted by the City prior to any further landfill being placed on the site.

**CARRIED**

**TP215-09/96** **PROPOSED EARTHWORKS - LOTS 262 AND 263 BERRIMAN DRIVE, WANGARA - [30/5464]**

At the July 1996 Town Planning Committee meeting, Cr Taylor queried the placement of land fill on Lots 262 and 263 Berriman Drive, Wangara. This report refers the relevant development application to Council for its consideration and recommends that the application be approved, subject to standard conditions of approval.

**REPORT RECOMMENDATION:** That Council approves the application submitted by Oldfield Knott Architects on behalf of Akenfield Pty Ltd for the placement of fill on Lots 262 and 263 Berriman Drive, Wangara, subject to:

- 1 the provision of a certificate from a practising structural engineer certifying that the compacted fill, down to natural ground level, is suitable for building purposes;
- 2 the land being graded and stabilised to the satisfaction of the City Engineer;
- 3 standard and appropriate conditions as determined by the City Planner.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council approves the application submitted by Oldfield Knott Architects on behalf of Akenfield Pty Ltd for the placement of fill on Lots 262 and 263 Berriman Drive, Wangara, subject to:

- 1 the provision of a certificate from a practising civil/structural engineer certifying that the compacted fill, down to natural ground level, is suitable for building purposes;
- 2 the land being graded and stabilised to the satisfaction of the City Engineer;
- 3 standard and appropriate conditions as determined by the City Planner.

**CARRIED**

**TP216-09/96**      **REQUEST TO REOPEN CROSSOVER AND ONGOING BREACH OF TOWN PLANNING SCHEME NO 1, PADBURY SHOPPING CENTRE, LOT 26 LEICHHARDT AVENUE, PADBURY - [30/569]**

An application has been received from Peter Grant of Supa Valu, Lot 26 Padbury Shopping Centre, Warburton Avenue, Padbury, for a transportable refrigeration unit installed within the bin enclosure. This application is the result of several requests by Council officers to address the problems of the loss of parking bays due to the storage of bulk bins and pallets within existing car bays.

Despite ongoing efforts by Council officers to resolve the matter, no satisfactory outcome has eventuated.

At the same time, the strata company has requested the opening of a vehicular accesspoint from the shopping centre car park

to Leichhardt Avenue, which was proposed at the time the current car park configuration was established and not proceeded with due to local resident opposition.

Given the circumstances and demonstrated local resident opposition to an accessway onto Leichhardt Avenue, the request cannot be supported. Similarly the ongoing breach at the City's Town Planning Scheme No 1 should cease within 21 days or legal action be initiated.

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

- 1 refuses the application submitted by Peter Grant for a transportable refrigeration unit within the bin enclosure area at Supa Valu, Lot 26 Padbury Shopping Centre, Warburton Avenue, Padbury for the following reasons:
  - (a) the proposal is contrary to the proper and orderly planning of the neighbourhood and adversely affects the amenity of the area due to the visual impact;
  - (b) the proposal will lead to the loss of car parking bays;
- 2 requires the removal of the coolroom from the bin storage area and the removal of all stored items in the carparking area within 21 days of the notification of Council's decision;
- 3 initiates legal action should Part 2 of this recommendation not be complied with;
- 4 refuses the request from the strata company for the opening of an accessway from the shopping centre car park to Leichhardt Avenue but advises the applicant that upon submission of the written support from the five affected owners on Leichhardt Avenue, it will reconsider the proposal.

**CARRIED**

**TP217-09/96**      **PROPOSED AMENDMENT NO 761 TO TOWN PLANNING**  
**SCHEME NO 1 - COMMERCIAL VEHICLE PARKING AND**  
**TRANSPORT DEPOTS - [790-761]**

Council, at its meeting on 24 April 1996 resolved that consideration of proposed Amendment No 761 be deferred. As a result of a subsequent workshop and Special Electors' Meeting, Council was to await comments and recommendations on the

amendment from the Transport Action Group (TRANSAG) prior to consideration of the matter.

At the time of writing this report no correspondence had been received from TRANSAG or its consultant commenting on the amendment as requested (B126-08/96). Support of Amendment No 761 is recommended.

#### **ADDITIONAL INFORMATION**

As an addendum to Report TP217-09/96 of the September 1996 Town Planning Committee Meeting agenda, copies of Scheme regulations, policies and draft Scheme amendments dealing with commercial vehicle parking and transport depots from a number of other local authorities were submitted for information - refer Appendix XVI.

It is apparent that other Metropolitan councils have experienced or are experiencing problems with commercial vehicle parking to varying degrees and have dealt with them in different ways.

**REPORT RECOMMENDATION:** That Council, in accordance with the Town Planning and Development Act 1928 (as amended), initiates Amendment No 761 to Town Planning Scheme No 1 as follows:

1 by adding after clause 5.44 the following:

#### **"5.45 Commercial Vehicle Parking**

- (a) parking of licensed and unlicensed commercial vehicles in the Residential, General Residential, Residential Development, Special Development A, Special Residential, Special Rural and Rural Zones shall not be permitted except in accordance with the provisions set out in the following paragraphs of this clause;
- (b) a person shall not park, or permit to be parked, more than one commercial vehicle on any lot in the zones referred to in paragraph (a) except in the Special Rural and Rural Zones where not more than two commercial vehicles are permitted;
- (c) a person may only park a commercial vehicle on any lot in the zones referred to in paragraph (a) if:
  - (i) the lot on which the vehicle is parked contains only a single house (including any associated outbuildings) provided

that Council may permit the parking of such vehicle on a lot which contains grouped dwellings if it is of the opinion that this will not adversely affect the amenity of the grouped dwelling development or the surrounding area;

- (ii) the vehicle is parked entirely on the subject lot and is located on a hard standing area which is located behind the front building setback line, or alternatively the vehicle is parked within a garage;
- (iii) the vehicle is used as an essential part of the lawful occupation of an occupant of the house. The foregoing requirement of this item shall not be satisfied in any case unless the owner of the vehicle or an occupier of the house within seven days of the Council making a request, supplies to the Council full information as to the name and occupation of the person said to be using the vehicle. The request for that information is made for the purpose of this item by posting the request to the address of the owner of the vehicle shown on the vehicle registration, or by posting the request to or leaving it at the house addressed in general way to the occupier. The parking of the vehicle on the lot does not authorise the conduct on that lot of the occupation of the vehicle user;
- (iv) the vehicle does not exceed 3 metres in height (including the load) 2.5 metres in width, or 8 metres in length (except vehicles on properties within Special Rural and Rural Zones);
- (v) the vehicle is not started or manoeuvred on site between the hours of 10.00 pm and 6.00 am the next following day (except in Rural Zones);
- (vi) while on the lot, the vehicle's motor is not left running while the vehicle is unattended or in any event for any period in excess of 5 minutes;

- (vii) where a noise complaint is substantiated in accordance with the relevant Regulations made pursuant to the Environmental Protection Act 1986, the hours of operation shall be restricted to 7.00 am - 9.00 pm Monday to Saturday and 8.30 am - 9.00 pm Sundays and Public Holidays;

The application of such restriction shall not limit further application of the relevant Regulations made pursuant to the Environmental protection Act 1986.

- (viii) only servicing and/or cleaning that generates easily contained liquid waste is carried out on the lot. Liquid waste shall be as defined in the Health (Liquid Waste) Regulations 1993 and shall be disposed of in accordance with the same;

All cleaning and servicing shall be conducted behind the front building setback lines.

- (ix) storage of liquid fuels on the lot complies with the Explosive and Dangerous Goods Act, 1961;
- (x) the vehicle is not used or designed for use for the transportation of livestock or the transportation or disposal of liquid or solid wastes (except vehicles on properties within the Special Rural and Rural Zones);
- (xi) the vehicle is not carrying a refrigeration unit which is operating on a continuous or intermittent basis;
- (xii) the vehicle is not designed as a tow truck or other emergency vehicle;

- (d) that Council may in writing approve a variation to any of the requirements of items (ii) and (iv) in paragraph (c) provided the Council is satisfied in the circumstances that the variation will not adversely affect the amenity of the area surrounding the subject land. Surrounding

landowners and occupants may be invited to comment on the proposed variation;

- (e) an approval of the Council granted under paragraph (d) is personal to the person to whom it is granted, is not capable of being transferred or assigned to any other person, and does not run with the land in respect of which it is granted;
- (f) a vehicle shall be considered to be parked on a lot for the purpose of this clause if it remains on that lot for more than 1 hour in aggregate over any period of 24 hours unless the vehicle is being used bona fide in connection with ongoing construction work legally being carried out on the lot, the burden of proving which shall lie upon the person asserting it;

2 in clause 1.8 after the definition of the term "Civic Building" insert the following:

*"COMMERCIAL VEHICLE" means a vehicle whether licensed or not which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or profession and without limiting the generality of the foregoing includes any utility, van, truck, trailer, tractor and any wheeled attachment to any of them or any wheeled article designed to be an attachment to any of them, and any bus or any earthmoving machine whether self-propelled or not. The term shall not include a vehicle designed for use as a passenger car or any trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes;*

3 in clause 1.8 delete the definition of the term "Transport Depot" and insert in place thereof the following:

*"TRANSPORT DEPOT" means any land or building designed and used, or which is adapted for use for one or more of the following purposes:*

- (a) *for the parking or garaging of more than two commercial vehicles;*

- (b) for the transfer of goods or passengers from one vehicle to another vehicle;
- (c) for the maintenance, repair or refuelling of any vehicle referred to in (a) or (b) above;

4 modifying the Zoning Table (Table No 1) so that the use class "Transport Depot" is listed as an "X" (prohibited) use in the Rural Zone.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council defers consideration of proposed Amendment No 761 to Town Planning Scheme No 1 - Commercial Vehicle Parking and Transport Depots.

**CARRIED**

Appendix XVI refers.

**TP218-09/96**      **CLOSE OF ADVERTISING: AMENDMENT NO 726 TO TOWN PLANNING SCHEME NO 1 TO MODIFY THE DENSITY CODING OF LOT 16 TRAPPERS DRIVE, WOODVALE - [790-726]**

Amendment No 726 to Town Planning Scheme No 1 to modify the density coding of Lot 16 Trappers Drive, Woodvale on behalf of Australia Housing and Land was initiated by Council on 26 July 1995 (TP242-07/95 refers).

Initial advertising of Amendment No 726 closed on 10 November 1995. No submission was received, however, in February 1996 the applicant requested that Amendment No 726 be modified by reducing the R40 coded portion of Lot 16 to three selected sites rather than a blanket R40 coding over the whole of the lot. Council resolved at its meeting of 24 April 1996 to support and readvertise this new proposal (TP75-04/96). Two submissions were received as a result of readvertising, however, it is considered appropriate for Council to finalise this amendment in its current form.

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

- 1 finally adopts the modified form of Amendment No 726 to Town Planning Scheme No 1 which seeks to recode that portion of Lot 16 Trappers Drive, Woodvale currently coded R40 to R20 and recode three nominated lots to R40;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents.

**CARRIED**

**TP219-09/96**      **SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY**  
**COMMITTEE - 3 AUGUST TO 30 AUGUST 1996 - [740-1]**

This report submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee from 3 August to 30 August 1996.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP219-09/96.

**CARRIED**

Appendix XVII refers.

**TP220-09/96**      **TOWN PLANNING AND APPEAL TRIBUNAL - APPEAL NO 7**  
**OF 1996 - D HANDSCOMB VERSUS CITY OF WANNEROO -**  
**RADIO MAST AND ANTENNAE, LOT 1008 (8) ELDON**  
**CLOSE, MERRIWA - [30/5285]**

An appeal by Mr D Handscomb against Council's refusal to allow the erection of a radio mast and antennae of Lot 1008 (8) Eldon Close, Merriwa is currently before the Town Planning Appeal Tribunal. The appellant has advised the Tribunal that the neighbours have withdrawn their objections after he had agreed to do certain things in relation to the radio mast. Council's solicitor, McLeod & Co seek direction from Council as to how the matter should be progressed.

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

- 1      offers Mr Handscomb the opportunity to submit a fresh Application for Approval to Commence Development for a radio mast and antennae on Lot 1008 (8) Eldon Close, Merriwa which reflects his undertaking in correspondence dated 23 June 1996 to the owners of No 22 Sandon Elbow, Merriwa;
- 2      subject to (1) above grants approval to the erection of the radio mast and antennae subject to:
  - (a)    the upper section of the mast being modified so as to reduce its height to a level not greater than 4.5 metres;
  - (b)    the mast and antennae being painted a matt green colour and a suitable creeper grown on the mast;

- (c) suitable screen trees being planted and maintained on Lot 1008 (8) Eldon Close, Merriwa, to the satisfaction of the City Planner;
- (d) certification by a qualified Structural Engineer that the mast and antennae are structurally sound;
- (e) the mast being lowered during periods where high winds are prevailing;
- (f) standard and appropriate conditions;

3 advises the Town Planning Appeal Tribunal of its decision to approve the mast and antennae under the terms and conditions mentioned above;

4 advises the two objecting neighbours of Council's decision.

**CARRIED**

**TP221-09/96      PROPOSED WIDENING OF OLD YANCHEP ROAD, NOWERGUP THROUGH STATE FOREST NO 65 - [510-0456]**

Council has included the construction of Old Yanchep Road, Nowergup in the 1996/97 Budget. Land will need to be acquired from the adjoining State Forest to accommodate the road realignment and The Department of Conservation and Land Management has agreed to cede the land required free of consideration to the City.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council requests the Hon Minister for Lands to excise the land required for the realignment of Old Yanchep Road, Nowergup from State Forest No 65 and dedicate the excised land as a public road in accordance with the Local Government Act.

**CARRIED**

**TP222-09/96      REQUESTED CLOSURE OF 0.1 METRE PEDESTRIAN ACCESSWAY ADJOINING LOT 965 SHENANDOAH MEWS, CURRAMBINE - [740-97277]**

The developers of Lot 965 Shenandoah Mews, Currambine have requested the City to initiate procedures to close a 0.1m pedestrian accessway (PAW) which adjoins the northern portion of the front boundary of the lot. The PAW restricts the location of a driveway and its removal will have no impact on the surrounding area.

**RECOMMENDATION**

That Council requests the Department of Land Administration to close the 0.1 metre pedestrian accessway adjoining Lot 965 Shenandoah Mews, Currambine subject to the owners of the property meeting all of the associated costs.

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

- 1 requests the Department of Land Administration to close the 0.1 metre pedestrian accessway adjoining Lot 965 Shenandoah Mews, Currambine subject to the owners of the property meeting all associated costs;
- 2 requests the Department of Land Administration to review its valuation methodology of land sold to adjoining owners when closing public accessways, road reserves and other crown land so that the real value of the land is charged in these cases. **LOST**

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

FOR: Crs Major and Magyar

AGAINST: Crs Dammers, Freame, Cooper, O'Grady, Ewen-Chappell, Wight, Taylor, Healy, Popham and Tippett

**MOVED** Cr Wight, **SECONDED** Cr Popham that Council requests the Department of Land Administration to close the 0.1 metre pedestrian accessway adjoining Lot 965 Shenandoah Mews, Currambine subject to the owners of the property meeting all of the associated costs.

**CARRIED**

**TP223-09/96** **REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY  
BETWEEN EDNA WAY AND READSHAW ROAD, DUNCRAIG -  
[510-726]**

The residents adjoining the pedestrian accessway between Edna Way and Readshaw Road, Duncraig have requested the City to close the accessway on the grounds of vandalism and antisocial behaviour mainly caused by students from the Duncraig Senior High School. The proposed closure has been advertised and submissions both objecting to and supporting the closure have been received.

Cr Hancock submitted three letters from Mr P & Mrs J Ward, Mr S V & Mrs K G Fawell and Mr P Black and Mrs V Palassis-Black in

support of the closure to the pedestrian accessway between Edna Way and Readshaw Road, Duncraig.

**ADDITIONAL INFORMATION**

A late submission has been received supporting the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig (Item TP223-09/96 refers).

The supporter lives opposite the accessway and claims that she has had to call the Police Department on numerous occasions due to the behaviour of teenagers congregating in the accessway. The supporter has also expressed concern at the amount of broken glass and syringes in the accessway.

The submission does not alter the recommendation to Council viz: "that Council does not agree to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig".

**REPORT RECOMMENDATION:** That Council does not agree to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig.

**COMMITTEE RECOMMENDATION:**

That Council agrees to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig.

**MOVED** Cr Magyar that Council does not agree to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig.

There being no **SECONDER**, the motion

**LAPSED**

**MOVED** Cr Major, **SECONDED** Cr Popham that Council agrees to the closure of the pedestrian accessway between Edna Way and Readshaw Road, Duncraig.

**CARRIED**

**TP224-09/96      REQUESTED CLOSURE OF A PORTION OF FLYNN DRIVE,  
NEERABUP - [510-0474]**

The owners of Lot 51 Flynn Drive, Neerabup have requested the City to close the old portion of Flynn Drive, Neerabup. The road is no longer required and the applicants wish to utilise the land for parking. The proposed closure will need to be advertised to give property owners in the vicinity an opportunity to comment.

**REPORT RECOMMENDATION:** That Council initiates road closure procedures by advertising the proposed closure of the old portion of Flynn Drive, Neerabup adjoining Lots 1, 2 and 51 in accordance with the provision of the Local Government Act.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council initiates road closure procedures by advertising the proposed closure of portion of old Road Reserve/Wanneroo Road, Neerabup adjoining Lots 1, 2 and 51 in accordance with the provision of the Local Government Act.

**CARRIED**

**TP225-09/96      LOT 17 MINDARIE/TAMALA PARK - ENGAGEMENT OF AN INDEPENDENT PLANNING CONSULTANT - RECONSIDERATION - [740-61]**

The City of Stirling, one of the three joint owners of Lot 17 Mindarie/Tamala Park, the other two owners being the Cities of Perth and Wanneroo, requested this City to consider a proposal to engage an independent Planning Consultant to "maintain a watching brief" in relation to the planning issues likely to impact on the future development of the land. It had also requested the City of Perth on similar lines, who agreed to this proposal. Council, at its meeting of 26 June 1996 (TP151-06/96) considered this matter and resolved not to support the appointment of an independent planning consultant to "maintain a watching brief" as such tasks are currently being adequately undertaken by the officers of the three owner Councils, but to support appointment of an independent consultant to provide "an economic/market analysis to provide an indication of when would be an appropriate time to promote subdivision of Lot 17."

However, consequent to a recent meeting between the Chief Executive Officers of the three Councils, organised by the City of Stirling, to discuss the engagement of an independent planning consultant, it is now recommended that this City agrees to the appointment of the independent planning consultant.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council advises the Cities of Stirling and Perth that subject to this City being a party to the preparation of the consultant's brief, nomination of prospective consultants, assessment of submissions from the prospective consultants and selection of the successful consultant, it supports the engagement of an independent planning consultant to:

- 1            report upon the planning issues likely to impact on the future development of Lot 17 Mindarie/Tamala Park;

- 2 provide in the form of an economic/marketing analysis an indication of when would be an appropriate time to promote subdivision and a marketing assessment of the Local Structure Plans already endorsed by the three owner Councils noting that such study should most desirably be done once the issue of the future use of Mindarie (South) Cell is resolved, which is subject to an assessment of the Public Environmental Review for Lot 2 Burns.

**CARRIED**

**TP226-09/96      LOCAL CONSERVATION STRATEGY - [305-6]**

The City's Environmental Advisory Committee is progressing development of the Local Conservation Strategy in accordance with Council Resolution TP366-11/95. The Committee is now seeking Council support for a workshop (involving Council and the Committee) to address issues relating to the protection of remnant native vegetation within the City. Approval for the holding of such a workshop is recommended.

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

- 1 agrees to a workshop involving Council and the Environmental Advisory Committee to address the results from the assessment of remnant native vegetation within the City of Wanneroo;
- 2 approves expenditure of up to \$3000 from Budget Account No 27609 to cover costs associated with the workshop, being the consultant's (Mr Malcolm Trudgen) time and preparation of multi-media presentation material.

**CARRIED**

**TP227-09/96      ALTERATIONS AND ADDITIONS TO EXISTING HOLIDAY UNITS AND RESTAURANT, LOT 25 (1) PADBURY CIRCLE, SORRENTO - [30/824]**

An application has been received from Woodhead Firth Lee Pty Ltd on behalf of Sorrento Beach Resort Pty Ltd, seeking approval for additions and alterations to the existing holiday units and restaurant on Lot 25 (1) Padbury Circle, Sorrento.

The application has not been advertised as the proposed uses are consistent with the zoning. This development is similar to a motel use and the proposal will require modification in terms of height and bulk of the building in order to be consistent with the existing streetscape to West Coast Drive and requirements under Town Planning Scheme No 1.

The application is recommended for conditional approval.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council approves the application submitted by Woodhead, Firth Lee Pty Ltd for alterations and additions to existing holiday units and restaurant on Lot 25 (1) Padbury Circle, Sorrento, subject to:

- 1 the applicant submitting amended plans prior to the issue of a building licence incorporating:
  - (a) the roofline lowered by at least 2 metres;
  - (b) modifications to the elevation to West Coast Drive to reduce the bulk of that elevation;
  - (c) the re-design of the undercroft parking area so that it is wholly underground;
  - (d) a revised car parking layout of the undercroft area to the satisfaction of the City Engineer and City Planner;
- 2 the applicant obtaining favourable comments from the affected abutting owners regarding the changerooms and sauna on the boundary;
- 3 the development being connected to sewer;
- 4 the provision of at least 102 on-site car bays;
- 5 the proposed recreation/games room being used solely by residents of the holiday units and the provision of a letter of undertaking from the owner to that effect;
- 6 the provision of landscaping which will assist in screening the bulk of the proposed building from West Coast Drive;
- 7 other standard and appropriate conditions.

**CARRIED**

**TP228-09/96      APPLICATION TO PURCHASE A PORTION OF PUBLIC RECREATION RESERVE 38260 COMPASS CIRCLE, YANCHEP - [755-38260]**

Council has received an application from Mrs Monica Dunnett as the owner of Lots 603 and 579 that adjoin part of Reserve 38260 in Compass Circle, Yanchep to purchase the reserve.

Reserve 38260 was set aside under Section 20A of the Town Planning and Development act and is vested in Council for the purpose of Public Recreation. It is a fragmented Reserve and

the part of it which is in Compass Circle, containing about 630m<sup>2</sup> is considered to be not required for recreation purposes.

Subject therefore to compliance with the relevant provisions of the Land Act the Council may agree to the cancellation of part of the Reserve and its disposal.

As Mrs Dunnett is the owner of the properties which adjoin both sides of the Reserve it would be in order for Council to agree to the disposition of the part Reserve to her provided the purchase price is equal to the true value of the Reserve.

**MOVED** Cr Popham that Mrs Dunnett be offered portion of public recreation reserve 39260 Compass Circle, Yanchep at the original purchase price of \$27,500.

There being no **SECONDER**, the motion

**LAPSED**

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

1 advises Mrs Dunnett's solicitors that:

- (a) the Council is not the owner of the land and cannot transfer the land;
- (b) the Council has not at any time undertaken or agreed to dispose of the land at other than its proper value;
- (c) at the time when Department of Land Administration (DOLA) valued the land at \$27,500 on the basis of its amalgamation with Lot 603, it was not understood by the Council that the land was capable of existing as a separate lot, and consequently DOLA was not requested to provide a valuation on that basis;
- (d) the market value of the land must reflect that fact and that it is now clear that the land would be accepted by the WAPC as a separate lot;
- (e) the Valuer General has advised the DOLA that as a separate lot the land has a value of between \$60,000 to \$65,000;
- (f) provided that the Council is not obliged to comply with the sale of land provisions in either Section 266 of the old Local Government Act 1960, or Section 3.58 of the Local Government Act 1995, the Council is prepared to dispose of the land to the

owner of Lot 603, but not at less than its proper market value;

- (g) whatever interest the Council has in portion of Reserve 38260, it must observe its role as a trustee of the land which was vested in the Council in trust for public recreation;

- 2 offers to obtain a fourth valuation from DOLA on the basis that Part Reserve 38260 has residential potential as a single lot but it is to be sold on the basis that it is to be amalgamated with Lot 603;
- 3 offers to recommend to DOLA that it dispose of the Part Reserve on the basis of that valuation when known.

**CARRIED**

**TP229-09/96      PROPOSED TELECOMMUNICATIONS TOWERS - VODAFONE -**  
**[727-13-2]**

Council had previously requested a change to the procedure for dealing with telecommunications towers. A number of proposals have been dealt with in the revised manner and the carrier has advised that work on the towers will proceed in the near future without Council support. The matter can now be treated as a disagreement under the Telecommunications National Code by the Department of Environment, Sport and Territories.

Cr Magyar raised his concerns in relation to radiation emanating from telecommunication towers and indicated he is currently obtaining research information in this regard. Once this is to hand, Cr Magyar will submit a report for Councillors' and City Planner's information.

**MOVED** Cr Major, **SECONDED** Cr Popham that Council endorses the actions taken by the City Planner in relation to the telecommunications towers proposed by Vodafone as detailed in Report TP229-09/96.

**CARRIED**

Appendix XVIII refers.

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

Cr Freame queried the position in relation to the closure of the walkway in Caley Road, behind Padbury Hall, Padbury.

The City Planner advised that closure of this accessway was proceeding.

TP230-09/96

FLOODING - CALECTASIA HALL, CALECTASIA ROAD,  
GREENWOOD - [322-18-3]

Cr Taylor submitted a letter from Ms M Drage, Chairperson of the Greenwood Village Playgroup Committee, in relation to problems they are experiencing with flooding from premises at Calectasia Hall, Calectasia Road, Greenwood.

This letter will be referred to Engineering Department for action.

**MOVED** Cr Major, **SECONDED** Cr Popham that the letter from Ms M Drage, Chairperson of the Greenwood Village Playgroup Committee in relation to problems they are experiencing with flooding from premises at Calectasia Hall, Calectasia Road, Greenwood be received and referred to Engineering Department for action.

**CARRIED**

RETROSPECTIVE APPROVAL FOR BUILDING APPLICATIONS - [019-2]

Cr Taylor queried if legal advice might be obtained on whether development approvals could be granted retrospectively.

The Chief Executive Officer stated he was aware of situations where Councils, and also the Minister, had given retrospective approvals. He felt it would be worthwhile if Council obtained a clarification on this matter.

TRAFFIC SAFETY/MANAGEMENT - [502-16]

Cr Popham referred to a recent telephone call he had received from Mr P Vardi of Greenwood who was querying who had responsibility for traffic safety/management as he was concerned at a recent incident where a vehicle had crashed through the wall at the front of his residence. Similar incidents had also occurred in the past.

Cr Taylor advised that on this occasion the gentleman concerned had suffered a heart attack while driving and the incident was purely accidental.

This matter will be referred to Engineering Department for action.

TP231-09/96

TRAFFIC PROBLEMS - HAWKER AVENUE, WARWICK -  
[502-16]

Cr Popham submitted a letter from residents of Hawker Avenue, Greenwood in relation to their concern at traffic problems they are experiencing due to an increase in traffic and also drivers

using the car park at Hawker Park Primary School as a short cut from Beach Road to Warwick Road.

This matter will be referred to Engineering Department for action.

**MOVED** Cr Major, **SECONDED** Cr Popham that the letter from residents of Hawker Avenue, Greenwood in relation to their concern at traffic problems they are experiencing be received and referred to Engineering Department for action.

**CARRIED**

**TP232-09/96      PROPOSED MEDITATION/HEALING SEMINARS - [202-1]**

Cr O'Grady submitted a letter from Mr P & Mrs G Efford of Perry Place, Quinns Rocks in relation to proposed meditation and healing seminars.

This matter will be submitted to Town Planning Department for action.

**MOVED** Cr Major, **SECONDED** Cr Popham that the letter from Mr P & Mrs G Efford of Perry Place, Quinns Rocks in relation to proposed meditation and healing seminars be received and referred to Town Planning Department for action.

**CARRIED**

**DELEGATED AUTHORITY COMMITTEE AND SUBDIVISION CONTROL UNIT**  
**[740-1]**

Cr Major suggested that the column for remarks/advice pertaining to development applications and subdivision approvals be completed to inform Councillors whether policies and regulations have been complied with.

**C417-09/96 FINANCE & COMMUNITY SERVICES COMMITTEE**

**MOVED** Cr Healy, **SECONDED** Cr Freame that the report of the Finance and Community Services Committee Meeting, held on 18 September 1996, be received.

**CARRIED****ATTENDANCES**

Councillors:	B A COOPER - Acting Chairman	Central Ward
	A V DAMMERS, JP - Mayor	Central Ward
	P O HEALY - From 1804 hrs	North Ward
	A G TAYLOR	South Ward
	T W POPHAM	South Ward
	F D FREAME	South-West Ward
	V G HANCOCK - Deputising for Cr Lynn	South-West Ward
	L O'GRADY - Observer, Deputising for Cr Healy to 1804 hrs	North Ward
	L A EWEN-CHAPPELL - Observer from 1807 hrs	Central Ward
	S P MAGYAR - Observer	Central Ward
	A W WIGHT - Observer	South Ward
	D K TIPPETT, JP - Observer	South Ward
	G A MAJOR - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY	
Manager, Corporate Services:		R E DYMOCK
City Treasurer:	J TURKINGTON	
City Environmental Health Manager:	M AUSTIN	
City Recreation and Cultural Services Manager:	R BANHAM	
Manager, Municipal Law & Fire Services:	T TREWIN	
Manager Welfare Services:	P STUART	
Executive Assistant:	P HIGGS - to 1830 hrs	
City Librarian:	N CLIFFORD	
Minute Clerk:	S BRUYN	

**APOLOGIES**

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

An apology for absence was tendered by Cr Duffy.

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

There was 1 member of the Public and 1 member of the Press in attendance.

#### **APPOINTMENT OF ACTING CHAIRMAN**

Cr Cooper was elected Acting Chairman.

#### **PUBLIC QUESTION TIME**

Mrs A Hine submitted the following question:

Q1           Why is the electronic system in Council so bad. Keeps on breaking down. Or is the sound being controlled for any valid reason. Last Council meeting was extremely bad. Is it possible to have a responsible person check the sound before our meeting please.

A1           Chief Executive Officer's response: I will have technicians check it again. One of the problems may be that the amplifier system is fairly antiquated. We have suffered problems with the volume and will have this investigated before next week's meeting.

#### **CONFIRMATION OF MINUTES**

#### MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 21 AUGUST 1996

#### Correction

Item FA117-08/96. "Miss Sarah Elliott" was omitted from Point 1 of the Resolution. The City Treasurer will incorporate this donation in the September 1996 Donations Report.

The Minutes of the Finance and Community Services Committee Meeting held on 21 August 1996, amended as above, were confirmed as a true and correct record.

#### **PETITIONS AND DEPUTATIONS**

Nil

#### **DECLARATIONS OF FINANCIAL INTEREST**

Nil

**CONFIDENTIAL BUSINESS**

The following Items were considered Behind Closed Doors:

CS162-09/96 PURCHASE OF TAPESTRY - "THE UPLANDS FARM - RURAL  
GRANDEUR" - [429-1-13]

CS163-09/96 APPOINTMENT OF HONORARY PARKING INSPECTOR FOR  
NEWPARK SHOPPING CENTRE, GIRRAWHEEN - [910-1]

**MEETING TIMES**

Commenced: 1802 hrs  
Closed: 2005 hrs

## FINANCE & ADMINISTRATIVE SECTION

### REPORT NO:

**FA126-09/96      STRATEGIC PLAN DEVELOPMENT - [702-0-1]**

At its meeting on 26 June 1996 Council authorised the Chief Executive Officer to recommend an independent facilitator and submit quotes on the costs of a suitable venue, to undertake the development of a City of Wanneroo strategic plan.

This report summarises action in response to that resolution.

Cr Popham requested that the strategic planning exercise mentioned in page 2 of Report FA126-09/96 include an invitation to Council members for comment and also suggested a questionnaire on the strategic plan development be distributed to Council members.

The Chief Executive Officer advised that Report FA126-09/96 would be amended accordingly prior to the next meeting of Council to be held on 25 September 1996.

The Committee was advised that the workshops would now be conducted on Sunday, 6 October between 7.00 am and 7.30 pm and Friday, 11 October between 4.00 pm and 10.00 pm.

### ADDITIONAL INFORMATION

At the Finance and Community Services Committee meeting of 18 September 1996, Cr Popham requested that the strategic planning process outlined in Report FA126-09/96 be amended to include provision for staff comment on the draft plan.

The Local Government Act 1995 requires the provision of 42 days for public comment on the final draft plan. During that period, all staff will be afforded the opportunity to comment and provide further input into the documentation. The project brief has been amended however to specify that in addition to the staff input obtained during the preparation of the draft plan, further input, questions and comment will be invited during the 42 day public comment period. Appropriate notices will be placed on the staff notice boards in Council buildings and copies of the draft plan made available upon request.

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

- 1            endorses the decision of the Chief Executive Officer to engage Dr Liz Pattison to facilitate the preparation of its Strategic Plan, at a cost of approximately \$15,900 - such expenditure to be met from Allocation 20114

Professional Retainer/Consultancy Fees - Administration Department - Executive Services;

- 2 conducts workshops related to the strategic planning process at the Joondalup Resort Hotel, at a cost of approximately \$3,800.

**CARRIED**

**FA127-09/96      PHILIPPINE DELEGATION - [201-1-1]**

The joint organisers of workshops on Local Government Revenue Raising and Management Procedures, the Public Sector Research Unit, Curtis Consultancy Services and the Curtin Business School at Curtin University of Technology, have again sought this City's involvement in the programme.

The request is for Council to host both a group placement and an individual extended placement for delegates from the Philippines who arrive on Sunday 22 September 1996 and depart on 2 November 1996.

**ADDITIONAL INFORMATION**

The inability of the City Building Surveyor to be in attendance at the group placement on 14 October 1996 has necessitated a change in the programme.

The 10.30 am time allocation will now be undertaken by the Deputy City Engineer and Resources Engineer with discussions on rates and waste management.

An amended Attachment A to Report FA127-09/96 is appended - refer Appendices XIX and XX.

**MOVED** Cr Tippett, **SECONDED** Cr Freame that Council agrees to host

-

- 1 workshop sessions in mid to late October 1996 for the Local Authority Philippine Delegation, with the format to be generally as outlined in Report No FA127-09/96;
- 2 a luncheon on 14 October 1996 for 20 persons from the Philippine Delegation.

**CARRIED**

Appendices XIX and XX refer.

**FA128-09/96      WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 AUGUST 1996 - [021-1]**

This report submits the Warrant of Payments for the period ending 31 August 1996, the total sum expended being \$51,664,487.44.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 August 1996, certified by the Mayor and City Treasurer, and totalling \$51,664,487.44:

<u>FUNDS</u>	<u>VOUCHERS</u>	<u>AMOUNT</u>
Treasurer's Advance Account No 1	033772 - 035252	\$
9,058,812.73		
Municipal	000274 - 000281F	
\$17,236,906.25		
Trust	00032	\$
4.06		
East Wanneroo Development Area Cell 3	905721A	\$
542,050.00		
East Wanneroo Development Area Cell 4	905718A	\$
461,900.00		
East Wanneroo Development Area Cell 5	905711A	\$
35,500.00		
East Wanneroo Development Area Cell 6	905708	\$
835,946.88		
Town Planning Scheme 7A(2)	905766A	\$
913,800.00		
Town Planning Scheme 7A(B)	905761A	\$
367,700.00		
Town Planning Scheme 5	905756A	\$
236,500.00		
Berkley Road Local Structure Plan	905746A - 905746B	\$
1,369,446.88		
Reserve Account	905751A - 905751D	
<u>\$20,605,920.64</u>		
<u>\$51,664,487.44</u>		

**CARRIED**

Appendix XXI refers.

**FA129-09/96** **OUTSTANDING GENERAL DEBTORS - AUGUST 1996 - [020-0]**

This report details the outstanding general debtors at the end of August 1996.

**MOVED** Cr Wight, **SECONDED** Cr O'Grady that Council, writes out of its General Debtors Ledger an amount of \$3,362.95, representing debts considered irrecoverable, as detailed in Attachment B to Report No FA129-09/96.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

Appendix XXII refers.

**FA130-09/96      AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

This report submits details of requests for authorisation to reallocate funds within the 1996/97 Budget.

The net result of these reallocations and adjustments is a budget surplus of \$29,000.00.

**MOVED** Cr Freame, **SECONDED** Cr Major that Council authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act, amendments to the "revised budget figures" of the 1996/97 Budget as detailed in the Schedule of Budget Reallocations Requests - 18 September 1996.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

Appendix XXIII refers.

**FA131-09/96      GUMBLOSSOM COMMUNITY CENTRE AND BADGERUP ROAD  
GREENS RECYCLING FACILITY - CASH FLOATS - [280-5]**

Requests have been received from the City Recreation and Cultural Services Manager and City Engineer for \$100 cash floats for the Gumblossom Community Centre and Badgerup Road Greens Recycling Facility.

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

- 1            advances the Gumblossom Community Centre \$100 cash float;
- 2            advances the Badgerup Road Greens Recycling Facility \$100 cash float;
- 3            ensures the cash floats are operated in accordance with correct accounting principles.

**CARRIED**

**FA132-09/96      ORDERS FOR GOODS AND SERVICES -  
APPROVING/REQUISITION OFFICERS - [010-0-1]**

This report details requests for amendments to the list of Orders for Goods and Services - Approving and Requisitioning Officers for officers in the Engineering, Recreation and Cultural Services and Welfare Departments.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council authorises the amendments, as detailed on Attachment A to Report FA132-09/96, to the list of Orders for Goods and Services - Approving and Requisitioning Officers.

**CARRIED**

Appendix XXIV refers.

**FA133-09/96      DONATIONS - [009-1]**

This report provides details of a number of requests for financial assistance from Council for participants in:

- Junior Australian Road Cycling Championships, Bowral, NSW;
- Under 16 State School Girls Touch Rugby Team, Adelaide;
- National Rollersports Championships, Adelaide;
- Australian Under 16 Women's Basketball Championships, NSW;
- National Bodyboard Titles, Duranbah Beach, Queensland;
- National Talent Identification Soccer Championships, Brisbane;
- National Soccer Championships, Brisbane;
- Under 16 Womens Lacrosse Team, Adelaide;
- Under 18 Rugby team, Sydney.

People Who Care (Inc) are seeking financial assistance to provide home support services to frail, aged and disabled people living in the community.

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

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

Mr Ben Godridge  
Miss Richelle Rudd  
Miss Nicola Stynes  
Miss Melena Cullen  
Miss Alison Samulski  
Miss Debby Hodgkinson  
Miss Melissa Smargiassi

Mr Nicholas Smargiassi  
Miss Tegan Walker  
Mr Levi Rose  
Mr Tyrone Livingstone  
Mr Andrew McMurdo  
Miss Heather Lee  
Mr Marcus Wulf

- 2 confirms the donation of \$50.00 to Miss Sarah Elliott;  
such donations to be from Budget Item No 29470 - Sundry  
Donations - Recreation and Sport - Other;
- 3 donates \$50.00 to People Who Care (Inc);  
donation to be from Budget Item No 26531 Sundry  
Donations - Other Welfare Services.

**CARRIED**

**FA134-09/96      DONATION - WANNEROO HORSE AND PONY CLUB (INC) -**  
**[009-1]**

The Wanneroo Horse and Pony Club (Inc) request consideration for a donation to partially offset the rates levied on club premises which are leased from Council. The lease agreement in each circumstance provides for the lessee to pay the rates.

In view of past practice it would seem appropriate that Council continues to offer a non statutory donation equivalent to the rates payable, less the current minimum rate of \$380.00.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council makes a non statutory donation of \$1,787.90 to the Wanneroo Horse and Pony Club (Inc).

Budget Item 29470 Sundry Donations - Recreation Control.

**CARRIED**

**FA135-09/96      AUDIT REPORT - SHIRE OF WANNEROO AGED PERSONS**  
**HOMES TRUST (INC) - [002-1]**

The Shire of Wanneroo Aged Persons' Homes Trust (Inc) has forwarded a copy of its Audit Report and Annual 1995/6 audited Financial Statements for the financial year ended 31 March 1996.

At its Annual General Meeting, the Shire of Wanneroo Aged Persons' Homes Trust (Inc) recommended that Mr Domenic Carbone be reappointed as the Trust's Auditor for the 1996/97 financial year.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council, in accordance with the Shire of Wanneroo Aged Persons' Homes Trust Constitution, reappoints Mr Domenic Carbone as the Trust's Auditor for the period commencing 1 April 1996 to 31 March 1997.

**CARRIED**

**FA136-09/96**      **REALLOCATION OF FUNDING ACCOUNT NUMBER 27000 -  
TRADE/INDUSTRIAL/COMMERCIAL REFUSE COLLECTION  
PLANT REPLACEMENT RESERVE - [507-1, 208-6]**

Council is requested to authorise the reallocation of \$143,051.00 to Budget Item No 27000 (Vehicle Replacement) for expenditure in the 1996/97 Budget.

Funding is available in the Trade/Industrial/Commercial Refuse Collection Plant Replacement Reserve to meet this expenditure requirement in the 1996/97 budget.

**MOVED** Cr O'Grady, **SECONDED** Cr Healy that Council authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act the reallocation of \$143,051.00 to Budget Item No 27000 (Vehicle Replacement) from the Trade/Industrial/Commercial Refuse Collection Plant Replacement Reserve.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**FA137-09/96**      **RENT REVIEW - LEASED PREMISES DUGDALE STREET,  
WARWICK - [138/905/6]**

Under the lease agreement to Aquis Pty Ltd over Lot 905 Dugdale Street, Warwick the lease term expired on 31 August 1996. The lease agreement provides for an option to extend the lease for an additional term of five years commencing on 1 September 1996 and the lessee has taken up this option.

The Valuer General has suggested an annual rental of between \$24,000 and \$26,000 for the next two years of the lease and it is recommended that Council agrees to the increase in rental.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council sets the rental for Lot 905 (6) Dugdale Street, Warwick at \$24,000 per annum for the sixth and seventh years of the lease with Aquis Pty Ltd to be payable in advance effective from 1 September 1996.

**CARRIED**

**FA138-09/96**      **METAL SHED FOR YOUTH ACTIVITIES - [485-13]**

Cr Dammers requested a report on the cost of erecting a large metal shed to be used for recreation purposes by young people

and the feasibility of including this item in the budget for 1997/98.

He suggested the shed be large enough to house three basketball courts and to include ablution facilities and an internal brick wall.

Cr Freame suggested a hot mix floor be used in the facility.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that a report be submitted to the Finance and Community Services Committee on the cost of erecting a large metal shed to be used for recreation purposes by young people.

**CARRIED**

**FA139-09/96**      **TEMPORARY DIRECTION SIGNS - [219-1]**

Cr Major referred to temporary signs recently used to direct people to the various venues for the Wanneroo Eisteddfod and queried what provisions had been made to review the policy relating to the use of temporary direction signs erected for sporting and cultural functions.

The Chief Executive Officer advised that a report would be submitted to the Technical Services Committee in relation to this matter.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that a report be submitted to the Technical Services Committee in relation to reviewing the policy on the use of temporary direction signs for sporting and cultural functions.

**CARRIED**

**FA140-09/96**      **CHRISTMAS PAGEANT - [702-3]**

Cr Hancock referred to a request from the Joondalup Community Foundation for Councillors to become involved in the forthcoming Christmas Pageant by entering a float in the pageant.

She also made suggestions of Councillors' participation in the pageant.

The Chief Executive Officer advised he would investigate this matter.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council gives consideration to providing a truck to be used as a float in the forthcoming Christmas Pageant.

**CARRIED**

FA141-09/96

REGULAR MEETINGS WITH STATE AND FEDERAL MEMBERS  
OF PARLIAMENT - [540-0]

Cr Popham requested that regular meetings be arranged with State and Federal Members of Parliament to discuss issues relating to the City of Wanneroo.

The Chief Executive Officer advised he would investigate this matter.

It was suggested that four meetings a year be arranged.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that a report be submitted to the Finance and Community Services Committee in relation to arranging regular meetings with State and Federal Members of Parliament to discuss issues relating to the City of Wanneroo.

**CARRIED**

FA142-09/96

TRAFFIC MANAGEMENT - BOAS AVENUE AND GRAND  
BOULEVARD - [502-16]

Cr Healy queried the position in relation to traffic management at the junction of Boas Avenue and Grand Boulevard as he believed traffic was progressively becoming heavier in this area.

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

**MOVED** Cr Tippet, **SECONDED** Cr Freame that a report be submitted to the Technical Services Committee in relation to traffic management at the junction of Boas Avenue and Grand Boulevard.

**CARRIED**

COMMUNITY SERVICES SECTION

CS144-09/96      FOOD COMPLAINT-LAB NO 7046 - [851-7]

Council is advised of a complaint regarding a chocolate (Snickers) bar purchased from Shell Girrawheen, which tasted and smelt of petroleum.

**REPORT RECOMMENDATION:** That Council in accordance with the provisions of the Health Act 1911 initiates legal proceedings against Mon Holdings Pty Ltd, being the Franchisee of Shell Girrawheen, PO Box 457, Jolimont, WA 6014 with respect to the above food complaint.

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

- 1            in accordance with the provisions of the Health Act 1911 initiates legal proceedings against Mon Holdings Pty Ltd, being the Franchisee of Shell Girrawheen, PO Box 457, Jolimont, WA 6014 with respect to the above food complaint;
- 2            sends a copy of Report CS144-09/96 to the Minister for Planning.

**CARRIED**

CS145-09/96      HEALTH ACT NOTICE - MECHANICAL SERVICES, THE CHEESECAKE SHOP, HEATHRIDGE - [30/899]

Council is advised of a Notice under the Health Act 1911 issued to Berven Consultants Pty Ltd, trading as The Cheesecake Shop at the Heathridge Shopping Centre. The Notice relates to the kitchen canopy and exhaust and the shop air conditioning system which require certification with Australian Standards 1668.2 and 3666. Notification of these requirements were originally stated on the Building Licence fit out plans collected on 7 February, 1996 (B/L 96/0454). The shop was occupied on 15 February 1996.

**REPORT RECOMMENDATION:** That Council:

- 1            endorses the Notice issued under the Health Act 1911 upon Berven Consultants Pty Ltd, trading as The Cheesecake Shop, Heathridge, 37 Bushey Road, Wembley Downs, requiring them to rectify the kitchen exhaust canopy and exhaust and to certify the kitchen exhaust canopy and exhaust and to certify the air conditioning according to the relevant Australian Standards;

- 2 authorises the initiation of legal action against Berven Consultants Pty Ltd, trading as The Cheesecake Shop, Heathridge in the event of non compliance with the above Notice.

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

- 1 endorses the Notice issued under the Health Act 1911 upon Berven Consultants Pty Ltd, trading as The Cheesecake Shop, Heathridge, 37 Bushey Road, Wembley Downs, requiring them to rectify the kitchen exhaust canopy and exhaust and to certify the kitchen exhaust canopy and exhaust and to certify the air conditioning according to the relevant Australian Standards;
- 2 authorises the initiation of legal action against Berven Consultants Pty Ltd, trading as The Cheesecake Shop, Heathridge in the event of non compliance with the above Notice within 21 days.

**CARRIED**

**CS146-09/96      KEEPING OF PIGEONS - [0183/738/62]**

Council has received an application from Mr Nicola Trajceski, 62 Burnham Way, Girrawheen to keep racing pigeons at the aforementioned property.

**REPORT RECOMMENDATION:** That Council endorses the application by Mr Nicola Trajceski, 62 Burnham Way, Girrawheen to keep 75 pigeons subject to the following:

- 1 Mr Trajceski provides proof that he is a registered fancier or member of a recognised incorporated pigeon racing club;
- 2 Mr Trajceski complies with Council By-laws Relating to the Keeping of Pigeons.

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

- 1 endorses the application by Mr Nicola Trajceski, 62 Burnham Way, Girrawheen to keep 75 pigeons subject to the following:
- (a) Mr Trajceski provides proof that he is a registered fancier or member of a recognised incorporated pigeon racing club;
- (b) Mr Trajceski complies with Council By-laws Relating to the Keeping of Pigeons;

2 undertakes a formal review of its By-laws Relating to the Keeping of Pigeons.

**CARRIED**

**CS147-09/96 USE OF KINGSWAY SPORTS COMPLEX BY WANNEROO DISTRICTS NETBALL ASSOCIATION - [161-198]**

The Wanneroo Districts Netball Association has requested variations to the conditions of agreement for the Kingsway Sports Complex imposed by Council at its June meeting.

The proposed variations relate to the upgrading requirements of food preparation areas in the pavilion and a variation of the fee of \$6000 per annum on the basis of the discontinued regular use of the pavilion after 1997.

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

1 rescinds Item 3 of its motion of 26 June; viz -

- "3 authorises the use of the pavilion kitchen at Kingsway Sporting Complex by the Wanneroo Districts Netball Association for the purpose of fund raising for a period of up to three years, provided that the following conditions are met:
- (a) floor to be finished in a material that would render the floor smooth, impervious, durable and easily cleanable, ie commercial graded welded vinyl, tile or similar;
  - (b) walls lined with a material that would be smooth, durable, easily cleanable, light in colour and all voids filled and sealed to prevent harbourage of vermin, ie colourbond, brick wall finished with tiles or similar;
  - (c) as there is no ceiling with the pavilion, a flush jointed ceiling would be required over the food preparation area;
  - (d) a mechanical exhaust ventilation system complying to AS 1668.2 would need to be installed over the three barbecues. Note: Pavilion may require additional structural columns and steel members to support both the ceiling and ventilation system;

- (e) undertakes further investigation of the plumbing requirement at the Kingsway Indoor Pavilion and advises the Wanneroo District Netball Association further work may be required";
- 2 endorses the issuing of an approval for a temporary food facility in accordance with the Health (Food Hygiene) Regulations 1993 and the requirements of the City Environmental Health Manager to operate at the pavilion for the duration of the 1997 season;
- 3 requires that any use of the pavilion as a temporary food facility after 1997 be the subject of separate application to the City Environmental Health Manager.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**CS148-09/96      REFUSE ADVERSELY AFFECTING PROPERTY - [12/85/87]**

Council is advised of a complaint regarding accumulated materials in the rear yard at Lot 85 (87) Marine Terrace, Sorrento, owned by Mr G J Gray.

Cr Taylor noted that the property included milk and bread crates which remain the property of the relevant companies and requested that these companies be advised.

**REPORT RECOMMENDATION:** That Council:

- 1 Serves a Notice on the owner of Lot 85 (87) Marine Terrace, Sorrento, Mr Geoffrey James Gray to remove all materials listed from the lot and dispose of them at an approved site within twenty one (21) days;
- 2 authorises legal action against Mr Geoffery James Gray of 87 Marine Terrace, Sorrento in the event of failure to comply with Council's Notice.

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

- 1 Serves a Notice on the owner of Lot 85 (87) Marine Terrace, Sorrento, Mr Geoffrey James Gray to remove all materials listed from the lot and dispose of them at an approved site within twenty one (21) days;
- 2 authorises legal action against Mr Geoffery James Gray of 87 Marine Terrace, Sorrento in the event of failure to comply with Council's Notice;

3 subject to legal advice, authorises the removal of all materials listed from the lot in accordance with Council's by-laws.

**CARRIED**

**CS149-09/96 GROUNDWATER CONDITIONS - PINJAR LANDFILL SITE - [241-0-1, 874-1]**

Council is advised of further investigation being conducted by Council officers into the Pinjar landfill site.

This report recommends the installation of three (3) monitoring bores and one bore with pump, to regularly monitor the groundwater condition around the site and utilise pumped groundwater to improve grass farming opportunities on the landfill site.

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

1 approves the installation of four (4) groundwater monitoring bores, one production bore and reticulation equipment at the Pinjar Tip Site and authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act, the reallocation of \$40,000 from the Refuse Disposal Reserve to Account No 26914 (Rehabilitation of Pinjar Tip);

2 approves the routine monitoring of bores at, and adjacent to, the Pinjar Landfill Site and authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act, the reallocation of \$3,000 from Account No 40,000 (Transfer to Reserves) to Account 26804 (Water Quality Monitoring).

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**CS150-09/96 SENIOR CITIZEN'S WEEK - [880-12]**

The annual state wide Senior's Week celebration is scheduled for the 15 - 21 October 1996. Senior's week focuses on seniors in Western Australia and their important contribution to the community.

The City has always supported Senior's Week to promote a positive image of seniors and to challenge and breakdown the myths and stereotyping associated with ageing.

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

- 1 approves the projects for Senior Citizens Week as outlined in Report No CS150-09/96;
- 2 approves the expenditure of \$1,000 to cover the cost of the activities to be undertaken during Senior's Week - Allocation No 25760.

**CARRIED**

Appendix XXV refers.

**CS151-09/96      MULTICULTURAL ADVISORY COMMITTEE - 1996/97 -**  
**[880-9-1]**

Council at its meeting of June 1996 (Item CS104-06/96 refers) endorsed nominations for the above Committee for the 1996/97 term of office.

A late nomination was received from Mr Girma Molla due to the resignation of Mrs Martha Teshome of the Ethiopian community.

Council is therefore requested to formally appoint Mr Molla as the representative of the Ethiopian community.

**MOVED** Cr O'Grady, **SECONDED** Cr Popham that Council, endorses the appointment of Mr Molla as the Ethiopian community nominee to the Multicultural Advisory Committee for 1996/97 pursuant to Section 5.10(1) of the Local Government Act

**CARRIED BY AN**  
**ABSOLUTE**

**MAJORITY**

**CS152-09/96      CHILDREN'S SERVICES ADVISORY COMMITTEE - [303-9-**  
**10]**

Council at its meeting of February 1996 (Item CS14-02/96 refers) endorsed nominations for the above Committee for the 1996/97 term of office.

In July 1996, a resignation was received from Ms Tamara Devlin representing Child Care Centres.

A further nomination from Child Care Centres was received from Mrs Pat Hassett of the Padbury Child Care Centre.

It is therefore requested that Council formally appoint Mrs Hassett as the representative of Child Care Centres.

**MOVED** Cr Popham, **SECONDED** Cr Freame that Council, endorses the appointment of Mrs Hassett as the Child Care Centre nominee to

the Children's Services Advisory Committee for 1996/97 pursuant to Section 5.10(1) of the Local Government Act.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**CS153-09/96      MEMBERSHIP - FAMILY DAY CARE ADVISORY COMMITTEE -  
[856-0]**

Approval is being sought from Council to set up a Family Day Care Advisory Committee. In order to meet the Commonwealth funding requirements, as stated in the Family Day Care Handbook (1996), Council will be required to invite representation from licensed Family Day Carers and parents who will act in an advisory capacity to the Scheme Management.

Parents and carers were recently consulted as to their commitment to an Advisory Committee and this report details nominations received.

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

- 1            approves the establishment of a Family Day Care Advisory Committee;
- 2            adopts the Terms of Reference as outlined in Attachment 1 to Report No CS153-09/96;
- 3            endorses, the appointment of representatives as put forward in Report No CS153-09/96 to the Family Day Care Advisory Committee.

**CARRIED BY**

**AN**

**ABSOLUTE**

**MAJORITY**

Appendix XXVI refers.

**CS154-09/96      SCULPTURE PROJECT - OFFICIAL PUBLIC PRESENTATION  
- [429-1-12]**

Community artist Ms Helen Driesen of Sorrento was contracted by Parks Department to create a public art work at Jenolan Way Community Centre, Merriwa. The project consultation and design of a sculpture with community groups took three months.

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

- 1 endorses a function at Jenolan Way Community Centre, Merriwa to present Ms Driesen's sculpture to the public, at 10.00 am on Thursday, 17 October 1996;
- 2 agrees to the expenditure of \$300.00 from Civic Functions Budget (Allocation 20023347) towards catering for the function.

**CARRIED**

**CS155-09/96 ROYAL AUSTRALASIAN ORNITHOLOGISTS UNION - REQUEST FOR DONATION - [009-1, C705-2]**

The Royal Australasian Ornithologists Union has written to Council requesting a donation to assist in the revision of a book entitled "Birding Sites Around Perth". The total costs of revising this book, excluding printing, is estimated at \$2,400.00.

**REPORT RECOMMENDATION:** That Council agrees to a donation of \$20.00 to assist the Royal Australasian Ornithologists Union in revising the book "Birding Sites Around Perth".

**MOVED** Cr Tippett, **SECONDED** Cr Freame that Council agrees to a donation of \$50.00 to assist the Royal Australasian Ornithologists Union in revising the book "Birding Sites Around Perth".

**CARRIED**

**CS156-09/96 KINGSWAY FOOTBALL CLUBROOMS - LEASE - [016-198-6, C016-198-6-1]**

At its meeting on 28 February 1996, Council agreed to revoke the lease of the Football Clubrooms at Kingsway Sporting Complex, currently held by the Wanneroo Football and Sporting Club, once a sports club has been formed and assumed management responsibilities (Item CS16-02/96 refers).

This report outlines details of the progress of the sports club and proposed management of this facility for the period 1 October 1996 until 30 September 1997.

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

- 1 endorses the recommendation of the Kingsway Sports Club Steering Committee that the Wanneroo Football and Sporting Club manage the Football Clubrooms, Kingsway Sporting Complex, for the period 1 October 1996 to 30 September 1997; this agreement to be reviewed once the Kingsway Sports Club is formed and able to assume management responsibilities;

2 agrees to the Wanneroo Football and Sporting Club paying \$10,000 lease fee for the period 1 October 1996 to 30 September 1997; this fee to be paid in a series of instalments as follows:

1 April 1997	\$ 2,500
1 May 1997	\$ 1,500
1 June 1997	\$ 1,500
1 July 1997	\$ 1,500
1 August 1997	\$ 1,500
1 September 1997	\$ 1,500
	<u>\$10,000</u>

**CARRIED**

**CS157-09/96      EMPLOYEE EXCHANGE - CITY OF CALGARY, ALBERTA,  
CANADA - [690-1]**

At its meeting on 29 May 1996 Council endorsed in principle an employee exchange programme with the City of Calgary Parks and Recreation Department. An application was submitted by Mr Mark Nelli, Assistant Manager - Aquamotion Wanneroo (Item CS74-05/96 refers).

Mr Nelli's application was successful and he has been accepted for the exchange programme.

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

- 1 endorses Mr Mark Nelli's participation in the employment exchange programme with the Calgary Parks and Recreation Department;
- 2 agrees to maintain superannuation payments, workers compensation cover and annual leave entitlements for Mr Nelli during the exchange period;
- 3 accepts Mr Douglas Pleysier as an appropriate candidate to replace Mr Nelli as Assistant Manager at Aquamotion for the duration of the employee exchange programme.

**CARRIED**

**CS158-09/96      MOBILE SKATEBOARD RAMPS - [250-7]**

At its meeting on 24 July 1996 Council requested a report in relation to the mobile skateboard ramp located at the Council Depot.

Cr O'Grady subsequently requested that the report address the following issues:

- . the mobile skateboard ramp be retained, modified, repaired and made ready for use;
- . transport problems inherent with the ramp be addressed;
- . approval for Junior Council to form a committee to co-ordinate refurbishment of the ramp in close liaison with appropriate Council officers.

Cr O'Grady requested that Report CS158-09/96 be submitted to Junior Council for their information.

**REPORT RECOMMENDATION:** That Council offers its skateboard ramps and trailer for purchase by public tender in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council defers consideration of the sale of skateboard ramps and trailer by public tender.

**CARRIED**

**CS159-09/96      MATTERS ARISING FROM MANAGEMENT AND ADVISORY COMMITTEES - [264-3]**

This report submits details of matters arising from meetings of the Youth Advisory Committee and Historical Sites Advisory Committee.

The Manager Municipal Law & Fire Services was requested to investigate the installation of security locks on gates at Perry's Paddock.

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

- 1 allows its Function Room at Joondalup Administration Centre to be used for a joint "mapping" exercise with Family and Children's Services on a suitable date in November 1996;
- 2 grants approval for the Youth Advisory Committee to develop a newsletter to be distributed bi-monthly to all Council departments and agencies represented on the Youth Advisory Committee;
- 3 notes the request to refer issues that have implications for young people in the City of Wanneroo to the Youth Advisory Committee for consideration prior to adoption;
- 4 (a) includes Perry's Paddock within its regular security patrol roster and reports any

infringements to the Ministry for Planning for action;

- (b) writes to the Ministry of Planning seeking authorisation for Council Officers to enforce the provisions of the Metropolitan Region Town Planning Scheme Act (Section 26) pertaining to land known as Perry's Paddock (Lots 1 and 303);
- (c) at its earliest convenience, seeks a progress report from the Ministry for Planning as to the status of vesting Perry's Paddock land to Council.

**CARRIED**

**CS160-09/96      DOG ACT APPEAL - MRS M HAUCK, 84 PINNAROO DRIVE, PADBURY - [8963/ /84]**

On 5 June 1996 Council refused an application by Mrs M Hauck of 84 Pinnaroo Drive, Padbury to keep three dogs at her residence.

All applications to keep more than two dogs on residential properties are refused by Council (Council Resolution G50713).

This report advises that the Minister for Local Government has upheld an appeal lodged by Mrs Hauck and directs Council to grant an exemption to Mrs Hauck under Section 26(5) of the Dog Act to keep three dogs at her premises and the conditions specified.

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

- 1        advises the applicant and adjoining neighbours of the Minister's decision and of the conditions specified;
- 2        writes to the Minister as to the criteria used to arrive at his decision.

**CARRIED**

**CS161-09/96      RECOMMENDATIONS OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD ON 8 AUGUST 1996 - [902-1]**

This report details recommendations submitted from the Minutes of the Bush Fire Advisory Committee meeting held on 8 August 1996, namely that the Chief Bush Fire Control Officer's Annual Report be adopted and recommendations be agreed to and that Council adopts the same firebreak inspection procedure as in previous years with some minor changes.

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

- 1 appoints those people named on Attachment 1 to Report No CS161-09/96 as Bush Fire Control Officers, Brigade Officers, Fire Weather Officers and Brigade members for 1996/97;
- 2 approves of the delegated authority for the Chief Bush Fire Control Officer to withdraw infringement notices;
- 3 approves of the presentation of long service medals to brigade members as outlined in Report No CS161-09/96;
- 4 adopts the same firebreak inspection procedure as in previous years with some minor changes.

**CARRIED**

Appendix XXVII refers.

**CS162-09/96      PURCHASE OF TAPESTRY - "THE UPLANDS FARM - RURAL GRANDEUR" - [429-1-13]**

Correspondence was recently received from the daughter of an artist whose work is currently a part of the City of Wanneroo's art collection, requesting to purchase the art work.

**MOVED** Cr Tippet, **SECONDED** Cr Freame that Council offers to sell "The Uplands Farm - Rural Grandeur" to Ms Harding for the original purchase price of \$1,200.00.

**CARRIED**

**CS163-09/96      APPOINTMENT OF HONORARY PARKING INSPECTOR FOR NEWPARK SHOPPING CENTRE, GIRRAWHEEN - [910-1]**

In accordance with Council policy, it is necessary to re-appoint a person as an Honorary Parking Inspector for the Newpark Shopping Centre for a 12 month period.

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

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints Carole Anne Vardy as an Honorary Parking Inspector for the Newpark Shopping Centre, Girrawheen for a 12 month period subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspector to act under and enforce the Parking Regulation for the City of Wanneroo only within the boundaries of the Newpark Shopping Centre, Girrawheen as detailed hereunder:
  - (a) Local Government (Parking for Disabled Persons) Regulations 1988.

TAPE OF NATIONAL ANTHEM - [702-3]

Cr O'Grady queried whether the present tape of the national anthem used for Citizenship Ceremonies could be updated.

Cr Dammers advised this matter was being investigated.

KIOSK - CRAIGIE LEISURE CENTRE - [745-4-1]

Cr Tippett referred to problems experienced at this Centre and believed the decision to lease the kiosk would help alleviate those problems.

He felt that the inclusion of a small retail and swim wear module would enhance the potential of the kiosk to a private operator.

Cr Tippett believed overheads at the Centre would not be reduced unless there was also a reduction in staffing levels and requested that special attention be given to ensuring that displaced staff are properly cared for.

REQUEST TO USE FUNCTION ROOM - [702-3]

Cr Ewen-Chappell queried whether the Function Room could be used for future meetings of the Finance and Community Services Committee as she believed the present room was inappropriate.

KIOSK - CRAIGIE LEISURE CENTRE - [745-4-1]

Cr Freame raised her concerns in relation to the recent decision to submit for tender the kiosk facility at the Craigie Leisure Centre as she advised she had received a strong deputation from the Centre requesting that the present manager of the Kiosk be allowed more time to implement changes.

The Chief Executive Officer advised that the tender process was under way with specification being prepared ready for advertising.

JOONDALUP TOWNSITE CHRISTMAS BANNERS - [730-8-1]

The Chief Executive Officer reported on a recent meeting held with LandCorp and advised that LandCorp had agreed to meet the full cost of Christmas banners for the Joondalup townsite.

POSTAL VOTING - [801-1]

The Chief Executive Officer reported on recent talks held with the West Australian Municipal Association (WAMA) in relation to postal voting.

He requested to open negotiations with WAMA in regard to the City of Wanneroo indicating its willingness to enter into a pilot scheme for postal voting in Western Australia.

The Chief Executive Officer referred to the poor turn out at the recent election and believed participation in this scheme would benefit Council.

Councillors present raised no objections to this proposal.

C418-09/96 BUSINESS FOR INFORMATION

MOVED Cr Healy, SECONDED Cr Popham that the Business for Information Reports be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B142-09/96 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 August 1996.

MOVED Cr Healy, SECONDED Cr Popham that REPORT B142-09/96 be received.

CARRIED

B143-09/96 MINDARIE REGIONAL COUNCIL BUDGET MEETING - [508-5-5]

CITY ENGINEER'S REPORT

The Mindarie Regional Council met on 15 August 1996 to adopt its 1996/97 budget and address several other items of business. This report addresses the budget items and the Secondary Waste Treatment Process Evaluation Group. Proposed amendments to the Constitutional agreement and deed of lease are covered in a separate report.

MOVED Cr Healy, SECONDED Cr Popham that REPORT B143-09/96 be received.

CARRIED

TOWN PLANNING COMMITTEE

B144-09/96 PUBLIC ENVIRONMENTAL REVIEW ON THE PROPOSED RESIDENTIAL DEVELOPMENT ON PART LOT 2 BURNS: ADVICE FROM THE ENVIRONMENTAL PROTECTION AUTHORITY - [740-61, 740-80925]

Burns Beach Property Trust proposes to rezone its land Part Lot 2 Burns, from Rural to Urban in the Metropolitan Region Scheme (MRS). As about one third of this land is subject to Systems 6 Recommendations, it was required by the Environmental Protection Authority (EPA) to prepare a Public Environmental Review (PER). The EPA last year released this PER for an eight week public comment period which closed on 27 December 1995. Council

considered the PER at its meeting of 20 December 1995 and forwarded its submission to EPA (TP414-12/95).

EPA recently advised the landowner that due to the System 6 Update/Urban Bushland Strategy which will reflect on the assessment of the PER, this assessment would not proceed further until the results of the System 6 Update/Urban Bushland Strategy are released.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B144-09/96 be received.

**CARRIED**

**B145-09/96**      **RESULT OF LEGAL PROCEEDINGS INVOLVING USE OF RESIDENTIAL PROPERTY FOR SPRAYPAINTING IN BREACH OF THE TOWN PLANNING SCHEME: LOT 37 (25) CORDOVA COURT, CRAIGIE - [1148/37/25]**

At its meeting held on 24 April 1996, Council resolved to take legal action against the owners/occupiers of Lot 37 (25) Cordova Court, Craigie for a breach of the City's Town Planning Scheme No 1 involving spraypainting within a residential area (TP72-04/96 refers).

The matter came before Mr Heath, SM, at the Joondalup Court of Petty Sessions on 12 August 1996. The defendant, Mr D Llewellyn pleaded guilty to the breach of the scheme involving spraypainting within a residential area and received a fine of \$500. Mr Llewellyn was also ordered by the Magistrate to pay legal costs of \$374.90.

The total amount of the fine and legal costs to be paid to the City by Mr Llewellyn covers the City's legal fees involving this matter.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B145-09/96 be received.

**CARRIED**

**B146-09/96**      **DEVELOPMENT ENQUIRIES - AUGUST 1996 - [290-0]**

A Schedule of Development enquiries received during August 1996 is submitted, together with a resumé of advice given by the Town Planning Department.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B146-09/96 be received.

**CARRIED**

**B147-09/96**      **APPEAL DETERMINATION - LOT 10 (48) JAMBANIS ROAD,  
WANNEROO - [740-10084]**

This application for the proposed subdivision of Lot 10 (48) Jambanis Road, Wanneroo into two lots of 1.11 ha and 1.4247 ha with the rear lot gaining access via a 10 metre wide battleaxe leg has been approved on appeal by the Minister for Planning, on compassionate grounds.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B147-09/96 be received.

**CARRIED**

**B148-09/96**      **APPEAL DETERMINATION - PROPOSED STABLES, LOT 4  
(86) NISA ROAD, PINJAR - [30/5126]**

The appeal against Western Australian Planning Commission's refusal was not upheld, as the Minister for Planning considered that due regard should given to the protection of the Priority 1 Gngangara Water Mound, a resource from which water supplies for the Perth metropolitan area are drawn.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B148-09/96 be received.

**CARRIED**

**B149-09/96**      **APPEAL DETERMINATION: TRANSPORT DEPOT - MR AND  
MRS RITCHIE, LOT 36 (129) TRICHET ROAD, JANDABUP  
- [30/5202]**

This appeal lodged on the basis of Council's decision being deemed a refusal was considered invalid by the Minister for Planning as the provisions of the Strata Titles Act had not been met.

The City Planner advised that he had received advice from Solicitors on behalf of the land owner advising that the Hon Minister was prepared to reconsider his determination.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B149-09/96 be received.

**CARRIED**

**B150-09/96**      **APPEAL DETERMINATION - SUBDIVISION OF LOT 30 MARY  
STREET, WANNEROO - [740-99562]**

The appeal against Western Australian Planning Commission's refusal was not upheld as the Minister considered that the subdivision would represent uncontrolled fragmentation of the land without rezoning and structure planning in place.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B150-09/96 be received.

**CARRIED**

**B151-09/96**      **APPEAL DETERMINATION - LOC 3288 (31) BAILEY ROAD, CARABOODA - [740-98904]**

The appeal against Western Australian Planning Commission's refusal was not upheld as the Minister for Planning was concerned it did not comply with the Basic Raw Materials Policy.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B151-09/96 be received.

**CARRIED**

**B152-09/96**      **APPEAL DETERMINATION - LOT 7 (12) HONEY STREET, MARIGINIUP - [740-97909]**

The appeal against Western Australian Planning Commission's refusal was conditionally upheld as the Minister for Planning determined to reduce the road widening requirement from 10 metres to 5 metres and delete the requirement of an arterial intersection.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B152-09/96 be received.

**CARRIED**

**B153-09/96**      **APPEAL DETERMINATION - LOT 2 SWAN LOCATION 4134 (895) PERRY ROAD, PINJAR - [740-99957]**

The appeal against Western Australian Planning Commission's refusal was not upheld as the Minister for Planning believed approval of subdivision would be seen to compromise the intent of the Planning Control Area which seeks to protect the Priority 1 Ghangara Groundwater Mound.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B153-09/96 be received.

**CARRIED**

**B154-09/96**      **APPEAL DETERMINATION - LOT 12 (26) TIFWAY PLACE, CARABOODA - [740-99520]**

The appeal against Western Australian Planning Commission's refusal was not upheld as the Minister for Planning believed that approval of subdivision would be contrary to the City of

Wanneroo's Rural Subdivision Policy and the WA Planning Commission's Rural Small Holdings Policy.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B154-09/96 be received.

**CARRIED**

**B155-09/96**      **APPEAL DETERMINATION - BRICK HOISTS HIRE BUSINESS - LOT 6 (239) CORNER GNANGARA ROAD AND CALLAWAY STREET, WANGARA - [30/1226]**

This application has been approved on appeal by the Minister for Planning as he found that the applicant should remove all unauthorised structures and discontinue the machinery hire business, but that the hiring of brick hoists was within the parameters of the Builder's Yard approval already granted by the City.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B155-09/96 be received.

**CARRIED**

**B156-09/96**      **APPEAL DETERMINATION - CONDITIONS 2 AND 3 OF APPROVAL FOR PROPOSED EARTHWORKS ON LOT 3 (57) JOONDALUP DRIVE, EDGEWATER - [30/3769]**

This application has been approved on appeal by the Minister for Planning who noted that the earthworks do not bring about the need to provide the drainage easement and that as negotiations regarding its location have not been resolved to date, the conditions could be deleted.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B156-09/96 be received.

**CARRIED**

#### **FINANCE AND COMMUNITY SERVICES COMMITTEE**

**B157-09/96**      **FINANCIAL REPORT FOR THE TWO MONTHS 1 JULY TO 31 AUGUST 1996 - [002-3]**

This report submits details of the financial statements for the two months ended 31 August 1996.

With only two months of the financial year expired, no significant income or expenditure trends have emerged.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B157-09/96 be received.

CARRIED

**B158-09/96**      **STAFF AND OUTSIDE WORKERS' OVERTIME - AUGUST 1996**  
**- [404-10]**

This report submits the staff overtime return for the month of August 1996, together with details of the outside workers' overtime for the same period.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B158-09/96 be received.

CARRIED

**B159-09/96**      **RECREATION AND CULTURAL SERVICES DEPARTMENT**  
**MONTHLY REPORT - [260-0]**

This report details the major activities of the Recreation and Cultural Services Department during the month of September 1996. These included:

- Gloucester Lodge Museum and Art Gallery Open Day;
- Cross Cultural Consultation Workshop featuring Aboriginal Elders facilitating workshops and sessions;
- Craft - Try a New Challenge at Ocean Ridge Centre to include classes in pottery, leadlight overlay, candle making and decoupage.
- other projects included education swimming classes, leisure programme courses, junior sport development, mixed netball and mixed social volleyball, basketball clinic and State Lifeguard Competition.

**MOVED** Cr Healy, **SECONDED** Cr Popham that REPORT B159-09/96 be received.

CARRIED

**C419-09/96            REPORT OF OCCASIONAL COMMITTEE**

**MOVED** Cr Freame, **SECONDED** Cr Popham that the Report of the House Occasional Committee held on 4 September 1996 be received.

**CARRIED**

**ATTENDANCES**

Councillors:	A V DAMMERS - Mayor - Chairman	Central Ward
	F D FREAME	South-West Ward
	M E LYNN, JP	South-West Ward

Senior Administration Officer: M RAMSAY  
Council Steward: P DRAPER

**APOLOGIES**

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

**ELECTION OF CHAIRMAN**

Cr Dammers was elected Chairman

**CONFIRMATION OF MINUTES**

The Minutes of the House Occasional Committee Meeting held on 27 July 1995 were confirmed as a true and correct record.

**DECLARATIONS OF FINANCIAL INTEREST**

Nil

**MEETING TIMES**

Commenced:        0930 hrs  
Closed:            0950 hrs

ITEM OF BUSINESS

OC25-09/96

CONSIDERATION OF TENDERS FOR THE PROVISION OF  
CATERING SERVICES 1 OCTOBER 1996 TO 31 MAY 1997 -  
[208-055-95/96]

The Committee considered the various tender submissions received. Consideration was given to the limited time until the opening of Stage 1 of the Civic and Cultural Facilities, at which time Council will reassess its catering services. Due to the proven ability of Council's current caterers, the Committee recommended that the contract be awarded to Beaumonde Catering.

**MOVED** Cr O'Grady, **SECONDED** Cr Healy that Council accepts the tender from Beaumonde Catering for the provision of catering services over the period 1 October 1996 to 31 May 1997 and thereafter subject to monthly extensions to 31 August 1997.

**CARRIED**

**MOVED** Cr Wight, **SECONDED** Cr Major that the Report of the Joondalup Civic and Cultural Facilities Committee held on 13 September 1996 be received.

**CARRIED**

#### **ATTENDANCES**

Councillors:	A V DAMMERS, JP - Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	G A MAJOR	South-West Ward

City Building Surveyor:	R FISCHER
City Librarian:	N CLIFFORD
Deputy City Librarian:	J CADDY
City Treasurer:	J TURKINGTON
Committee Clerk:	J HARRISON

#### **IN ATTENDANCE**

James Christou	James Christou and Partners
John Main	" " "

#### **APOLOGIES**

Apologies for absence were tendered by Crs Lynn and Popham.

#### **PUBLIC QUESTION TIME**

Nil

#### **CONFIRMATION OF MINUTES**

The Minutes of the Joondalup Civic and Cultural Facilities Occasional Committee Meeting held on 2 August 1996 were confirmed as a true and correct record.

#### **DECLARATIONS OF FINANCIAL INTEREST**

Nil

#### **MEETING TIMES**

Commenced:	0817 hrs
Closed:	0915 hrs

**REPORTS:**

**OC26-09/96      TENDERS: CABINET WORK, LOOSE FURNITURE,  
WORKSTATIONS AND LIBRARY SHELVING - [730-8-8-1]**

The Architect makes recommendations for acceptance of tenders for cabinet work, workstations and Library shelving.

**MOVED** Cr Major, **SECONDED** Cr Wight that the Joondalup Civic and Cultural Facilities Committee, as empowered by Council, authorises the Architect to nominate/defer the following subcontractors to the Doric Constructions:

1            Subcontract No 2 - Cabinet Work:

Accepts the tender of \$377,722 from Can Lah Industries and authorises variations as advised by the Architect resulting in a revised contract sum of \$268,779;

2            Subcontract No 3 - Workstations:

Accepts the tender of \$66,475 from Contract Office Interiors and authorises variations as advised by the Architect resulting in a revised contract sum of \$64,758;

3            Subcontract No 4 - Loose Furniture:

Defer nomination and acceptance of Contract Office Interiors pending further negotiations and resolution;

4            Subcontract No 5 - Library Shelving:

Accepts the tender of \$131,087 from Can Lah Industries and authorises variations to include end panels and delete the provision of equipment resulting in a revised contract sum of \$103,950.

**CARRIED**

**OC27-09/96      PROGRESS REPORT NO 6 - [730-8-8-1]**

This report provides information about the progress of the Civic and Cultural Facilities Project.

**MOVED** Cr Major, **SECONDED** Cr Wight that Report OC27-09/96 be received.

**CARRIED**

**OC28-09/96      JOONDALUP LIBRARY TECHNOLOGY - [240-143]**

Joondalup Library, as the largest, most modern library in Western Australia, will open with a number of technological features not currently available in other City of Wanneroo libraries.

This report details further information in relation to technological features available in the Library.

**MOVED** Cr Major, **SECONDED** Cr Wight that Report OC28-09/96 be received.

**CARRIED**

**OC29-09/96      LOOSE FURNITURE - [730-8-8-1]**

In December 1995 when awarding the tender for the project it was necessary to reduce the allowances made for furniture.

The Architects have tendered the loose furniture. The results are over budget. The Architects will present proposals at the Committee meeting for alternative furniture that will enable the budget allowances to be met.

The Committee viewed previous selections of chair, together with new options. The Architect was advised of alternative choices for the Chamber and Conference Room chairs, together with stackable chairs. A decision regarding dining chairs was deferred pending further samples being made available for inspection.

**MOVED** Cr Major, **SECONDED** Cr Wight that Report OC29-09/96 be received.

**CARRIED**

C421-09/96

CHIEF EXECUTIVE OFFICER'S REPORT

MOVED Cr Freame, SECONDED Cr O'Grady that The Chief Executive Officer's Report be received.

CARRIED

C422-09/96

SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF  
AFFIXING THE COMMON SEAL - [200-0-1]

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and Cederdale Pty Ltd  
Description: Woodvale Tavern, Lot 2 Trappers Drive, Woodvale  
Date: 23.8.96

Document: Deed  
Parties: City of Wanneroo and P J and V D Dennis  
Description: 7A Reflection Close, Edgewater  
Date: 26.8.96

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and M Barnes  
Description: 7A Reflection Close, Edgewater  
Date: 26.8.96

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and M N and E M Beech  
Description: Lot 70 Nicholas Road, Wanneroo  
Date: 2.9.96

Document: Deed  
Parties: City of Wanneroo and M N Beech  
Description: Lot 70 Nicholas Road, Wanneroo  
Date: 2.9.96

Document: Transfer of Land  
Parties: City of Wanneroo and W A P C  
Description: Lot 101 Woodvale Drive, Woodvale  
Date: 4.9.96

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and R and S Lucisano  
Description: Location 1739, Neaves Road, Mariginiup  
Date: 4.9.96

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and Yatala Nominees Pty Ltd  
Description: Part of Carramar Golf Course Estate  
Date: 10.9.96

Document: Deed

Parties: City of Wanneroo and Kapinkoff Nominees P/L and  
Owners of Woodvale Shopping Centre (Str P. 16710)  
Description: 149 Trappers Drive, Woodvale (Tavern)  
Date: 16.9.96

Document: Lease  
Parties: City of Wanneroo and Tokyu Corporation  
Description: Tandara Youth Camp, Yanchep  
Date: 18.9.96

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

**CARRIED**

**C423-09/96**      **HUMAN RESOURCE MATTERS - [404-0]**

This report gives details of staff appointments and resignations.

**STAFF APPOINTMENT**

<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
Payroll Clerk - Treasury	Lorraine MILLS	11.09.96
Truck Driver - Engineering	Russell HARTMAN	12.08.96
Sen Infrastructure Officer (GIS) - Engineering	Christopher SIMMS	26.08.96
Planning Officer - T/Planning 11.09.96	Jason TAYLOR	26.08.96Clerk/E
Cadet Administrator - Admin	Shannon MACPHERSON	16.09.96
Welfare Officer - Welfare	Heather DRUMMOND	23.09.96

**RESIGNATIONS**

Planning Officer - T/Planning	Michael WHITBREAD	19.07.96
Cadet Administrator - ML&FS	David THOMAS	02.09.96

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that Council notes the staff changes as detailed in this report.

**CARRIED**

**C424-09/96**      **LOCAL GOVERNMENT SUPERANNUATION PLAN PTY LTD -**  
**[202-1-2]**

**BACKGROUND**

WAMA advise that due to the retirement of the present incumbent a vacancy has arisen for the position of Director - WA Local Government Superannuation Plan Pty Ltd.

## **DETAIL**

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

WA Local Government Superannuation Plan Pty Ltd is the Corporate Trustee for the WA Local Government Superannuation Plan (WALGSP).

The WALGSP provides superannuation coverage for the employees of every local government in Western Australia. It has nearly 16,000 members and assets in excess of \$220 million. The Corporate Trustee, which has equal employer/employee representation, is responsible for the management of the WALGSP which encompasses the broad areas of administration, life insurance and investment. The operations of the WALGSP are controlled by various State and Federal Laws. These include the Local Government Act, the Income Tax Assessment Act, Superannuation Industry (Supervision) Act, Superannuation (Resolutions or Complaints) Act, Superannuation Entities (Taxation) Act and General Trust Law.

It is preferable therefore that nominees have an investment market background, with some knowledge of Superannuation Laws.

Committee membership is comprised of representatives from WAMA, Local Government Association and the Country Shire Council's Association.

## **COMMENT**

Meetings are held on the fourth Monday of each month with special meetings scheduled from time to time. Accessibility to discuss investments and countersign cheques is also an important requirement.

As Director of the committee, a member is entitled to receive an annual allowance of \$5,000, plus \$250 for a full day's meeting fee.

## **SUMMARY**

WAMA have invited Councillors to nominate for the position of Director - Local Government Superannuation Plan Pty Ltd. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. THE WALGSP provides superannuation coverage for all local government employees. The Corporate Trustee is responsible for the management of the WALGSP. It is preferable

that nominees have an investment market background, with some knowledge of Superannuation Laws.

Cr Popham nominated Cr Tippet

Cr Tippet declared an interest in this Item as he had been nominated for consideration of appointment to the position of Director - WA Local Government Superannuation Plan Pty Ltd.

Cr Tippet left the Chamber at this point, the time being 2106 hrs.

**MOVED** Cr Popham, **SECONDED** Cr Wight that Council nominates Cr Tippet for consideration of appointment to the position of Director - WA Local Government Superannuation Plan Pty Ltd.

**CARRIED**

Cr Tippet entered the Chamber at this point, the time being 2107 hrs.

**C425-09/96**            **BUILDING REGULATIONS ADVISORY COMMITTEE -**  
**[202-1-2]**

**BACKGROUND**

WAMA advise that due to the retirement of the current member a vacancy has arisen for the position of Member - Building Regulations Advisory Committee.

**DETAIL**

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

The terms of reference for the committee are to report to and advise the Minister on building regulations issues as per Section 435 of the Local Government Act 1960 as amended.

The committee is seeking nominees with experience in building, or who are conversant with the building industry or safety in buildings.

Committee membership is comprised of representatives from Royal Australian Institute of Architects, the WA Fire Brigades Board and the Master Builders Association.

**COMMENT**

Meetings are held on the last Friday of each month and last for approximately half a day. A meeting fee of \$73.00 per half day is applicable.

#### **SUMMARY**

WAMA have invited Councillors to nominate for the position of Member - Building Regulations Advisory Committee. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. The terms of reference for the committee are to report to and advise the Minister on building regulations issues.

Cr Taylor nominated Cr Wight.

Cr Wight declared an interest in this Item as he had been nominated for consideration of appointment to the position of Member - Building Regulations Advisory Committee.

Cr Wight left the Chamber at this point, the time being 2108 hrs.

**MOVED** Cr Taylor, **SECONDED** Cr Popham that Council nominates Cr Wight for consideration of appointment to the position of Member - Building Regulations Advisory Committee.

**CARRIED**

Cr Wight entered the Chamber at this point, the time being 2109 hrs.

**C426-09/96**            **LOCAL GOVERNMENT FINANCIAL MANAGEMENT ADVISORY COMMITTEE - [202-1-2]**

#### **BACKGROUND**

WAMA advise that due to the establishment of the following committee, vacancies are available for the positions of Member and Deputy Member - Local Government Financial Management Advisory Committee.

#### **DETAIL**

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

The terms of reference for the committee are;

\*            to monitor and advise on the development, amendment and application of Australian Accounting Standards as they

apply to Local Government in Western Australia and to monitor the operation and effectiveness of the audit provisions of the Local Government Act 1995. Functions falling within the responsibilities of the Committee will cover:

- State legislation
- Australian Accounting Standards
- Training and Publications
- Consultation and Liaison

\* to review, examine and make recommendations in relation to any matter which has substantial relevance to Local Government auditing, financial management and reporting.

The committee is seeking nominees with extensive experience in financial management and/or accounting procedures.

Committee membership is comprised of representatives from Department of Local Government, WAMA, and the IMM.

#### **COMMENT**

Meetings are held on a quarterly basis and will last for approximately half a day to a full day. Reasonable travel expenses will be reimbursed.

#### **SUMMARY**

WAMA have invited Councillors to nominate for the positions of Member and Deputy Member - Local Government Financial Management Advisory Committee. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. The committee's terms of reference are to monitor, advise, review, examine and make recommendations in relation to Local Government auditing, financial management and reporting.

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that Council does not nominate a Councillor for consideration of appointment to the position of Member and Deputy Member - Local Government Financial Management Advisory Committee respectively.

**CARRIED**

**C427-09/96**      **HOUSING ADVISORY COMMITTEE - [202-1-2]**

#### **BACKGROUND**

WAMA advise that due to retirement of the current member a vacancy has arisen for the position of Member - Housing Advisory Committee.

## **DETAIL**

Council has been invited to nominate a Councillor for this position. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members of local government.

The terms of reference for the committee are;

- 1 to advise the Minister and Executive Director on policy issues across all functional areas of Homeswest;
- 2 to be advised of housing policy and program initiatives prior to implementation;
- 3 to advise on or recommend research and the development of new policies and guidelines in the areas of perceived need;
- 4 to assist in identifying housing needs in the community.

The committee is seeking nominees with an interest in and/or experience in dealing with housing related issues.

Committee membership is comprised of representatives from the Aboriginal Housing Board, the Director, Rental Operations, Homeswest and a Commonwealth representative.

## **COMMENT**

Meetings are held on the third Wednesday of every second month and last for approximately three hours. A sitting fee may be applicable (not advised at this stage).

## **SUMMARY**

WAMA have invited Councillors to nominate for the position of Member - Housing Advisory Committee. The position is conditional on the basis that elected members will resign when they are no longer elected members of local government. The committee's terms of reference are to advise on policy issues, advise on or recommend research of new policies and guidelines and to assist in identifying housing needs in the community.

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that Council does not nominate a Councillor for consideration of appointment to the position of Member - Housing Advisory Committee.

**CARRIED**

Municipal Training Services will be conducting an Introduction to Town Planning Principles on the 16 October 1996.

The course is a one day program aimed at identifying and explaining the principles of town planning. The course content includes Council responsibilities, legal issues, policy and development assessment, residential planning codes, rural planning issues, government department responsibilities and by-law preparation.

The course will provide participants with an overview of Town Planning issues and processes. The cost of the course is \$195 per participant and there are sufficient funds in account 20006 (Members - Conference Expenses) to allow registration of Councillors.

Cr Wight nominated Cr Hancock in her absence.

Cr Taylor nominated Cr Tippet.

Cr Tippet declared an interest in this Item as he had been nominated to attend this seminar.

Cr Tippet left the Chamber at this point, the time being 2111 hrs.

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

- 1 nominates Cr Tippet and also Cr Hancock, subject to her agreement, to attend the seminar on Introduction to Town Planning Principles to be held on 16 October 1996;
- 2 authorises the payment of related expenditure from allocation 20006 (Members - Conference Expenses) account.

**CARRIED**

Cr Tippet entered the Chamber at this point, the time being 2112 hrs.

**C429-09/96**      **MODIFICATION TO COUNCIL RESOLUTION (TP186-08/96)**  
**: AMENDMENT NO 720 TO TOWN PLANNING SCHEME NO 1**  
**TO REZONE LOT 79 GNANGARA ROAD, LANDSDALE -**  
**[790-720]**

#### SUMMARY

Amendment No 720 to Town Planning Scheme No 1 initially sought to rezone the whole of Lot 79 Gnangara Road, Landsdale from Rural to General Industrial and Residential Development. The

Hon Minister for Planning advised Council on 28 June 1996 that Amendment No 720 would only be finalised after it was modified to exclude the southern portion of Lot 79 Gngangara Road, Landsdale. Council, at its meeting on 28 August 1996, resolved to modify Amendment No 720 to Town Planning Scheme No 1 by excluding the southern portion of Lot 79 Gngangara Road, Landsdale to enable the finalisation of the rezoning of the northern portion of Lot 79 from Rural to General Industrial (TP186-08/96). Council also resolved to initiate Amendment No 777 to rezone the southern portion of Lot 79 Gngangara Road, Landsdale. However the resolution was worded in such a way as to prevent the progress of both Amendment No 720 and Amendment No 777 until such time as the full cost associated with the preparation of Amendment No 777 was received by Council. Subsequently, the consultants have expressed their dissatisfaction with the wording of this resolution.

The consultants believe that it is unfair to make the progress of Amendment No 720 contingent on the payment of costs for Amendment No 777. They have requested that the two amendments be treated separately because the owner wants to proceed with the rezoning of the northern portion of Lot 79, however the owner does not yet wish to proceed with the rezoning of the southern portion of Lot 79. It is considered appropriate for the resolution to be rescinded to allow this. However, it is considered appropriate for the owner to pay for the full cost of rezoning the southern portion of Lot 79 in the future. Land zoning changes are occurring due to the urbanisation of East Wanneroo and it is expected that the southern portion of Lot 79 Gngangara Road, which is currently zoned Rural under the City's Town Planning Scheme No 1, will conflict with the eventual zonings of surrounding land. It is considered appropriate for the owners of Lot 79 Gngangara Road to undertake the rezoning of the southern part of Lot 79 at their own expense in the future. The rezoning of this land should accord with the overall development of East Wanneroo.

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

1 rescinds item TP186-08/96, viz:

"That Council

- 1 advises Mitchell Goff & Associates that the owner of Lot 79 will need to pay the full costs associated with the preparation of a new amendment to rezone the excluded portion of Lot 79 Gngangara Road, Landsdale;
- 2 subject to the applicant's payment being received pursuant to 1 above:

(a)modifies Amendment No 720 to Town Planning Scheme No 1 to exclude the southern portion of Lot 79 Gngangara Road, Landsdale;

(b)supports Amendment No 777 to rezone the southern portion of Lot 79 Gngangara Road, Landsdale, currently zoned Urban Deferred in the Metropolitan Region Scheme, from Rural to General Industrial and Residential Development R20 generally in accordance with Attachment No 1 to Report TP186-08/96.";

- 2 modifies Amendment No 720 to Town Planning Scheme No 1 to exclude the southern portion of Lot 79 Gngangara Road, Landsdale currently zoned Industrial in the Metropolitan Region Scheme from Rural to General Industrial;
- 3 supports Amendment No 777 to Town Planning Scheme No 1 to rezone the southern portion of Lot 79 Gngangara Road, Landsdale currently zoned Urban Deferred in the Metropolitan Region Scheme from Rural to General Industrial and Residential Development R20 generally in accordance with Appendix XXVIII hereto;
- 4 advises Mitchell Goff and Associates that the owner of Lot 79 will need to pay the full costs associated with the preparation of Amendment No 777 at a time when this rezoning becomes necessary.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XXVIII refers

**C430-09/96      LEAVE OF ABSENCE - CR S MAGYAR - [702-3]**

Cr Magyar has requested leave of absence from Council duties for the period from Sunday 13 October to Thursday 17 October 1996 to attend the Environmental Health Conference in Sydney.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that Council approves the leave of absence requested by Cr Magyar for the period from Sunday 13 October to Thursday 17 October 1996.

**CARRIED**

**C431-09/96      CONSULTANCY CONTRACT - R F COFFEY - [404-0]**

BACKGROUND

At its meeting of 24 April 1996, Council considered retaining the services of Mr Ron Coffey in order to meet the demands

placed on Council by the Royal Commission's deliberations. This report reviews the contractual arrangements subsequently made.

#### DETAIL

At item C165-04/96, it was moved "that Council:

- 1 in accordance with changes previously authorised to Department Heads' salaries, authorises a Sub-Committee comprising the Mayor, Deputy Mayor, Crs Cooper and Major, to review Town Clerk's salary accordingly and approve any proposed changes; and
- 2 authorises the Mayor to negotiate a suitable consultancy contract with Mr R F Coffey to meet requirements made on Council pertaining to the operations of the Royal Commission, to be reviewed on a three monthly basis."

That resolution was carried unanimously.

The Mayor subsequently negotiated a consultancy based contract with Mr Coffey on the following terms and conditions:

- a) contract commencement 8 July 1996;
- b) three monthly review of contract;
- c) weekly retainer of \$500 in return for up to six (6) hours consultancy time;
- d) all time in excess of six (6) hours per week to be at the rate of \$75 per hour; and
- e) Council to provide necessary administrative support.

#### COMMENT

Since the commencement of the contract, Mr Coffey has had a number of discussions with Council's Solicitors, the City Treasurer, and the Manager, Corporate Services. Mr Coffey's advice has been sought on occasions pertaining to evidence required by the Commission on a number of subjects.

Mr Coffey has also visited hearings of the Commission and had dealings with Commission staff.

The number of hours service provided by Mr Coffey has not been documented.

The CEO has discussed the contractual arrangement with Mr Coffey and has received the advice that Mr Coffey is not prepared to

consider a renewal of the contract. Mr Coffey has indicated however, that he is prepared to volunteer his time on any issues related to the Royal Commission upon which the Council may seek his advice.

#### SUMMARY

Mr Coffey has been retained on a consultancy basis to assist Council in its dealings with the Royal Commission. Mr Coffey has provided service in terms of the contractual arrangement, and whilst the current demands of the Commission do not warrant the renewal of the contract, Mr Coffey has indicated that he is not prepared to consider a renewal in any event. Notwithstanding this position, Mr Coffey is prepared to continue to assist Council in a voluntary capacity, subject to his availability.

#### PERSONAL EXPLANATION - CR TAYLOR

Cr Taylor sought leave under Standing Order No 85 to give the following personal explanation; however advised he would not be moving to amend the recommendation as submitted.

Cr Taylor:

"I believed a personal explanation is possibly necessary to clarify the issues that would have been read in the media on Tuesday. When I raised this issue with the CEO on Wednesday of last week I were quite concerned at some of the information I were given. I sought some legal advice and opinion of the Department of Local Government to clarify this and it was based on that advice and opinion which (I were) further confirmed my concerns on the matter.

It seems an unfortunate situation where correct procedures possibly were not followed by several parties, namely possibly all of us. It has been discussed at great length I know by other Councillors in the last few days so I don't propose to go into an open discussion on the matter in this manner. I have sought advice in relation to an attempt to recoup some of these fees, if that was possible. The legal advice I have received is that it is an avenue that we could go down, however we would be risking anywhere between \$10-35,000 worth of ratepayers' money pursuing it legally. The solicitors would make a lot of money out of it at ratepayers' expense. I have therefore made a decision today that I will not be attempting to amend the recommendation to that effect. I think it is something that has happened. The recommendation is that it not be renewed and I am prepared to leave the recommendation as is and support that, but I do wish it to be known that my reasons for going public as I did with this matter and also my reasons for not pursuing it any

further here this evening. I know there are people expecting me to take it further but in view of the fact that we would be throwing further money with no guarantee of success I believe the right decision is the recommendation in front of us this evening Councillors. Thank you for the opportunity to make that explanation, Mr Mayor."

The Mayor stated he did not agree with Cr Taylor's comments in his personal explanation and requested the Chief Executive Officer to read a legal opinion obtained from the City's solicitors. The Mayor referred to the article recently published in the Wanneroo Times which he stated was offensive to Council and to Mr R Coffey, who accepted a consultancy arrangement in good faith, at a time when a newly appointed Chief Executive Officer could not be expected to deal with day to day dealings of the Royal Commission.

The Chief Executive Officer confirmed that Cr Taylor had sought his advice and was given details as shown in the report as submitted which reflect the contract which took place, and which was now due for review by Council. The Chief Executive Officer stated that in view of his discussions with Cr Taylor, he felt it wise to put questions to the City's solicitors which were:

- 1 Is the motion carried Unanimously by Council at its meeting on the 24 April legal in its current form and is it your interpretation that the actions taken by the Mayor with Mr Coffey should have been ratified by Council?
- 2 Is the contract between the Council and Mr Coffey binding, therefore all payments made are irrecoverable?
- 3 What action is open to the Council to rectify the situation should it so desire?

As Council Policy is that legal opinions should remain confidential, the Chief Executive Officer read the summary of the response from the City's solicitors as follows:

"In answer to your three questions you have put to us, we have therefore advised as follows:

- 1 On its facts the motion passed by Council does not appear to require any ratification by Council. Council did have the authority to delegate to the Mayor the power to enter into a contract and it is arguable that Council did have power to delegate to the Mayor the negotiations of the remuneration of the employment contract, although on the last point, the Act is not certain.

2 The contract itself appears to have been entered into validly. The only arguable breach of the Act is Council's delegating of the negotiation of the contract to the Mayor. Our view is the contract itself is valid and certainly Mr Coffey is entitled to enforce the same to its full effort.

3 To rectify any defects which may have occurred in the negotiation process it would appear available to Council to ratify the terms of the agreement entered into. Council could we believe resolve to ratify the terms negotiated thereby complying with the requirements contain in Section 158(1)(a) of the Act (that is the old Act that was governing in that period). The resolution and negotiations all occurred prior to the 1st July 1996, therefore the provisions of the new Act are not applicable."

The Mayor invited Cr Taylor to read a summary of his legal advice.

Cr Taylor advised that due to his being restricted to reading the summary only, he would decline this offer. He did however read from a facsimile forwarded to him on the previous day to confirm advice given on 20 September 1996, from Mr Andrew Stephenson of the Department of Local Government:

"Following is provided in response to your specific questions:

1 I am of the view that the Council is able to request the Mayor to negotiate with Mr Coffey for a suitable consultancy contract, therefore I do not see anything improper with the resolution in that respect. However, without being privy to the transcript of the discussion that took place prior to the resolution being made it is unclear whether the Council's intention was also to authorise them to enter into such a contract, albeit that that is not directly mentioned.

2 Once the contract was negotiated it should have been endorsed by Council. To that end the decision-making power of Council cannot be delegated to an individual Councillor (the Mayor in this instance). It can only be delegated to either a committee or the Chief Executive Officer in certain circumstances."

At this point, the Chief Executive Officer advised that under the provisions of the Act prevailing at the time this should read "an officer" and not "the Chief Executive Officer".

Cr Taylor resumed as follows:

"Regardless of the oversight the City is obliged to carry out the terms of the contract and pay a remuneration to Mr Coffey as detailed in the contract. However it is noted the contract is up for review and it may be timely for Council to follow the correct procedure to give consideration to entering into a further contract. It should be remembered that any instructions given in a resolution must be clear and unambiguous. Given the ambiguity of the resolution it could be argued Council is held responsible for a breach of the provisions of the Local Government Act 1960. It should have made it clear that following the negotiations the contract is to be ratified by Council. It could also be argued that the Mayor and Mr Coffey were negligent in not getting Council to endorse the terms of the contract. However given the circumstances I do not believe that any action will follow as a result of the administrative oversight."

Cr Taylor believed the current recommendation is the only course open to Councillors. He referred to a meeting held with the Chief Executive Officer and several questions he had prepared, but which he would not now raise. He stated he had requested a copy of the contract and queried whether an official contract had been prepared.

The Chief Executive Officer believed Cr Taylor was referring to correspondence which had passed between Mr Coffey, the Mayor and the City Treasurer, and forwarded to Council's solicitors, and stated he was of the opinion that a binding contract was in operation.

Cr Taylor queried the terms of the consultancy agreed to. The Chief Executive Officer reported he was not privy to discussions, however outlined details from documents he had inspected regarding the negotiation of conditions.

Cr Taylor indicated at this point that he had asked to listen to the tapes of debate held at the Council meeting of 24 April 1996 relating to Item C165-04/96, but understood that the Committee Clerk had been instructed not to tape this debate. The Chief Executive Officer clarified, on behalf of the Committee Clerk, that no instruction was given to her to switch off the taping equipment. It was her view that the matter to be discussed was of a personal nature and did not require taping. The Committee Clerk did however keep a written record, which was consistent with the notes of the Chief Executive Officer. The Chief Executive Officer read from the Committee Clerk's notes at this point.

Cr Taylor responded to the points raised in the notes of the discussion and reiterated that the matter should have been brought back to Council to be ratified. He referred to Section 157A of the old Act and 179(1)(c) which related to delegation and again stated that authority could not be delegated to the Mayor to enter into a contract. The Chief Executive Officer made a point of clarification in that Sections 157A and 179(1)(c) quoted by Cr Taylor were agreed to; however Council's solicitors have suggested that the Department of Local Government had overlooked Section 272(4) which authorises the Mayor to personally undertake contracts.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that Council ratifies and endorses the action of the Mayor in negotiating a consultancy based contract with Mr Coffey on the following terms and conditions:

- 1 contract commencement 8 July 1996;
- 2 three monthly review of contract;
- 3 weekly retainer of \$500 in return for up to six (6) hours consultancy time;
- 4 all time in excess of six (6) hours per week to be at the rate of \$75 per hour; and
- 5 Council to provide necessary administrative support.

**CARRIED**

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

FOR: Crs Healy, O'Grady, Magyar, Cooper,  
Ewen-Chappell, Wight, Tippett, Major, Dammers and  
Freame

AGAINST: Crs Taylor and Popham

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that in reflection of the demands indicated at this time, the Council not seek to renew its contractual arrangements with Mr Coffey.

**CARRIED**

**C432-09/96** **LEAVE OF ABSENCE - CR A WIGHT - [702-3]**

Cr Wight requested leave of absence from Council duties for the period from Monday 14 October to Saturday 19 October 1996.

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that Council approves the leave of absence requested by Cr Wight for the period from Monday 14 October to Saturday 19 October 1996.

**CARRIED**

**C433-09/96**      **LEAVE OF ABSENCE - CR D TIPPETT - [702-3]**

Cr David Tippett has requested leave of absence from Council duties for the period from Sunday 29 September 1996 to Sunday 13 October 1996. Cr Tippett wishes to attend a family reunion in Queensland, which was organised prior to his becoming a Councillor.

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that Council approves the leave of absence requested by Cr David Tippett for the period from Sunday 29 September 1996 to Sunday 13 October 1996.

**CARRIED**

**C434-09/96**      **BOLD REGIONAL PARK - [801-5]**

**BACKGROUND**

The Town of Cambridge is seeking Council's support in an ongoing dispute with the State Government over the Bold Regional Park proposal.

**DETAIL**

The Town of Cambridge was established as a result of the restructuring of the former Perth City Council by the State Government. The restructuring was enacted by legislation, under which the elected members were dismissed and replaced with a Government appointed Commission. During the restructure the Commissioners entered into discussions with the State Government to create Bold Regional Park. The establishment of the park was not a task prescribed by the restructuring legislation.

Two days before the Town's inaugural elections in May 1995, the outgoing commission, acting as the Town of Cambridge, entered into a legal agreement to transfer the freehold assets of F and G - valued at \$11.5m, to the State Government for one dollar. The transfer was to allow the Government to sell the land and pass the proceeds onto the Kings Park Board, the intended future administrator of the regional park.

A deed of agreement covering F & G (Appendix XXIX refers) exists, signed by the Government and the Commission, but the Town of Cambridge has yet to sign over the title deeds. Until justification of this arrangement has been provided, the Town of Cambridge refuses to handover the deeds to F & D.

The elected members of the Town of Cambridge strongly support the principle of a Bold Regional Park, including the incorporation into the proposed park of a large area of freehold land owned by the Town and valued at about \$500m. However, the Town vehemently opposes the method by which the State Government has chosen to fund the park's establishment.

Under the agreement with the State Government, it is proposed that Town of Cambridge owned land (F & G) which is zoned urban and outside the boundaries of the proposed park, be sold to fund the park. The Town of Cambridge is not aware of any precedent for the State Government to use the freehold land owned by a municipality to fund a State Government regional park. Additionally the Town of Cambridge is concerned about the lack of legal documentation justifying the gifting of areas F & G to the State Governments action setting an undesirable precedent with implications for Local Government authorities.

The Town of Cambridge has expressed their concern to the Western Australian Municipal Association and the Local Government Association. It is now asking all Local Governments to show support for the Town of Cambridge, by writing to the Council and expressing concern at the action taken by the State Government in acquiring Local Government owned land to fund a regional facility.

#### **COMMENT**

It is clear that there are two issues with which the Town of Cambridge has expressed concern. Firstly the Council is unhappy at the way the land was signed over by the Commission two days prior to Council elections and secondly it appears the Council is dissatisfied with the State Government wanting to sell this land to fund the creation of the park.

In terms of the involvement required by the City of Wanneroo, it appears the Town of Cambridge has done everything in its power to reverse the decision made by the Commissioners. It is considered inappropriate therefore for Council to intervene, especially where involvement in this issue would appear to have little or no impact.

#### **SUMMARY**

The Town of Cambridge has written to all Councils asking for their support regarding a dispute with the State Government and the Bold Regional Park proposal. The Commission acting on behalf of the Town signed over two pieces of land to the government two days prior to the Town being incorporated. This is the heart of the dispute in that the Town of Cambridge does not wish to release these portions of land, despite an agreement

having been reached between the Commissioners acting on behalf of the Council, and the State Government.

#### RECOMMENDATION

That Council advises the Town of Cambridge that it is not in a position to offer support on this issue.

**MOVED** Cr Cooper, **SECONDED** Cr Freame that Council writes a letter of support to the Town of Cambridge on this issue.

**CARRIED**

Appendix XXIX refers

C435-09/96      REQUEST TO WITHDRAW PENDING LEGAL ACTION ON  
PAYMENT OF COUNCIL'S LEGAL COSTS : INAPPROPRIATE  
INDUSTRIAL USE OF SPECIAL RURAL PROPERTY : LOT  
168 (245) FRANKLIN ROAD, WANNEROO - [30/4435]

#### SUMMARY

At its meeting held on 23 August 1995 (TP296-08/95) Council considered a request from the owner of Lot 168 (245) Franklin Road, Wanneroo (Mr Brian Hewer) to use the property for storage of materials and drilling rigs. As the property contained only a shed on the site and no residence, Council resolved as follows:

- "(a)      requests the owner of Lot 168 (245) Franklin Road, Wanneroo, Mr Brian R Hewer, to cease the use of the property for industrial purposes (namely water drilling business/storage) on a permanent basis and remove all equipment within 28 days notification;
- (b)      refers the matter to its solicitors for legal action if the use has not ceased within the time specified."

As the owner of the property failed to comply with Council's resolution above, the matter was referred to Council's solicitors on 5 March 1996 for prosecution.

#### BACKGROUND

The matter came before the Joondalup Court of Petty Sessions on 26 July 1996 where a plea of Not Guilty was entered by the complainant, Mr Brian Hewer.

The final court hearing of this matter has been set down for 1 October 1996.

In the meantime, Mr Hewer has sold Lot 168 (245) Franklin Road, Wanneroo to Mr Paul and Mrs Athena Calutti of 18 Jeffers Way, Greenwood.

Inspection carried out of Lot 168 by Council's Town Planning Liaison Officer on 18 September 1996 has revealed that the open storage of materials on the lot formerly belonging to Mr Hewer have now been removed and the property left in a neat and tidy condition.

Solicitor Mr Haydn Robinson, acting on behalf of Mr Hewer, has requested that Council now withdraw the complaint against Mr Hewer and that Mr Hewer is prepared to meet all Council's legal costs involving the complaint.

Council's solicitors, McLeod & Co support the proposal by solicitor Mr Haydn Robinson subject to Council agreeing with the proposal to withdraw the complaint.

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

- 1 agrees to withdraw pending legal action against Mr Brian Hewer of 4 Adalia Street, Kallaroo for breach of the City's Town Planning Scheme No 1 on the proviso that all Council's legal fees involved in the complaint are paid by Mr Brian Hewer;
- 2 advises its solicitors McLeod and Co that should all Council's legal fees not be paid by Mr Hewer, to their satisfaction, legal action to be continued.

**CARRIED**

**C436-09/96**      **NOMINATION - MINDARIE REGIONAL COUNCIL -**  
**[508-5-5]**

After the split of the City of Perth and the creation of the three new towns, the Constitution of the Mindarie Regional Council required amendment to admit the new towns.

The Constitutional amendment has resulted in the City's membership entitlement increasing to four Councillors. Council now needs to nominate another Councillor to the Mindarie Regional Council.

Cr O'Grady nominated Cr Healy.

Cr Healy declared an interest as he had been nominated to the Mindarie Regional Council.

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

**MOVED** Cr O'Grady, **SECONDED** Cr Freame that Council nominates Cr Healy to the Mindarie Regional Council.

**CARRIED**

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

**C437-09/96**      **APPOINTMENT OF DELEGATES - VARIOUS COMMITTEES - [702-0]**

Following the recent election of Cr David Tippett to the South Ward, consideration may now be given to filling the vacancies which exist on various Committees.

Councillors are advised that Section 5.10 of the new Local Government Act 1995 states that each Council member is entitled to be a member of at least one committee comprising:

- (a) Council members only;
- (b) Council members and employees.

**C438-09/96**      **APPOINTMENT OF DEPUTIES - STANDING COMMITTEES - [702-0]**

Membership of the Standing Committees comprise 6 Councillors (One North Ward, One Central Ward, Two South Ward; Two South West Ward) plus the Mayor.

Council at its meeting of 26 June 1996 nominated Cr Wight as delegate to the Policy Committee, to fill the South Ward vacancy left by Cr Wood.

The South Ward membership of the Standing committees is currently as follows:

<u>POLICY</u>	<u>1st Deputy</u>	<u>2nd Deputy</u>	<u>3rd Deputy</u>
Cr W Duffy	Cr A Taylor	Vacant	Cr T Popham
Cr A Wight	Vacant	Cr T Popham	Cr A Taylor

TECHNICAL SERVICES

Cr A Taylor	Cr W Duffy	Cr T Popham	Vacant
Cr A Wight	Vacant	Cr T Popham	Cr W Duffy

TOWN PLANNING

Cr A Wight	Vacant	Cr T Popham	Cr A Taylor
Cr W Duffy	Cr A Taylor	Cr T Popham	Vacant

FINANCE & COMMUNITY SERVICES

Cr A Taylor	Cr A Wight	Cr W Duffy	Vacant
Cr T Popham	Vacant	Cr A Wight	Cr W Duffy

The South Ward Councillors have made the following suggestions for filling the above vacancies.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council appoints South Ward members to its Standing Committees as follows:

<u>POLICY</u>	<u>1st Deputy</u>	<u>2nd Deputy</u>	<u>3rd Deputy</u>
Cr W Duffy	Cr A Taylor	Cr D Tippett	Cr T Popham
Cr A Wight	Cr T Popham	Cr D Tippett	Cr A Taylor

TECHNICAL SERVICES

Cr A Taylor	Cr W Duffy	Cr A Wight	Cr D Tippett
Cr T Popham	Cr A Wight	Cr D Tippett	Cr W Duffy

TOWN PLANNING

Cr A Wight	Cr D Tippett	Cr T Popham	Cr A Taylor
Cr W Duffy	Cr A Taylor	Cr T Popham	Cr D Tippett

FINANCE & COMMUNITY SERVICES

Cr A Taylor	Cr A Wight	Cr W Duffy	Cr T Popham
Cr D Tippett	Cr T Popham	Cr A Wight	Cr W Duffy

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**C439-09/96**      **EAST WANNEROO DEVELOPMENT OCCASIONAL COMMITTEE -  
[780-1]**

Membership of the East Wanneroo Development Occasional Committee comprises the Mayor, one Councillor from each Ward, and the Chief Executive Officer.

A vacancy exists for a South Ward Councillor.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council appoints Cr W Duffy as Delegate to the East Wanneroo Development Occasional Committee.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

C440-09/96      RESIDENTIAL PLANNING CODES WORKING PARTY -  
[290-5]

Membership of the Residential Planning Codes Working Party comprises one Councillor from each Ward.

A vacancy exists for a South Ward Councillor.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council appoints Cr A Wight as Delegate to the Residential Planning Codes Working Party.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

C441-09/96      GIRRAWHEEN/KOONDoola RECREATION ASSOCIATION -  
[330-2]

Membership of the Girrawheen/Koondoola Recreation Association comprises all South Ward Councillors, with Councillors attending meetings on a rotational basis.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council appoints Cr D Tippett as South Ward Delegate to the Girrawheen/Koondoola Recreation Association.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

C442-09/96      KINGSLEY/WOODVALE RECREATION ASSOCIATION -  
[330-4]

Membership of the Kingsley/Woodvale Recreation Association comprises all South Ward Councillors, with Councillors attending meetings on a rotational basis.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council appoints Cr D Tippett as South Ward Delegate to the Kingsway/Woodvale Recreation Association.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

C443-09/96      KINGSWAY COMPLEX MANAGEMENT COMMITTEE -  
[061-198-11]

Membership of the Kingsway Complex Management Committee comprises all South Ward Councillors, with Councillors attending meetings on a rotational basis.

**MOVED** Cr Wight, **SECONDED** Cr Taylor that Council appoints Cr D Tippet as South Ward Delegate to the Kingsway Complex Management Committee.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

The following vacancies are open to all Councillors and the South Ward Councillors have made suggestions for filling the vacancies.

**C444-09/96            STRUCTURAL REFORM ADVISORY COMMITTEE - [312-2]**

Membership of the Structural Reform Advisory Committee comprises 7 Councillors. Current membership is:

Cr Dammers	Cr Lynn	Cr Major
Cr Cooper	Cr Magyar	Cr O'Grady

A vacancy exists for one delegate.

South Ward Councillors suggest that Cr Wight be nominated for this position.

Cr Taylor nominated Cr Wight.

**MOVED** Cr Taylor, **SECONDED** Cr Popham that Council appoints Cr Wight as Delegate to the Structural Reform Advisory Committee.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**C445-09/96            WARWICK LEISURE CENTRE JOINT AND CHURCHES OF  
CHRIST MANAGEMENT COMMITTEE - [702-3]**

Membership of the Warwick Leisure Centre Joint and Churches of Christ Management Committee comprises one Councillor and Deputy.

The position of deputy is held by Cr Popham. A vacancy exists for a delegate. South Ward Councillors suggest that Cr Tippet be nominated for this position.

Cr Wight nominated Cr Tippet.

**MOVED** Cr Wight, **SECONDED** Cr Popham that Council appoints Cr Tippet as Delegate to the Warwick Leisure Centre Joint and Churches of Christ Management Committee.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

**C446-09/96**      **RECREATION DEVELOPMENT FUND ASSESSMENT PANEL -  
[429-1-35]**

Membership of the Recreation Development Fund Assessment Panel comprises 3 Councillors.

Crs Freame and O'Grady are currently delegates. A vacancy exists for one delegate. South Ward Councillors suggest that Cr Taylor be nominated for this position.

Cr Wight nominated Cr Taylor.

**MOVED** Cr Wight, **SECONDED** Cr Popham that Council appoints Cr Taylor as Delegate to the Recreation Development Fund Assessment Panel.

**CARRIED BY AN ABSOLUTE MAJORITY**

**C447-09/96**      **UNIFORM PRICING POLICY FOR RECREATION FACILITIES  
SUB-COMMITTEE - [260-0]**

Membership of the Uniform Pricing Policy for Recreation Facilities Sub-Committee comprises 5 Councillors and 5 Deputies. Current membership is:

Delegate

Vacant  
Cr A Wight  
Cr L Ewen-Chappell  
Cr L O'Grady  
Cr G Major

Deputy

Cr A Taylor  
Cr T Popham  
Cr B Cooper  
Cr P Healy  
Cr V Hancock

A vacancy exists for a Delegate. South Ward Councillors suggest that Cr Tippet be nominated for this position.

Cr Wight nominated Cr Tippet.

**MOVED** Cr Wight, **SECONDED** Cr Cooper that Council appoints Cr Tippet as Delegate to the Uniform Pricing Policy for Recreation Facilities Sub-Committee.

**CARRIED BY AN  
ABSOLUTE**

**MAJORITY**

C448-09/96

NEIGHBOURHOOD WATCH SUBURB MANAGERS COMMITTEE -  
[909-1]

Current membership on the Neighbourhood Watch Suburb Managers Committee comprises Cr A Wight as delegate and Cr A Taylor as deputy.

Cr Wight has indicated an intention to resign from this Committee. Cr Tippett has indicated he is interested in assuming the position as delegate.

Cr Wight submitted his resignation from this Committee.

Cr Wight nominated Cr Tippett.

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

- 1 accepts the resignation of Cr A Wight from the Neighbourhood Watch Suburb Managers Committee;
- 2 appoints Cr Tippett as Delegate to the Neighbourhood Watch Suburb Managers Committee.

**CARRIED BY AN**  
**ABSOLUTE**

**MAJORITY**

C449-09/96

YOUTH ADVISORY COMMITTEE - [485-2]

Current membership on the Youth Advisory Committee comprises Crs L O'Grady and T Popham as delegates and Cr L Ewen-Chappell as deputy.

Cr Popham has indicated an intention to resign from this Committee. Cr Tippett has indicated he is interested in assuming the position as delegate.

Cr Popham submitted his resignation from this Committee.

Cr Popham nominated Cr Tippett.

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

- 1 accepts the resignation of Cr T Popham from the Youth Advisory Committee;
- 2 appoints Cr Tippett as Delegate to the Youth Advisory Committee.

**CARRIED BY AN**

ABSOLUTE

MAJORITY

C450-09/96 COMMUNITY POLICING DIVISIONAL COMMITTEE - [909-3]

Current membership on the Community Policing Divisional Committee comprises Cr A Wight as delegate.

Cr Wight has indicated an intention to resign from this Committee. Cr Tippett has indicated he is interested in assuming the position as delegate.

Cr Wight submitted his resignation from this Committee

Cr Taylor nominated Cr Tippett.

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

- 1 accepts the resignation of Cr A Wight from the Community Policing Divisional Committee;
- 2 appoints Cr Tippett as Delegate to the Community Policing Divisional Committee.

**CARRIED BY AN  
ABSOLUTE**

MAJORITY

C451-09/96 ORGANISATIONAL STRUCTURE REVIEW - [404-0]

BACKGROUND

At its meeting on 24 April 1996, Council resolved that the following positions shall be deemed Senior Officer positions for the purposes of Section 5.37(1) of the Local Government Act 1995:

City Engineer  
City Planner  
City Treasurer  
Deputy Town Clerk  
City Building Surveyor

Council further resolved that the present incumbents of those positions be invited to negotiate a fixed term, performance based contract for a term of between 3 and 5 years.

That resolution anticipated the appointment of those senior officers within the executive management of a revised organisational structure.

At its meeting on 29 May 1996, Council authorised the engagement of Deloitte Touche Tohmatsu to assist in the evaluation of options for the restructure of the organisation. (Item P44-05/96 refers.) This report details progress to date and presents recommendations for the advancement of the restructure process.

#### DETAIL

At a workshop of Councillors conducted on 24 September 1996, the CEO and Mr George McCullagh of Deloitte Touche Tohmatsu discussed the major reforms in local government both nationally and internationally. Many of those reforms are focused on achieving a more accountable and efficient public image, operating in a competitive environment based on predetermined performance criteria.

The current structure of the City of Wanneroo is not conducive to meeting the challenges posed by the broad reform agenda. The traditional department structure is not organised around the business processes of the Council, and does not separate the operating tasks of senior management from the strategic functions.

Notwithstanding this, the organisation has demonstrated initiative in a number of the reform areas, including competitive tendering practices, benchmarking, quality management training, financial management and strategic planning. However, the existing structure and past management practice has seen these initiatives focused at the departmental level with little or no strategic application in a corporate sense.

It is necessary therefore to develop an organisational structure that is customer focused, more responsive to needs and working towards clearly defined outcomes with measurable indicators of performance.

The CEO and George McCullagh presented to the workshop a number of examples of organisational structures introduced in various Local Governments both interstate and overseas. Generally based on the "purchaser/provider" model, these structures provide for the clear separation of strategic and operational tasks, concentrate resources in customer service directorates with specialist corporate support, and provide for the efficient and effective utilisation of Council resources.

The structure submitted for adoption (Appendix XXX refers) follows the models now in place in many local governments across Australia and in New Zealand. It provides a starting point for reengineering the business processes of the organisation towards

a customer focus, and establishes the broad framework for the staged implementation of a business/service unit approach to the delivery of services. In addition, the new structure will facilitate the preparation of a more meaningful strategic plan for the City of Wanneroo.

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

- 1 adopts a new Directorate structure based on the service streams shown in Appendix XXX hereto;
- 2 endorses the following appointments to the positions of Director of the following Directorates:
  - Strategic Planning - Ray Fischer
  - Resource Management - John Turkington
  - Corporate Services - Bob Dymock
  - Development Services - Oscar Drescher
  - Technical Services - Ron McNally;
- 3 authorises the Chief Executive Officer to establish position descriptions for each Director and forward those descriptions to OCR Pty Ltd for evaluation of remuneration packages;
- 4 authorises the Chief Executive Officer to advertise internally the position of "Director, Community Services";
- 5 authorises the Chief Executive Officer to progress the process reengineering stage to formulate business units with the aid of Deloitte Touche Tohmatsu in accordance with budget allocation 20114 - Professional Retainer/Consultancy Fees, Administration Department - Executive.

**CARRIED**

Appendix XXX refers

**MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT**

**C452-09/96**

**COST OF SWORN VALUATION - LOT 976**  
**SHENANDOAH MEWS, CURRAMBINE - [740-97277]**

Cr Major requested information on the costings of a sworn valuation of Lot 965 Shenandoah Mews, Currambine both with and without the inclusion of the 0.1 metre pedestrian accessway.

**RESOLVED** that information on the costings of a sworn valuation of Lot 965 Shenandoah Mews, Currambine both with and without the inclusion of the 0.1 metre pedestrian accessway be sought.

**C453-09/96**

**WASTE MANAGEMENT TECHNIQUES - [508-4]**

Cr Popham raised the issue of waste management techniques and read from an article appearing in today's West Australian newspaper titled "A revolutionary waste management technique developed by a Perth poultry farmer".

He drew attention to a point in the article whereby it stated the use of biological fermentation which uses insects, microbes and bacteria to break down moulds, shredded household and other associated wastes would eradicate the need of landfill and thus save vast amounts of money.

Cr Popham requested a report be submitted on the benefits of this type of recycling to the City of Wanneroo.

**RESOLVED** that a report be submitted to Technical Services Committee detailing both the procedures and benefits of this type of recycling to the City of Wanneroo.

**ORGANISATIONAL STRUCTURE REVIEW - [404-0]**

Cr Cooper referred to the item on Organisational Structure Review before tonight's Council Meeting stating that this is a milestone for the City of Wanneroo and would have a major impact for some time to come.

He made mention of the fact that Councillors had attended a workshop recently on this subject and congratulated both the Chief Executive Officer and staff for the excellent manner in which this was presented.

**C454-09/96**

**RECOGNITION OF SERVICE - MR IAN KELLY -**  
**[322-4-1]**

Cr Cooper made mention of Mr Ian Kelly, who had completed 24 years service to Wanneroo Emergency Services.

He stated this was a commendable effort by Mr Kelly, afforded on a voluntary basis, to a much needed community service. In recognition of Mr Kelly's service, Cr Cooper suggested he be presented with an appropriate commendation.

**RESOLVED** that Mr Ian Kelly be presented with an appropriate commendation, recognising his 24 years of service to the Wanneroo Emergency Services.

**CODE OF CONDUCT - [312-2]**

Cr Magyar pointed out that the Committee researching the draft Code of Conduct policy for the City of Wanneroo should give particular attention to the problem of "whistle blowing".

He stated that whilst protection should be afforded to whistle blowers, the question of following proper fair and due processes needed to be addressed and included in the Code of Conduct.

**EXTENSION OF WESCO ROAD, NOWERGUP - [510-467]**

Cr O'Grady raised the issue of the delay in construction of the extension of Wesco Road, Nowergup and queried when this might be completed.

The City Engineer advised the delay in construction was brought about in negotiating the resumption of land to form the road reserve. This has now been finalised and construction will continue in due course.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING**

Nil

**PUBLIC QUESTION TIME**

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION TIME, DURING WHICH QUESTIONS WERE PUT BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

Mr Vic Harman, 1 Bounty Place, Ocean Reef on behalf of Ocean Reef Residents Association:

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

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

Cr Dammers advised that this Question would be taken on notice.

Q2 Mr Harman raised the matter of where Councillors are obliged to declare a pecuniary interest in any Item, would it be possible in the Council Minutes sent out to give reasons as to why a Councillor is declaring a pecuniary interest.

A2 The Chief Executive Officer advised that under the new Local Government Act it was a requirement for any Councillor declaring a financial interest to state their reasons for doing so. These reasons are now recorded in the Council Minutes.

He further advised that after a transition period, within three months after May 1997, Councillors and staff will be required to declare all their interests - in property and finance matters which will be recorded in a register that then becomes a public document, able to be viewed by members of the public at any given time.

Mrs A Hine, Dundobar Road, Wanneroo:

Mrs Hine questioned why the Item on Consultancy Contract - R F Coffey was withdrawn from a previous Council Meeting in April?

Cr Dammers advised Mrs Hine the matter she was referring to was a completely separate issue and had no bearing on the matter raised this evening in relation to Mr Coffey's consultancy contract.

Mr Graham Hull:

Mr Hull questioned Cr Cooper's motion this evening that three proposed traffic calming areas may be controlled by multi-nova cameras. He queried whether this overruled Council's recommendations?

