

CITY OF WANNEROO

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

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	From 1932 hrs to 2255 hrs	
	From 2305 hrs to 0016 hrs	
	F D FREAME, Deputy Mayor, Acting Chairman	South-West Ward
	From 2255 hrs to 2305 hrs	
	P O HEALY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	T W POPHAM	South Ward
	W D DUFFY	South Ward
	D K TIPPETT, JP	South Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP	South-West Ward
	V G HANCOCK	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services	R E DYMOCK
City Planner:	O G DRESCHER
City Engineer:	R McNALLY
City Treasurer:	J B TURKINGTON
Acting City Building Surveyor:	R SCARCE
City Environmental Health Manager:	M AUSTIN
Acting City Parks Manager:	D CLUNING
City Recreation and Cultural Services Manager:	R BANHAM
Acting Manager, Municipal Law & Fire Services:	K SMITH
Manager, Welfare Services:	P STUART
Acting City Librarian:	J CADDY
Executive Officer:	P HIGGS
Publicity Officer:	O DAVIDSON
Committee Clerk	J AUSTIN
Minute Clerk:	L TAYLOR

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

There were 54 members of the Public and 1 member of the Press in attendance.

The Mayor declared the meeting open at 1932 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mrs A Hine, were taken on notice at the Council Meeting held on 18 December 1996:

Q1 Who gave permission to demolish the old Duffy House?

A1 It is understood that the Council gave permission because it stood in the Hepburn Avenue Road reserve.

Q2 What was the date?

A2 The actual date is not known but the house was demolished in 1977.

Q3 Was a demolition order or licence issued?

A3 A search of Council records and archives could not locate any reference to the issue of a demolition order or a date when the building may have been demolished.

Q4 If yes, please advise the date of such order or licence.

A4 See Answer 3 above.

The following questions were submitted by Mr Vic Harman, Ocean Reef for the Council Meeting of 26 February 1997:

Q1 Is Council aware of matter as mentioned in the attached extract from the Sunday Times regarding the conditions of land ownership by overseas purchasers? (Appendix I refers)

A1 Yes

Q2 Does Council enforce these conditions for Wanneroo?

A2 Advice from the Foreign Investment Review Board is as follows:

The City, as a Local Government Body, is exempt in the same manner as the Federal and State Governments from the requirements of the Foreign Acquisitions and Takeovers Act, Section 12a(7)(c) in respect of the sale of urban land.

The onus on establishing identity or eligibility rests with the purchaser or his agent and the article mentioned refers to that principle.

Appendix I refers

Mr Barry Higgins, Bernard Road, Carabooda submitted the following questions at the Council meeting held 26 February 1997:

Q1 I refer to the "tray" mentioned below:

Exactly where is the tray located?

At what time(s) is the tray cleared?

By whom?

A1 The Chief Executive Officer advised the tray is located on the table within Council Chamber and is generally used for those questions that are submitted during the meeting which are normally dealt with during the 15 minute public question time period at the conclusion of the meeting.

He further advised that Council's policy was to deal with any questions which were submitted in writing two days prior to the meeting during the public question period at the commencement of the Council meeting.

Re: P1-02/97 (702-8) - Page 18, Agenda 26.2.97 - concerning Local Government Department report of investigation into the conversion of car component of former Town Clerk Coffey's contract into cash. How does this report address:

Q2 Council's power of delegation?

A2 Council's Power of Delegation shall be in accordance with the Local Government Act 1995.

Q3 Council's meeting procedures?

A3 Council's meeting procedures shall be in accordance with the Local Government Act 1995, Administration Regulations 1996 and the Council's Standing Orders, or Local Law.

Q4 Council's keeping of minutes?

A4 Council's keeping of minutes shall be in accordance with the Local Government Act 1995 and the Administration Regulations 1996.

Q5 Council's ability to comply with statutory requirements?

A5 Not sure what the question means but Council must comply with all statutory requirements.

Q6 What is the basis of recommendation No 2 which requires the Chief Executive Officer to undertake an "immediate statutory compliance audit" of the Council's operations?

- A6 The set Compliance Audit is developed by the Local Government Department for Councils to check that they have complied with statutory procedures. Council is currently undertaking a compliance audit which will be forwarded to the Department as was the case in 1996.
- Q7 Item 708-2 of Council Agenda, 26.2.97 concerning Cr Popham's query re costs of legal representation and advice to Cr Popham that the relevant information could be obtained from Chief Executive Officer.
- (a) What was the full and precise details of the relevant information?
- A7 (a) Council has a policy which permits legal assistance to be granted to present and former Councillors and staff engaged in proceedings before the Royal Commission into the City of Wanneroo. A ceiling of \$3,000 has been set for each granted assistance, such ceiling will not be exceeded except by the further direction of the Council increasing the ceiling; or in the case of emergencies by the Chief Executive Officer. The opinion sought by Cr Popham at the Policy Committee meeting related to the expenses incurred by Council in relation to this assistance and although not detailed here there is question that will be read which will detail those items.
- (b) What is the total cost of the legal representation to date?
- A7 (b) At the current date, 26 February 1997, \$24,718.00 has been expended from the budget allowance of \$100,000.00 including \$4,500.00 for legal instruction on the Royal Commission proceedings from solicitors, Neil Douglas and John Woodhouse from Minter Ellison Northmore Hale and \$2,724.00 for the A Dammers -v- W Bradshaw defamation issue.

Ms Jill Brown of Merriwa submitted the following questions at the Council Meeting held 26 February 1997:

"According to an item on Page 4 of the Wanneroo Times Weekend Edition 21 February 1997 "Resident calls for Youth Centre" - Arnold Dammers is quoted as saying that Wanneroo City Council has received a grant of \$45,000 from Family and Children's Services for a youth services centre in Clarkson or Heathridge.

Q1 Is that Federal or State Government funded?

A1 State Government

Q2 When were these funds made available?

A2 The Minister for Family and Children's Services has recently accepted Council's expression of interest to provide a youth service in the Quinns Rocks/Clarkson/Merriwa district. The service agreement is valid until 31 December 1999 and provides a grant of \$45,000 per annum for this period. Funds will become available within a couple of weeks for the period 19 February - 31 March 1997, and 1 April - 30 June 1997 in April 1997.

- Q3 What has been done in relation to the funding?
- A3 Report CS15-02/97 provides Council with background information concerning this service. Council's Youth Services Co-ordinator is currently undertaking preparatory work associated with the project. It is expected that the appointment of a part-time youth worker will be the first step in the process.
- Q4 Will it be used to develop a separate building for youth or part of an existing building?
- A4 The funds will be used to provide a part-time youth worker to be located in the newly completed Clarkson Community High School. The balance of the funds will be used initially to secure the services of the YMCA mobile youth recreation and information bus in the service area after school hours. There is an allocation for recreational activities and personal development workshops.
- Q5 If it is part of an existing building, is it one that is owned by the City or State Government?
- A5 The high school has been provided by the State Government.
- Q6 Where will it be located?
- A6 The Clarkson Community High School is located in Walyunga Boulevard, Clarkson. It is anticipated the youth recreation and information bus will provide a mobile service at various locations within the surrounding suburbs.
- Q7 When will it be in service for the young people of Wanneroo?
- A7 The service is required to be operational as quickly as possible and it is anticipated that this will be late March, early April 1997.
- Q8 Referring to page of Council Agenda, 26 February 1997, Item P15-02/97 - Action requested by Cr Ewen-Chappell referring to a copy of her letter addressed to the Mayor relating to an incident which occurred at a committee meeting in October 1996, could we as members of the public have more information on this please?
- A8 The matter was discussed behind closed doors by the Policy Committee. The motion is recorded as it is required to under the Local Government Act and it was LOST and there is no further action; therefore there is no comment to be made on this Item.

Mr V Parin of Greenwood submitted the following questions at the Council Meeting held on 26 February 1997:

The Chief Executive Officer advised that the questions relate to the proposed crossover at Lot 560 (3) Manakoora Rise, Sorrento.

- Q1 Would Councillor Hancock please explain the double standards that existed with the Wanneroo Council in relation to the crossover.

- Q2 Would Councillor Hancock please explain how she came to the conclusion that the crossover in question is on a corner.
- Q3 Please explain what houses Councillor Hancock refers to opposite or beside.
- Q4 Is Councillor Hancock aware of the imposition placed on the western corner house being the Del Borrello residence when the original design plans were approved?
- Q6 Regards to the meeting that took place with a Main Roads Department representative and Councillor Hancock, did she show him specifically the crossover position being location "A" and location "B" with the Engineer's report?
- Q7 Did Councillor Hancock advise whether the representative from the Main Roads Department was acting in an official capacity or purely on a friendship basis?
- Q8 Councillor Hancock stated as quoted "the first sight of the driveway is 30 metres when travelling down the steep hill of Manakoora Rise". Could Councillor Hancock explain as quoted if the driveway was located further to the west motorists would have a more sight distance and stopping time. Could Councillor Hancock please explain how she arrived at this conclusion?
- Q9 Would Councillor Hancock please table:
- (a) Relevant sight distances;
 - (b) Technical information obtained from the personnel of the Main Roads Department;
 - (c) The technical information obtained that relates to inspections; a publication by Austroad. If so, how does this guide interpret the crossover at Manakoora Rise?
- Q10 Has Councillor Hancock endeavoured to obtain any information from the City of Wanneroo Engineering Department, and if not; why not?

Cr Hancock advised that Mr Parin should be aware that as a Councillor there are many issues which will require research and investigation in order to arrive at a decision. Mr Parin's crossover has been treated no differently from any item in which Cr Hancock would take an interest in as a Ward Councillor.

Cr Cooper submitted questions faxed to him by Mrs A Hine for Council Meeting of 26 February 1997:

- Q1 In respect of the recent discussion on changes to voting practices at the Special Council Meeting of 19 February 1997, would Council be good enough to explain:
- (a) Why a fair majority - 50% or more of Councillors are not so called special majority and could not determine voting procedures for our Council for the coming years? The idea of a special majority conjures up ideas of some sort of deception;

- (b) Do the members of the special majority believe that ratepayers are less capable of deciding who should be their Mayor any more than they ordinary citizens elected by the same group of ratepayers to be councillors are capable of deciding such issues?

Again the exclusiveness of these five special majority members smacks of nepotism and is not a move forward for this Council.

Cr Cooper gave notice of his intention at the end of the Council Meeting to move that Council request the Minister for Local Government to abolish the special majority needed in any Council or any democratically elected decision.

The Chief Executive Officer advised that under the new Local Government Act there are three categories of which Council can resolve motions; these are:

Simple Majority - means the majority of numbers present at that meeting;

Absolute Majority - the absolute majority of Council which means whether they are present or even if a position is vacant for instance an absolute majority requires 8 of the 15 Councillors to vote in favour.

He state under the new Local Government Act the Government has seen fit to impose a Special Majority and that is that there is a requirement of 75% of the Councillors, whether present at the meeting or whether all positions are filled which means of this Council - the City of Wanneroo we would require 12 out of the 15 Councillors. This is a requirement in special circumstances which was witnessed at our recent meeting with the decision as to whether to go to postal voting or whether to change the mode of election of Mayor. Unfortunately these conditions are imposed by the State Government.

Ms Jill Brown of Merriwa submitted the following question for Council Meeting held 26 February 1997:

- Q1 Ms Brown drew attention to the fact that St Lukes Church in Padbury had been closed and inquired whether it was possible for Council to purchase this building and return it to the teenagers who have been using this facility up until now?
- Q2 Whether the teenage community groups of Merriwa could present a delegation to Council or the appropriate Committee regarding the present youth problems in the community.

The Mayor advised that he would take these questions on Notice and would liaise with City Recreation and Cultural Services Manager in this regard.

Mrs A Hine submitted the following question for Council Meeting on 26 February 1997:

Mrs Hine addressed the following questions to Cr Hancock:

- Q1 When is a corner not a corner? How does the Council specify a corner?

Mrs Hine referred to recent problems she had experienced through living on a corner and the stipulations imposed by Council in this regard.

Q2 Mrs Hine referred to remarks made towards Cr Hancock in relation to Item TS1-02/97 - Crossover Location - Lot 560(3) Manakoora Rise, Sorrento and queried whether the questions asked were appropriate questions to put to a Councillor?

The Mayor responded that the questions were inappropriately asked, hence his reasoning for advising Cr Hancock she was not required to respond.

Q3 Was this crossover application not refused twice previously by Council?

A3 **The Mayor** stated Mr Parin had every right to make any number of applications and that each application would be judged on their merits.

CONFIRMATION OF MINUTES

Correction - Council Agenda, 26 February 1997

Cr Ewen-Chappell advised that on Page 102 of the Council Agenda under the Town Planning Section "Stacklin Way" should be amended to read "Sapling Way".

C1-0-2/97 MINUTES OF COUNCIL MEETING, 18 DECEMBER 1996

MOVED Cr Lynn, **SECONDED** Cr Freama that the Minutes of the Council Meeting held on 18 December 1996, be confirmed as a true and correct record. **CARRIED**

C2-02/97 MINUTES OF SPECIAL COUNCIL MEETING, 15 JANUARY 1997

MOVED Cr Healy, **SECONDED** Cr Magyar that the Minutes of the Special Council Meeting held on 15 January 1997, be confirmed as a true and correct record. **CARRIED**

C3-02/97 MINUTES OF SPECIAL COUNCIL MEETING, 19 FEBRUARY 1997

Correction

Page 3 - In person elections - 60% should be amended to read 6%.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that the Minutes of the Special Council Meeting held on 19 February 1997, as amended above, be confirmed as a true and correct record. **CARRIED**

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Cr Taylor advised he wished to withdraw Questions he had submitted in relation to Legal Representation. Chief Executive Officer advised that a response to these questions had been prepared and would be circulated to all Councillors.

The Chief Executive Officer advised that the questions submitted by Cr Magyar dealt with the subject of landfill at 52 Korella Street, Mullaloo.

- Q1 Does the placing of landfill on a residential block require a development approval?
- A1 Yes.
- Q2 Does landfill on a residential block require an Engineer's Certificate confirming that the fill has been done in a manner suitable for the construction of a house on that fill?
- A2 Yes.
- Q3 Must an owner of the property submit an application and structural drawings for a construction of a retaining wall if the wall is greater than 1 metre in height? Do such retaining walls require the written approval of the adjoining owner?
- A3 Any retaining wall exceeding 450mm in height requires a building licence application, such application requires an Engineer's design for the wall. The building codes and regulations do not require any input or approval for affected adjoining owners. Council does have a policy that requires adjoining owners' approval for retaining walls exceeding 1 metre in height.
- Q4 Can the Council or its officers retrospectively issue a development approval for landfill or a retaining wall?
- A4 No, however in practise in order to resolve matters Council has issued development approval after the development has occurred.
- Q5 Has authority been delegated from the Council to any of its officers to approve the private dumping of landfill on to public recreation reserves?
- A5 The City Parks Manager has delegated authority to develop and maintain the city parks.
- Q6 Has this Council any records for an application to dump landfill on 52 Korella Street, Mullaloo? If so, when and to what height is the landfill approved?
- A6 No. However, a building licence application which has been submitted recognised that fill had occurred.
- Q7 Has this Council any records for an application to construct a retaining wall on the western boundary of 52 Korella Street, Mullaloo? If so, when and to what height was the retaining wall approved? Was the approval of the adjoining owner obtained?

- A6 An Engineer's design for a retaining wall 2 metres in height is included in the building licence application for the proposed dwelling. The building licence has not yet been issued for the site due to problems with the filling. An Engineer's Certificate was supplied to Council for the retaining wall and the builder has requested to seek adjoining owners comments as to the wall exceeding 1 metre in height. Such approval has not been received and the builder has reduced the height of the wall of 1 metre and less. As at 26 February 1997 a suitable Engineer's Certificate has been received and a licence is now in the process of being issued for the proposed dwelling and retaining wall.
- Q8 Has the Council or any of its officers given approval to dump landfill in the recreation reserve adjoining 52 Korella Street, Mullaloo? If so, when was the approval given and what was the conditions or requirements of that approval?
- A8 The Acting City Parks Manager authorised filling to spill on to the reserve on the condition that the batter be stabilised to his satisfaction during the winter of 1997. It is understood that an on-site meeting was held on 28 February 1996 where the arrangement was agreed to.
- Q9 Does the Council have the power to order the removal of unapproved landfill from an undeveloped residential block?
- A9 Significant unauthorised landfill can be considered as building work under the Building Regulations 1989. The ability to have it removed under the Local Government Act is questionable to minimum penalties and Magistrates' interpretations. Under Council's Town Planning Scheme, the same fundamental problems exist. However, the matter will be referred to Council's solicitors to see what other avenues are open to the Council. In the past the only satisfactory resolution to these problems has been through negotiations with the landowners.
- Q10 If the answer to Question 9 is yes, has Council ever used its powers?
- A10 Refer to answer for Question 9.

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Cr Magyar submitted the following questions in relation to the Wanneroo Showgrounds.

- Q1 Is Reserve 12990 commonly known as the Wanneroo Showgrounds vested with the City of Wanneroo?
- Q2 If the answer to Question 1 is yes, when was the reserve first transferred to the City or its predecessors?
- Q3 Did the City of Wanneroo formally known as the Shire of Wanneroo or the Wanneroo Roads Board enter into any negotiations with the Wanneroo Agricultural Society to enable the aforementioned reserve to be transferred to the City or its predecessors?

- Q4 Has the City or any Government agency retained copies of any resolutions of Council or its predecessors regarding the transfer or the vesting of this reserve?
- Q5 If the answer to Question 4 is yes, then can copies of such resolutions, copies of reports and or correspondence regarding the transfer be made available to the Wanneroo Agricultural Society for its annual meeting on 14 March 1997.

The Mayor advised he would take these questions on notice as research would need to be carried out.

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

INSTITUTE OF MUNICIPAL MANAGEMENT

I have much pleasure in presenting the City's Deputy Environmental Health Manager, Phil Swain, with an associate membership of the Institute of Municipal Management.

Phil has achieved membership of this National body for senior local government managers by showing a strong commitment to the cause and development of local government.

Congratulations Phil.

AUSTRALIA CONSULTS

Last Saturday afternoon, Wanneroo residents had a chance to have their say on three national identity issues likely to impact on Australia's future.

As part of the nation-wide Australia Consults project, the forum was designed to collate comment on the following topics:

- How to celebrate the centenary of federation in 2001;
- Possible changes to the Head of State in 2001;
- Reconciliation between indigenous and other Australians

While the number of participants taking part in the forum was disappointing - around 30 attended - it made my job of chairman easier and allowed all to air their views.

The outcome was worthwhile culminating in a number of interesting suggestions which will be forwarded to the National Australia Day Council for attention and publication on Internet.

PUBLIC MEETINGS

This Council will conduct six public meetings throughout the district during the next two weeks to allow people an opportunity to discuss the possible future boundaries of the City of Wanneroo.

The first meeting is 27 February 1997 at 7 pm in the Gumblossom Hall, Quinns Rocks.

Other meetings will be held at Two Rocks, Padbury, Wanneroo, Sorrento and Girrawheen.

A flyer detailing the dates and locations for the meetings is available from the table near the door.

PETITIONS, MEMORIALS AND DEPUTATIONS

C4-02/97 PETITION REQUESTING MAINTENANCE OF FOOTPATHS AND VERGES WITHIN CITY OF WANNEROO - [512-0]

Cr Freame tabled a 183-signature petition from ratepayers/residents of the City of Wanneroo requesting that Council:

- 1 fix the unsightly and dangerous condition of footpaths in our streets;
- 2 acknowledge that overgrown and uncared for verges (as well as being unsightly) are a potential danger to traffic and pose a fire risk and that Council undertake a proactive campaign to fix our verges for these reasons;
- 3 instruct land owners to undertake a cleanup of their vacant blocks at least once a year.

MOVED Cr Freame, SECONDED Cr Popham the petition from ratepayers/residents of the City of Wanneroo requesting that Council maintain footpaths and verges be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C5-02/97 PETITION REQUESTING NIGHTLY STREET SECURITY PATROLS - [905-1]

Cr Freame tabled a 1216-signature petition from residents of Duncraig, Hillarys and Padbury requesting that Council consider employing a private security company to patrol streets on a nightly basis, for which the petitioners were prepared to accept an increase in annual rates to provide this service.

MOVED Cr Freame, SECONDED Cr Popham that the petition from residents of Duncraig, Hillarys and Padbury requesting that Council consider employing a private security company to patrol streets on a nightly basis, be received and referred to Municipal Law & Fire Services Department for a report to Finance and Community Services Committee.

CARRIED

PARKING PROHIBITIONS - ALFRETON WAY - [510-1770]

Cr Freame tabled a copy of facsimile letter from a Duncraig resident, which she understood had been sent to all Councillors, in relation to parking prohibitions in Alfreton Way, Duncraig.

This letter will be referred to Engineering Department for action.

CROSSOVER LOCATION - LOT 560 (3) MANAKOORA RISE, SORRENTO - [3090/560/3]

Cr Hancock tabled a letter from Mr and Mrs Shenton who raised their concerns in relation to the proposed crossover location at Lot 560 (3) Manakoora Rise, Sorrento.

This letter will be referred to Engineering Department for action.

C6-02/97 GROUPED AND MULTIPLE UNIT DEVELOPMENT - LOT 55 (14) ITEA PLACE, MINDARIE - [30/4020]

Cr Hancock tabled a letter from a Mindarie resident raising concerns in relation to the proposed 25 grouped and multiple dwelling units on Lot 55, 14 Itea Place, Mindarie.

Cr Lynn also tabled a letter from a concerned resident in relation to this matter.

The residents state an important part of local amenity due to loss of views will occur which will also have an affect on property values in the area.

MOVED Cr Freame, SECONDED Cr Popham that the letters from Mindarie residents raising concerns in relation to the proposed 25 grouped and multiple dwelling units on Lot 55, 14 Itea Place, Mindarie be received and referred to Town Planning Committee for a report to Town Planning Committee. CARRIED

AUSTRALIAN DEFENCE FORCE ACADEMY SCHOLARSHIPS

Cr Lynn advised that six young people residing in the City of Wanneroo have attained a very high achievement of entry into the Australian Defence Academy at Duntroon. They are:

Lyndon Dunlop	Duncraig Senior High School	Sth-West Ward
Benjamin Harlow	Duncraig Senior High School	Sth-West Ward
Alexander Sleeman	Duncraig Senior High School	Sth-West Ward
Christopher Evans	Greenwood Senior High School	South Ward
Steven Vermey	Prendiville Catholic College	Central Ward
Teneile Jenkins	Prendiville Catholic College	Central Ward

Cr Lynn pointed out that these young people would enter the Defence Academy as cadets in both the Australian Regular Army and the Royal Australian Navy. Upon successful completion of training, they will become commissioned officers in the Australian Armed Forces.

Cr Lynn requested that congratulatory letters on behalf of Council be sent to the successful candidates on their acceptance to Duntroon Military Academy.

C11-02/97 LETTER SEEKING FINANCIAL ASSISTANCE TO NATIONAL JUNIOR CALISTHENICS CHAMPIONSHIPS, CANBERRA - [009-1]

Cr Popham tabled a letter from Mr and Mrs Clarke seeking financial assistance for their daughter, who is a member of the State Junior Calisthenics team, to attend the National Titles in Canberra to be held in July.

This letter will be referred to Treasury Department for action.

MOVED Cr Freame, SECONDED Cr Popham that the letter from Mr and Mrs Clarke seeking financial assistance for their daughter to attend the National Calisthenics Titles in Canberra be received and referred to Treasury Department for action. CARRIED

C12-02/97 PETITION OBJECTING TO PROPOSED RECEPTION CENTRE, BADGERUP ROAD, GNANGARA - [30/3165]

Cr Popham tabled a 12-signature petition objecting to the proposed reception centre to be located in Badgerup Road, Gngangara.

The petitioners state the noise and traffic volumes associated with this type of amenity is an intrusion on their chosen lifestyle. They also feel that a facility of this type would have a possible detrimental affect on the Gngangara water mound, as well as devaluing properties in the area.

MOVED Cr Freame, SECONDED Cr Popham that the petition objecting to the proposed reception centre to be located in Badgerup Road, Gngangara be received and referred to Town Planning Department for a report to Town Planning Committee. CARRIED

C13-02/97 PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY - HARFORD WAY AND BURNHAM WAY, GIRRAWHEEN - [510-0177, 510-0183]

A 49-signature petition has been submitted by Ted Cunningham, MLA, Member for Girrawheen on behalf of residents requesting the closure of the pedestrian accessway between Harford Way and Burnham Way, Girrawheen.

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

MOVED Cr Freame, SECONDED Cr Popham that the petition received on behalf of Girrawheen residents requesting the closure of the pedestrian accessway between Harford Way and Burnham Way, Girrawheen be received and referred to Town Planning Department for action. CARRIED

C14-02/97 REQUEST FOR PLAY EQUIPMENT, TELOPIA PARK, DUNCRAIG-[061-343]

A 22-signature petition has been received from Duncraig residents requesting the installation of a climbing frame and toddler equipment at Telopia Park, Duncraig.

The petitioners state the equipment would be well utilised by the many small children living in the district.

This petition will be referred to Parks Department for action.

MOVED Cr Freame, SECONDED Cr Popham that the petition from Duncraig residents requesting the installation of a climbing frame and toddler equipment at Telopia Park, Duncraig be received and referred to Parks Department for action. CARRIED

C15-02/97 PETITION IN RELATION TO CONDITION OF PROPERTY - HANSA PLACE, MARANGAROO - [3276/121/16]

A 18-signature petition has been received from Marangaroo residents in relation to the condition of a property in Hansa Place, Marangaroo.

The petitioners state the number of car bodies and general rubbish around the house create an unsightly appearance from the street frontage.

This petition will be referred to Engineering Department for action.

MOVED Cr Freame, SECONDED Cr Popham that the petition from Marangaroo residents in relation to the condition of a property in Hansa Place, Marangaroo be received and referred to Engineering Department for action. CARRIED

C16-02/97 PETITION OBJECTING TO DOG BEHAVIOUR - GIRRAWHEEN PROPERTY - [1879/65/25]

A 5-signature petition has been received by Girrawheen residents in relation to their concern regarding a dog on a property at Ipswich Crescent, Girrawheen, these concerns being:

- the dog constantly charges people (including young children) in the street;
- continual barking at night;
- insighting neighbouring dogs to bark, thereby causing complaints from surrounding neighbours;
- defecating on front lawns and verges

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

MOVED Cr Freame, SECONDED Cr Popham that the petition from Girrawheen residents in relation to their concern regarding a dog on a property at Ipswich Crescent, Girrawheen be received and referred to Municipal Law & Fire Services Department for action. CARRIED

C17-02/97 PETITION SUPPORTING THE EXTENSION OF LAKESIDE JOONDALUP SHOPPING CENTRE TO ACCOMMODATE A DEPARTMENT STORE - [30/0300, 30/3513]

Petitions containing 4,711 signatures have been received supporting the development application lodged on behalf of the developers, LandCorp and Armstrong-Jones, to extend facilities at Lakeside City Shopping Centre to accommodate a department store.

The petitioners believe the approval of extensions to Lakeside City Shopping Centre will:

- favour future infrastructure development of the Joondalup region for business;
- facilitate and foster a growing and dynamic community in the region;
- create employment opportunities for the region's youth;
- further bolster the establishment of Joondalup City as a true city or regional centre within the north west metropolitan region;
- increase the volume of and cash flow in the region.

A further petition of 93-signatures has been received supporting the development application lodged on behalf of the developers, LandCorp and Armstrong-Jones.

These petitions will be considered in conjunction with Item TP2-02/97.

MOVED Cr Freame, SECONDED Cr Popham that the petitions supporting the development application lodged on behalf of the developers, LandCorp and Armstrong-Jones, to extend facilities at Lakeside City Shopping Centre to accommodate a department store be received and will be considered in conjunction with Item TP2-02/97.

CARRIED

C18-02/97 PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING DEVICES - WATERFORD DRIVE, HILLARYS - [510-2272]

A 118-signature petition has been received from residents of the City of Wanneroo expressing their concern in relation to traffic problems in Waterford Drive, Hillarys and requesting the installation of traffic calming devices at this location in an attempt to reduce the speed of traffic travelling in this area.

Cr Lynn referred to the traffic problems in Waterford Drive, Hillarys and again raised her concerns in this regard. She stated a public meeting was held in Waterford Drive, Hillarys on 18 January 1997 where it was established that extreme traffic problems exist in Waterford Drive, Hillarys.

Cr Lynn stated Main Roads Department had been approached with a view to installing STOP signs and hazard boards.

The Mayor referred to City Engineer for an update as to the current position.

The City Engineer advised that the traffic issues in relation to Waterford Drive, Hillarys were the subject of a report being prepared for March Technical Services Committee.

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 of the City of Wanneroo expressing their concern in relation to traffic problems in Waterford Drive, Hillarys and requesting the installation of traffic calming devices at this location

in an attempt to reduce the speed of traffic travelling in this area be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C19-02/97 PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING DEVICES - PICTON TERRACE, ALEXANDER HEIGHTS - [510-2993]

A 22-signature petition has been received from residents of Alexander Heights expressing their concern in relation to traffic speed problems in Picton Terrace, Alexander Heights and requesting the installation of traffic calming devices at this location in an attempt to reduce the speed of traffic travelling in this area.

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 of Alexander Heights expressing their concern in relation to traffic speed problems in Picton Terrace, Alexander Heights be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C20-02/97 PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING DEVICES - CREANEY DRIVE, KINGSLEY - [510-1504]

Two petitions, of 27-signatures and 5-signatures respectively have been received from Kingsley residents in relation to traffic speed problems in Creaney Drive, Kingsley and requesting the installation of traffic calming devices at this location in an attempt to reduce the speed of traffic travelling in this area.

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

MOVED Cr Freame, SECONDED Cr Popham that the petitions from Kingsley residents in relation to traffic speed problems in Creaney Drive, Kingsley be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

C21-02/97 PETITION EXPRESSING CONCERN AT ANTISOCIAL BEHAVIOUR - MASON WAY, PADBURY - [0712/45/22]

An 11-signature petition has been received from residents of Padbury expressing their concern in relation to anti-social behaviour emanating from a property in Mason Way, Padbury.

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

MOVED Cr Freame, SECONDED Cr Popham that the petition from residents of Padbury expressing their concern in relation to anti-social behaviour emanating from a property in Mason Way, Padbury be received and referred to Municipal law & Fire Services Department for action.

CARRIED

C22-02/97 LETTER OBJECTING TO EXCESSIVE NOISE - MONTROSE AVENUE, GIRRAWHEEN - [0169/1154/22]

A 6-signature petition has been received from Girrawheen residents objecting to excessive noise emanating from a property in Montrose Avenue, Girrawheen.

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

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

CARRIED

C23-02/97 PETITION OBJECTING TO PRIVATISATION OF CHILDCARE FACILITIES, CRAIGIE LEISURE CENTRE - [680-8]

A 48-signature petition has been received from residents of the City of Wanneroo objecting to the possible privatisation of childcare (creche) facilities at Craigie Leisure Centre.

The petitioners state the change in both structure and staff situations would have a dramatic effect on children attending this facility.

This petition will be referred to Recreation & Cultural Services Department for a report to Finance & Community Services Committee.

MOVED Cr Freame, SECONDED Cr Popham that the petition from residents of the City of Wanneroo objecting to the possible privatisation of childcare (creche) facilities at Craigie Leisure Centre be received and referred to Recreation & Cultural Services Department for a report to Finance & Community Services Committee. CARRIED

C24-02/97 PETITION OBJECTING TO THE CLOSURE OF PEDESTRIAN ACCESSWAY ADJACENT TO LOT 94 (7) GRAHAM ROAD, QUINNS ROCKS - [510-0421]

A 37-signature petition has been received from residents of Quinns Rocks objecting to the possible closure of the pedestrian accessway adjacent to Lot 94 (7) Graham Road, Quinns Rocks.

The petitioners state this is a much used accessway as to connects to a pathway and stairs leading onto the beach.

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

MOVED Cr Freame, SECONDED Cr Popham that the petition from residents of Quinns Rocks objecting to the possible closure of the pedestrian accessway adjacent to Lot 94 (7) Graham Road, Quinns Rocks be received and referred to Town Planning Department for action. CARRIED

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 Warwick expressing their strong opposition to an application to use a residential property as a guest house in Dorchester Avenue, Warwick be received and referred to Town Planning Department for a report to Town Planning Committee. CARRIED

C31-02/97 PETITION RELATING TO ENGINEERING WORKS TO KERB - NORTHERN SIDE OF NEW CROSS ROAD, KINGSLEY - [510-1372]

A 6-signature petition has been received from residents of New Cross Road, Kingsley in relation to recent engineering works carried out to the kerb on the northern side of New Cross Road, Kingsley.

The petitioners state in their opinion a higher kerb will not improve safety, but in fact will have the reverse effect.

This petition will be referred to Engineering Department for action.

MOVED Cr Freame, SECONDED Cr Popham that the petition from residents of New Cross Road, Kingsley in relation to recent engineering works carried out to the kerb on the northern side of New Cross Road, Kingsley be received and referred to Engineering Department for action. CARRIED

C32-02/97 PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAYS SURROUNDING HAINSWORTH PRIMARY SCHOOL - [0177/38075/16, 510-0170, 510-0177]

A 67-signature petition has been received from the Parents and Friends of Hainsworth Primary School seeking urgent closure of the accessways surrounding Hainsworth Primary School.

The petitioners state that the on-going problems in the vicinity of the school, the latest being a car chase in the laneway are a major cause for concern.

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

MOVED Cr Freame, SECONDED Cr Popham that the petition from the Parents and Friends of Hainsworth Primary School seeking urgent closure of the accessways surrounding Hainsworth Primary School be received and referred to Town Planning Department for action. CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

A YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE
Meeting held 12 December 1996

- B GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE
Meeting held 14 January 1997

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

ADVISORY COMMITTEES

- A YOUTH ADVISORY COMMITTEE
Meeting held 25 November 1996
Meeting held 20 January 1997
- B CULTURAL DEVELOPMENT ADVISORY COMMITTEE
Meeting held 25 November 1996
- C HISTORICAL SITES ADVISORY COMMITTEE
Meeting held 27 November 1996
Meeting held 22 January 1997
- D DISABILITY ACCESS ADVISORY COMMITTEE
Meeting held 27 November 1996
Meeting held 22 January 1997
- E ART COLLECTION ADVISORY COMMITTEE
Meeting held 9 December 1996
- F MULTICULTURAL ADVISORY COMMITTEE
Meeting held 12 December 1996
- G URBAN ANIMAL MANAGEMENT ADVISORY COMMITTEE
Meeting held 23 January 1997

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

OTHER COMMITTEES

- A JUNIOR COUNCIL
Meeting held 17 October 1996
- B THE 14TH LOTTERIES HOUSE STEERING COMMITTEE
Meeting held 30 October 1996
THE 16TH LOTTERIES HOUSE STEERING COMMITTEE
Meeting held 4 December 1996
THE 17TH LOTTERIES HOUSE STEERING COMMITTEE
Meeting held 22 January 1997
- C WHITFORD RECREATION ASSOCIATION
Meeting held 18 November 1996
Meeting held 20 January 1997

- D YANCHEP TWO-ROCKS RECREATION ASSOCIATION INC
 Meeting held 6 January 1997
 Meeting held 3 February 1997
- F OUTSIDE SITE SAFETY COMMITTEE
 Meeting held 18 December 1996
- G OFFICE SITES SAFETY COMMITTEE
 Meeting held 10 February 1997
- H SIGNS, HOARDINGS AND BILLPOSTING REVIEW WORKING
 PARTY
 Meeting held 11 February 1997

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

Cr Freame left the Chamber at this point, the time being 2020 hrs.

DECLARATIONS OF FINANCIAL INTEREST

Cr Magyar declared an interest in Items TS16-02/97 and C45-02/97.

MOVED Cr Taylor, **SECONDED** Cr Popham that, in accordance with Section 5.68 of the Local Government Act 1995, Cr Magyar's declaration of interest in relation to TS16-02/97 be considered a trivial matter. **CARRIED**

Cr Duffy declared an interest in Items OC3-01/97 and OC5-01/97.

Cr Cooper declared an interest in Item TP2-02/97.

Cr Healy declared an interest in Item TP16-02/97.

Cr Ewen-Chappell declared an interest in Item C47-02/97.

Cr Wight declared an interest in Item C47-02/97.

Cr Popham declared an interest in item C47-02/97.

BUSINESS REQUIRING ACTION

C33-02/97 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Taylor, **SECONDED** Cr Healy that the Report of the Town Planning Occasional Committee Meeting held on 28 January 1997 be received.

CARRIED

ATTENDANCES

Committee:	A V DAMMERS , JP, Mayor	Central
Ward	G A MAJOR	South-West Ward
	L O DELAHAUNTY	Chief Executive Officer
Observers:	P O HEALY	North Ward
	B A COOPER - from 1715 hrs	Central Ward
	L A EWEN-CHAPPELL - from 1710 hrs	Central Ward
	M E LYNN, JP	South-West Ward
Manager, Corporate Services:	R E DYMOCK	
City Planner:	O G DRESCHER	
Committee Clerk:	J AUSTIN	

APOLOGIES

Apologies for absence were tendered by Crs Freame, O'Grady and Hancock.

An apology for late attendance was tendered by Cr Popham.

PUBLIC/ PRESS ATTENDANCE

There were 2 Members of the Public and 1 Member of the Press in attendance.

DECLARATIONS OF FINANCIAL INTEREST

Nil

PUBLIC QUESTION TIME

Mrs A Hine:

- Q What is Council's Policy on dumping of litter? Does Council follow up on complaints from public? (Myself). Rubbish and plans all dumped together in Griffiths Road at least two weeks ago, some still there.
- A *Chief Executive Officer's response:* Council recently delegated authority for action on these matters to the Chief Executive Officer. Council's Health Department handles these matters, investigations are undertaken and Council can prosecute if necessary. We do require people to advise us of problems, and the evidence you have supplied will be very helpful to follow up this matter.

MEETING TIMES

Commenced: 1704 hrs
Closed: 1723 hrs

REPORTS

Cr Freame entered the Chamber at this point, the time being 2030 hrs.

Cr Taylor referred to the Council Meeting of 18 December 1996, where Council delegated the decision making power to the respective Occasional Committees. He queried why the Occasional Committee minutes had been referred back to Council as delegated authority had been given, and also believed certain decisions had not been in accordance with the delegated authority to adopt reports as submitted.

Chief Executive Officer stated that, in accordance with the Local Government Act, any delegation given is required to be referred back to Council for ratification. Under strict ruling of the delegation of power to the Occasional Committees, each Committee was only authorised to adopt recommendations of officers. In two instances amendments had been made, and the Council now has the option of either endorsing these amendments or to give further consideration to these items.

Cr Duffy left the Chamber at this point, the time being 2032 hrs.

OC1-01/97 EXTENSION OF WANGARA INDUSTRIAL ESTATE CONTRACT NO 126-96/97 - [740-99666]

Council has received tenders from experienced contractors for the installation of infrastructure services in the subdivision of its landholdings in the north west sector of the Wangara Industrial Estate.

MOVED Cr Taylor, SECONDED Cr Healy that Council ratifies the action of the Town Planning Occasional Committee, as empowered by Council, in accepting the tender submitted by Triad Contractors in the amount of \$431,638.00 for Contract No 126-96/97 (Wangara Extension). CARRIED

OC2-01/97 MEADOWLANDS SPECIAL RURAL ZONE, MARIGINIUP - LAND EXCHANGE - W D DUFFY - [790-421]

Council has agreed to dispose of its property at Lot 67 Via Vista Drive/Zest Court, Mariginiup to William David Duffy in exchange for Lot 124 Timely Hostess Mews, Mariginiup (Item TP271-11/96 refers).

At its meeting held on 18 December 1996 (Item C547-12/96 refers) Council delegated authority to the Town Planning Occasional Committee to authorise the signing and sealing of the Transfer and associated Easement documents.

Cr Duffy had declared an interest in this Item as he owns the land being exchanged.

Cr Duffy was not present in the Chamber at this point.

MOVED Cr Taylor, SECONDED Cr Healy that Council ratifies the action of the Town Planning Occasional Committee, as empowered by Council, in disposing of the property at Lot 67 Via Vista Drive/Zest Court, Mariginiup to William David Duffy in exchange for the transfer to the City of Lot 124 Timely Hostess Mews, Mariginiup.

CARRIED

OC3-01/97 PUBLIC COMMENT PERIOD ON YANCHEP-TWO ROCKS FORESHORE MANAGEMENT PLAN - [765-11]

Council at its October 1996 meeting reconsidered the draft Foreshore Management Plan for Yanchep-Two Rocks with reference to the submissions received and resolved to modify the plan and advertise it again inviting public comments for a period of six weeks. An advertisement was placed in the local newspapers inviting public comments by 18 February 1997. Based on a request from Cr Hancock for an extension of the public comment period, it is recommended that the public comment period be extended to 14 March 1997.

MOVED Cr Taylor, SECONDED Cr Healy that Council ratifies the action of the Town Planning Occasional Committee, as empowered by Council, in extending the public comment period on the modified draft Yanchep-Two Rocks Foreshore Management Plan by four weeks, with the new closing date for submissions being 14 March 1997.

CARRIED

OC4-01/97 PROPOSED CHILD HEALTH CLINIC, LOT 1587 (22) BALTIMORE PARADE, MERRIWA - [30/5583, 625-18]

Correspondence has been received from Smith Corporation advising that it intends to resume use of its northern land sales office on the corner of Marmion Avenue and Greyhound Drive, Merriwa. As the City has been operating child health clinic from that building for approximately eight months, Smith Corporation has offered the City use of its southern sales office on the corner of Hester Avenue and Baltimore Parade, Merriwa. This report deals with a development application seeking to use the southern sales office as a child health clinic. It is recommended that the application be approved subject to standard and appropriate conditions. The report also seeks authorisation for the expenditure of \$1,324 to upgrade the southern sales office building for use as a child health clinic.

MOVED Cr Taylor, SECONDED Cr Healy that Council ratifies the action of the Town Planning Occasional Committee, as empowered by Council, in:

- 1 approving the use of an existing sales office on Lot 1587 Baltimore Parade, Merriwa as a child health care centre, subject to:**
 - (a) arrangements for access to the site being to the satisfaction of the Western Australian Planning Commission and City Engineer;**
 - (b) standard and appropriate conditions;**

2 authorising the expenditure of \$1,324 from the general Infant Health Clinics Building maintenance account for the purpose of upgrading Smith Corporation's southern land sales office on Lot 1587 Baltimore Parade, Merriwa for use as a child health clinic, subject to an exchange of letters of agreement between Smith Corporation and the City of Wanneroo confirming the following:

- (a) period of tenure to be for 12 months commencing on 1 February 1997;
- (b) renewal for a further 12 months, subject to mutual agreement between Smith Corporation and the City of Wanneroo;
- (c) the monthly rental to be \$180.00 for the use of the building (\$100.00) and garden/site maintenance (\$80.00) by Smith Corporation's contractor;
- (d) access for relocation of this facility to be from Thursday 30 January 1997.

CARRIED

OC5-01/97 PROPOSED BUILDING ENVELOPES - SWAN LOCATION 1739 NEAVES ROAD, MARIGINIUP (SPECIAL RURAL ZONE NO 20) - [740-85909]

Under the provisions of the City of Wanneroo's Town Planning Scheme No 1, Council is required to endorse a building envelope plan over Special Rural Zone No 20. The location of the proposed building envelopes comply with the locations approved by the Western Australian Planning Commission and the Town Planning Scheme No 1 setback and area requirements and are therefore recommended for approval.

Cr Duffy had declared an interest in this Item as he has interests in this area that may be affected by Council's decision.

Cr Duffy was not present in the Chamber at this point.

MOVED Cr Taylor, SECONDED Cr Healy that Council ratifies the action of the Town Planning Occasional Committee, as empowered by Council, in:

- 1 exercising its discretion under Schedule 4, Part 1(1) of Town Planning Scheme No 1 and relaxes its 25 metre front setback requirement to 15 metres to accommodate the proposed building envelope for Lot 6;
- 2 approving the proposed building envelope plan dated 16 January 1997 as shown in Attachment 3 to Report OC5-01/97.

CARRIED

Appendix II refers.

C34-02/97 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that the Report of the Technical Services Occasional Committee Meeting held on 28 January 1997 be received.

CARRIED

ATTENDANCES

Committee:	A V DAMMERS , JP, Mayor	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	L O DELAHAUNTY	Chief Executive Officer
Observers:	P O HEALY	North Ward
	B A COOPER	Central Ward
	S P MAGYAR - from 1731 hrs	Central Ward
	T W POPHAM - from 1740 hrs	South Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP	South-West Ward
Manager, Corporate Services:	R E DYMOCK	
City Planner:	O G DRESCHER	
City Building Surveyor:	R FISCHER	
Acting Deputy City Building Surveyor:	R SCARCE	
Committee Clerk:	J AUSTIN	

APOLOGIES

Apologies for absence were tendered by Crs Freame, O'Grady and Hancock.

An apology for late attendance was tendered by Cr Popham.

PUBLIC/ PRESS ATTENDANCE

There were 2 Members of the Public and 1 Member of the Press in attendance.

DECLARATIONS OF FINANCIAL INTEREST

Nil

PUBLIC QUESTION TIME

Nil

MEETING TIMES

Commenced: 1730 hrs.

Closed: 1747 hrs

REPORT NO:

Cr Duffy entered the Chamber at this point, the time being 2032 hrs.

OC6-01/97 PROPOSED ADDITIONS: LOT 105(8) WEST VIEW BOULEVARD, MULLALOO- [2260/105/8]

An application has been submitted for approval to construct additions to the dwelling at Lot 105 (8) West View Boulevard, Mullaloo. The additions include an extension to the garage which will result in a reduced front setback. It is considered that approval should be given.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in approving the proposed garage extension at Lot 105 (8) West View Boulevard, Mullaloo with a reduced front building setback of 2400.

CARRIED

OC7-01/97 PROPOSED CARPORT: LOT 44 (19) ALFRETON WAY, DUNCRAIG - [1770/44/19]

An application has been received for approval to construct a carport at Lot 44 (19) Alfreton Way, Duncraig with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in approving the proposed carport to be constructed at Lot 44 (19) Alfreton Way, Duncraig with a reduced front building setback of 1500.

CARRIED

OC8-01/97 DEPARTURE FROM APPROVED PLANS: LOT 649(60) HARFORD WAY, GIRRAWHEEN - [977/649/60]

On 6 May, 1994, a building licence was collected and validated by the owner/builder of Lot 649 (60) Harford Way, Girrawheen, to construct a carport and a patio. The structures have not been constructed in accordance with the approved plans. It is considered that Council should approve the departures from the approved plans.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in:

- 1** advising the owner of Lot 649(60) Harford Way, Girrawheen, that it will not pursue the departures from the approved plans subject to an engineer certification being provided that the structure is structurally sound;
- 2** advising the complainant of Council's action in the matter.

CARRIED

OC9-01/97 UNAUTHORISED PERGOLA STRUCTURE: LOT 482(3) ST THOMAS LOOP, ILUKA - [3952/482/3]

The owners of the dwelling at Lot 482 (3) St Thomas Loop, Iluka, have erected a large pergola without a building licence. It is considered that a Notice be served on the owners requesting that the pergola be removed.

REPORT RECOMMENDATION: That Council serves a Notice on the owners of Lot 482 (3) St Thomas Loop, Iluka, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola structure be removed, such Notice to incorporate appeal provisions to the Minister of Local Government with Council support for the appeal.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in serving a Notice on the owners of Lot 482 (3) St Thomas Loop, Iluka, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola structure be removed, such Notice to incorporate appeal provisions to the Minister of Local Government.

CARRIED

OC10-01/97 REQUEST FOR REFUND: DWELLING: LOT 704(82) SEACREST DRIVE, SORRENTO - [1842/704/82]

A request for a refund of building licence fees has been received from the owner of Lot 704 (82) Seacrest Drive, Sorrento, for a dwelling application which was cancelled. It is considered that the refund should be given.

The Committee wished it noted that the 25% administration charge reflects costs to date incurred by Council.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in refunding the sum of \$394.00 being 75% of the original building licence fees to the owner of Lot 704(82) Seacrest Drive, Sorrento.

CARRIED

OC11-01/97 REQUEST FOR REFUND: DWELLING: LOT 459(43) MARIANNE WAY, ALEXANDER HEIGHT - [2928/459/43]

A request for a refund of building licence fees has been received from the owner of Lot 459 (43) Marianne Way, Alexander Heights. It is considered that the refund should be given.

REPORT RECOMMENDATION: That Council, refunds the sum of \$1050.00 being the full building licence fee to the owner of Lot 459 (43) Marianne Way, Alexander Heights.

COMMITTEE RECOMMENDATION: That Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in refunding the sum of \$787.50 being 75% of the building licence fee to the owner of Lot 459 (43) Marianne Way, Alexander Heights.

MOVED Cr Taylor, SECONDED Cr Duffy that Council refunds the sum of \$262.50, being the remaining 25% of the building licence fee retained for administrative charges.

LOST

MOVED CR Ewen-Chappell, SECONDED Cr Lynn That Council ratifies the action of the Technical Services Occasional Committee, as empowered by Council, in refunding the sum of \$787.50 being 75% of the building licence fee to the owner of Lot 459 (43) Marianne Way, Alexander Heights.

CARRIED

C35-02/97 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Lynn, **SECONDED** Cr Popham that the Report of the Finance and Community Services Occasional Committee Meeting held on 28 January 1997 be received.

CARRIED

ATTENDANCES

Committee:	A V DAMMERS , JP	Central Ward
	M E LYNN, JP	South-West Ward
	L O DELAHAUNTY	Chief Executive Officer

Observers:	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	T W POPHAM	South Ward
	D K TIPPETT, JP - from 1812 hrs	South Ward
	G A MAJOR	South-West Ward

Manager, Corporate Services:	R E DYMOCK
City Treasurer:	J TURKINGTON
City Planner:	O G DRESCHER
Committee Clerk:	J AUSTIN

APOLOGIES

Apologies for absence were tendered by Crs Freame, O'Grady, Hancock. and Healy.

PUBLIC/ PRESS ATTENDANCE

Nil

PUBLIC QUESTION TIME

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIDENTIAL BUSINESS

Item OC12-01/97 was considered Behind Closed Doors.

MEETING TIMES

Commenced:	1800 hrs
Closed:	1821 hrs

OC12-01/97 SALE OF COUNCIL PROPERTY - LOT 138 (57) NANOVIK AVENUE, GIRRAWHEEN (NANOVIK HOUSE) - [180-138-57]

Council has received an offer to purchase its property at 57 Nanovich Avenue, Girrawheen from K J and D N Frankish at the price of \$55,000 subject to finance conditions. The offer is considered to be inadequate.

The Committee requested that costs be provided for the tidying of the outside of the property.

REPORT RECOMMENDATION: That Council:

- 1 does not accept the offer submitted by K J and D N Frankish to purchase the property at 57 Nanovich Avenue, Girrawheen at the price of \$55,000;
- 2 authorises the listing of the property for sale, by the firms of Davey Real Estate of Girrawheen and Ray White Real Estate of Mirrabooka on a non-exclusive joint agency basis for a period of 60 days;
- 3 authorises acceptance of the first satisfactory offer submitted provided such offer is not less than \$60,000 subject to the requirements of Section 3.58 of the Local Government Act 1995;
- 4 authorises payment of selling commission to the referring agent at the scale prescribed by the Real Estate and Business Agents Act;
- 5 authorises payment of sundry expenses incurred in the sale and settlement of the property.

Cr Taylor requested an update on the current position with regard to this property. The Chief Executive Officer advised the recommendation contained certain anomalies under the new Local Government Act and required advertising. This advertising has now been completed and may be looked at again.

REPORT RECOMMENDATION: That:

- 1 Council ratifies the action of the Finance and Community Services Occasional Committee, as empowered by Council, in:
 - (a) not accepting the offer submitted by K J and D N Frankish to purchase the property at 57 Nanovich Avenue, Girrawheen at the price of \$55,000;
 - (b) advertising for sale the property at 57 Nanovich Avenue, Girrawheen subject to the requirements of Section 3.58 of the Local Government Act 1995;
 - (c) advising K J and D N Frankish of Council's intention and inviting them to submit an amended offer;

- 2 a further report be submitted to the February 1997 meeting of Finance and Community Services Committee.

MOVED Cr Lynn, SECONDED Cr Taylor that:

- 1 **Council ratifies the action of the Finance and Community Services Occasional Committee, as empowered by Council, in:**
- (a) **not accepting the offer submitted by K J and D N Frankish to purchase the property at 57 Nanovich Avenue, Girrawheen at the price of \$55,000;**
 - (b) **advertising for sale the property at 57 Nanovich Avenue, Girrawheen subject to the requirements of Section 3.58 of the Local Government Act 1995;**
 - (c) **advising K J and D N Frankish of Council's intention and inviting them to submit an amended offer;**
- 2 a further report be submitted to the March 1997 meeting of Finance and Community Services Committee.
- CARRIED**

C35-02/97 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr Lynn, **SECONDED** Cr Popham that the Report of the Joondalup Civic and Cultural Facilities Project Committee Meeting held on 7 February 1997 be received.

CARRIED

ATTENDANCES

Councillors:

A V DAMMERS, JP, Mayor - Chairman	Central Ward
L O'GRADY - from 0812 hrs	North Ward
T W POPHAM	South Ward
G A MAJOR	South-West Ward
M E LYNN, JP	South-West Ward

City Building Surveyor:	R FISCHER
City Treasurer:	J B TURKINGTON
Acting City Librarian:	J CADDY
Branch Librarian, Joondalup:	L SALVATORELLI
Cultural Services Co-ordinator:	A COOK
Committee Clerk:	J AUSTIN

IN ATTENDANCE

Mr James Christou	James Christou and Partners
Mr John Main	“ “ “

APOLOGIES

An apology for absence was tendered by Mr Lindsay Delahaunty, Chief Executive Officer.

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

The Minutes of the Joondalup Civic and Cultural Facilities Project Committee Meeting held on 6 December 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced: 0807 hrs.

Closed: 0848 hrs

REPORTS

OC13-02/97 PROGRESS REPORT NO. 9 - [730-8-8-1]

This report provides information about the progress of the Civic and Cultural Facilities Project:

MOVED Cr Lynn, SECONDED Cr Popham that Report OC13-02/97 be received.

CARRIED

OC14-02/97 REGISTRATION OF INTEREST - COFFEE SHOP - [730-8-8-2]

Dee Logistic Services Pty Ltd have withdrawn their tender for the Coffee Shop. It is proposed to retender the lease.

MOVED Cr Lynn, SECONDED Cr Popham that Council ratifies the action of the Joondalup Civic and Cultural Facilities Project Committee, as authorised by Council, in authorising the calling of tenders for the lease of the Coffee Shop.

CARRIED

OC15-02/97 TENDERS - SOFT LANDSCAPING AND RETICULATION - [730-8-8-1]

Tenders for soft landscaping and reticulation have been called and the Architect makes a recommendation for the nomination of the lowest tender to the main contractor, Doric Constructions Pty Ltd.

Cr Popham raised his concerns at the costs associated with soft landscaping for this project, and believed that Council should consider the overall needs of the community in relation to upgrading of road verges and medians.

Discussion ensued on this issue, and it was noted that the percentage cost of soft landscaping for the project was in fact lower than on other Council building projects.

MOVED Cr Lynn, SECONDED Cr Popham that Council ratifies the action of the Joondalup Civic and Cultural Facilities Project Committee in :

- 1. accepting the tender of \$87,133.00 from Landscaping Australia for the supply and installation of soft landscaping and reticulation and authorises variations resulting in a revised contract sum of \$73,410.00;**
- 2. authorising the Architect, James Christou and Partners to nominate Landscaping Australia to Doric Constructions Pty Ltd.**

CARRIED

**OC16-02/97 JOONDALUP CIVIC AND CULTURAL FACILITIES PROJECT
STAGE ONE OPENING - [240-14]**

A working party has been meeting for several months to prepare for the opening of the complex. A draft schedule of functions and events is submitted for consideration.

Cr Lynn stated the Multicultural Committee wished to participate in the opening functions for the project. Louisa Salvatorelli, Branch Librarian - Joondalup, said that the request from the Multicultural Committee had been noted and advised that there would be provision for its involvement in the sections allocated for "Storytellers" and "Community Programme". Cr Lynn will raise this issue at the next meeting of the Multicultural Committee.

MOVED Cr Lynn, SECONDED Cr Popham that Council approves the following functions to be held in July 1997:

- **Councillors tour and cocktails**
- **Trade appreciation barbecue**
- **Official opening and afternoon tea**
- **Launch of the regional Information Services Trade Exhibition Wine and Cheese function .**

CARRIED

ARCHITECT'S COMMENTS - [730-8-8-1]

Mr James Christou, Architect commented that the City is constructing a magnificent building which would be low maintenance and extremely economical and felt its cost (between \$1550 and \$1650 per square metre) was very reasonable. He further stated that many hours had been devoted to bringing the project into budget.

Cr Popham said he had no doubt it would be a wonderful building, and one to be proud of, but pointed out that ratepayers had concerns which they required Councillors to raise on their behalf, one such concern being the need for upgrading of road verges and medians throughout the City.

Cr O'Grady stated that certain decisions were difficult for Councillors to make, but consideration had to be given to planning for the future. She stated she was proud of her association with this project.

C37-02/97 POLICY COMMITTEE

MOVED Cr Healy, **SECONDED** Cr Freame that the Report of the Policy Committee Meeting held on 10 February 1997 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL	Central Ward
	W D DUFFY	South Ward
	G A MAJOR	South West Ward
	F D FREAME	South West Ward
	A W WIGHT	South Ward
	P O HEALY - Observer	North Ward
	B A COOPER - Observer	Central Ward
	S P MAGYAR - Observer	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer	South Ward
	D K TIPPETT, JP - Observer	South Ward
	M E LYNN, JP - Observer	South West Ward
	V G HANCOCK - Observer	South West Ward
Chief Executive Officer:	L O DELAHAUNTY	
Manager Corporate Services:	R E DYMOCK	
City Treasurer:	J B TURKINGTON	
City Engineer:	R McNALLY	
City Building Surveyor:	R FISCHER	
Acting City Parks Manager:	D CLUNING	
Committee Clerk:	J AUSTIN	

APOLOGIES

Nil

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 11 November 1996 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced: 1803 hrs

Closed: 2130 hrs

REPORT NO:

P1-02/97 LOCAL GOVERNMENT DEPARTMENT INVESTIGATION - EMPLOYMENT CONTRACT - [702-8, PERSONAL - R COFFEY]

At the request of Council the Local Government Department has investigated the conversion of the car component of the former Town Clerk's contract into a cash payment. In particular the report focused on the powers of delegation, meeting procedures, the keeping of minutes, and the City's ability to comply with statutory requirements.

MOVED Cr Healy, SECONDED Cr Freamer that Council:

- 1 notes the comments made in the Local Government Department's report on the former Town Clerk's employment contract;**
 - 2 requires the Chief Executive Officer to undertake an immediate statutory compliance audit of the Council's operations;**
 - 3 advises the Local Government Department of the action taken and that a copy of the compliance audit will be forwarded to the Department for information.**
- CARRIED**

P2-02/97 ADDITIONAL PAYMENTS (GRATUITIES) TO RETIRING STAFF MEMBERS - [404-0]

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

REPORT RECOMMENDATION That Council

- 1 cancels its "Gratuity Payments to staff" policy B2.11;**
- 2 adopts the following policy in respect of "additional payments to retiring staff members":**
 - (a) the maximum additional payment to a staff member leaving Council's employ, after at least five years service, be set at one half of one week's pay for each completed year of service;**
 - (b) the Chief Executive Officer is authorised to approve a gift or payment of up to \$500 gross to employees who leave Council's employ after 10 years;**
- 3 in accordance with the provisions of section 5.56 of the Local Government Act 1995, agrees to give Local Public Notice of its "additional payments to retiring staff members" policy.**

MOVED Cr Healy, SECONDED Cr Freame that:

- 1 consideration of Additional Payments (Gratuities) to Retiring Staff Members be deferred;**
- 2 a further report be submitted to Policy Committee giving consideration to the following points:**
 - (a) qualifying period being 10 years of service;**
 - (b) additional payment of \$100 per year of service to a maximum of \$2,000 (or equivalent gift) to be judged by Council on individual cases.**

CARRIED

P3-02/97 REVOKING OR CHANGING DECISIONS MADE BY COUNCIL - [702-1]

The procedures and arrangements for revoking or changing a decision of Council under the Local Government Act 1995 are different to those which applied under the 1960 Act. It is therefore necessary to review the local laws relating to Standing Orders.

Cr Taylor requested the Chief Executive Officer to prepare a standard document which would enable Councillors to submit individual written notices of motion.

Cr Taylor sought an update on the current position in relation to documentation that is being prepared and requested that it be circularised to all Councillors, if possible by Friday 28 February 1997.

REPORT RECOMMENDATION: That Council:

- 1 notes the new legal requirements in respect to revoking or changing a decision made by Council;**
- 2 agrees as part of the review of Standing Orders Local Laws to incorporate the principle that the Chief Executive Officer is only to cease action on a resolution of Council if he receives a written notice of motion, which is signed by not less than one third of Councillors, to revoke that resolution.**

Manager, Corporate Services advised of a revision of wording to Point 2 to the Recommendation to Report P3-02/97.

MOVED Cr Healy, SECONDED Cr Freame that Council:

- 1 notes the new legal requirements in respect to revoking or changing a decision made by Council;**
- 2 agrees as part of the Standing Orders Local Laws to incorporate the principle that a notice of motion to change a decision of Council must be in writing and signed by at least one third of Councillors. If the Chief Executive Officer receives a valid motion seeking to change a decision of Council he is to cease taking action on the resolution if that resolution**

requires his action. **CARRIED**

P4-02/97 POLICY - RECOUP OF MEMBERS ADVERTISING EXPENSES - [702-3]

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

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

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

REPORT RECOMMENDATION: That Council:

1 amends its policy A2-06 Members of Council - Travelling and Other Expenses by:

(a) deleting the word "necessarily" in the first paragraph;

(b) including the following after clause 9:

 "10 Where a member places a notice in a local newspaper inviting electors to meeting with a Ward Councillor(s) in order to assist with local issues and concerns";

(c) deleting the section relating to "Loss of Earnings";

2 includes the following as a new item of policy:

 "A2-09 Members of Council - Advertising:

Council is prepared to undertake newspaper advertising to publicise Councillors' presence at a predetermined location for the purpose of meeting with electors to assist them with local issues and concerns.

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

(a) advertisements are limited to no more than one notice per month/per Councillor;

(b) advertisement size is to be no larger than 11 cm x 8 cm (8 x 3 column);

(c) notice is to only be placed in a local newspaper;

(d) this class of advertising is not to be carried out during the three months leading up to a Council election or in respect of a Councillor who has nominated as a candidate for a State or Commonwealth election."

MOVED Cr Healy, SECONDED Cr Freama that consideration of Policy - Recoup of Members' Advertising Expenses be deferred and a further report be submitted to Policy Committee outlining a Policy which supports advertising in a suitable form for the Council as a whole. **CARRIED**

P5-02/97 DISCLOSURE OF FINANCIAL INTEREST - [702-3]

At its September 1996 meeting, Council resolved to seek legal advice in respect of Councillors' obligations to declare financial interest. The issues of concern related to situations in which a Councillor is nominated to attend a conference or serve on a Committee other than a Council Committee.

The legal opinion is that travel to a conference or study tour does involve an interest that should be declared and that nomination to a committee other than a Council committee would constitute a financial interest, if membership of the committee involves recoup of expenses or a sitting fee.

The Chief Executive Officer advised Councillors that on receipt of advice received from Council's solicitors, the matter of disclosure of financial interest is required to be referred again to Policy Committee. A further report outlining advice received will be submitted to March Policy Committee meeting.

MOVED Cr Healy, SECONDED Cr Freama that Council:

- 1 notes the legal advice which indicates:**
 - (a) where a Councillor is nominated to serve on a board or committee which is not a Council committee and the membership involves the payment of a sitting fee, the Councillor should declare a financial interest ;**
 - (b) where a Councillor is nominated to undertake a study tour or attend a conference, that Councillor should declare a financial interest;**
- 2 agrees to seek WAMA's support to have these interests prescribed as interests which do not need to be disclosed.**

CARRIED

P6-02/97 DISTRIBUTION OF AGENDAS TO LIBRARIES - [200-0]

At its meeting of the 25 October 1996, Council resolved that a report be submitted to Policy Committee on the distribution of agendas and minutes to all Council libraries.

MOVED Cr Healy, SECONDED Cr Freama that Report P6-02/97 be received.**CARRIED**

P9-02/97 PRELIMINARY PROGRESS REPORT ON CLEANING BENCHMARKING - [210 - 2 - 1]

An effective performance-based benchmarking system has been developed internally, and now forms the basis for all new cleaning contracts; which include the existing:

- * Joondalup Administration Centre;
- * Craigie Leisure Centre;
- * Yanchep/Two Rocks Area, (commenced February 1997);
- * Works Depot, Wanneroo, (not yet commenced).

And those currently out to tender (closing 29 January 1997):

- * South Eastern Zone (Girrawheen, Koondoola, Alexander Heights and Kingsway);
- * Eastern Central Zone (Wanneroo Townsite and adjacent facilities);
- * Greenwood / Warwick Area.

MOVED Cr Healy, SECONDED Cr Freame that Council seeks a further progress report to be submitted in June 1997 which compares the performance of contract cleaning with day labour. CARRIED

P10-02/97 MEMORIAL PLAQUES POLICY - [201-5]

Council has received various requests for the installation of memorial plaques to record significant tragedies or events. The most recent requests involved the planting of commemorative trees in Scenic Drive for the SAS soldiers killed in the Blackhawk disaster in Townsville and the Anzac memorial in Central Park.

MOVED Cr Healy, SECONDED Cr Freame that Council adopts the following Policy guidelines regarding memorials:

1 Memorials with plaque provided:

- (a) Significant event or tragedy.
- (b) Honour a particular event.
- (c) Requires Council approval.

Plaques approved by Council will be maintained by Council's Parks Department.

2 Individual tree memorial without plaque:

- (a) Written request identifying specific reason and justification and proposed location;
- (b) Approval delegated to City Parks Manager for authorisation.

CARRIED

P11-02/97 MEDIAN AND ROAD RESERVE LANDSCAPING - [250-1]

Council, at its meeting of June 1996, deferred Parks Department Report No TS149-06/96 for a further report on the long term financial implications. The area of reticulated road reserve identified in this report has now been discontinued and, as indicated in the report, ratepayer complaints have been received.

REPORT RECOMMENDATION That Council:

- 1 authorises review of the existing median strips and verge landscaping policy;
- 2 identifies and develops a priority listing for specific locations prior to consideration of inground reticulation.

MOVED Cr Popham, SECONDED Cr Tippett that Council:

- 1 **authorises review of the existing median strips and verge landscaping policy;**
- 2 **identifies and develops priority listing for specific locations prior to consideration of inground reticulation;**
- 3 **establishes a Median and Road Reserve Landscaping Working Party to progress this issue, comprising :**

**Cr Healy
Cr Cooper
Cr Taylor
Cr Freame**

**North Ward
Central Ward
South Ward
South-West Ward**

**CARRIED BY AN
ABSOLUTE MAJORITY**

P12-02/97 FLOODLIGHTS - [250-9]

Council, at its meeting of May 1996, requested that a report be submitted to the Policy Committee in relation to the Policy H4-08 Floodlights, reviewing the maximum number of floodlights provided and on the feasibility of discretionary powers being given to the City Engineer.

Cr Lynn left the Chamber at this point, the time being 2050 hrs.

The current policy reads:-

“The maximum number of floodlights provided and maintained by the City of Wanneroo on any one sports field shall be four on two standards. Any additional floodlights on any one sports field, and the operating costs and maintenance of same, shall be the responsibility of the club or clubs allocated the facility and shall be subject to the prior consent of Council.”

COMMITTEE RECOMMENDATION: That the current Policy H4-08 Floodlights be

retained, with the additional clause:

“Once installed, all lighting becomes the property of the City for care and maintenance”.

MOVED Cr Tippett, SECONDED Cr Popham that the current Policy H4-08 Floodlights be retained, with the additional clause:

”Once installed, all lighting becomes the property of the City of Wanneroo”.

CARRIED

P13-02/97 VEHICLES ON RESERVES AND FORESHORES - [905-1]

Council at its meeting on 27 November 1996 requested a review of policy in respect to apprehending the owners of four wheel drive vehicles who were contravening Local Laws in relation to driving on reserves and foreshores (FA176-11/96 refers).

REPORT RECOMMENDATION That Council affirms its commitment to foreshore protection and endorses the continued enforcement of Clause 4 of the Local Laws Relating to Reserves and Foreshores.

MOVED Cr Healy, SECONDED Cr Freame that:

- 1 Council affirms its commitment to foreshore protection and endorses the continued enforcement of Clause 4 of the Local Laws Relating to Reserves and Foreshores;**
- 2 a further report be submitted to Policy Committee giving consideration to the following issues:**
 - (a) a substantial increase being made to the fine imposed;**
 - (b) creating of a dedicated vehicle access for fishing;**
 - (c) improved signage;**
 - (d) use of private security operators on Saturday and Sunday mornings, on a trial basis.**

CARRIED

ANIMAL CONTROL SYSTEM - [901-1]

In relation to problems associated with electric fences, particularly in Special Rural areas, Cr Dammers gave a video presentation of an animal control system, which is successfully used by Brisbane Council. The system utilises a collar to transmit a small shock to an animal which goes beyond its territory. The system is controlled by radio waves, can cover an area of 10 acres and is easily installed. Cr Dammers advised a similar system is also available to control barking dogs.

Cr Dammers stated he will pass information to Building Department.

P14-02/97 PROMOTIONAL CARAVAN - [702-3]

In relation to discussions which took place on Report P4-02/97, Cr O'Grady requested a report on the provision of a caravan for promoting the City of Wanneroo, for use by Councillors and officers.

Cr Taylor queried whether provision had been made for a bus within the budget. This question was taken on notice by the City Treasurer.

COMMITTEE RECOMMENDATION: That a report be submitted to Policy Committee on the provision of a caravan for promoting the City of Wanneroo.

MOVED Cr Taylor, SECONDED Cr Popham that a report be submitted to Policy Committee by May 1997 on the provision of a caravan for promoting the City of Wanneroo. **CARRIED**

BEACH PATROLS - [765-1]

Cr O'Grady requested that consideration be given to the use of motor bikes to patrol beaches.

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

P15-02/97 ACTION REQUESTED BY CR EWEN-CHAPPELL - [702-0]

Cr Ewen-Chappell submitted a copy of her letter, addressed to the Mayor, relating to an incident which occurred at a Committee meeting in October 1996.

Cr Lynn entered the Chamber at this point, the time being 2055 hrs.

MOVED Cr Ewen-Chappell, SECONDED Cr Wight that the Mayor write a letter to Mrs A Hine in relation to an incident which occurred at a Committee meeting in October 1996. **LOST**

Cr Ewen-Chappell requested voting be recorded, with the following results:

FOR: Crs Ewen-Chappell, Wight, Taylor, and Duffy

AGAINST: Crs Healy, Magyar, Cooper, Popham, Tippet, Major, Lynn, Hancock, Dammers and Freame

P16-02/97 TWO HOUSES ON ONE LOT POLICY - SPECIAL RURAL LOTS - [702-1]

Cr Duffy referred to the Two Houses on One Lot Policy. He stated this policy only relates to rural lots, and requested a report be submitted to Policy Committee on the feasibility of a policy for Two Houses on Special Rural Lots over 1 hectare.

MOVED Cr Healy, SECONDED Cr Freame that a report be submitted to Policy Committee on the feasibility of a policy for Two Houses on Special Rural Lots over 1 hectare. CARRIED

P17-02/97 REVIEW OF INFRINGEMENT NOTICES AND FINES - [905-1]

Cr Taylor requested a report be submitted to Policy Committee reviewing infringement notices and fines in the City of Wanneroo.

MOVED Cr Healy, SECONDED Cr Freame that a report be submitted to Policy Committee reviewing infringement notices and fines in the City of Wanneroo. CARRIED

TELEPHONE ETIQUETTE - [404-3]

Cr Popham queried whether a memorandum had been sent to Department Heads, requesting that staff be instructed to state their names when answering telephones.

The Chief Executive Officer advised this memorandum had not been issued and would investigate the matter.

LEGAL REPRESENTATION - [708-2]

Cr Popham queried what costs had been incurred to date by the City in relation to legal representation.

Cr Popham was advised he could obtain the relevant information from the Chief Executive Officer.

PARKS MATTERS - [250-1]

Cr Hancock requested information on after-hours problems within Parks, particularly in the South West ward. It was suggested that Cr Hancock liaise with the City Parks Manager to obtain this information.

REQUEST FOR SUPPORT - [009-1]

Cr Healy advised that Police Rangers had formed a unit for young people, and that Constable Bradley had written to Council requesting support in this regard. He requested this matter be given consideration.

This matter will be referred to Treasury Department for action.

CYCLING SPEEDS - [502-34]

Cr Cooper referred to a recent cycling accident in South Perth, and raised the issue of problems with cycling speeds in the City of Wanneroo. As the Police has jurisdiction in this matter, Cr Cooper felt Council should put its case to the Police Department.

This matter will be referred to Corporate Services for action.

MIRROR PARK - [061-402]

Cr Magyar reported that lights within Mirror Park, Ocean Reef, were out of order and requested action in this regard.

This matter will be referred to Parks Department for action.

ALCOHOL-RELATED PROBLEMS - [705-2]

Cr Magyar referred to the many problems related to alcohol abuse. In this regard he submitted a publication entitled "Geelong - Local Industry Accord" which he felt may be of use to Council.

A copy of this publication will be referred to Welfare Department for information.

POSTAL VOTING - [801-1]

The Chief Executive Officer advised of information received from the Department of Local Government relating to costs for postal voting and anticipated a Special Council Meeting would be convened on this issue in the very near future.

Cr Freame felt that information on Council's costs should also be provided.

C38-02/97 TECHNICAL SERVICES COMMITTEE

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

ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	P O HEALY - From 1801 hrs	North Ward
	A G TAYLOR	South Ward
	T W POPHAM - from 1803 hrs	South Ward
	V G HANCOCK	South-West Ward
	G A MAJOR	South-West Ward
	L O'GRADY - Observer, deputising for Cr Healy to 1801 hrs	North Ward
	B A COOPER - Observer	Central Ward
	S P MAGYAR - Observer from 1805 hrs	Central Ward
	D K TIPPETT, JP - Observer from 1803 hrs	South Ward
	A W WIGHT - Observer from 1805 hrs	South Ward
	F D FREAME - Observer	South-West Ward
	M E LYNN, JP - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
City Engineer:	R McNALLY
Design Engineer:	P PIKOR to 1837 hrs
City Building Surveyor:	R G FISCHER
Acting City Parks Manager:	D H CLUNING
Acting Deputy City Building Surveyor:	R SCARCE
Minute Clerk:	S BRUYN

APOLOGIES

Apologies for absence were tendered by Crs Dammers and Duffy.

PUBLIC/PRESS ATTENDANCE

There were 6 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

Mrs A Hine:

Q1 "Could Council supply a copy of a report done for this City by the Police on the break in to Council offices in July 1994."

A1 Chairman's response: This matter will be taken on notice.

The following questions, submitted by Mr V Harman, were taken on notice at the Technical Services Committee meeting held on 4 December 1996:

Q1 In relation to the roundabouts on Venturi Drive, Ocean Reef, what is Council going to plant there?

A1 Parks Department has planted a 45 litre Casuarina Equisetifolia in each roundabout.

Q2 Would Council consider removing the traffic lights at Hodges Drive and replacing them with roundabouts?

A2 This request has been referred to Main Roads WA and Mr Harman will be advised further on receipt of a response from that authority.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 4 DECEMBER 1996

The Minutes of the Technical Services Committee Meeting held on 4 December 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

The Chairman advised that although the deputation requested by Mr Vic Parin to discuss the crossover location - Lot 560(3) Manakoora Rise, Sorrento - Item TS1-02/97, had been withdrawn, Mr Parin wished to briefly address the Committee.

Mr Parin stated that his submission to the Engineering Department had been successful and commented that following perusal of the report for Item TS1-02/97 earlier in the day, he agreed with the Engineering Department's recommendation.

DECLARATIONS OF FINANCIAL INTEREST

The City Building Surveyor declared an interest in Item TS47-02/97.

CONFIDENTIAL BUSINESS

The following Item was considered Behind Closed Doors:

TS55-02/97 LAKESIDE PARK DEVELOPMENT - [250-0]

MEETING TIMES:

Commenced: 1800 hrs

Closed: 2206 hrs

REPORT NO:

TS1-02/97

**CROSSOVER LOCATION - LOT 560 (3) MANAKOORA RISE,
SORRENTO - [3090/560/3]**

The location of the crossover to Lot 560 (3) Manakoora Rise has been subject to a requested amendment on the Building Licence plan and is one of the conditions of the lifting of the "Stop Work" notice on the building. A submission has been received from the owner and his Traffic Consultant for approving the crossover at its original position on the Building Licence application.

REPORT RECOMMENDATION: That Council authorises the City Engineer to approve the proposed crossover location "A" at Lot 560 (3) Manakoora Rise, Sorrento, as shown on Attachment 2 to Report Number TS1-02/97.

Cr Taylor tabled a letter and site plans prepared by Uloth & Associates Pty Ltd, Consultants in Traffic and Transport.

The Mayor called for a three minute break at this point, the time being 2120 hrs.

The meeting resumed at 2126 hrs.

MOVED Cr Hancock, SECONDED Cr Popham that Council:

- 1 does not authorise the City Engineer to approve the proposed crossover location "A" at Lot 560 (3) Manakoora Rise, Sorrento, as shown on Attachment 2 to Report Number TS1-02/97;**
- 2 authorises the City Engineer to approve the original crossover location "B" at Lot 560 (3) Manakoora Rise, Sorrento, as shown on Attachment 2 to Report Number TS1-02/97. LOST**

MOVED Cr Taylor, SECONDED Cr Wight that Council authorises the City Engineer to approve the proposed crossover location "A" at Lot 560 (3) Manakoora Rise, Sorrento, as shown on Attachment 2 to Report Number TS1-02/97. CARRIED

Cr Hancock requested voting be recorded, with the following results:

FOR: Crs Dammers, Freame, Healy, Magyar, Cooper, Ewen-Chappell, Wight, Taylor, Duffy, and Tippet

AGAINST: Crs Popham, Major, Lynn and Hancock

Appendix III refers

TS2-02/97 **VEHICLE AND PLANT PURCHASES - PLANT REPLACEMENT RESERVE - TENDER NUMBERS 100, 129, 131 AND 132-96/97 - [208- 100, 129, 131, 132-96/97]**

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

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

MOVED Cr Wight, SECONDED Cr Popham that Council accepts the following tenders as outlined in Attachments 1 to 4 to Report Number TS2-02/97:

<u>Tender No</u>	<u>Company</u>	<u>Changeover</u>	
100-96/97	Rover Mowers Ltd	\$27,346.00	
129-96/97	Wanneroo Agricultural Machinery	\$25,781.00	
131-96/97	Skipper Mitsubishi	\$7,455.00	
132-96/97	Skipper Trucks	\$138,348.00	CARRIED

Appendix IV refers

TS3-02/97 **PLANT TENDER NUMBER 108-96/97 - ONE BACKHOE LOADER OF 52-64 KW - [108-96/97]**

Council has approved an amount of \$82,252 in the 1996/97 Plant Replacement Programme for the change over of Council's existing backhoe loader (52kw). Due to operational changes in the Engineering Construction Section, it has been established that it would be more cost effective to replace the backhoe with an excavator.

It is recommended that Council does not accept any submissions and the upgrade to the specification to that of an excavator with power rating of 100kw be listed for consideration in the draft 1997/98 Budget.

REPORT RECOMMENDATION: That Council:

- 1 does not accept any tender for the supply of one (1) Backhoe Loader of 52-64 kw at Tender Number 108-96/97;
- 2 lists for consideration in the 1997/98 draft Budget additional funding to that provided in the Plant Replacement Reserve for the upgrading of Backhoe Plant Number 98753 to an Excavator 100kw range.

ADDITIONAL INFORMATION

This report stated that a further analysis had been conducted with regards to the upgrading of the backhoe loader (52-64kw) to an excavator of 100kw range with the anticipated saving of approximately \$20,000 per year.

Report No TS3-02/97 recommends that the upgrading be listed for consideration in the forthcoming 1997/98 Budget. However, an opportunity exists in transferring the likely savings of \$60,000 made on the down-sizing of Council's articulated grader (100kw) Report No TS-

02/97 for an articulated grader 60kw range. The extra cost of \$45,000 for the excavator can be allocated from the \$60,000 savings.

It is, therefore, suggested that the immediate transfer of funds would result in allowing the tenders to be recalled during March 1997 and savings can be gained as soon as possible rather than delaying the process which may result in tenders not being called until October 1997 with delivery of the excavator in December 1997.

MOVED Cr Cooper, SECONDED Cr Wight that Council:

- 1 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act, the reallocation of \$45,000 from the Plant Replacement Reserve and Plant Number 98679 - Grader to Plant Replacement Reserve Plant Number 98753 - Backhoe;**
- 2 recalls tenders for the purchase of one (1) Excavator 100kw range for the replacement of Plant Number 98753 - Backhoe. CARRIED BY AN ABSOLUTE MAJORITY**

TS4-02/97 PLANT TENDER NUMBER 102-96/97 - ONE ARTICULATED RUBBER TYRED GRADER (100KW) - [102-96/97]

Council has approved an amount of \$300,192 in the 1996/97 Plant Replacement Programme for the change over of Council's existing grader. Due to changes in the Engineering Construction Section, it has been established that it would be more cost effective to replace Council's large grader with a smaller sized grader.

It is recommended that Council does not accept any submissions and that tenders be recalled for a smaller grader (60kw range).

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 does not accept any tender for the supply of one (1) Articulated Rubber Tyred Grader (100kw);**
- 2 recalls tenders for the purchase of one (1) Articulated Rubber tyred Grader 60kw range for the replacement of Plant Number 98679 - Grader. CARRIED**

TS5-02/97 VEHICLE AND PLANT PURCHASES - PLANT REPLACEMENT RESERVE - TENDER NUMBERS 134-135-96/97 - [208-134-135-96/97]

At its November meeting, Council awarded Tender Numbers 075 and 080-96/97 to Lynford Motors Pty Limited for the supply to two 6 cylinder Station Wagons and four 4 cylinder 4 Wheel Drive Utilities (Item 300-11/96 refers).

Advice has been received from Lynford Motors that the trade figures supplied in its submission are no longer applicable due to the delay in awarding the tender.

This report deals with this issue and a recall of tenders for the supply of these vehicles.

- 2 accepts Tender Number 067-96/97 submitted by Jason Mazda for the supply of a Mazda T3500, 17 seater bus with wheelchair hoist for the net price of \$66,223;
- 3 authorises, in accordance with Section 6.8(1) of the Local Government Act 1995, the additional expenditure of \$16,223 to part fund the purchase of a 17 seater bus with wheelchair hoist from Budget Item Number 25678 - Alexander Heights Senior Citizens Centre;
- 4 recognises that the balance of funds required for the purchase of this bus is by savings in the following accounts:

<u>Account No</u>	<u>Location</u>	<u>Savings</u>
26196	Voluntary Services	\$ 2,684.00
26101	Mobile Day Care Services	\$13,539.00

	TOTAL:	\$16,223.00

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS8-02/97 INCLUSION OF ANTI-LOCKING BRAKING SYSTEMS AS A STANDARD REQUIREMENT FOR LIGHT VEHICLE SPECIFICATIONS - [507-1]

At its meeting in November 1996, Councillor Popham requested a report on the provision of anti-locking systems (ABS) for inclusion in Council's light vehicle fleet (Item 300-11/96 refers).

Cr Popham referred to his previous request for a report on air bags and advised that this matter had not been addressed in Report TS8-02/97.

The City Engineer advised he would take this matter on notice.

MOVED Cr Wight, SECONDED Cr Popham that Council includes the provision of anti-locking braking systems in the specification for its light vehicle fleet. CARRIED

TS9-02/97 PETITION REQUESTING ALTERATION TO KYLE COURT TRAFFIC ISLAND TREATMENT - [510-3300]

At its meeting in 25 September 1996, Council received a 42 signature petition from residents of Kyle Court, Joondalup requesting alterations to an existing traffic island treatment in Kyle Court to provide standard two-way traffic flow (Item C409-09/96 refers). This report reviews the traffic movements in Kyle Court and recommends removal of the traffic island treatment.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 authorises removal of the traffic island treatment in Kyle Court, Joondalup at an estimated cost of \$2,000 with the works to be funded from Account Number 33066 - Traffic Improvements - Various Locations;

2 notifies the residents accordingly.

CARRIED

TS10-02/97 PETITION REQUESTING PROVISION OF DUAL USE PATH AT CHICHESTER PARK, WOODVALE - [061-396, 502-34]

A petition has been submitted to Council requesting consideration of the installation of a 'cycle/walk' path through Chichester Park, Woodvale to provide greater access for residents to the Woodvale Shopping Centre as well as picnic and playground equipment within the park.

The request for a dual use path to be constructed around the southern perimeter of the park would augment the existing dual use path/cycle network and provide greater access for residents to local facilities. The request for a connecting path link has merit and is supported. It is recommended that consideration be given to the staged construction of a section of dual use path on Chichester Park, between Standish Way and Landor Gardens, with the remainder from Trailwood Drive to Tallering Heights listed in the Five Year Capital Works Programme.

REPORT RECOMMENDATION: That Council:

- 1 lists for funding consideration in the 1997/98 draft Budget the construction of a 2.1 metre wide dual use path between Standish Way and Landor Gardens;
- 2 lists the construction of a 2.1 metre dual use path around the south eastern perimeter of Chichester Park between Trailwood Drive and Tallering Heights in the Five Year Capital Works Programme;
- 3 advises the petitioners accordingly.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 lists for funding consideration in the 1997/98 draft Budget:
 - (a) the construction of a 2.1 metre wide dual use path between Standish Way and Landor Gardens as first priority;
 - (b) the construction of a 2.1 metre wide dual use path between Trailwood Drive and Tallering Heights as second priority;
- 2 advises the petitioners accordingly.

CARRIED

TS11-02/97 PETITION - TRAFFIC SPEEDS MELALEUCA, BOTTLEBRUSH AND BLACKALL DRIVES, GREENWOOD - [510-78, 510-76, 510-82]

At Council's October 1996 meeting, a multi-signature petition concerning speeds on various streets in Greenwood was presented (Item TS352-12/96 refers). The crash history of the streets has revealed the desirability of traffic calming measures. A number of options on treating these streets are being investigated with local residents to determine the preferred traffic management strategy.

MOVED Cr Wight, SECONDED Cr Popham that Council authorises the Engineering Department to circulate a draft plan of the local residents proposed road closure for Bottlebrush Drive at Melaleuca Drive (west) and seeks preliminary submissions on this proposal. **CARRIED**

TS12-02/97 OTISCO CRESCENT, JOONDALUP PETITION - TRAFFIC SPEED - [510 - 2894]

A multi-signature petition was received from residents of Otisco Crescent, Joondalup requesting traffic calming devices for this street (Item C534-12/96 refers). A traffic speed and volume survey did not reveal excessive speeds of vehicles and therefore the request for traffic calming devices is not supported.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 does not approve the request from residents for traffic calming devices in Otisco Crescent;**
- 2 seeks Police surveillance of the driver behaviour being experienced;**
- 3 advises the petitioners accordingly.** **CARRIED**

TS13-02/97 JOONDALUP DRIVE, MARMION AVENUE AND SHENTON AVENUE - SPEED ZONING - [510-1665, 510-2, 510-1664]

Main Roads Western Australia has sought Councils comments in relation to proposed revised speed zones on Joondalup Drive, Edgewater and Marmion and Shenton Avenues, Currabmine.

MOVED Cr Wight, SECONDED Cr Popham that Council concurs to the following speed zones:

- 1 Marmion Avenue**
200m south of Santiago Parkway to 200m north of Moore Drive at 70 kph
Shenton Avenue
Marmion Avenue to 150m east of Delamere Avenue at 60 kph
150m east of Delamere Avenue to 150m west of Pontiac Way at 70 kph
Joondalup Drive
George Grey Place to Edith Cowan University at 80 kph
- 2 advises Main Roads WA accordingly.** **CARRIED**

TS14-02/97 SPEED ZONING - LANDSDALE ROAD, LANDSDALE - [510-0225]

An increase from 60 kms per hour to a 70 kms per hour speed zone was proposed by Main Roads WA on Landsdale Road between Alexander Drive and Skeit Road. Council only supported this speed zoning for the section of Evandale and Rangeview Roads. Main Roads WA has advised that in view of recent opposition from local residents to the proposed increase in speed limit along Landsdale Road, it is suggested that the existing 60 kms per hour built up area speed limit should remain.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 advises Main Roads WA that the existing 60 kms per hour speed zone of Landsdale Road between Alexander Drive and Skeit Road be maintained and signposted accordingly;**
- 2 advises the petitioners accordingly;**
- 3 requests Police speed enforcement for Landsdale Road. CARRIED**

TS15-02/97 ALFRETON WAY -PARKING PROHIBITIONS - [510-1770]

At its meeting of 18 December 1996 Council considered the matter of parking prohibitions for Alfreton Way, Duncraig (Item TS352-12/96 refers). Council subsequently resolved that consideration of "NO PARKING 7.00AM - 12.00 PM SATURDAY" signs on the southern side of Alfreton Way be deferred and referred back to the February 1997 Technical Services Committee to allow clarification on the legality of the placement of "NO LOADING OR UNLOADING ANYTIME" signs.

ADDITIONAL INFORMATION

Attached is a copy of correspondence from Glengarry Primary School regarding the efforts to encourage people accessing the recycling shed on Saturdays to use the staff car park in Doveridge Drive - refer Appendix V.

Cr Freama submitted a letter from residents of Alfreton Way supporting the establishment of parking restrictions in Alfreton Way, Duncraig.

REPORT RECOMMENDATION: That Council:

- 1. does not approve the installation of "NO PARKING 7.00AM - 12.00PM SATURDAY" signs on the southern side of Alfreton Way as shown on Attachment 1 to Report No TS15-02/97;**
- 2. advises the petitioners accordingly.**

MOVED Cr Freama that Council:

- 1 approves the installation of "NO PARKING 7.00 AM - 12.00 PM SATURDAY" signs on the southern side of Alfreton Way as shown on Attachment 1 to Report No TS15-02/97;**

2 advises the petitions accordingly.

There being no **SECONDER**, the motion

LAPSED

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

1 does not approve the installation of “NO PARKING 7.00AM - 12.00PM SATURDAY” signs on the southern side of Alfreton Way as shown on Attachment 1 to Report No TS15-02/97;

2 advises the petitioners accordingly.

CARRIED

Appendix V refers

TS16-02/97 **PARKING PROHIBITIONS - EDDINGTON ROAD, WARWICK - [510-0150]**

Council has received a request from the Executive Director of the St Johns Ambulance Service to install a parking ban adjacent to the Ambulance Service on Eddington Road, Warwick. A similar request has also been received from the Senior Examiner at the Warwick Examination Centre to ensure that the driveway accesses are clear of vehicles at all times.

Cr Taylor requested that either the Chief Executive Officer or the City Engineer liaise with the Department of Transport to confirm that it agrees with this proposal. He also wished Council to liaise with the Police Department in relation to exploring further avenues of increasing parking provision at the Warwick Examination Centre.

REPORT RECOMMENDATION: That Council:

1. amends the existing “NO STANDING ON VERGE” signs to “NO STANDING ANY TIME CARRIAGEWAY OR VERGE” at the driveways of St John Ambulance and Warwick Police Centre on the southern side of Eddington Road, as shown on Attachment 2 to Report No TS16-02/97;
2. amends the existing “NO STANDING ON VERGE” signs to “NO STANDING ANY TIME CARRIAGEWAY OR VERGE” at the south western corner of Eddington Road and Erindale Road, as shown on Attachment 2 to Report No TS16-02/97;
3. advises all interested parties accordingly.

COMMITTEE RECOMMENDATION: That Council:

- 1 defers consideration of the proposed parking bans adjacent to the Ambulance Service and Warwick Police Centre on Eddington Road, Warwick;

- 2 seeks a further report from the Engineering Department in relation to:
- (a) parking provision obligations of the Warwick Police Centre under the provisions of the Town Planning Scheme;
 - (b) liaison with the Warwick Police Centre for the provision of further on site parking;
 - (c) the Warwick Police Centre confirming that it agrees with parking prohibitions recommended.

MOVED Cr Taylor, SECONDED Cr Magyar that Council:

1 subject to the agreement of Warwick Police Centre:

- (a) amends the existing “NO STANDING ON VERGE” signs to “NO STANDING ANY TIME CARRIAGEWAY OR VERGE” at the driveways of St John Ambulance and Warwick Police Centre on the southern side of Eddington Road, as shown on Attachment 2 to Report No TS16-02/97;
- (b) amends the existing “NO STANDING ON VERGE” signs to “NO STANDING ANY TIME CARRIAGEWAY OR VERGE” at the south western corner of Eddington Road and Erindale Road, as shown on Attachment 2 to Report No TS16-02/97;

2 seeks a further report from the Engineering Department in relation to:

- (a) parking provision obligations of the Warwick Police Centre under the provisions of the Town Planning Scheme;
- (b) liaison with the Warwick Police Centre for the provision of further on site parking.

CARRIED

Appendix VI refers

TS17-02/97 VERGE PARKING - ALEXANDER DRIVE - [510-1654]

Concern has been expressed about patrons of the Ballajura Tavern parking their vehicles, particularly trucks, on the western verge along Alexander Drive, north of Alexander Heights Park. This practice is having an adverse effect on the verge condition and is reducing the general amenity of the area. A parking restriction has been requested for this location.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1** installs “NO STANDING ANY TIME CARRIAGEWAY OR VERGE” signs along the western side of Alexander Drive from 30 metres south of Lot 5500 to the common boundary of Lots 5499 and 5500, as shown on Attachment 2 to Report No TS17-02/97;
- 2** advises the residents accordingly. **CARRIED**

Appendix VII refers

TS18-02/97 **CHESELL DRIVE - PARKING EMBAYMENTS - [510-1467 510-0-4]**

At Council’s November meeting a letter was presented concerning speeding traffic on Chessell Drive (Item TS339-11/96 refers). The resident requested that the provision of parking embayments be re-examined for Chessell Drive in view of the commercial development on Burragah Way.

REPORT RECOMMENDATION: That Council:

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

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1** defers consideration of installing parking embayments in Chessell Drive and seeks a further report from the Engineering Department, to include relevant maps of the area;
- 2** notifies the Police Department of its concerns in relation to traffic speed along Chessell Drive. **CARRIED**

TS19-02/97 **CORD STREET AND PONTIAC WAY, JOONDALUP - ROUNDABOUTS - [510-3153, 510-4272]**

At its October meeting, Council requested a feasibility report on roundabouts for Cord Street, Joondalup and a traffic study and construction cost estimate for a roundabout at Shenton Avenue/Pontiac Way, Joondalup (Items C481-10/96 and C457-10/96 refer). Due to the detailed investigation required for these reports and to enable them to be expedited as an option, Consultants have been invited to undertake these projects. This report addresses the Consultants’ submissions to prepare the respective reports.

Cr Ewen-Chappell requested a probable time-frame be included for the Traffic study and construction cost estimate to be completed. The City Engineer advised he would take this question on Notice and advise the answer to Cr Ewen-Chappell.

MOVED Cr Wight, SECONDED Cr Popham that Council authorises the City Engineer to appoint:

- 1 BSD Consultants to undertake a report on the feasibility of roundabouts on Cord Street, Joondalup at a price of \$2,500 to be funded from Account Number 46574 Professional Retainer/Consultancy Fees;**
- 2 G B Hill & Partner to undertake a Traffic Study and construction cost estimate for a roundabout at Pontiac Way, Joondalup at a price of \$4,950.00 to be funded from Account Number 46574 Professional Retainer/Consultancy Fees.**

CARRIED

TS20-02/97 DALTON CRESCENT - PROPOSED PART CLOSURE - [510-2177]

The residents of Dalton Crescent, Kingsley submitted a petition to Council requesting the part closure of Dalton Crescent to alleviate the indicated constant reckless and speeding vehicles that use the road as a thoroughfare. This report addresses this issue including results of local community response to the proposal.

REPORT RECOMMENDATION: That Council:

- 1 does not proceed with a part road closure of Dalton Crescent;**
- 2 investigates the provision of additional street lighting for Dalton Crescent and the trimming of trees/shrubs in the southern verge of this street;**
- 3 advises the petitioners and residents who made submissions accordingly.**

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 does not proceed with a part road closure of Dalton Crescent;**
- 2 investigates the provision of additional street lighting for Dalton Crescent and the trimming of trees/shrubs in the southern verge of this street;**
- 3 notifies the Police Department of traffic problems experienced in Dalton Crescent;**
- 4 advises the petitioners and residents who made submissions accordingly.**

CARRIED

TS21-02/97 INTERSECTION OF JOONDALUP DRIVE AND TREETOP AVENUE, EDGEWATER - [510-1665, 510-222]

Council has received a 35 signature petition from staff of Mater Dei College, Edgewater expressing concern at the current traffic situation at the intersection of Joondalup Drive, Treetop Avenue and The Gateway, Edgewater (Item C495-11/95 refers). The petitioners are seeking the installation of traffic signals at this intersection.

REPORT RECOMMENDATION: That Council:

1. requests Main Roads WA to provide details of the traffic assessment for the intersection of Joondalup Drive, Treetop Avenue and "The Gateway" and the proposed timetable for the installation of signals at this intersection;
2. advises the petitioners accordingly.

Cr Ewen-Chappell requested a probable time-frame be included for the traffic assessment for the intersection of Joondalup Drive, Treetop Avenue and "The Gateway" to be completed.

The City Engineer referred to a letter received from Chris Baker, MLA advising that the Ministry for Transport had agreed to install the traffic signals ahead of the original planned installation programme. At this stage actual installation and associated roadworks are expected to be undertaken by late 1997, early 1998.

The City Engineer was requested to approach Main Roads Department with a view to seeking a funding contribution from Main Roads Department for the installation of a roundabout as an alternative to traffic lights.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 requests Main Roads WA to provide details of the traffic control assessment for the intersection of Joondalup Drive, Treetop Avenue and "The Gateway";
- 2 advises the petitioners accordingly. **CARRIED**

TS22-02/97 PENISTONE RESERVE, GREENWOOD - PROPOSED TRAFFIC CONTROL MEASURES - [061-284]

Complaints have been received from ratepayers regarding speeding vehicles along the access road into Penistone Reserve, Greenwood leading to concerns with pedestrian safety at this facility. It has been suggested that traffic control measure on the access road are warranted. This report addresses the installation of traffic control devices.

MOVED Cr Wight, SECONDED Cr Popham that Council approves the installation of three speed humps on the access road into Penistone Reserve, as shown on Attachment 1 to Report No TS22-02/97 at an estimated cost of \$2,500 with the works funded from Account Number 33066 - Traffic Improvements Various Locations. **CARRIED**

Appendix VIII refers

TS23-02/97 STORMWATER DRAINAGE IMPROVEMENTS FOR CATCHMENT ADJACENT TO WARWICK COMMERCIAL DEVELOPMENT - DUGDALE STREET AND ELLERSDALE AVENUE - [510-138]

The commercial complex presently under construction behind the Warwick Shopping Centre will necessitate an alternative stormwater storage facility to be constructed for Dugdale Street and Ellersdale Avenue.

It is intended that consultants be engaged to undertake the design and documentation of the required stormwater drainage works and to prepare tender documentation and call tenders for the construction phase of the project.

MOVED Cr Wight, SECONDED Cr Popham that Council authorises the City Engineer to:

- 1** arrange for consultants to undertake the design and documentation of the required remedial stormwater drainage works for Ellersdale Avenue and Dugdale Street;
- 2** arrange for consultants to call for tenders for the construction of the required remedial works. **CARRIED**

TS24-02/97 **PERRY'S PADDOCK - INFORMATION BAY - [510-1288, 057-4]**

Council requested, at its meeting on 26 June 1996, a further report from the Historical Sites Advisory Committee in relation to its proposal for the construction of an information bay (Item FA83-06/96 refers).

This report reviews the progress on this matter and advises of the Committee's decision to defer the matter until development works for Perry's Paddock site have proceeded to a more definite planning schedule.

MOVED Cr Wight, SECONDED Cr Popham that Council receives the report on the provision of an information bay for Perry's Paddock. CARRIED

TS25-02/97 **LIMESTONE BLOCK CUTTING
QUARRY - LOT 6 (86) WESCO ROAD,
NOWERGUP - [30/2831]**

Lunard Pty Limited, trading as A1 Limestone, has applied for renewal of its Extractive Industry Licence and Development Approval for the limestone quarry on Lot 6 Wesco Road, Nowergup. The current approval is for a "Monday to Friday" operation and the operator has applied for this to be extended to the weekend in recognition of the improved soundproofing of equipment.

Cr Taylor queried the possibility of allowing A1 Limestone to use 4 saws on Saturday, providing additional sound proofing was applied.

The City Engineer advised he would take this matter on notice and provide further information on acoustic requirements to Council.

ADDITIONAL INFORMATION

The Technical Services Committee requested additional information on the soundproofing required to operate 4 saws on Saturdays and any required changes to the existing bund.

The noise restrictions on Saturday are stricter than weekdays. The modelling undertaken by the acoustic consultant was based on measurements made with two saws operating. The two saws operate within the current noise restrictions for Saturday operation. It is considered possible to put shielding on the saws so that 4 saws can operate with the same noise impact as two unshielded saws. This would allow the operator to increase production without any additional noise impact on the adjoining residents. This was not fully addressed in the original consultants report and therefore needs to be appropriately conditioned in the approval.

The existing bund has already been increased in height from 10m to 13m as part of normal operations. As the quarry extends to the south the bunding will be extended using overburden from the operation.

To allow the use of four saws on Saturdays, recommendation 1(g) could be replaced with the following:

hours of quarry operation being restricted to:

Monday to Friday.....0700 - 1700
(except public holidays)

Block cutting with up to four saws subject to saws being suitably soundproofed to meet the relevant sections of the Environmental Protection Act 1986 and no transportation of limestone off site or undertaking of earthmoving activities (unless otherwise approved by the City Environmental Health Manager):

Saturdays.....0800 - 1700
Sundays.....(work not permitted)
Public Holidays.....(work not permitted)

REPORT RECOMMENDATION: That Council:

- 1 approves the application from Lunard Pty Limited, trading as A1 Limestone, to operate a limestone block cutting quarry on Lot 6 Wesco Road, Nowergup in accordance with the provision of its Town Planning Scheme 1 for a two year period, subject to:
 - (a) all works ceasing within two years from the date of the approval unless a further application for approval to commence development is submitted to, and approved by the City by that date;
 - (b) the operator of the quarry maintaining a water allocation or secure water supply for dust control and installing an automatic sprinkler system along the entire length of the quarry access road to wet the road periodically in order to control the dust;
 - (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;

- (d) submission of an annual rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site to the satisfaction of the City Engineer and the City Planner;
- (e) the applicants entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the rate agreed of \$0.16 per bank cubic metre. Such payment to be made quarterly;
- (f) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (g) hours of quarry operation being restricted to:
 - Monday to Friday 0700 - 1700
(except public holidays)
 - Block cutting with two saws only and no transportation of limestone off site or undertaking of earthmoving activities (unless otherwise approved by the City Environmental Health Manager)
 - Saturdays 0800 - 1700
 - Sundays (work not permitted)
 - Public Holidays (work not permitted)
- (h) all site equipment being suitably soundproofed so as to comply with relevant sections of the Environmental Protection Act 1986;
- (i) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road and sealing the remainder of the access road if required by the City Engineer to control dust;
- (j) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified to meet the requirements of Council's specific approval conditions;
- (k) operator not to cut capstone whenever it appears in the cutting face;
- (l) rehabilitation, other than in pasture areas, occurring with native species only from the approved Plant Material List available from the City's Parks Department;
- (m) standard conditions;

NOTE

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

- 2 approves an Extractive Industry Licence for Lunard Pty Limited, trading as A1 Limestone, to operate a limestone block cutting quarry on Lot 6 Wesco Road, Nowergup with the following conditions:
- (a) annual fee - \$300;
 - (b) period of licence - 2 years to 28 February 1999;
 - (c) rehabilitation bond - \$20,000
 - (d) agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate of \$0.16 per bank cubic metre. This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act.

MOVED Cr Taylor, SECONDED Cr Wight that Council:

- 1 **approves the application from Lunard Pty Limited, trading as A1 Limestone, to operate a limestone block cutting quarry on Lot 6 Wesco Road, Nowergup in accordance with the provision of its Town Planning Scheme 1 for a two year period, subject to:**
- (a) **all works ceasing within two years from the date of the approval unless a further application for approval to commence development is submitted to, and approved by the City by that date;**
 - (b) **the operator of the quarry maintaining a water allocation or secure water supply for dust control and installing an automatic sprinkler system along the entire length of the quarry access road to wet the road periodically in order to control the dust;**
 - (c) **all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;**
 - (d) **submission of an annual rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site to the satisfaction of the City Engineer and the City Planner;**

- (e) the applicants entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the rate agreed of \$0.16 per bank cubic metre. Such payment to be made quarterly;
- (f) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (g) hours of quarry operation being restricted to:
 - Monday to Friday.....0700 - 1700
(except public holidays)
 - Block cutting with up to four saws subject to saws being suitably soundproofed to meet the relevant sections of the Environmental Protection Act 1986 and no transportation of limestone off site or undertaking of earthmoving activities (unless otherwise approved by the City Environmental Health Manager):
 - Saturdays.....0800 - 1700
 - Sundays.....(work not permitted)
 - Public Holidays.....(work not permitted)
- (h) all site equipment being suitably soundproofed so as to comply with relevant sections of the Environmental Protection Act 1986;
- (i) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road and sealing the remainder of the access road if required by the City Engineer to control dust;
- (j) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified to meet the requirements of Council's specific approval conditions;
- (k) operator not to cut capstone whenever it appears in the cutting face;
- (l) rehabilitation, other than in pasture areas, occurring with native species only from the approved Plant Material List available from the City's Parks Department;
- (m) standard conditions;

NOTE

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

- 2 approves an Extractive Industry Licence for Lunard Pty Limited, trading as A1 Limestone, to operate a limestone block cutting quarry on Lot 6 Wesco Road, Nowergup with the following conditions:
- (a) annual fee - \$300;
 - (b) period of licence - 2 years to 28 February 1999;
 - (c) rehabilitation bond - \$20,000
 - (d) agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate of \$0.16 per bank cubic metre. This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act. CARRIED

TS26-02/97 CONTRACT 113-95/96 - CONTRACT SORTING OF RECYCLABLES - TWELVE MONTH EXTENSION - [508-4]

Contract 113-95/96 for the sorting of recyclable materials expires on 28 February 1997. The report considers the alternatives for the sorting operations beyond that date and recommends that Council exercises the option for a twelve month extension to the current contract.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 authorises the extension of Contract 113-95/96 Contract Sorting of Recyclables with the Recycling Company of WA for a twelve month period to 28 February 1998 based on the current contract rates with a reduction in the aluminium can sorting rate from \$228.20 to \$196.00 per tonne;
- 2 includes provision in the 1997/98 Budget for the extension of Contract 113-95/96;
- 3 agrees to the signing of the contract documents. CARRIED

TS27-02/97 ENTERPRISE BARGAINING AGREEMENT - FLEET MAINTENANCE UNIT - [404-23]

In February 1996, a Consultative Committee was formed for the purpose of determining an Enterprise Bargaining Agreement in respect to the mechanical workshop operations. This report details the result of these negotiations.

Following concerns from the Committee in relation to Item 3 on page 12 of Attachment 1 to Report TS27-02/97 regarding annual leave loading, the City Engineer advised he would take this matter on notice and provide answers prior to the Council meeting to be held on 26 February 1997.

REPORT RECOMMENDATION: That Council:

1. adopts the Draft Enterprise Bargaining Agreement for the Wanneroo Fleet Maintenance Unit, as presented by the Transport Section Consultative Committee and shown on Attachment 1 to Report Number TS27-02/97;
2. authorises the Chief Executive Officer to formalise the Agreement via the Industrial Relations Commission.

MOVED Cr Wight, SECONDED Cr Popham that consideration of adopting the Draft Enterprise Bargaining Agreement for the Wanneroo Fleet Maintenance Unit, as presented by the Transport Section Consultative Committee be deferred and referred to the Finance and Community Services Committee meeting to be held on 19 February 1997. CARRIED

TS28-02/97 ENGINEERING CURRENT WORKS - [220-0]

The Engineering Department Current Works report is valid for works during the period ending 31 January 1997. The updated 1996/97 Capital Works Programme is shown on Attachment 1.

Cr O'Grady referred to Item 4.4 to Report TS27-02/97 and requested that give way signs be replaced at the intersection of Marmion Avenue and Quinns Road, as she considered this to be a dangerous section of road.

She also referred to Item 4.7 to Report TS27-02/97 and queried whether the existing bus shelter should be relocated as a result of the recent widening works.

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

TS29-02/97 PROPOSED SANTA BARBARA PARADE PRE-FUNDING ARRANGEMENTS - QUINNS ROCKS SUBDIVISION - [510-403, 510-4084]

Council considered a further report at its meeting on 18 December 1996 (Item TS373-12/96 refers) on the proposed Santa Barbara parade pre-funding arrangements and results of the Public Meeting held on 26 November 1996.

This report provides the current status of ongoing negotiations with the Developers regarding this matter.

MOVED Cr Wight, SECONDED Cr Popham that Council receives this update report on the negotiations for the pre-funding of Santa Barbara Parade. CARRIED

TS30-02/97

ACRYLIC RESURFACING OF TENNIS COURTS - [061-199-2, 061-166-2, 745-3-2, 96-96/97]

A tender was advertised during December 1996 for the acrylic resurfacing of six existing tennis courts in Heathridge Park, Koondoola Park and Warwick Regional Open Space. This report details the tender submissions and recommends Sport Surfaces for Warwick Regional Open Space and Sportcoat for Heathridge and Koondoola Parks.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 accepts in part the tender of Sport Surfaces for the resurfacing of the two courts at Warwick Regional Open Space for the lump sum price of \$11,920 for Tender Number 96-96/97 Acrylic Resurfacing of Tennis Courts;
- 2 accepts in part the tender of Sportcoat for the resurfacing of the two courts at Heathridge Park and the two courts at Koondoola Park for the lump sum price of \$21,792 for Tender Number 96-96/97 Acrylic Resurfacing of Tennis Courts;
- 3 agrees to the signing of the contract documents. **CARRIED**

TS31-02/97

ROADSIDE ADVERTISING - [221-1, 509-0]

Main Roads Western Australia (MRWA) has introduced regulations to control advertising within, or directed at, the reserves of all declared highways and main roads. Council has a current contract with Streetside Advertising for the supply and installation of street benches containing advertising. It will be necessary for Council to seek delegated authority from MRWA to approve this form of advertising within the Wanneroo Road and Marmion Avenue reserves.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 seeks delegated authority from Main Roads Western Australia to control and approve category 2 signs in the reserves of Wanneroo Road and Marmion Avenue (Declared Highway Section) as it has an agreement in place prior to 1 January 1997 with Streetside Advertising for advertising on street benches;
- 2 instructs the Working Group established to review Council Policy and local laws dealing with signs to include the Main Roads Western Australia (Control of Advertising) Regulation 1996, Policy on Roadside Advertising and a Guide to the Management of Roadside Advertising in its terms of reference. **CARRIED**

TS32-02/97

REQUEST FOR RELOCATION OF BUS STOP/SHELTER ON BEACH ROAD, WARWICK - [510 - 2143, 503 - 3]

A request has been received from a number of residents in Beach Road and Springvale Drive, Warwick for the relocation of the bus stop and shelter in Beach Road, west of Springvale Drive, to a location approximately 100m further east on Beach Road, adjoining Springvale Park (Item C334-07/96 refers).

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 approves the relocation of the bus stop/shelter in Beach Road west of Springvale Drive to a location approximately 100 metres further east along Beach Road adjoining Springvale Park;**
- 2 advertises its intention to relocate the shelter on-site for a period of 14 days prior to effecting relocation;**
- 3 advises the organiser of the petition of its decision. **CARRIED****

TS33-02/97 JOONDALUP CITY CENTRE - BUS SHELTERS - [730-8-1 : 503-3

LandCorp has submitted working drawings of a new proposed bus shelter to be provided within the Joondalup City Centre for Council's approval in lieu of the previous design. These new shelters have been based on the model created by the Department of Transport and adopted by the City of Perth as part of the Central Area Transit System. LandCorp proposes to erect these shelters and, once complete, hand the ongoing maintenance to Council.

REPORT RECOMMENDATION: That Council approves the Joondalup City Centre Bus Shelter, as shown on Attachment 2 to Report Number TS33-02/97, and detailed in plans and specifications prepared by Sign Supplies dated 2 December 1996 as submitted by LandCorp, subject to:

- 1 LandCorp erecting four spare bus shelters at a location to be determined by the City Engineer;**
- 2 the maintenance of the bus shelters being the responsibility of LandCorp or its Contractor for a period of two years from the date of installation.**

MOVED Cr Wight, SECONDED Cr Popham that Council defers consideration of plans and specifications submitted by LandCorp for the Joondalup City Centre Bus Shelter and requests LandCorp to submit further options for Council's consideration.

CARRIED

TS34-02/97 VANDALISM AND CRIMINAL BEHAVIOUR - SEACREST PARK, SORRENTO - [061-338]

At its July 1996 meeting, Council approved dusk to dawn lighting together with regular security patrols at the Seacrest Park car park on a trial basis for six months to ascertain its effectiveness in deterring antisocial behaviour at this park (Item TS176-07/96 refers). The six month trial has finished and the adjacent residents were surveyed to gauge the result of the lighting and the patrols. The majority of residents are in support of continuing the lighting and patrols as it has been very effective in deterring antisocial behaviour at this park.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 continues to provide dusk to dawn lighting of the car park at Seacrest Park, Sorrento together with regular security patrols of the area in order to deter antisocial behaviour;**

2 advises the residents in the vicinity of Seacrest Park of its decision. **CARRIED**

TS35-02/97 **MONTHLY BUILDING REPORT - [210-0]**

This report outlines the number and value of building licences issued during the months of December 1996 and January 1997, building control activity, swimming pool inspections and Council's building works programme.

MOVED Cr Wight, SECONDED Cr Popham that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report TS35-02/97.

CARRIED

Appendix IX refers

TS36-02/97 **ANNUAL CLEANING TENDER - CLEANING SERVICES SOUTH EASTERN ZONE - [208-138-96/97]**

Four tenders were received on 29 January 1997 for the provision of cleaning services to 30 Council facilities in the south eastern zone of the City. Council endorsement is sought for the engagement of the lowest tenderer to undertake the work. Documentation for this contract would be worded to provide an initial contract period of approximately 15 months to 30 June 1998 with an option of a further 12 months if agreeable to all parties.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 accepts the tender sum of \$68,345.51 from Dominant Property Services for the provision of cleaning services to the south eastern zone;
- 2 agrees to the signing of the contract documents;
- 3 subject to the agreement of both the contractor and the City, agrees to an extension of the contract for a further twelve (12) month period;
- 4 requests a report prior to the end of the 1998/99 financial year detailing any agreement by the contractor to extend the contract term. **CARRIED**

TS37-02/97 **ANNUAL CLEANING TENDER - CLEANING SERVICES EASTERN CENTRAL ZONE - [208-139-96/97]**

Seven tenders were received on 29 January 1997 for the provision of cleaning services to 20 Council facilities in the central zone of the City. Council endorsement is sought for the engagement of the lowest tenderer to undertake the work. Documentation for this contract would be worded to provide an initial contract period of approximately 15 months to 30 June 1998 with an option of a further 12 months if agreeable to all parties.

REPORT RECOMMENDATION: That Council:

1. accepts the tender sum of \$54,626.86 from Dominant Property Services for the provision of cleaning services to the eastern central zone of the City;
2. agrees to the signing of the contract documents;

3. subject to the agreement of both the contractor and the City, agrees to an extension of the contract for a further twelve (12) month period;
4. requests a report prior to the end of the 1998/99 financial year detailing any agreement by the contractor to extend the contract term.

COMMITTEE RECOMMENDATION: That Council defers consideration of the tender submitted by Dominant Property Services for the provision of cleaning services to the eastern central zone of the City pending further information being submitted to Council by the City Building Surveyor.

ADDITIONAL INFORMATION

Dominant Property Services has provided a breakdown of the tender sums for tenders 139-96/97 and 140-96/97. The figures are for different amounts and scope of work and are not a duplication. Item 13 - Woodvale Tennis Court Toilets/change rooms in tender 139-96/97 is not a duplication of item 4 - Timberlane Park Clubrooms even though they are attached as buildings on the same site. These two portions of the same building should be in the same cleaning round.

Therefore to reflect this change:

Tender 139-96/97 should be reduced by \$625.48 and
Tender 140-96/97 should be increased by \$625.48

Therefore the adjusted tender sums would be:

139-96/97	was \$54,626.86	will now become	\$54,001.38
140-96/97	was \$47,321.04	will now become	\$47,946.52

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 **accepts for Tender 139-96/97 the tender sum of \$54,626.86 from Dominant Property Services for the provision of cleaning services to the eastern central zone of the City;**
- 2 **agrees to the signing of the contract documents;**
- 3 **authorises the variation to Tender 139-96/97 so that the cleaning of the Woodvale Tennis Courts Toilet/changerooms be deleted from the cleaning services Tender 139-96/97 and be included in Tender 140-96/97 in the south western zone (Greenwood/Warwick area) of the City;**
- 4 **subject to the agreement of both the contractor and the City, agrees to an extension of the contract for a further twelve (12) month period;**
- 5 **requests a report prior to the end of 1998/99 financial year detailing any agreement by the contractor to extend the contract term. CARRIED**

ANNUAL CLEANING TENDER - CLEANING SERVICES
SOUTH WESTERN ZONE IN THE GREENWOOD/WARWICK
AREA - [208-140-96/97]

Nine tenders were received on 29 January 1997 for the provision of cleaning services to 18 Council facilities in the south western zone of the City. Council endorsement is sought for the engagement of the lowest tenderer to undertake the work. Documentation for this contract would be worded to provide an initial contract period of approximately 15 months to 30 June 1998 with an option of a further 12 months if agreeable to all parties.

REPORT RECOMMENDATION: That Council:

1. accepts the tender sum of \$47,321.04 from Dominant Property Services for the provision of cleaning services to the south western zone of the City in the Greenwood/Warwick area;
2. agrees to the signing of the contract documents;
3. subject to the agreement of both the contractor and the City, agrees to an extension of the contract for a further twelve (12) month period;
4. requests a report prior to the end of the 1998/99 financial year detailing any agreement by the contractor to extend the contract term.

COMMITTEE RECOMMENDATION: That Council defers consideration of the tender submitted by Dominant Property Services for the provision of cleaning services to the south western zone of the City pending further information being submitted to Council by the City Building Surveyor.

ADDITIONAL INFORMATION

Dominant Property Services has provided a breakdown of the tender sums for tenders 139-96/97 and 140-96/97. The figures are for different amounts and scope of work and are not a duplication. Item 13 - Woodvale Tennis Court Toilets/change rooms in tender 139-96/97 is not a duplication of item 4 - Timberlane Park Clubrooms even though they are attached as buildings on the same site. These two portions of the same building should be in the same cleaning round.

Therefore to reflect this change:

Tender 139-96/97 should be reduced by \$625.48 and
 Tender 140-96/97 should be increased by \$625.48

Therefore the adjusted tender sums would be:

139-96/97	was \$54,626.86	will now become	\$54,001.38
140-96/97	was \$47,321.04	will now become	\$47,946.52

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 accepts for Tender 140-96/97 the tender sum of \$47,321.04 from Dominant Property Services for the provision of cleaning services to the south western zone of the City in the Greenwood/Warwick area and with each tender;
- 2 agrees to the signing of the contract documents;
- 3 authorises the variation to Tender 140-96/97 so that the cleaning of the Woodvale Tennis Courts Toilet/changerooms be deleted from the cleaning services Tender 139-96/97 and be included in Tender 140-96/97 in the south western zone (Greenwood/Warwick area) of the City;
- 4 subject to the agreement of both the contractor and the City, agrees to an extension of the contract for a further twelve (12) month period;
- 5 requests a report prior to the end of 1998/99 financial year detailing any agreement by the contractor to extend the contract term. **CARRIED**

TS39-02/97 **WANNEROO LIBRARY, INFANT HEALTH CENTRE AND FUNCTION CENTRE - AIR-CONDITIONING UPGRADE - [208-125-96/97, 240-4-1]**

Three conforming tenders were received on 23 January 1997 for the alteration to the Wanneroo Library Community Arts Centre in Civic Drive Wanneroo. Council endorsement is sought for the engagement of the lowest tenderer to undertake the tendered work and acceptance of the other work required and quoted for at this Centre.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 accepts the tender of \$25,850.00 from Robertson Engineering Pty Ltd for supply and installation of air conditioning to the Wanneroo Library Community Arts Centre and agrees to the signing of the contract documents;
- 2 accepts the quotation of \$14,300.00 from Robertson Engineering Pty Ltd for the supply and installation of air-conditioning to the Wanneroo Child Health Centre;
- 3 agrees to the acceptance of the quotation of \$7,060.00 from MPS for the modifications to plans and cooling towers to the Wanneroo Library. **CARRIED**

TS40-02/97 **ABBEVILLE PARK, MINDARIE AND KORELLA PARK, MULLALOO - TOILET BUILDINGS - [061-462, 061-200]**

Approval is sought for sketch plans, building locations, documentation and tendering for an identical toilet building on Abbeville Park, Mindarie and Korella Park, Mullaloo.

Approval was granted on the 18 December 1996 (FA192-12/96 refers) for proceeding with tender documentation for a similar toilet building on Peridot Park, Nerrabup.

The objective is to tender the three buildings at the same time as one contract so as to minimise costs.

ADDITIONAL INFORMATION - KORELLA PARK - LOCATION OF TOILET BUILDING - PUBLIC RESPONSE

Following completion of Report TS40-02/97 to the Technical Services Committee, submissions regarding the development have been received which should be placed before the Committee. The park is located within an established residential area. It has drawn a considerable response from the adjoining ratepayers and building owners. Signage was erected on site (3/1/1997) notifying the public of the proposal and calling for a response before 1 February 1997. Informal responses have been received by phone or over the counter while the enquirers were provided with plans of the proposal.

The following people were prepared to leave their names or submit written responses:

- Ms L Bates - carpark entry of West View Boulevard on the outside of a dangerous road bend.
- Mr K Zakrevsky - meeting on site - requested that the building be located as close to the carpark as possible with the building being nestled into the banking down from the road so as to minimise the flat space to be used which adjoins the oval some 50 metres away.
- Ms Winterton - owns property in 40 West View Boulevard - cited property devaluation, increased traffic in area, undesirable members of the public will be attracted to the area, suggested that the building be sited on the opposite side, the building design will not improve the character and appearance of this residential area.
- Mr Banks - lives at 38 West View Boulevard - he is disappointed at the proposal saying that it will bring disruption to the area especially after dark when the facility will become a focus and attract attention from undesirable members of the community. He would request that the being be located as far away as possible from adjoining residences.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 agrees to the sketch plans indicating the siting and nature of the toilet buildings at Abbeville Park, Mindarie and Korella Park, Mullaloo;**
- 2 authorises the documentation and calling of tenders for the works. CARRIED**

TS41-02/97 APPROVAL IN PRINCIPLE - PROPOSED DWELLING, LOT 719 (2) ACER GLEN, DUNCRAIG - [3539/719/2]

An application has been submitted for approval in principle to construct a dwelling at Lot 719 (2) Acer Glen, Duncraig. The dwelling while complying to R Codes setbacks for primary (front), secondary street and side setbacks, does not comply with rear setback requirements. It is considered that approval should be given in accordance with R Codes discretionary clause 1.5.7.

Cr Popham raised concerns in relation to a statement that the adjoining property owners had been approached in this regard. He stated on his inspection the adjoining property is not occupied.

The Acting City Building Surveyor advised he would take Cr Popham's query on notice and would provide details of advice received from neighbours.

MOVED Cr Wight, SECONDED Cr Popham that Council approves the application for approval in principle to erect a dwelling at Lot 719 (2) Acer Glen, Duncraig with a reduced rear setback of 1.5m under R Codes discretionary clause 1.5.7. CARRIED

TS42-02/97 PROPOSED DWELLING: LOT 16 (26) WHITBY CLOSE, MINDARIE - [3333/16/26]

An application has been received for approval to construct a dwelling at Lot 16 (26) Whitby Close, Mindarie with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Popham that Council approves the proposed dwelling to be constructed at Lot 16 (26) Whitby Close Mindarie, with a reduced setback comprising a minimum of 6.2m to the main dwelling and 3.5m to the carport. CARRIED

TS43-02/97 PROPOSED ADDITIONS: LOT 93(23) COWPER ROAD, SORRENTO - [25/93/23]

An application has been received for approval to convert an existing garage to a new bedroom and ensuite and a free standing double carport at Lot 93 (23) Cowper Road, Sorrento, which will have a reduced front building setback of 1500. It is considered that approval should be given.

MOVED Cr Wight, SECONDED Cr Popham that Council approves the proposed double carport to be constructed at Lot 93 (23) Cowper Road, Sorrento with a reduced front building setback of 1500. CARRIED

TS44-02/97 UNAUTHORISED CARPORT: LOT 1264 (11) BLAXLAND AVENUE, TWO ROCKS - [544/1264/11]

The owner of the dwelling at Lot 1264 (11) Blaxland Avenue, Two Rocks, has erected a carport without a building licence. It is considered that a Notice should be served on the owner requesting its removal. The carport also has a reduced front set-back of 1800 instead of the required 3000.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 serves a Notice on the owner of Lot 1264 (11) Blaxland Avenue, Two Rocks, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring that the unauthorised structure be removed, such Notice to incorporate appeal right provisions to the Minister of Local Government;

- 2 notes it is not empowered to issue retrospective building licence approvals and would support an appeal in this instance.
- 3 endorses the reduced setback of 1800 should the Minister for Local Government uphold the appeal. **CARRIED**

TS45-02/97 **DEPARTURE FROM APPROVED PLANS: LOT 414 (3) CUTTLE COURT, MULLALOO - [1806/414/3]**

On 11 April 1996, a building licence was collected and validated by the owner/builder of Lot 414 (3) Cuttle Court, Mullaloo, to construct second storey additions. The addition has not been constructed in accordance with the approved plans. As Council's solicitors advise that Council cannot issue a retrospective building licence, it is considered that Council should serve notice to bring the additions into conformity with the approved plans and to advise the owner/builder of her appeal rights to the Minister of Local Government, with Council support for the appeal.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 serves a Notice on the owner/builder of Lot 414 (3) Cuttle Court, Mullaloo, under Section 401 of the Local Government (Miscellaneous Act) requiring the upper storey additions be brought into conformity with the approved plans, such Notice to incorporate appeal provisions to the Minister for Local Government;
- 2 notes that it is not empowered to issue retrospective building licence approvals and would support an appeal in this instance. **CARRIED**

TS46-02/97 **UNLICENSED DEVELOPMENT SIGNS AND HOARDINGS ERECTED ON MARMION AVENUE - [920-19]**

Owners of unlicensed Development signs and Hoardings that are illegally located and erected on Marmion Avenue between Burns Beach Road and Quinns Rocks have been contacted and instructed to remove these signs. Little effort at compliance with this directive has resulted, although some written and telephone contact has been received from various owners.

In order to proceed with the removal of signs that remain, Council endorsement of such action is sought.

Cr O'Grady queried the erection of signs advertising community events and requested the City Building Surveyor to consider this issue at the review of existing Sign Bylaws by the Signs, Hoardings and Billposting Review Working Party.

Cr Taylor stated he had requested additional information in relation to this Item and asked for a current update in this regard.

The Chief Executive Officer advised that an interim policy had been drafted but concerns have been raised that it may contravene Council's Bylaw in this regard and suggested that the matter be referred back to the Working Party for further consideration.

REPORT RECOMMENDATION: That Council:

- 1 receives the report dealing with unlicensed and illegally located signs on Marmion Avenue;
- 2 endorses actions to have all Development signs and Hoarding signs presently located on Marmion Avenue between Hodges Drive, Ocean Reef and Baltimore Parade, Quinns Rocks removed.

MOVED Cr Taylor, SECONDED Cr Duffy that consideration of unlicensed development signs and hoardings erected on Marmion Avenue be deferred and referred back to the Signs, Hoardings and Billposting Review Working Party for a further report to Technical Services Committee. CARRIED

TS47-02/97 UNAUTHORISED SIGNAGE - LOT 3 JOONDALUP DRIVE, EDGEWATER - [30/4943]

An application has lodged with Council to approve two unauthorised horizontal signs at Bunnings warehouse, Lot 3 Joondalup Drive, Edgewater. The lettering to previously approved signs was altered in August 1996 to reflect Bunnings new marketing strategy without reference to Council. The surface area of the altered signs complies in area to the original Council approved signs. The signs are in excess of the specified sizes in Council's By-Laws relating to Signs, Hoardings and Billposting. Council may grant a licence in respect of a sign that would be otherwise be in contravention of the By-Laws.

The City Building Surveyor declared an interest in this item as his wife owns shares in Bunnings' parent company.

REPORT RECOMMENDATION: That Council approves changes to signs on the east and west elevation of the Bunnings Warehouse, at Lot 3 Joondalup Drive, Edgewater as follows:

- 1 "Everyday Low Prices" to "Lowest Prices Are Just the Beginning";
- 2 notes the overall area of the signs are less than originally approved.

MOVED Cr Wight, SECONDED Cr Popham that Council defers consideration of the application to approve two unauthorised horizontal signs at Bunnings warehouse, Lot 3 Joondalup Drive, Edgewater and seeks a further report from the Building Department in relation to the hammer logo and the garden centre signs. CARRIED

TS48-02/97 ORGANOPHOSPHATE BARRIER FOR SUBTERRANEAN TERMITES - [865-2-2]

Council at its meeting in July 1995, resolved to refuse building licence applications where chemical barriers are proposed that do not provide for effective re-treatment of the soil and to review its position with respect to chemical barriers following proposed amendments to the Building regulations. The Australian Standard (AS3600.1-1995) has been amended and those amendments are now sufficient to allow Council to approve buildings where chemical treatments are used, provided the terms of the Standard are met.

The legal opinion by Councils Solicitors concerning those amendments is that they are sufficient to allow the City to approve building licence applications where chemical treatments are used, provided the terms of the Australian Standard AS3600.1-1995 are fully met.

REPORT RECOMMENDATION: That Council in considering applications for building licences should:

1. approve chemical termite treatments provided the terms of Australian Standard AS3600.1-1995 are fully met;
2. incorporate a condition of approval requiring a durable termite treatment notice, as recommended by Council's Solicitors.

Cr Major requested that Council view an example of the plaque to be installed in all houses verifying that termite treatment had been undertaken.

MOVED Cr Wight, SECONDED Cr Popham that Council in considering applications for building licences should:

1. approve chemical termite treatments provided the terms of Australian Standard AS3600.1-1995 are fully met;
2. incorporate a condition of approval requiring a durable termite treatment notice, as recommended by Council's Solicitors, to be installed on all new buildings requiring termite treatment. **CARRIED**

TS49-02/97 **ADVERTISING ON COUNCIL PREMISES - [319-4-1 (TS320-11/96)]**

Council deferred consideration of the Sorrento Surf Life Saving Clubs application to place a 2m x 2m advertising hoarding to the lookout tower portion of the clubhouse premises of West Coast Drive, Sorrento pending a review of Councils Advertising policy. A draft policy proposes the basis upon which Council would consider advertising signage on Council facilities.

REPORT RECOMMENDATION: That Council:

1. agrees to refer this matter of Advertising on Council premises to Council's Signage, Hoardings and Billpostings Review Working Party for its consideration and policy establishment;
2. defers consideration of the application request submitted by the Sorrento Surf Life Saving Club until a policy has been established by the Signage, Hoardings and Billpostings Review Working Party.

MOVED Cr Wight, SECONDED Cr Popham that Council:

1. agrees to refer this matter of Advertising on Council premises to Council's Signage, Hoardings and Billpostings Review Working Party for its consideration and policy establishment;
2. defers consideration of the application request submitted by the Sorrento Surf Life Saving Club until a policy has been established by the Signage, Hoardings and Billpostings Review Working Party.

- 3 requests the Signage, Hoardings and Billpostings Review Working Party to investigate the feasibility of approving the application submitted by the Sorrento Surf Life Saving Club. **CARRIED**

TS50-02/97 **SEWERAGE CONNECTIONS AND REMOVAL OF EXISTING SEPTIC SYSTEMS - [506-4]**

There is a legislative requirement that all properties connect to the sewerage system where it is provided within 5 years or as specifically called for by the Western Australian Government and Water Authority. Endorsement is sought to set aside a capital expenditure account in the 1997/98 draft budget from which to expend funds for work directed at a costed audit listing of Council owned building development to be connected to sewer in compliance with the State Governments direction.

MOVED Cr Wight, SECONDED Cr Popham that Council includes for consideration funds of \$50,000.00 in its draft 1997/98 budget for an audit of Council's buildings to determine requirements for connection to sewer. **CARRIED**

TS51-02/97 **PARKS & LANDSCAPE SERVICES OUTSIDE EMPLOYEE ENTERPRISE BARGAINING AGREEMENT - [404-23]**

Parks and Landscape Services Consultative Committee recommended to the outside employees that the following proposal be adopted:-

5.1 TERM OF THE AGREEMENT -

Following (acceptance, validation or endorsement) of the Industrial Relations Commission, all employees covered by this Agreement will receive a \$25 per week salary increase followed by, and subject to, the conditions stated in Clause 13 the first "safety net" payment allocated by the Industrial Commission.

13.1 KEY PERFORMANCE INDICATORS

Current service pay payments will be re-negotiated prior to the payment of any secondary "safety net" amount awarded by the Industrial Commission in 1997. A productivity and efficiency payment is to apply with the total payment calculated via performance assessment on a team based criteria.

Enterprise Bargaining Agreement document - refer Attachment A.

REPORT RECOMMENDATION: That Council:

- 1 adopts the Draft Enterprise Bargaining Agreement as presented by the Parks Department Consultative Committee;
- 2 authorises the Chief Executive Officer to formalise the Agreement via the Industrial Commission.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 defers consideration of the adoption of the Draft Enterprise Bargaining Agreement as presented by the Parks Department Consultative Committee;
- 2 invites the consultant to address the Finance and Community Services Committee meeting to be held on 19 February 1997 in order to provide further information on the agreement. **CARRIED**

TS52-02/97 GRANDSTAND - OLYMPIC KINGSWAY CLUB - [315-3]

At the Technical Services meeting in November 1996 Councillor Major requested that a report be submitted regarding claims made by the Olympic Kingsway Club and its request for a grandstand.

MOVED Cr Wight, SECONDED Cr Popham that Council

- 1 advises the Olympic Kingsway Club that an area is available for construction of a grandstand;
- 2 authorises the construction in principle, subject to building development and approval applications being submitted and approved;
- 3 advises the club that any proposal by the club must include:
 - (a) design specifications;
 - (b) method of construction;
 - (c) funding (construction and maintenance);
 - (d) location proposed.
- 4 identifies and realigns (if required) all inground services prior to any location being approved. **CARRIED**

TS53-02/97 WANNEROO SHOWGROUNDS - [061-376]

Council, at its meeting of December 1996, requested a report be submitted regarding reviewing the Agricultural Society's right of use of the Wanneroo Showgrounds.

Following concerns expressed by the Acting City Parks Manager regarding the rubbish and unauthorised tree pruning at the completion of the Wanneroo Show, the Wanneroo Agricultural Society was contacted and discussions are proposed to resolve this problem prior to the 1997 Wanneroo Show.

It is proposed that the following process is to apply:-

- 1 Wanneroo Agricultural Society to initiate official booking for Wanneroo Showgrounds.
- 2 The Parks Department and Engineering Department to continue existing support for Show preparation.

- 3 Parks Department to undertake any pruning requirements prior to Show weekend.
- 4 Additional bins or removal cycle to be undertaken on Sunday, during the cleanup process.
5. Wanneroo Agricultural Society to ensure all waste material is collected and contained for removal by Sanitation Section.

Following discussion on this item, a further report was requested as to the ownership of the property and the Wanneroo Agricultural Society's right to use the property for the show week without charge.

REPORT RECOMMENDATION: That Council applies the following process:

- 1 Wanneroo Agricultural Society to initiate official booking for Wanneroo Showgrounds;
- 2 the Parks Department and Engineering Department to continue existing support for Show preparation;
- 3 Parks Department to undertake any pruning requirements prior to Show weekend;
- 4 additional bins or removal cycle to be undertaken on Sunday, during the cleanup process;
- 5 Wanneroo Agricultural Society to ensure all waste material is collected and contained for removal by Sanitation Section.

MOVED Cr Wight, SECONDED Cr Popham that Council defers consideration of the Wanneroo Agricultural Society's right of use of the Wanneroo Showgrounds pending further discussions to be held with the Wanneroo Agricultural Society. CARRIED

TS54-02/97 CONTRACT MOWING OF TWELVE SELECTED PARKS - TENDER NO 78-93/94 - [208-8]

Council, at its meeting dated 22 December 1993, resolved that tenders be called for a contractor to mow up to a total of 12 selected dry and reticulated parks for a period of three years and the standard of the contractor's work be reported on by an independent assessor or consultant (Report Nos I50504 and Ex H51213 refer).

REPORT RECOMMENDATION: That Council undertakes all mowing of Public Open Space using Council labour and plant.

MOVED Cr Cooper, SECONDED Cr Taylor that Council defers consideration of TS54-02/97 and seeks a further report to be submitted to Technical Services Committee. CARRIED

TS55-02/97 LAKESIDE PARK DEVELOPMENT - [250-0]

Report No TS332-11/96 recommended various conditions of approval for this project. LandCorp has responded to these items objecting to the following:-

- 1 The recommended maintenance period of five years.
- 2 Commitment to construction of a pedestrian overpass.
- 3 Commitment to construction of a lookout platform.

REPORT RECOMMENDATION: That Council advises LandCorp that the approval for development of Lakeside Park as per the concept plan is conditional upon the authority accepting the five year maintenance period required by Council.

MOVED Cr Wight, SECONDED Cr Popham that Council advises LandCorp that the approval for development of Lakeside Park as per the concept plan is conditional upon the authority accepting the five year maintenance period required by Council and the inclusion of the lookout as outlined in the original concept plan. CARRIED

TS56-02/97 OLDHAM PARK DEVELOPMENT - [061-272]

Extension of Oldham Park Yanchep was funded within the 1996/97 Capital Works Programme - Account No 36727 \$255,000.

It was proposed that these works be undertaken during March, April and May 1997 to minimise the dust impact to residents.

MOVED Cr Wight, SECONDED Cr Popham that Council authorises the extension of Oldham Park Yanchep in accordance with Budget Allocation 36727. CARRIED

TS57-02/97 STANDARD OF MAINTENANCE OF SPORTING GROUNDS (ITEM 551-12/96) - [250-1]

Council, at its meeting dated 18 December 1996, requested a report comparing the advantages and disadvantages of Council allocating funds to sporting bodies to maintain their own grounds, the mechanisms which may be involved and previous background examples.

Joint venture maintenance agreements are encouraged for specifically dedicated sports areas, eg. turf wickets. Dual use facilities have seasonal restrictions and these often impact heavily on the summer sports programme, creating conflict between user groups eg. baseball/softball.

Currently Council has two turf wicket areas where maintenance is funded directly to the club via a contract agreement.

MOVED Cr Wight, SECONDED Cr Popham that Council continues the current practices adopted by the Parks Department for joint venture maintenance of active sports areas. CARRIED

TS58-02/97 UNAUTHORISED LINE MARKING TECHNIQUES - [201-5]

Councillor Major, at Council meeting of November 1996, requested that a report be submitted regarding the options available to Council for charging, or otherwise taking action, to deter sporting clubs using herbicides to kill grass as an unauthorised line marking technique on playing fields.

In conjunction with the Policy Review a revised process for club utilisation of PVA paint and herbicide is to be initiated. The adoption of PVA and Glyphosate only mixture is to be approved and clubs advised that a penalty will apply if residual herbicide is applied.

REPORT RECOMMENDATION: That Council:

- 1 in conjunction with the Policy Review commenced on 21 January rewords the policy to read "PVA paint and Glyphosate mixture only";
- 2 advises all clubs of the revised policy and the penalties that will apply if an unauthorised residual chemical is used;
- 3 be advised via the Department monthly report of any clubs failing to comply or respond to requests for restoration.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 in conjunction with the Policy Review commenced on 21 January rewords the policy to read "approved PVA paint and Biactive mixture only";
- 2 advises all clubs of the revised policy and the penalties that will apply if an unauthorised residual chemical is used;
- 3 be advised via the Department monthly report of any clubs failing to comply or respond to requests for restoration. **CARRIED**

TS59-02/97 QUALIFIED BUSH REGENERATOR - [201-5]

At the Finance and Community Services meeting in November 1996, Councillor Magyar requested that a report be submitted on the possibility of the City of Wanneroo employing a Qualified Bush Regenerator.

Current staff qualifications enable a comprehensive coverage of the Parks maintenance requirements. The recently appointed Conservation/Technical Officer has an Environmental Degree and has recently completed the Bush Regeneration Course.

REPORT RECOMMENDATION: That Council

- 1 utilises the existing qualified staff for normal bush regeneration requirements;
- 2 authorises the utilisation of contract employment of a Bush Regenerator for specific projects as determined by the City Parks Manager and the Greenplan Advisory Committee.

MOVED Cr Magyar, SECONDED Cr Cooper that Council:

- 1 utilises the existing qualified staff for normal bush regeneration requirements;

- 2 authorises the utilisation of contract employment of a Bush Regenerator for specific projects as determined by the City Parks Manager, Greenplan Advisory Committee, Koondoola Regional Open Space Advisory Committee or the Hepburn Heights Advisory Committee. **CARRIED**

TS60-02/97 LACK OF STREET TREES WITHIN THE CITY OF WANNEROO - [253-3]

Council, at its meeting in December 1996, received a letter from a resident in Sorrento regarding various items as follows:-

- 1 Lack of street trees within the City of Wanneroo.
- 2 Maintenance of Public Open Space.
- 3 Paving of linear verge strips.

Items 1 and 2 are addressed within this report and Item 3 will be included in a future report on verge treatment options.

The development of avenues of trees planted on the verges is impossible within the current planning guidelines. Avenues can be incorporated into medians and splitter road islands and ultimately achieve a mature avenue of trees.

This is the current practise being utilised in planning streetscapes for distributor and arterial roads within this City.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 continues its existing practise for allocation of residential verge trees;
- 2 develops a planting programme for medians and verges of distributor and arterial roads in preparation for Budget consideration in the 1997/98 financial year. **CARRIED**

TS61-02/97 JOONDALUP CITY CENTRE TREE REPLACEMENTS - [730-8-1]

Council has accepted responsibility for maintenance of various areas within the Joondalup City Centre.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 initiates the replacement of trees in Boas Avenue, Reid Promenade, McLarty Avenue and Shenton Avenue;
- 2 defers any planting in Grand Boulevard and retains the tree wells in a condition to ensure public safety. **CARRIED**

**TS62-02/97 LICENCE FEE - COMMERCIAL FLOWER AND SEED
COLLECTION - [250-0]**

Council, at its meeting dated 18 December 1996, adopted the recommendations of Report TS363-12/96 Sale of Flowering Shrubs. Council requested a report be submitted considering the option of charging a licence fee for commercial picking.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 does not impose a collection fee for community groups involved in restoration of indigenous vegetation;**
- 2 allows the Parks Department to monitor the amount of commercial picker requests and recommend a fee to Council if number increase. CARRIED**

**TS63-02/97 NATIONAL PLAY FORUM - 11 & 12 MARCH 1997 IN
ADELAIDE - [250-1]**

The Royal Australian Institute of Parks and Recreation is conducting a National Play Forum Seminar in Adelaide on 11 and 12 March 1997. The programme topics encompass:-

- 1 Who uses our play areas?
- 2 Types of play for different environments.
- 3 Risk management for play spaces.
- 4 Equity of access to play spaces.
- 5 Landscape design for play spaces.
- 6 Playground maintenance.

Owing to the technical nature of the seminar it is recommended that the Parks Department Technical Officer attends this forum.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 registers Mr Trevor Taylor for the National Play Forum in Adelaide on 11 and 12 March 1997;**
- 2 authorises an additional day to inspect commercial product design and availability;**
- 3 authorises the use of funds from Account No 28851 Parks Conference Expenses - Parks Gardens and Reserves Control Account. CARRIED**

**TS64-02/97 MCKIRDY WAY MARMION - PETITION FOR PLAY
EQUIPMENT - [061-425]**

A petition for play equipment in McKirdy Way, Marmion has been presented by residents.

McKirdy Way is a large road island area of Public Open Space (4,089m²) and a drainage sump of 500m².

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1** lists for budget consideration within the 1997/98 Budget submissions provision of a combination play unit and fenced enclosure at McKirdy Park, Marmion;
- 2** advises the petitioners accordingly. **CARRIED**

TS65-02/97 **TELOPIA PARK DUNCRAIG - PETITION FOR PLAY EQUIPMENT - 1061-343**

A petition for play equipment in Telopia Park, Duncraig has been presented by residents.

Telopia Park is a dry park area of Public Open Space (4577m²) and a drainage sump of (500m²)

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1** lists for budget consideration within the 1997/98 Budget submissions provision of play equipment at Telopia Park Duncraig;
- 2** advises the petitioners accordingly. **CARRIED**

TS66-02/97 **DEPUTATION - MINISTER FOR POLICE - [316-3]**

Cr Taylor requested that the Minister for Police be invited to attend a Committee meeting to discuss with Councillors law and safety issues in the City of Wanneroo.

The Chief Executive Officer invited Councillors to submit suggestions to be included in a list to be sent to the Minister for Police prior to the meeting.

MOVED Cr Wight, SECONDED Cr Popham that the Minister for Police be invited to attend a Committee meeting to discuss with Councillors law and safety issues in the City of Wanneroo. **CARRIED**

BAMBARA PRIMARY SCHOOL - FOOTPATH - [502-1770]

Cr Freame referred to a recent telephone call she had received from a resident of Padbury who was concerned with the state of the footpaths in Goss Road, Padbury adjacent to the Bambara Primary School.

She advised that some of the pavement near the Pre-Primary was broken and requested that weed spraying be conducted to eradicate weeds in the footpath.

Cr Freame also raised her concerns in relation to parents driving on the footpath, thereby forcing children to use the roadway and suggested that the traffic engineer investigate this problem.

This matter will be referred to Engineering Department for action.

UNTIDY VERGES - [512-0]

Cr Cooper referred to recent action undertaken by the City of South Perth in relation to its prosecution of a resident for unsightly verges.

He advised that there was a new amendment under the Local Government Act relating to verges and he requested Council to explore this clause on behalf of the City of Wanneroo.

POLICY FOR VACANT LOTS - [702-1]

Cr Cooper queried the position in relation to a previous request he had made with regard to developing a policy to impose a different set of guide lines on lots that have been undeveloped for more than 5 years.

This matter will be referred to Corporate Services for action.

FIRE INSPECTIONS - [902-1]

Cr Cooper queried the position in relation to a previous request he had made for a camera to be purchased to be used during fire inspections to ascertain the location of abandoned vehicles, refuse and general untidiness.

The Chief Executive Officer reported that the inspections had been undertaken and a report would be forthcoming.

PLAY EQUIPMENT - CUNNINGHAM PLACE, PADBURY - [061-500]

Cr Hancock advised of a request she had received from a Padbury resident for the installation of play equipment at Cunningham Place Park, Padbury.

This matter will be referred to Parks Department for action.

UNTIDY VERGES - [512-0]

Cr Hancock referred to a telephone call she had received from Mrs Grimshaw of Padbury querying whether gardens and verges in that area could be tidied up.

This matter will be referred to Parks Department for action.

METROPOLITAN REGIONAL DEVELOPMENT ORGANISATION - [775-3]

Cr Hancock referred to a recent workshop she had attended for the Metropolitan Regional Development Organisation and advised that the workshop had been informative and interesting.

She commented that tourism in the area had been discussed and invited interested Councillors to peruse the Regional Economic Audit document.

LIGHTING - EMERALD PARK EDGEWATER - [061-114]

Cr Popham referred to a request he had made at the November 1996 Finance and Community Services Committee meeting for a report to be submitted on the feasibility of the installation of lights in the vicinity of Emerald Park, near the traffic lights at George Grey Place and queried the position in relation to this request.

The Acting City Parks Manager advised that following investigation by the Engineering and Parks Departments, the street lights in this area are to be modified, trees pruned and the pathway was to be levelled.

REQUEST FOR PHOTOGRAPHS - [702-3]

Cr Popham requested that photographs and addresses of all Councillors be published on the back page of the next edition of News Extra.

RABBIT CALICIVIRUS - [301-2]

Cr Major, as Councillor representative on the Agricultural Protection Board, reported on recent findings following the release of the rabbit calicivirus in central Australia.

He advised that monitoring stations established to investigate the virus had found that the virus had killed all but very young rabbits. This has had a dramatic effect on introduced predators and native fauna has increased.

WATERFORD DRIVE TRAFFIC CALMING - [502-16]

Cr Lynn queried the position in relation to traffic calming proposed for Waterford Drive, Hillarys.

The City Engineer advised he would take this matter on notice.

C39-02/97 TOWN PLANNING COMMITTEE

MOVED Cr Popham, **SECONDED** Cr Duffy that the Report of the Town Planning Committee Meeting, held on 17 February 1997 be received.

CARRIED

ATTENDANCES AND APOLOGIES

Councillors:	G A MAJOR - Chairman	South West Ward
	L O'GRADY - From 1805 hrs	North Ward
	S P MAGYAR - From 1804 hrs	Central Ward
	A W WIGHT	South Ward
	W D DUFFY	South Ward
	M E LYNN, JP	South-West Ward
	B A COOPER - Observer, Deputising for Cr Magyar to 1804 hrs	Central Ward
	P O HEALY - Observer from 1846 hrs	North Ward
	L A EWEN-CHAPPELL - Observer from 1805 hrs	Central Ward
	A G TAYLOR - Observer	South Ward
	T W POPHAM - Observer	South Ward
	D K TIPPETT, JP - Observer from 1805 hrs	South Ward
	F D FREAME - Observer from 1820 hrs to 1915 hrs	South-West Ward
	V G HANCOCK - Observer	South-West Ward

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

An apology for absence was tendered by Cr Dammers.

An apology for late attendance was tendered by Cr Tippett.

PUBLIC/PRESS ATTENDANCE

There were 23 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

The following question, submitted by Mrs A Hine, was taken on notice at the Town Planning Meeting held on 9 December 1996:

Q Why is a sign still on land in Dundobar Road for over a year?

A This matter has been investigated by the Town Planning Department and the owners of the property, Lot 12 (192) Dundobar Road, Wanneroo have been requested to remove the unauthorised sign within 14 days notification.

Mrs A Hine:

Q1 I would like to ask which part of government, is it local or State or Federal, that can put a cap legally on the size of a development. Who has the power to stop Whitfords getting any bigger than it is. Is there any chance of getting the government to control the amount of businesses in a shopping centre.

A1 City Planner's response: Retail strategies are prepared by the State Government. Part of the strategy is that shopping centres are planned from early structure plans. The land owner is then able to lodge an application to rezone.

DECLARATION OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 9 DECEMBER 1996

The Minutes of the Town Planning Committee Meeting held on 9 December 1996, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

PROPOSED STAGE 3 - LAKESIDE JOONDALUP SHOPPING CITY, LOT 453 (420) JOONDALUP DRIVE, JOONDALUP - [30/3513]

Messrs Holt, Armstrong, Boyd, Stockton and Shrapnel, on behalf of the Joint Venture Group, addressed the Committee in relation to proposed Stage 3 development of Lakeside Joondalup Shopping City, Lot 453 (420) Joondalup Drive, Joondalup - Item TP2-02/97 refers.

Mr Holt, Chief Executive Officer of LandCorp, stated that the purpose of the deputation was to outline the importance of Council continuing with the existing planning arrangements and specifically as they applied to Joondalup.

Messrs Holt, Shrapnel and Armstrong gave an overhead slide presentation outlining the Master Plan for Lakeside Joondalup Shopping City.

This presentation illustrated the following:

- research carried out on the strengths and weaknesses of Joondalup City;
- a plan of the 1990 Metropolitan Strategy;
- the North-West Corridor Structure Plan.;

- retail strategy plan;
- areas in north metropolitan Perth within 10km of Regional Centres which contain, or are proposed to contain one or more full line department stores (excluding Whitford);
- a map of the same areas showing the duplication of service if a department store were to be developed at Whitford;
- three stages for the development of Lakeside Joondalup Shopping City;
- reasons for objecting to the approval of the Whitford proposal;
- development timeframe for Department store 2001.

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

The Chairman advised that a deputation for tonight's meeting had been requested from Whitford City Shopping Centre but had been declined as its application was not on the agenda.

Appendix X refers.

CONFIDENTIAL BUSINESS

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

TP28-02/97 - NATIVE TITLE CLAIMS

TP29-02/97 - APPEAL DETERMINATION - PROPOSED TAKE-AWAY FOOD OUTLET, LOT 5 (1) VILLANOVA STREET, CORNER WANNEROO ROAD, WANNEROO

MEETING TIMES:

Commenced: 1800 hrs
Closed: 2108 hrs

TP1-02/97 **DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE 26 NOVEMBER 1996 TO 31
JANUARY 1997 - [290-1]**

The City Planner submits a resume of the development applications processed by the Development Assessment Unit from 26 November 1996 to 31 January 1997.

Following queries in relation to Items 2851/299/7, 31/227/15 and 1845/464/20 in the attachment to Report TP1-02/97, the Chief Executive Officer advised these items would be investigated and a report submitted to all Councillors.

Cr Popham referred to inconsistency in the comments relating to Items 30/5529 and 30/615 in the attachment to Report TP1-02/97.

The City Planner advised future comments on items would include more information.

Cr Freamer referred to Items 71/104/32 and 1845/464/20 in the attachment to Report TP1-02/97 and requested that the proposed task force to examine issues relating to home occupation be implemented as soon as possible.

Cr Taylor referred to Item 12/11/96 on page 8 in the attachment to Report TP1-02/97 and requested more information on this item.

The City Planner advised he would take this matter on notice and provide further information by way of a memorandum.

MOVED Cr Popham, SECONDED Cr Duffy that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP1-02/97.

CARRIED

Appendix XI refers

TP2-02/97 **PROPOSED STAGE 3 - LAKESIDE JOONDALUP
SHOPPING CITY - LOT 453 (420) JOONDALUP DRIVE,
JOONDALUP - [30/3513]**

It is proposed to construct a department store and associated speciality retail and parking as Stage 3 of the Lakeside Joondalup Shopping Centre development in the Joondalup City Centre. The proposal is in line with the Centre's designation as a Strategic Regional Centre under the Western Australian Planning Commission's Centres Policy, but requires further refinement in order to comply with Council's Joondalup City Centre Development Plan and Manual.

Cr Cooper declared an interest in this item as he has a share in a company which has a maintenance contract in Lakeside Shopping Centre.

Cr Cooper left the Chamber at this point, the time being 2206 hrs.

RECOMMENDATION: That Council:

1 recognising the importance of the proposed development to the achievement of the employment goals of the Strategic Regional Centre, approves the application submitted by Cameron Chisholm and Nicol (WA) Pty Ltd on behalf of Perpetual Trustees (WA) Limited and the Western Australian Land Authority for Stage 3 of the Lakeside Joondalup Shopping City comprising a department store, associated speciality retailing, parking, and pedestrian malls enclosing Station Square on Lot 453 Joondalup Drive, Joondalup subject to:

- (a) the approval being valid for a period of 24 months only and a fresh approval required if development has not substantially commenced in that time;
- (b) the acceptability of the total floor area and number of parking bays being substantiated to the satisfaction of the City Planner and the City Engineer by a review of overall floor area, parking and access to the City Centre;
- (c) the proposal being modified by altering access to parking and/or the redistribution of parking to reduce impact of the department store traffic on Boas Avenue to the satisfaction of the City Planner and the City Engineer;
- (d) the finalisation of an air rights agreement/lease for Station Square;
- (e) the identification and delineation of the pedestrian and open space networks in accordance with the Joondalup City Centre Development Plan and Manual to the satisfaction of the City Planner;
- (f) the provision of a legal agreement at the applicants' expense (including legal expenses incurred by the City) to the satisfaction of the City and its solicitors to formalise and protect public access to and across Station Square, and the major pedestrian walkways Civic Walk and Campus Walk;
- (g) the redistribution of specialty retail proposed in this Stage 3 to increase the proportion of this development along Boas Avenue to the satisfaction of the City Planner;
- (h) the modification of the plans to provide facades to the streets and pedestrian pathways in accordance with the provisions of the Joondalup City Centre Plan and Manual to the satisfaction of the City Planner;
- (i) the submission of detailed carpark design demonstrating to the satisfaction of the City Engineer and the City Planner the functionality of the decked car parking allowing for the provision of sidewalk level retail outlets;
- (j) the submission of detailed design of the open space network on the site including Station Square, Market Square, Civic Walk and Campus Walk;

- (k) the approval of the Western Australian Planning Commission under the Metropolitan Region Scheme;
 - (l) the provision of six parking bays per 100 m² gross leasable area;
 - (m) standard and appropriate development conditions;
- 2 recommends to the Western Australian Planning Commission that as the application complies with the Retail Centres Policy it be approved under the Metropolitan Region Scheme subject to the conditions attached to Council's approval under the City of Wanneroo Town Planning Scheme No 1.

CARRIED

MOVED Cr Major, SECONDED Cr Taylor that all items delegating authority to Council's officers in relation to conditions of approval for Stage 3 Lakeside Joondalup Shopping Centre, Lot 453 (420) Joondalup Drive, Joondalup, be referred to Council for final approval.

CARRIED

MOVED Cr Wight, SECONDED Cr Freame that Council:

1 recognising the importance of the proposed development to the achievement of the employment goals of the Strategic Regional Centre, approves the application submitted by Cameron Chisholm and Nicol (WA) Pty Ltd on behalf of Perpetual Trustees (WA) Limited and the Western Australian Land Authority for Stage 3 of the Lakeside Joondalup Shopping City comprising a department store, associated specialty retailing, parking, and pedestrian malls enclosing Station Square on Lot 453 Joondalup Drive, Joondalup subject to:

- (a) the approval being valid for a period of 24 months only and a fresh approval required if development has not substantially commenced in that time;
- (b) the acceptability of the total floor area and number of parking bays being substantiated to the satisfaction of the City by a review of overall floor area, parking and access to the City Centre;
- (c) the proposal being modified by altering access to parking and/or the redistribution of parking to reduce impact of the department store traffic on Boas Avenue to the satisfaction of the City;
- (d) the finalisation of an air rights agreement/lease for Station Square;
- (e) the identification and delineation of the pedestrian and open space networks in accordance with the Joondalup City Centre Development Plan and Manual to the satisfaction of the City;
- (f) the provision of a legal agreement at the applicants' expense (including legal expenses incurred by the City) to the satisfaction of the City and its solicitors to formalise and protect public access to and across Station Square, and the major pedestrian walkways Civic Walk and Campus Walk;
- (g) the redistribution of specialty retail proposed in this Stage 3 to increase the proportion of this development along Boas Avenue to the satisfaction of the City;
- (h) the modification of the plans to provide facades to the streets and pedestrian pathways in accordance with the provisions of the Joondalup City Centre Plan and Manual to the satisfaction of the City;
- (i) the submission of detailed carpark design demonstrating to the satisfaction of the City the functionality of the decked car parking allowing for the provision of sidewalk level retail outlets;

- (j) the submission of detailed design of the open space network on the site including Station Square, Market Square, Civic Walk and Campus Walk;
- (k) the approval of the Western Australian Planning Commission under the Metropolitan Region Scheme;
- (l) the provision of six parking bays per 100 m² gross leasable area;
- (m) standard and appropriate development conditions;

2 recommends to the Western Australian Planning Commission that as the application complies with the Retail Centres Policy it be approved under the Metropolitan Region Scheme subject to the conditions attached to Council's approval under the City of Wanneroo Town Planning Scheme No 1.

CARRIED

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

TP3-02/97

NIGHT DRIVING RANGE AT JOONDALUP GOLF COURSE PART LOT 1 (39) COUNTRY CLUB BOULEVARD, CONNOLLY - [30/1336]

The lighting fixtures associated with the abovementioned night driving range have now been modified. In order to gauge the acceptability of the new fixtures, a trial period was arranged whereby the lights were switched on for a limited time and adjacent residents given the opportunity to comment. That advertising period concluded on 28 January 1997 during which time one respondent advised that they remain unreasonably affected by the modified lighting. The lighting consultant advised that glare levels are still unacceptable when viewed from the residential area above the driving range, and requests a further test when the necessary modifications have been made. On the basis that only one objection was received to that lighting arrangement, it is recommended that one further test be approved, subject to Those conditions which previously applied.

The City Planner advised that 2 additional submissions had been received objecting to the existing lighting arrangements, making 3 objections received in total.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 **advises the applicant that a further trial period of five days duration shall be conducted at a time to be arranged by the City, when the lighting has been modified and that the lights shall not be turned on until the trial period commences;**
- 2 **requires the City Planner to advise Councillors when the five day trial period is to be conducted;**
- 3 **requires the driving range lighting to be turned off at the conclusion of the trial period until such time as the City advises the applicant that the lighting may be used.**

CARRIED

TP4-02/97

EDGEWATER DRIVE, EDGEWATER - [510-1214]

Council at its meeting on 23 October 1996, resolved to agree to the closure of the road truncation of Lakeside Drive and Edgewater Drive, Edgewater. The Department of Land Administration (DOLA) was requested to seek the Hon Minister for Land's approval to close the road. DOLA, after consultation with the Ministry for Planning, has advised that it does not intend to take any action towards closing the road truncation.

REPORT RECOMMENDATION: That Council notes Department of Land Administration's advice that it is not prepared to close the truncation of Lakeside Drive and Edgewater Drive, Edgewater.

COMMITTEE RECOMMENDATION: That Council:

- 1 notes Department of Land Administration's advice that it is not prepared to close the truncation of Lakeside Drive and Edgewater Drive, Edgewater;
- 2 arranges a meeting to discuss the proposed closure of the road truncation of Lakeside Drive and Edgewater Drive, Edgewater with the Minister for Lands, the Minister for Planning and members of the Edgewater Action Group.

Cr Cooper submitted information that the Department of Land Administration is to arrange a meeting with officers of the City of Wanneroo, the Ministry for Planning, Carine Nominees, Mr Chris Baker and a representative from the Edgewater Residents Association within 14 days. Cr Cooper felt it imperative that a Councillor also attend this meeting.

MOVED Cr Cooper, SECONDED Cr Magyar that Council:

- 1 notes Department of Land Administration's advice that it is not prepared to close the truncation of Lakeside Drive and Edgewater Drive, Edgewater;
- 2 arranges a meeting to discuss the proposed closure of the road truncation of Lakeside Drive and Edgewater Drive, Edgewater with the Minister for Lands, the Minister for Planning and members of the Edgewater Action Group;

- 3 writes to Mr Chris Baker, MLA, Member for Joondalup requesting that a Central Ward Councillor be a member of the delegation to the Minister for Planning.

CARRIED

TP5-02/97

LOT 303 LYSANDER DRIVE, HEATHRIDGE - CASH IN LIEU OF SUBDIVISIONAL PUBLIC OPEN SPACE - [740-96575]

The subdivision of Lot 303 Lysander Drive, Heathridge was approved, subject to a cash payment being made to the City in lieu of ceding the applicant's ten percent public open space requirement. Council accepted the \$28,743 cash in lieu figure at its December 1996 meeting and requested a report regarding use of those funds. This report recommends that Council seek Ministerial approval to expend the cash-in-lieu on providing in-ground reticulation for Lysander Park, Heathridge.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 requests that the Minister for Planning endorses the proposal to expend the cash in lieu of public open space funds received from the subdivision of Lot 303 Lysander Drive, Heathridge, in providing in-ground reticulation for Lysander Park, Heathridge;
- 2 subject to Ministerial approval with regard to point 1 above, list for consideration in the 1997/98 budget, \$52,000 to complete the installation of reticulation at Lysander Park.

CARRIED

TP6-02/97

**PROPOSED BUILDING ENVELOPES - LOT 21
BADGERUP ROAD, WANNEROO (SPECIAL RURAL
ZONE NO 27) - [740-99994]**

Council is required to endorse a plan depicting the locations of building envelopes for Special Rural Zone No 27. The proposed envelope location plan submitted by Zuideveld Bennett Development Consultants, is considered adequate to meet the objectives of this zone and therefore should be endorsed by Council.

MOVED Cr Popham, SECONDED Cr Duffy that Council grants approval to the proposed building envelopes for Special Rural Zone No 27 Badgerup Road, Wanneroo, as depicted drawing No 96022-60, which was prepared by W D Consultants, received by the City of Wanneroo on 16 January 1997.

CARRIED

TP7-02/97

**SUBDIVISION CONTROL UNIT AND DELEGATED
AUTHORITY COMMITTEE 26 NOVEMBER 1996 TO 31
JANUARY 1997 - [740-1]**

This report provides a resume of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee during the period 26 November 1996 to 31 January 1997.

Cr Healy queried the decision not to support Application No 102221 on page 1 of the attachment to Report No TP7-02/97.

The City Planner advised he would provide information by way of a memorandum on the rationale behind that determination.

MOVED Cr Popham, SECONDED Cr Duffy that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP7-02/97.

CARRIED

Appendix XII refers

TP8-02/97

**PROPOSED NORTH WEST CORRIDOR OMNIBUS
METROPOLITAN REGION SCHEME AMENDMENT -
[319-7-1]**

The North West Corridor Omnibus Metropolitan Region Scheme (MRS) Amendment No was initiated in February 1996. Council made a submission regarding the amendment to the West Australian Planning Commission (WAPAC) in May 1996. The Commission noted the concerns and support of Council and made a number of modifications to the amendment. Following the required twelve sitting days in Parliament, the amendment took effect on and from 30 October 1996. The City is now required to amend its Town Planning Scheme No 1 (TPS1) to accord with the amended Metropolitan Region Scheme (MRS).

MOVED Cr Popham, SECONDED Cr Duffy that Council requires a further report be presented regarding the preparation of an amendment to the City of Wanneroo

Town Planning Scheme No 1 to make it accord with the changes to the Metropolitan Region Scheme resulting from the finalisation of the North West Corridor Omnibus Metropolitan Region Scheme Amendment No 2.

CARRIED

TP9-02/97 MRS AMENDMENT NO 975-33 ST ANDREWS (YANCHEP-TWO ROCKS) - [319-7-1]

The City is required to initiate an amendment to its Town Planning Scheme No 1 (TPS1) to bring it into accordance with the Metropolitan Region Scheme (MRS), following modifications made to the MRS through the St Andrews (Yanchep-Two Rocks) MRS amendment. It is recommended that the proposed Urban Development and Centre zones be implemented and that the City initiates a further amendment to introduce a similar zone for the Industrial area, ie 'Industrial Development Zone.'

In relation to Reports TP9-02/97 and TP19-02/97, Cr Duffy queried whether Lots 132-135 Two Rocks Road, Yanchep were the subject of Report TP9-02/97. The City Planner advised that they were not.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 in accordance with Section 7 of the Town Planning and Development Act (1928) as amended, supports Amendment No 787 to Town Planning Scheme No 1 to:
 - (a) rezone the portion of the Yanchep-Two rocks area zoned Central City Area on the Metropolitan Region Scheme being portions of Pt Lot 8 and Pt Loc M1689 from Rural and Residential Development to Centre zone;
 - (b) rezone the portion of the Yanchep-Two Rocks area zoned Industrial on the Metropolitan Region Scheme, being portion of Pt Loc M1689 from Rural to Industrial Development Zone;
 - (c) rezone Lots 1, 101, 102, 103, Pt Lot 8, Lot 12, Pt Lot 9, Pt Loc M1689, Lot 200, Lot 201, Reserve 41479, Lot 16, Lot 8, Portion Lot 35, Lot 1011 and Pt Loc M 1688 (being those portions of the Yanchep-Two Rocks area which are zoned Urban or Urban Deferred under the Metropolitan Region Scheme and zoned Rural, or Service Station, Special Zone (Additional Use) Video Hire, Residential Development under City of Wanneroo Town Planning Scheme No 1 [except those Residential Development areas shown on Attachment No 3] from Rural and Residential Development to Urban Development Zone;

- 2 in accordance with Section 7 of the Town Planning and Development Act (1928) as amended, supports Amendment No 788 to Town Planning

Scheme No 1 to:

- (a) insert the following zone at the end of Clause 3.2:

(26) Industrial Development Zone

- (b) insert 'Industrial Development Zone' after '... Marina Development Zone, ...' in Clause 3.4 (as proposed under Amendment No 731).
- (c) insert the following new provisions in Part 5:

5.47 Industrial Development Zone

- (a) *The Purpose of the Industrial Development Zone is to provide for the orderly planning of larger areas of land proposed for industrial use in an integrated manner within a regional context whilst retaining flexibility to review planning with changing circumstances.*
- (b) *No subdivision or other development should be commenced or carried out in an Industrial Development Zone until a Structure Plan has been prepared and adopted under the provisions of Part 10 of the Scheme and no subdivision or other development shall be commenced or carried out otherwise than in conformity with an Agreed Structure Plan.*
- (c) *The permissibility of uses in the Industrial Development Zone subject to sub-clauses 10.8.2 and 10.8.3 shall be determined in accordance with the provisions of the relevant Agreed Structure Plan'*
- (d) change Clause 10.12.1 (as proposed under Amendment No 731) from '...Clause 5.45(b) and 5.46(b) ...' to '...Clauses 5.45(b), 5.46(b) and 5.47(b)...'
- (e) insert the following new provisions in Schedule 9 (as proposed by Amendment No 731):
- '(bb)' types of industrial and related uses within industrial areas and the location of such uses within those areas'*
- (f) amend the legend of the Scheme Map to provide for the Industrial Development Zone.

3 advises Tokyu Corporation, as landowner, that the City is initiating Amendment 787 to make the zoning of the Yanchep-Two Rocks area under Town Planning Scheme No 1 consistent with the zoning now applying under the Metropolitan Region Scheme, on the understanding

that the issues which had been identified at the time of assessment of the St Andrews Amendment (as outlined in this report) will be addressed at the structure planning stage.

- 4 requests Tokyu Corporation to assist with the cost of preparation of Amendment No 787 by paying the applicable scheme amendment administration fee.

CARRIED

TP10-02/97 **AMENDMENT NO 731 TO TOWN PLANNING SCHEME
NO 1 - INTRODUCTION OF URBAN DEVELOPMENT
ZONE, CENTRE ZONE AND STRUCTURE PLANNING
PROVISIONS. - [790-731]**

Amendment No 731 to Town Planning Scheme No 1, proposes to introduce two new zones: Urban Development zone and Centre zone. It also proposes to introduce provisions regarding the preparation and approval of Structure Plans. The amendment was advertised for public comment and forwarded to the Hon Minister for Planning for final approval. Advice has now been received from the Western Australian Planning Commission (APAC) that the Hon Minister has decided not to approve the amendment until a number of modifications to it have been made. It is recommended that council agrees to these required modifications.

ADDITIONAL INFORMATION

Additional information submitted for Report TP10-02/97 advised of a correction to be made to Section 1(i) of the Recommendation. Clause 10.13.6 'If after an appeal has been determined, any requirement of the Council or the appeal body arising from the appeal remains to be complied with, that requirement shall be Plan is continued' is to be replaced with 'If after an appeal has been determined, any requirement of the Council or the appeal body arising from the appeal remains to be complied with, that requirement shall be complied with before the process of preparation and adoption of the Structure Plan is continued'.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

1 modifies Amendment No 731 to Town Planning Scheme No 1 by:

- (a) in Clause 1.8 in the definition of “*proponent*”, insert after the word “*person*” wherever it appears, the words “*or body*”;
- (b) in Clause 3.4, delete the words “*Special Residential Zone*”
- (c) insertion of new Clauses 5.45(b) and 5.46(b) to read:

5.45(b) No subdivision or other development should be commenced or carried out in a Centre zone until a Structure Plan has been prepared and adopted under the provisions of Part 10 of the Scheme. No subdivision should be commenced or carried out, and no other development shall be commenced or carried out otherwise than in conformity with an Agreed Structure Plan.”

5.46(b) No subdivision or other development should be commenced or carried out in an Urban Development zone until a Structure Plan has been prepared and adopted under the provisions of Part 10 of the Scheme. No subdivision should be commenced or carried out, and no other development shall be commenced or carried out otherwise than in conformity with an Agreed Structure Plan.”

- (d) in Clause 10.4.1, insert after “*consultation with the Council, the Commission ...*” the following “*..., other relevant government agencies and the community*”.
- (e) in Clause 10.5.2, insert after “*... all affected landowners ...*” the following “*..., relevant government agencies and the community.*”
- (f) in Clause 10.7, insert after “*An Agreed Structure Plan may*” the following: “*..., subject to the approval of the Commission, ...*”;
- (g) insertion of a new Clause 10.8.1 to read:

“10.8.1 An Agreed Structure Plan shall come into operation on the date it is adopted by the Commission pursuant to Clause 10.6.3.”

- (h) Insertion of a new Clause 10.10 to read:

“10.10 A proponent shall transfer to the Council in writing at no cost to the Council, all copyright ownership of Structure Plans together with all supporting documentation submitted to the Council, and Agreed Structure Plans adopted by the Council (whether in graphic, textual or digital form).”

- (i) **Insertion of a new Clause 10.13.6 to read:**

“10.13.6 If after an appeal has been determined, any requirement of the Council or the appeal body arising from the appeal remains to be complied with, that requirement shall be complied with before the process of preparation and adoption of the Structure Plan is continued.”

- 2 **finally adopts Amendment No 731 to Town Planning Scheme No 1 in a modified form as per 1 above.**
- 3 **authorises affixation of the Common Seal to, and endorses the signing of, the amending documents.**

CARRIED

TP11-02/97 PROPOSED AMENDMENT NO 783 TO TOWN PLANNING SCHEME NO 1 TO RECODE LOT 841 (38) GLENDEVON TURN, KINROSS FROM RESIDENTIAL DEVELOPMENT R25 TO RESIDENTIAL DEVELOPMENT R40 - [790-783]

An application has been submitted by Taylor Burrell on behalf of Burns Management Pty Ltd, seeking to recode Lot 841 (38) Glendevon Turn, Kinross from Residential Development R25 to Residential Development R40.

The proposal would add to the diversity of land densities, and enable the establishment of a variety of housing types within the Kinross area. The subject lot is located close to existing and proposed services and facilities. The proposal therefore accords with the Ministry for Planning's Draft Residential Densities and Housing Mix Policy. It is considered appropriate to support the recoding.

MOVED Cr Popham, SECONDED Cr Duffy that Council, in accordance with Section 7 of the Town Planning and Development Act (1928) as amended, supports Amendment No 783 to Town Planning Scheme No 1 to recode Lot 841 (38) Glendevon Turn, Kinross from Residential Development R25 to Residential Development R40.

CARRIED

TP12-02/97 PROPOSED AMENDMENT NO 784 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 714 (114) FLINDERS AVENUE, HILLARYS FROM SERVICE STATION TO COMMERCIAL - [790-784]

An application has been submitted by Overman & Zuideveld Pty Ltd on behalf of the W A Police Force, seeking to rezone Lot 714 (114) Flinders Avenue, Hillarys from Service Station to a zone that will allow the establishment of a police station. The site adjoins a vacant commercial site. A police station is considered an acceptable use in this location and the most appropriate zone to accommodate the police station is considered to be Commercial. It is recommended that Council supports the amendment on this basis.

MOVED Cr Popham, SECONDED Cr Duffy that Council, in accordance with Section 7 of the Town Planning and Development Act (1928) as amended, supports

Amendment No 784 to Town Planning Scheme No 1 to rezone Lot 714 (114) Flinders Avenue, Hillarys from Service Station to Commercial.

CARRIED

TP13-02/97

PROPOSED AMENDMENT NO 789 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 63 (37) ANNA PLACE, WANNEROO FROM RURAL TO RESIDENTIAL DEVELOPMENT (R20) - [790-789]

An application has been submitted by Ray Belton on behalf of Mrs Lewis, a prospective purchaser of Lot 63 (73) Anna Place, Wanneroo, seeking to rezone this lot from Rural to Residential Development R20. Mrs Lewis intends to purchase a substantial portion of the subject lot and develop an aged persons' hostel and residences if the rezoning is successful. This lot is considered to be an appropriate location for an aged persons' development. The rezoning accords with the urbanisation plans for East Wanneroo and it is therefore considered appropriate for Council to support the initiation of this amendment.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 in accordance with Section 7 of the Town Planning and Development Act (1928) as amended, supports Amendment No 789 to Town Planning Scheme No 1 to rezone Lot 63 (37) Anna Place, Wanneroo from Rural to Residential Development R20;**
- 2 advises the applicant that:**
 - (a) infrastructure contributions for the development of Lot 63 (37) Anna Place, Wanneroo will be payable at the subdivision or development approval stage;**
 - (b) if the amendment is successful, a development application will be required for the proposed use which addresses the subject development's integration with the adjoining Parks and Recreation Reserve and must include the submission of a detailed traffic impact statement.**

CARRIED

TP14-02/97

AMENDMENT NO 791 TO TOWN PLANNING SCHEME NO 1 - REMOVAL OF GRAFFITI - [210-7, 780-1, 790-791]

Council's solicitors have prepared draft provisions relating to the removal of graffiti for inclusion in Council's Town Planning Scheme No 1 and a scheme amendment is recommended.

REPORT RECOMMENDATION: That Council adopts Amendment No 791 to Town Planning Scheme No 1 to change Clause 5.17 to address the removal of graffiti and provide for the giving of notice for that purpose.

MOVED Cr Popham, SECONDED Cr Duffy that Council defers consideration of adopting Amendment No 791 to Town Planning Scheme No 1 to change Clause 5.17 to address the removal of graffiti and seeks clarification from the State Government

on who is responsible for costs on its "Graffiti Busters" Programme.
CARRIED

TP15-02/97

CLOSE OF ADVERTISING : AMENDMENT NO 611 TO TOWN PLANNING SCHEME NO 1 TO REZONE PORTION OF LOT 7, MARMION AVENUE, BUTLER - [790-611]

Amendment No 611 to Town Planning Scheme No 1 seeks to rezone and recode a 153 hectare (ha) portion of Lot 7 Marmion Avenue, Butler from Rural to Residential Development R20 and R40. The amendment was advertised for a 42 day period, closing on 29 November 1996. Also advertised for comment was the most recent Local Structure Plan for Lot 7. Six submissions have been received in support of the proposed amendment, with one submission objecting. It is recommended that the amendment be finalised.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 finally adopts Amendment No 611 to Town Planning Scheme No 1 to rezone and recode a 156 hectare portion of Lot 7 Marmion Avenue, Butler from Rural to Residential Development R20 and R40;**
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;**
- 3 subject to the correction of Section 3.9 "Commercial Development" of the Local Structure Plan Report (dated April 1996), addressing the inaccuracies discussed in this report, Council finally adopts the Local Structure Plan (dated 19 March 1996) and associated report (April 1996).
CARRIED**

TP16-02/97

CLOSE OF ADVERTISING : AMENDMENT NO 759 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 32 CORNER MENCHETTI AND WANNEROO ROADS, NEERABUP FROM RURAL TO RURAL, SPECIAL ZONE (ADDITIONAL USE) RURAL STORE NOT EXCEEDING 100M2 - [790-759]

Amendment No 759 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 6 December 1996. This amendment seeks to rezone Lot 32 corner Menchetti and Wanneroo Roads, Neerabup from Rural to Rural, Special Zone (Additional Use) Rural Store not exceeding 100m². As a result of advertising, 386 submissions in support of this proposal and three objections to the proposal were received. It is considered appropriate to support the final adoption of a modified form of this amendment. Council's initial support for this amendment referred to the proposed zoning as Rural (Additional Use) Rural Store not exceeding 100m².

It is considered appropriate to support the final adoption of a modified form of this amendment. Council's initial support for this amendment referred to the proposed zoning

as Rural (Additional Use) Rural Store not exceeding 100m². This wording needs to be corrected to refer to the proposed zoning as Rural Special Zone (Additional Use) Rural Store not exceeding 100m².

Cr Healy declared an interest in this item as he is a part owner of a service station operating competitively in close proximity to the applicant.

Cr Healy left the Chamber at this point, the time being 2213 hrs.

MOVED Cr Hancock, SECONDED Cr Tippett that Council:

- 1** modifies Amendment No 759 to Town Planning Scheme No 1 by:
 - (a) exchanging reference to the proposed zoning as Rural (Additional Use) Rural Store not exceeding 100m² with Rural, Special Zone (Additional Use) Rural Store not exceeding 100m²;
 - (b) including reference to the Special Zone in Section 1 of Schedule 1 of the Scheme Text;
- 2** finally adopts the modified form of Amendment No 759 to Town Planning Scheme No 1;
- 3** authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents. **CARRIED**

Cr Healy entered the Chamber at this point, the time being 2214 hrs.

TP17-02/97 CLOSE OF ADVERTISING : AMENDMENT NO 772 TO TOWN PLANNING SCHEME NO 1 TO RECODE SEVEN GROUPED DWELLING SITES IN NEERABUP FROM R20 TO R40 - [790-772]

Amendment No 772 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 29 November 1996. This amendment initially sought to recode seven grouped dwelling sites in Neerabup from R20 to R40. Since the close of advertising, the applicant has requested the amendment be modified to recode only four of the initial seven sites from R20 to R40.

As a result of advertising, eight submissions which oppose the amendment were received. These submissions have been considered and final adoption of the proposed amendment in its modified form to recode four sites from R20 to R40 is recommended.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1** modifies Amendment No 772 to Town Planning Scheme No 1 by deleting reference to Lot 405 Frond Circuit, Lot 508 Tumbleweed Drive and Lot 488 corner Abby Green Road and Tumbleweed Drive, Neerabup;
- 2** finally adopts the modified form of Amendment No 772 to Town Planning Scheme No 1 to recode Lot 93 Turquoise Loop, Lots 262 and

263 Brunswick Circuit and Lot 341 Celadon Loop, Neerabup from Residential Development R20 to Residential Development R40;

- 3 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.

CARRIED

TP18-02/97 PROPOSED MODIFICATION TO AMENDMENT NO 628 TO TOWN PLANNING SCHEME NO 1 TO REZONE PART LOCATION 883 (465) GNANGARA ROAD, GNANGARA FROM RURAL TO SPECIAL RURAL - [790-628]

Feilman Planning Consultants on behalf of Mr Ross Love seeks to rezone Part Location 883 (465) Gngangara Road, Gnanagra from Rural to Special Rural. Council previously supported this proposal by initiating Amendment No 628 to Town Planning Scheme No 1. However, the Minister for Planning has requested three modifications to this amendment prior to it being advertised. The requested modification is for all new lots within this proposed Special Rural Zone to have a minimum area of one hectare excluding all land reserved for regional reservations. Council initially supported the inclusion of reserved land in the minimum one hectare lot area conditional upon the Ministry for Planning's support. Since the Ministry did not support the proposal in its initial form it is considered appropriate to support the amendment in its modified form

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 **modifies Amendment No 628 to Town Planning Scheme No 1 to:**
- (a) delete the current Special Provision 1 for Special Rural Zone No 26, viz; ... *“the minimum lot size shall not be less than 1.0 hectare except for those lots where a portion of the lot is reserved as regional reservation and where subdivision shall generally be in accordance with the Development Guide Plan.”* ...and replace it with a new provision stating; *“the minimum lot size should not be less than 1.0 hectare whereby subdivision shall generally be in accordance with the Development Guide Plan.”*
 - (b) replace the existing Development Guide Plan with the Development Guide Plan drawn by Feilman Planning Consultants (Drawing Number MPC 4347), dated 22 January 1997 and received by the City on 24 January 1997;
 - (c) replace all references to the Water Authority of WA with reference to the Water Corporation;
- 2 **in accordance with Section 7 of the Town Planning and Development Act (1928) as amended, supports the modified form of Amendment No 628 to Town Planning Scheme No 1 to rezone Part Location 883 (465) Gngangara Road, Gngangara from Rural to Special Rural;**

- 3 advises the applicant that prior to the close of advertising a plan is to be submitted indicating building envelope locations to the satisfaction of the City Planner in order for Council to consider the endorsement of those envelopes.

CARRIED

TP19-02/97

LOTS 132-135 TWO ROCKS ROAD, YANCHEP - [319-7-1]

Within the St Andrews (Yanchep-Two Rocks) Metropolitan Region Scheme (MRS) Amendment, Lots 132-135 Two Rocks Road, Yanchep, had originally been included in the proposed Parks and Recreation Reserve when the amendment was released for comment in January 1996. During the public comment period the landowners, and their families, made submissions raising their concerns. On the basis of these concerns, the Western Australian Planning Commission (WAPC) excluded the lots from the amendment to enable further examination of options to reconcile the aspirations of landowners with the amenity value and recreation potential of this part of the coastal foreshore. The WAPC has requested Council's comments on several options proposed by the owners' consultant, Landvision. It is recommended that Council advises the Commission that these lots should be included in the Parks and Recreation Reserve and that agreement be entered into with the landowners to allow the current landowners a life-long right to remain on these lots. However, should the Commission resolve to rezone the subject lots the City will, at that point, consider an appropriate zone, or Reserve, under Town Planning Scheme No 1 (TPS 1).

RECOMMENDATION: That Council:

- 1 supports the inclusion of Lots 132, 133, 134 and 135 Two Rocks Road, Yanchep in the Coastal Parks and Recreation Reserve, and advises the Western Australian Planning Commission (WAPC) of the desirability of an agreement being reached between the WAPC and the landowners/residents involved to reconcile the owners' aspirations for continued residency on these properties with the reservation of the properties for Parks and Recreation. However, such right of continued residency should only apply to the current title-holders, and not to their descendants. That is, a right of continued residency by the families concerned in perpetuity is not supported;
- 2 advises the Western Australian Planning Commission that should it decide to apply an Urban Zone under the Metropolitan Region Scheme (MRS), as proposed by Landvision Consultants, then the Council would be required to amend its Town Planning Scheme No 1 to make it consistent with the MRS, and, at that time, Council would decide what form of zoning and local reservation under the local scheme it would prefer. However, the Commission should note that Council would only be prepared to support the application of local authority reserves (as proposed by Landvision) if the Commission gave a commitment that it would be responsible for the acquisition of such land (consistent with the terms of the Memorandum of Understanding between the Commission and Tokyu Corporation) and that such responsibility would not

rest with the City. Furthermore, Council considers that a prerequisite to zoning of the lots which should be applied by the Commission, is the obtaining of an agreement from the landowners that they will be responsible for the cost of provision of any servicing which may be considered to be required in the future (eg upgrading of road access and connection to sewer).

MOVED Cr Duffy, SECONDED Cr Hancock that Council does not support the inclusion of Lots 132, 133, 134 and 135 Two Rocks Road, Yanchep in the Coastal Parks and Recreation Reserve, and that such lots remain rural and in private ownership.

CARRIED

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

FOR: Crs Duffy, Healy, Ewen-Chappell, Wight, Taylor, Popham, Tippett, Lynn, Hancock and Freame.

AGAINST: Crs Magyar, Cooper, Major and Dammers.

TP20-02/97 **REQUESTED CLOSURE OF A PORTION OF STAWELL WAY, PADBURY - [1330/1/15]**

The owner of Lot 695 (15) Stawell Way, Padbury, Mr Giblett has applied to purchase a portion of the road reserve at the front of his property. He proposes to fence in the area with his front garden for security reasons and to provide an extra playing area for his children. The proposed closure will affect several services including a Telstra cable which cannot be relocated. The proposal, if supported, would set an undesirable precedent and would create an unusually shaped road reserve. The application should therefore not be supported.

MOVED Cr Popham, SECONDED Cr Duffy that Council does not agree to close the portion of road reserve adjoining Lot 1 (15) Stawell Way, Padbury.

CARRIED

TP21-02/97 **REQUESTED CLOSURE OF THE OLD ALIGNMENT OF BURNS BEACH ROAD BETWEEN BLUE MOUNTAIN DRIVE AND JOONDALUP DRIVE, JOONDALUP - [510-239]**

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

The proposed closure was advertised for a thirty-five day period and at the close of advertising, no objections were received. Subject to the adjoining property owners agreeing to meet all of the associated costs, the closure of the road should be supported.

MOVED Cr Popham, SECONDED Cr Duffy that Council requests the Hon Minister for Lands to close the old alignment of Burns Beach Road between Blue

Mountain Drive and Joondalup Drive, Joondalup in accordance with the provisions of Section 288A of the Local Government Act (Miscellaneous Provisions (1960)).

CARRIED

TP22-02/97

PEDESTRIAN ACCESSWAY CLOSURES - REMOVAL OF ITEMS FROM OUTSTANDING BUSINESS - [520-2 702-0]

When requests for pedestrian accessway (PAW) closures are in the form of a petition they automatically appear on the Outstanding Business Agenda for Town Planning. In many instances, no further correspondence is received from the applicants when they are advised of the procedures involved and requested to pay the initial \$100 application fee. When the applicants do proceed with the application and pay the initial application fee, it takes a minimum of approximately seven to eight months before a report is presented to Council. In view of the administrative procedures involved in investigating accessway closures, petitions requesting closure should not be placed on the agenda for Outstanding Business.

REPORT RECOMMENDATION: That Council:

- 1 removes the existing items on the Outstanding Business Agenda relating to requests to close pedestrian accessways;
- 2 does not place petitions requesting the closure of a pedestrian accessway on the Agenda for Outstanding Business and refers them directly to the Town Planning Department for a report in due course, if appropriate.

Cr Wight referred to Item 1 on page 2 of Report TP22-02/97 in relation to the proposed closure of a public accessway between Hainsworth Avenue and Harford Way, Girrawheen and requested that the Department of Land Administration be urged to set a purchase price for the land to enable the closure to proceed.

The City Planner advised that he would attend to this matter.

Cr Duffy queried whether it would be possible to position an obstacle for temporary closure to restrict access.

The Chief Executive Officer advised that the Engineering Department is to install temporary barriers and commented that a report would be submitted to provide further information on the above matters.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 removes the existing items on the Outstanding Business Agenda relating to requests to close pedestrian accessways;
- 2 does not place petitions requesting the closure of a pedestrian accessway on the Agenda for Outstanding Business and refers them directly to the Town Planning Department for a report in due course, if appropriate;
- 3 includes in the Business For Information section a report each month on progress of accessway closures.

CARRIED

TP23-02/97

CONDITIONS OF DEVELOPMENT APPROVAL NOT COMPLIED WITH - LOT 105 (631) WANNEROO ROAD, WANNEROO - [30/671]

Development Conditions 8, 14, 15 and 16 for Lot 105 (631) Wanneroo Road, Wanneroo have not been complied with by the owners of the property and repeated requests from the City to the owners to satisfy the conditions have not resolved the matter.

No reason has been given by the owners of the property for not complying with the development conditions as they have chosen not to communicate with the City.

Legal action is recommended against the owners of the property should they not satisfy the development approval conditions within sixty days of notification.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 advises the owners of Lot 105 (631) Wanneroo Road, Wanneroo that failure to comply with Conditions 8, 14, 15 and 16 of their development approval dated 17 July 1995 for the property, places them in breach of the City's Town Planning Scheme No 1;
- 2 requires the owners of Lot 105 to satisfy Conditions 8, 14, 15 and 16 of their development approval dated 17 July 1995, within sixty days of notification or face legal action;
- 3 refers the matter to its solicitors should Item 2 above not be satisfied within the time specified.

CARRIED

TP24-02/97

CHANGE OF NAME FOR THE LOCALITY OF GIRRAWHEEN - [727-0]

Council has called for a report (C515-11/96) on the process involved in a name change for the locality of Girrawheen (South Ward).

Responsibility for the naming of roads, districts and townsites etc rests with the Minister for Lands who is advised by the Geographic Names Committee. A change of locality name

in a developed locality has been achieved with Alexander Heights and Marmion but those changes were brought about by significant community support and the support of Council. Such support does not guarantee a change as the Minister for Lands must give his consent.

Girrawheen would have to follow this same process to achieve a change.

Cr Hancock left the Chamber at this point, the time being 2247 hrs.

RECOMMENDATION: That Council does not promote any change of name for the locality of Girrawheen.

MOVED Cr Popham, SECONDED Cr Taylor that:

1 Council defers consideration a change of name for the locality of Girrawheen;

2 a further report be submitted to Town Planning Committee outlining costs involved in the circulation of a questionnaire to all properties within the suburb of Girrawheen.

CARRIED

TP25-02/97 TRIBUNAL APPEAL - AUSTRALASIAN CONFERENCE ASSOCIATION LTD VERSUS CITY OF WANNEROO - PROPOSED CHURCH COMMUNITY COMPLEX, LOT 70 (77) QUEENSWAY ROAD, LANDSDALE - [30/2249]

An appeal has been lodged with the Town Planning Appeal Tribunal in respect of one of the conditions on the approval issued in October 1996 for a church community complex at Lot 70 (77) Queensway Road, Landsdale. The condition which resulted from community opposition, required the deletion of the hall component of the application. Council must decide on a course of action with regard to this appeal.

REPORT RECOMMENDATION: That Council does not contest the appeal by Australasian Conference Association Ltd against Condition No 1 of its approval dated 23 October 1996 for the proposed church community complex at Lot 70 (77) Queensway Road, Landsdale and advises the Town Planning Tribunal, by letter, of Council's reasons for imposing the condition.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 does not contest the appeal by Australasian Conference Association Ltd against Condition No 1 of its approval dated 23 October 1996 for the proposed church community complex at Lot 70 (77) Queensway Road, Landsdale;
- 2 advises the Town Planning Tribunal in writing of Council's reasons for imposing Condition No 1;
- 3 informs the local people who have objected to the development that it is open to them to seek and obtain leave to be represented in the appeal and themselves undertake the opposition to the appeal.

CARRIED

TP26-02/97 ACQUISITION OF LAND FOR HEPBURN AVENUE PART OF LOT 73 EVANDALE ROAD, MARANGAROO - ADJUSTMENT OF RATES AND TAXES - [740-101152]

Council acquired by purchase an area of 9,955m² out of Pt Lot 73 Evandale Road, Marangaroo for the purpose of extending Hepburn Avenue. The vendors are entitled to an adjustment for the rates and taxes that they have paid.

MOVED Cr Popham, SECONDED Cr Duffy that Council authorises payment of \$1,548.70 to N Serra and G Tatonetti for rates and taxes adjustment on the purchase of Part Lot 73 Evandale Road, Marangaroo from Accounts 63110 and 63422.

CARRIED

TP27-02/97 REQUEST TO WITHDRAW PENDING LEGAL ACTION : REFRIGERATION UNIT STORED IN BIN STORAGE AREA IN BREACH OF TOWN PLANNING SCHEME NO 1 : PADBURY SHOPPING CENTRE, LOT 26 LEICHHARDT AVENUE, PADBURY - [30/569]

At its meeting held on 25 September 1996, Council was advised that a bin storage area at the Padbury Shopping Centre was being used to store a refrigeration unit in breach of the City's Town Planning Scheme No 1 (TP216-09/96 refers)

The owners of the refrigeration unit, Supa Valu, were requested by Council to remove the refrigeration unit from the bin storage area within twenty-one days notification.

The refrigeration unit was not removed within the time requested and legal action was initiated by the City. The owners of the refrigeration unit have now removed the unit and request that legal action to be withdrawn by Council.

It is recommended that legal action be withdrawn provided that the owners of the refrigeration unit are prepared to pay any legal costs incurred by the City.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 advises the owners of Supa Valu, Padbury that Council is prepared to withdraw legal action regarding a breach of the City's Town Planning

Scheme No 1 involving a refrigeration unit having been stored in a bin storage area at Lot 26 Leichhardt Avenue, Padbury providing that all legal costs incurred by the City are met by them;

- 2** **advises its solicitors that should all the City's legal costs not be paid by Supa Valu regarding this matter, that legal action is to continue.**

CARRIED

TP28-02/97 NATIVE TITLE CLAIMS - [290-20]

The Plenary Mediation Conference regarding Native Title Claim WC 95/95 (Nyungah Petroleum Claim - formerly known as 'Terry Cornwall and others') was held on 17 December 1996. This report advises Council as to the outcome of that Conference, and also advises Council as to two further Native Title Claim applications which have been accepted by the National Native Title Tribunal.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 endorses the applications made to the National Native Title Tribunal for the City of Wanneroo to be registered as a party in respect of Native Title Claim Applications WC95/81 (Swan Valley Nyungah No 2) and WC95/86 (Ballaruks Peoples);
- 2 assists the Nyungah Land Council (acting on behalf of the Nyungah people) by providing it with information regarding what are likely to be the current reserves in the City of Wanneroo which have never been freehold land.

CARRIED

TP29-02/97 **APPEAL DETERMINATION - PROPOSED TAKE-AWAY FOOD OUTLET, LOT 5 (1) VILLANOVA STREET, CORNER WANNEROO ROAD, WANNEROO - [30/788]**

An appeal has been upheld by the Hon Minister for Planning against a decision to refuse an application on behalf of D J Crouch and Sharad Nominees for a take-away food outlet on Lot 5 (1) Villanova Street, corner Wanneroo Road, Wanneroo. The application was refused primarily on the basis that the proposal was contrary to the zoning of the land. The Minister appears to have erred in determining the appeal and Council must now decide if it wishes to challenge the decision.

REPORT RECOMMENDATION That Council initiates legal proceedings against the Hon Minister for Planning's decision to uphold an appeal by Mr Darrell Crouch against the refusal of an application for a take-away food outlet on Lot 5 (1) Villanova Street, corner Wanneroo Road, Wanneroo.

MOVED Cr Popham, **SECONDED** Cr Duffy that Council does not initiate legal proceedings against the Hon Minister for Planning's decision to uphold an appeal by Mr Darrell Crouch against the refusal of an application for a take-away food outlet on Lot 5 (1) Villanova Street, corner Wanneroo Road, Wanneroo.

CARRIED

TP30-02/97 **PETITION - CLOSURE OF PUBLIC ACCESSWAY - [510-3084]**

The Chairman submitted a 13-signature petition from residents of Hibernia Rise, Sorrento requesting Council to investigate the closure of the public footpath in the north-east corner of Hibernia Rise due to anti social behaviour.

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

MOVED Cr Popham, **SECONDED** Cr Duffy that the 13-signature petition requesting Council to investigate the closure of the public accessway in the north-east corner of Hibernia Rise be received and referred to Town Planning Department for action.

CARRIED

TP31-02/97 **PETITION - CLOSURE OF ACCESSWAYS - HAINSWORTH PRIMARY SCHOOL - [510-177]**

The Chief Executive Officer referred to a recent facsimile received from Mr T Cunningham which attached a 67-signature petition and two letters from the Vice President of the Hainsworth Primary P & C in relation to the closure of public accessways that surround the Hainsworth Primary School.

He advised that residents were concerned due to a recent incident whereby a car entered the school oval via a laneway in Harford Way, causing considerable damage to the oval and one of the classrooms.

The Chief Executive Officer stated Council had recommended the closure and that the Department of Land Administration was seeking a valuation prior to sale to adjoining owners.

Cr Wight also submitted a copy of a letter from the Vice President of the Hainsworth Primary School P & C regarding the closure.

MOVED Cr Popham, SECONDED Cr Duffy that the 67-signature petition and two letters from the Vice President of the Hainsworth Primary P & C in relation to the closure of public accessways that surround the Hainsworth Primary School be received and referred to the Town Planning Department for action. CARRIED

Cr Dammers left the Chamber at this point, the time being 2255 hrs. Cr Freame assumed the Chair.

TP32-02/97

HILLARYS ANIMAL EXERCISE BEACH - [765-20]

(SUMMARY OF THE PURPOSE AND EFFECT WAS READ ALOUD AT THE COUNCIL MEETING BY PERSON PRESIDING)

“The purpose of the proposed amendments to the Local Laws relating to Dogs, and Reserves and Foreshores is to achieve better utilisation of the Hillarys Animal Exercise Beach for dogs and horses on a more equitable basis.

The effect is to designate the current horse exercise area as a horse and dog exercise area where dogs are allowed only if on leashes.”

REPORT RECOMMENDATION: That Council:

1. designates the current horse exercise area at Hillarys Animal Exercise Beach as a dog and horse exercise area, with horses being permitted only between the hours of 4.00am and 10.00am, and dogs being permitted only between the hours of 10.00am and 4.00am next day;
2. designates the currently designated “no dog/animal zone” as a dog exercise area with no time restrictions;
3. in accordance with the provisions of Section 3.12 of the Local Government Act 1995, amends its Local Laws Relating to “Dogs” and “Reserves and Foreshores” to designate the dog exercise area and dog and horse exercise area respectively as indicated in Attachment 3 of this report;
4. installs appropriate signage at Hillarys Animal Exercise Beach;
5. constructs the southern portion of the Animal Exercise Beach Carpark to a kerbed and asphalt standard at an estimated cost of \$56,000 with the cost of the works to be funded from Account No 39246 Animal Exercise Beach Carpark;
6. lists for consideration within the Draft 1997/98 Budget funds to extend the animal carpark northwards to accommodate a parking area for horse floats only;
7. until such time as the carpark is extended northwards to accommodate a parking area for horse floats, sets apart six horse float parking bays in the central portion of the carpark.
8. advises the petitioners that:
 - changes to the Hillarys Animal Exercise Beach are now being proposed as described in 1, 2, 3 and 4 above;
 - necessary action is being taken to extend the animal beach carpark northwards to accommodate a parking area for the horse floats.

The Chief Executive Officer submitted the following questions in relation to the Hillarys Animal Exercise Beach:

K Maddox-Thomson, Armytage Way, Hillarys:

- Q “Shortening beach is not feasible as dog population is growing. Too crowded in summer. It is most popular in early morning before work. Could it be lengthened for dogs south towards Marina as no humans use it as a rule, either summer or winter. Dog owners use it all year round and horses don’t.”

M Monaghan, Edna Way, Duncraig:

- Q1 "Segregation by time unfeasible. Times suggested would cut out all dog walkers in full time/part time etc employment or with other commitments. Also common usage people have been using beach at set time for years. Doubt they will change."
- Q2 "Horses use beach for 3 months of year. What about the other 9 months."

COMMITTEE RECOMMENDATION: That Council:

- 1 designates the current horse exercise area at Hillarys Animal Exercise Beach as a dog and horse exercise area with dogs being allowed on leashes only;
- 2 designates the currently designated "no dog/animal zone" as a dog exercise area with no time restrictions;
- 3 in accordance with the provisions of Section 3.12 of the Local Government Act 1995, amends its Local Laws Relating to 'Dogs' and 'Reserves and Foreshores' to designate dog exercise area and dog and horse exercise area to reflect recommendations 1 and 2 above;
- 4 installs appropriate signage at Hillarys Animal Exercise Beach;
- 5 constructs the southern portion of the Animal Exercise Beach Carpark to a kerbed and asphalt standard at an estimated cost of \$56,000 with the cost of the works to be funded from Account No 39246 Animal Exercise Beach Carpark;
- 6 lists for consideration within the Draft 1997/98 Budget funds to extend the animal carpark northwards to accommodate a parking area for horse floats only;
- 7 until such time as the carpark is extended northwards to accommodate a parking area for horse floats, sets apart six horse float parking bays in the central portion of the carpark;
- 8 advises the petitioners that:
 - (a) changes to the Hillarys Animal Exercise Beach are now being proposed as described in 1, 2, 3 and 4 above;
 - (b) necessary action is being taken to extend the animal beach carpark northwards to accommodate a parking area for the horse floats.

MOVED Cr Lynn, SECONDED Cr Duffy that Council:

- 1 designates the present horse exercise area on Hillarys Animal Beach as the area where horses may be exercised with no time restrictions;
- 2 designates the whole length of the Hillarys Animal Exercise Beach as a dog exercise area with no time restrictions, but with only dogs on leashes being allowed in the horse exercise area;
- 3 removes the “No Dog/Animal Zone”;
- 4 requires all dogs to be on leashes whilst in the car park;
- 5 in accordance with the provisions of Section 3.12 of the Local Government Act 1995, amends its Local Laws Relating to ‘Dogs’ and ‘Reserves and Foreshores’ to designate dog exercise area and dog and horse exercise area to reflect recommendations 1 and 2 above;
- 6 refers details of proposed new beach signage regulations to the Urban Animal Management Advisory Committee for approval;
- 7 places an advertisement in the Wanneroo Times explaining the new beach regulations;
- 8 constructs the southern portion of the Animal Exercise Beach Carpark to a kerbed and asphalt standard at an estimated cost of \$56,000 with the cost of the works to be funded from Account No 39246 Animal Exercise Beach Carpark;
- 9 lists for consideration within the Draft 1997/98 Budget funds to extend the animal carpark northwards to accommodate a parking area for horse floats only;
- 10 until such time as the carpark is extended northwards to accommodate a parking area for horse floats, sets apart six horse float parking bays in the central portion of the carpark;
- 11 advises the petitioners that:
 - (a) changes to the Hillarys Animal Exercise Beach are now being proposed as described in 1, 2, 3 and 4 above;
 - (b) necessary action is being taken to extend the animal beach carpark northwards to accommodate a parking area for the horse floats.

CARRIED

Cr Wight left the Chamber at this point, the time being 2259 hrs.

TP33-02/97

**TRANSPORT DEPOT : LOT 36 (129) TRICHET ROAD,
JANDABUP - [30/5202, 268/36/129]**

Council at its meeting on 18 December 1996 resolved, inter alia, to seek advice from the Strata Titles Referee's Office on its ability to act as referee on the matter regarding the Strata Lot 36 Trichet Road, Jandabup and the wish of one of the strata owners to obtain approval for a transport depot on their portion of the property (TP297-12/96 refers).

Cr Duffy requested that it be ascertained if any court action has been listed concerning this matter.

The Chief Executive Officer advised that confirmation of any court action will be conveyed to Councillors prior to the next Council meeting to be held on 26 February 1997.

ADDITIONAL INFORMATION

The solicitors, Goldfinch and Co, acting on behalf of A L and J L Villanova, were contacted by telephone and subsequently advised that a writ had been lodged on 30 January 1997 with the Supreme Court seeking an injunction against L D and S D Ritchie. It is believed that the writ claims that the Ritchies have breached the City's Town Planning Scheme, the Strata By-laws and other matters.

The solicitors have been requested to advise the City in writing of the writ and upon receipt of such advice the matter will be referred to Council's solicitors to determine if Council can still proceed with legal action against the Ritchies for breach of the Scheme and that the matter is not subjudice due to the writ.

The recommendation of the Town Planning Committee should therefore stand.

MOVED Cr Popham, SECONDED Cr Duffy that Council:

- 1 advises both co-owners of Lot 36 (129 and 139) Trichet Road, Jandabup that either party may wish to lodge an application with the Strata Titles Referee for determination, such application to be lodged within twenty-one days of receipt of Council's advice;
 - 2 defers any action on the matter of the unauthorised transport depot on Lot 36 (129) Trichet Road, Jandabup pending the outcome of the Strata Title Referee's determination of the impending application.
- CARRIED**

Cr Magyar left the Chamber at this point, the time being 2300 hrs.

TP34-02/97 **APPEAL DETERMINATION - DEVELOPER
INFRASTRUCTURE CONTRIBUTIONS FOR CELL 5
LANDSDALE - [740-93627, 780-21]**

Correspondence has been received from the Hon Minister for Planning regarding the subdivisional appeal in relation to the level of infrastructure contribution required to be paid by North Whitfords Estates for its Stage 5 development in Landsdale.

Despite the Council's request that consideration of this matter be deferred until the conclusion of the East Wanneroo Consultancy, the Minister issued his final determination.

RECOMMENDATION: That Council invites the Minister for Planning to a meeting to discuss matters relating to various planning issues which are of concern to Council.

MOVED Cr Cooper, SECONDED Cr Duffy that Council:

- 1 invites the Minister for Planning to a meeting to discuss matters relating to various planning issues which are of concern to Council;
- 2 refers the matter to the City's solicitors for legal advice on Council's redress on the appeal determination - Developer Infrastructure Contributions for Cell 5 Landsdale.

CARRIED

Cr Dammers entered the Chamber at this point and resumed the Chair, the time being 2305 hrs.

TP35-02/97 **UPGRADE TO LIGHTING FACILITIES TO JOONDALUP ARENA, LOT 3 (25) KENNEDYA DRIVE, JOONDALUP - [30/3989 (6115)]**

An application has been received for the upgrading of lighting facilities for the West Perth Football Club at the Joondalup Arena, Lot 3 (25) Kennedy Drive, Joondalup. The upgrade involves:

- 1 increasing the number of lights from 6 to 13 per pole on the four existing poles;
- 2 adding a further 2 x 30 metre poles (including 20 lights to each pole) to improve lighting levels.

The application is recommended for approval subject to conditions relating to lighting overspill.

REPORT RECOMMENDATION: That Council approves the application submitted by the West Perth Football Club on behalf of the Western Australian Sports Centre Trust for the upgrading and additional lighting facilities for the football oval at the Arena, Lot 3 (25) Kennedy Drive, Joondalup subject to:

- 1 the matter of minimisation of overspill and impact of lighting on the adjoining road system and residential areas being addressed to the satisfaction of the City Planner and City Engineer prior to the commencement of any works;
- 2 the elevations of the existing and proposed towers and their relationship to the existing facilities being submitted to the satisfaction of the City Planner prior to the commencement of any works;
- 3 the concerns conveyed in Council's letter dated 27 May 1996 to the Arena Management regarding the overspill of flood lighting on to Moore Drive being addressed to the satisfaction of the City Engineer;
- 4 standard and appropriate development conditions as deemed appropriate by the City Planner.

Cr Taylor left the Chamber at this point, the time being 2305 hrs.

Cr Cooper commented that at the Town Planning Committee Meeting it was resolved that lighting measurements be taken at points around the Arena. He advised that a firm of consultants have already taken readings and therefore felt it was unnecessary for further readings to be taken.

MOVED Cr Popham, SECONDED Cr Duffy that Council approves the application submitted by the West Perth Football Club on behalf of the Western Australian Sports Centre Trust for the upgrading and additional lighting facilities for the football oval at the Arena, Lot 3 (25) Kennedy Drive, Joondalup subject to:

- 1 the matter of minimisation of overspill and impact of lighting on the adjoining road system and residential areas being addressed to the satisfaction of the City Planner and City Engineer prior to the commencement of any works;
- 2 the elevations of the existing and proposed towers and their relationship to the existing facilities being submitted to the satisfaction of the City Planner prior to the commencement of any works;
- 3 the concerns conveyed in Council's letter dated 27 May 1996 to the Arena Management regarding the overspill of flood lighting on to Moore Drive being addressed to the satisfaction of the City Engineer;
- 4 standard and appropriate development conditions as deemed appropriate by the City Planner;
- 5 readings being taken at various points prior to installation of additional lights to enable tests to be conducted of the impact of the light levels and an assessment of the glare factor;
- 6 readings being taken from the same position as in point 5 above with lights turned off.

CARRIED

ITEMS FOR DISCUSSION WITH MINISTER FOR PLANNING - [702-3]

Cr O'Grady referred to the proposed meeting to be held with the Minister for Planning and believed the Minister should be questioned on problems associated with residents in isolated areas.

She also believed the Minister should be requested to supply a report on proposed retail shopping areas.

Cr Cooper suggested that a list of agenda items be compiled for submission to the Minister prior to the meeting.

TP36-02/97

CONFIDENTIAL ITEMS - [702-3]

Cr Duffy advised that whilst he was not opposed to personal issues being discussed 'behind closed doors' he believed matters concerning native title claims should be open to the public.

He requested a report be submitted on the type of issues that may be conducted 'behind closed doors'.

MOVED Cr Popham, SECONDED Cr Duffy that a report be submitted to Council on the type of issues that may be conducted 'behind closed doors'. CARRIED

PUBLIC MEETINGS - [802-2]

Cr Taylor referred to the public meeting held in the South Ward on the same night as this Town Planning Committee meeting and raised his concerns as South Ward Councillors had been unable to attend this meeting.

He requested the Chief Executive Officer to liaise with Department Heads to ensure that future public meetings do not coincide with Standing Committee meetings.

The Chief Executive Officer advised he would rectify the situation.

WHITFORD AVENUE UNDERPASS - [511-1]

Cr Tippett referred to a request he had received from a resident of Kingsley for an inspection to be conducted of the Whitford Avenue underpass as he was concerned with the amount of graffiti on the walls.

PUBLIC ACCESSWAY - HAINSWORTH AVENUE AND HARFORD WAY - [510-177]

Cr Popham referred to the public accessway next to the Homeswest Aged Persons Units in the vicinity of Hainsworth Avenue and Harford Way, Girrawheen and raised his concerns with the problems experienced by the residents of these units, due to antisocial behaviour. He registered particular concern regarding a resident who is disabled.

He believed urgent action needed to be taken and queried the timeframe for closure of the accessway.

Cr Major suggested that Homeswest be requested to refrain from allocating properties near public accessways to people who are disabled.

The Chief Executive Officer advised that a report would be submitted on the accessways in this area and the quickest method to close them..

BINS AT HILLARYS ANIMAL EXERCISE BEACH - [902-2-3]

Cr Popham referred to the dog beach bins located at the Hillarys Animal Exercise Beach and advised that complaints had been received at the smell emanating from these bins.

He also advised that the bins were not being collected on a regular basis and believed there was a need to police the area more effectively.

RATS IN THE RANK - [702-3]

Cr Popham referred to a recent programme televised on Channel 2 entitled 'Rats in the Rank' and queried whether Council had a copy of the tape.

Cr Taylor advised that a copy of this programme was available to Councillors for viewing. He informed Cr Popham that following his viewing of the tape, he would submit the copy to him.

MANAKOORA RISE, SORRENTO - [3090/560/3]

Cr Hancock requested an update on the status of Manakoora Rise, Sorrento.

The Chief Executive Officer reported on recent discussions and advised that the matter was progressing.

PUBLIC ACCESSWAY - SAPLING WAY AND WOODLANDS GROVE, WANNEROO - [510-2636, 510-2920]

Cr Ewen-Chappell referred to problems experienced by residents adjoining the public accessway in Sapling Way and Woodland Grove, Wanneroo due to antisocial behaviour of youths.

She believed the residents in these accessways should be helped and requested that the closure of this accessway be reconsidered.

This matter will be referred to the Town Planning Department for action.

PROPOSED POOL - [770-0]

Cr Ewen-Chappell referred to a recent letter addressed to the Chief Executive Officer concerning comments made in the Wanneroo Times on 16 December 1996 regarding the proposed pool for the Arena Joondalup.

She believed the proposal for an Olympic size pool should be supported and commented that Lighting Ridge had such a facility, but was a much smaller town.

CHRISTMAS DECORATIONS - [290-15]

Cr Ewen-Chappell expressed concern at the standard of decorations in the Wanneroo townsite during the Christmas period.

Cr Wight entered the Chamber at this point, the time being 2307 hrs.

C40-02/97 FINANCE & COMMUNITY SERVICES COMMITTEE

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

CARRIED

ATTENDANCES

Councillors:	M E LYNN, JP - Chairman	South-West
Ward		
	A V DAMMERS, JP - Mayor, from 2005 hrs to 2121 hrs	Central Ward
	P O HEALY	North Ward
	B C COOPER	Central Ward
	A G TAYLOR - From 1921 hrs - 1922 hrs and from 2004 hrs	South Ward
	D K TIPPETT, JP	South Ward
	F D FREAME	South-West
Ward		
	A W WIGHT - Observer, deputising for Cr Taylor from 2118 hrs to 2130 hrs	South Ward
	L O'GRADY - Observer	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	S P MAGYAR - Observer from 2004 hrs	Central Ward
	T W POPHAM - Observer	South Ward
	G A MAJOR - Observer	South-West
Ward		
	V HANCOCK - To 1922 hrs	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 & Cultural Services Manager:	R BANHAM from 2002 hrs
Acting Manager, Municipal Law & Fire Services:	K W SMITH from 2002 hrs
Acting City Parks Manager:	D CLUNING from 2002 hrs to 2055 hrs
Deputy City Engineer:	D BLAIR from 2002 hrs to 2055 hrs
Manager Welfare Services:	P STUART from 2002 hrs
Acting City Librarian:	J CADDY from 2002 hrs
Systems Librarian:	T LAWTON from 2002 hrs
Committee Clerk:	J AUSTIN to 1922 hrs
Minute Clerk:	S BRUYN from 2002 hrs

APOLOGIES

An apology for absence was tendered by Cr Hancock (from 2002 hrs).

PUBLIC/PRESS ATTENDANCE

There were 7 members of the Public in attendance.

PUBLIC QUESTION TIME

Nil

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 11 DECEMBER 1996

Correction:

Item FA183-12/96 - The words "...a payment of \$200 had been received..." should be amended to read: "...a payment of \$1,500 had been received..."

The Minutes of the Finance and Community Services Committee Meeting held on 11 December 1996, amended as above, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - NAMING OF COMMUNITY FACILITY IN BEAUMARIS SHOPPING CENTRE

Mr Vic Harman, President of the Ocean Reef Residents Association addressed the Committee in relation to the naming of Community Facilities in Beaumaris Shopping Centre - Item CS1-02/97 refers.

Mr Harman briefly outlined the origin of the community facility located in Beaumaris Shopping Centre.

Mr Harman commented on the confusion that exists between the names 'Ocean Reef' and 'Ocean Ridge' but believed that if the opportunity was not taken to carry on with the name Ocean Reef Community Centre, then this confusion would be perpetuated.

He commented on the wall clock of the community facility being inoperative and proposed that the clock be removed and replaced with a plaque. He further suggested that students of Ocean Reef Senior High School be requested to submit a design for the middle of the plaque with the words 'Ocean Reef' inserted around the rim..

In conclusion, Mr Harman requested that Council support its original recommendation to name the facility 'Ocean Reef'.

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

PRESENTATION - ENTERPRISE AGREEMENTS

Ms Anne Lake addressed the Committee in relation to Engineering and Parks Departments' Enterprise Agreements.

Ms Lake briefly outlined reasons to implement Enterprise Agreements and commented that a positive aspect of these agreements is bringing employees and managers together to negotiate for the first time.

She believed that a partnership would be formed between management and workers and stated that other local authorities presently in their second agreement have enjoyed improvements in productivity.

In conclusion, Ms Lake advised that following implementation of the agreement, workers gain trust in the management and real gains mean a promise of future employment for the workers and an increase in services for the ratepayer.

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

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIDENTIAL BUSINESS

As Councillors did not require to discuss Items CS26-02/97, CS27-02/97 and CS28-02/97, the Committee considered it unnecessary to formally go Behind Closed Doors to consider these items which were marked "Not for Publication".

MEETING TIMES

Commenced:	1921 hrs
Closed:	2213 hrs

FINANCE & ADMINISTRATIVE SECTION

REPORT NO:

TS27-02/97 ENTERPRISE BARGAINING AGREEMENT - FLEET MAINTENANCE UNIT - [404-23]

In February 1996, a Consultative Committee was formed for the purpose of determining an Enterprise Bargaining Agreement in respect to the mechanical workshop operations. This report details the result of these negotiations.

ADDITIONAL INFORMATION

This report referred to Item TS27-02/97 presented to the meeting of Technical Services Committee on 12 February 1997. A number of clauses need to be replaced as follows with the changes underlined for quick reference:

- "4.1 This agreement shall take effect from the beginning of the first pay period to commence on or after 1 November 1996 with registration by the Western Australian Industrial Relations Commission following adoption by the City of Wanneroo and remain in force until 31 October 1998, or until replaced by another agreement."
- "17.2 It is noted that the employees currently average 7.08 days sick leave per year and it is agreed that the team will aim for an average of 5 days sick leave per year."
- "22.1 An employee with responsibilities in relation to either members of their immediate family or members of their household who need their care and support shall be entitled to use up to 38 hours (5 days) per year of their accrued sick leave entitlement, for absences to provide care and support for such persons when they are ill.

In addition, Clause 22.4(c)(3) which refers to annual leave loading should be deleted as this loading will be annualised as part of the agreement (Refer Clause 18.2).

MOVED Cr Popham, SECONDED Cr Lynn that Council:

- 1 **adopts the Draft Enterprise Bargaining Agreement for the Wanneroo Fleet Maintenance Unit, as presented by the Transport Section Consultative Committee and shown on Attachment 1 to Report Number TS27-02/97;**
- 2 **authorises the Chief Executive Officer to formalise the Agreement via the Industrial Relations Commission.** **CARRIED**

Appendix XIII refers

TS51-02/97 PARKS AND LANDSCAPE SERVICES OUTSIDE EMPLOYEE ENTERPRISE BARGAINING AGREEMENT - [404-23]

Parks and Landscape Services Consultative Committee recommended to the outside employees that the following proposal be adopted:-

5.1 TERM OF THE AGREEMENT -

Following (acceptance, validation or endorsement) of the Industrial Relations Commission, all employees covered by this Agreement will receive a \$25 per week salary increase followed by, and subject to, the conditions stated in Clause 13 the first "safety net" payment allocated by the Industrial Commission.

13.1 KEY PERFORMANCE INDICATORS

Current service pay payments will be re-negotiated prior to the payment of any secondary "safety net" amount awarded by the Industrial Commission in 1997. A productivity and efficiency payment is to apply with the total payment calculated via performance assessment on a team based criteria.

Enterprise Bargaining Agreement document - refer Attachment A.

ADDITIONAL INFORMATION

Objective

To determine and cost any improvement in work practices, methods or efficiency and divide the amount achieved equally between employee and Council.

Summary

Employees will receive a \$25 per week salary increase followed by, and subject to the conditions stated in Clause 13, the first "safety net" payment allocated by the Industrial Commission.

Clause 13 provides a basis for a performance assessment on a team based criteria. This payment will combine with, and extinguish, the existing service payment.

Benefits to Employee

- a) Redundancy package identified prior to any direct impact from contract tendering process.
- b) Annual salary calculation.
- c) Family Support Leave
Currently within the ASU Award, but not in the MEU Award.
- d) Consultative Committee Membership

To be involved in determining Department objectives and direction.

- e) Key Performance Indicators

Defined method of evaluating work efficiency and thus job satisfaction.

- f) Training

Job enhancement via improved skills.

- g) Salary increase.

Benefits to Council

- a) Workforce stability via certified agreement.

- b) Annualised Salary Calculation

Simplified method of fortnightly calculations by Payroll officers.

- c) Best Practice Work Continuity

Ability to re-roster RDO's in accordance with work schedules.

- d) Reduction in absenteeism.

- e) Training

Increased efficiency via multi skilling.

- f) Consultative Committee/Key Performance Indicator

Increased employee responsibility and accountability.

- g) Customer Service

Recognition and acceptance of employee responsibility and who our customers are.

- h) No Further Claim

Applies to life of agreement.

The concept of enterprise bargaining is to determine and "cost" any improvement in work methods or efficiency and divide the amount equally between employees and Council.

To follow this principle for the above information is difficult as all items will only improve efficiency when operational. It is therefore proposed that a salary increase of \$25 be applied to all Parks employees to recognise the existing increased efficiency and work practices to be achieved via the enterprise bargaining process.

MOVED Cr Popham, SECONDED Cr Lynn that Council:

- 1 adopts the Draft Enterprise Bargaining Agreement as presented by the Parks Department Consultative Committee;
- 2 authorises the Chief Executive Officer to formalise the Agreement via the Industrial Commission. **CARRIED**

FA1-02/97 OUTSTANDING GENERAL DEBTORS - 31 JANUARY
1997 - [020-0]

This report details the outstanding general debtors as at 31 January 1997.

MOVED Cr Cooper, SECONDED Cr Lynn that Council, writes out of its General Debtors Ledger an amount of \$179.44 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report FA1-02/97. **CARRIED BY AN**
****ABSOLUTE MAJORITY****

Appendix XIV refers

FA2-02/97

**WARRANT OF PAYMENTS FOR THE PERIOD ENDING
31 DECEMBER 1996 - [021-1]**

This report details the cheques drawn on the funds during the month of December 1996. It seeks Council's approval for the payment of the December 1996 accounts.

The City Treasurer advised that an adjustment had been made in relation to the block designed for the Chairman's signature and stated that a new signature block had been incorporated into the report.

Cr Popham queried Creditor No 89004545 on page 19 of Attachment A to Report FA1-02/97.

The City Treasurer advised that it was not possible to offset payments against money that the Smith Corporation owed Council.

MOVED Cr Popham, SECONDED Cr Lynn that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 December 1996, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$25,030,172.95:

FUNDS	VOUCHERS	AMOUNT
		\$
Treasurer's Advance Account No 1	039437 - 040639	8,979,258.76
Municipal	000332 - 000347B	15,640,469.51
Trust		0.00
East Wanneroo Development Area Cell 1	000002 - 000002A	53,176.19
East Wanneroo Development Area Cell 2	000001 - 000001A	27,436.90
East Wanneroo Development Area Cell 3	0905721G	3,063.02
East Wanneroo Development Area Cell 4	0905719B	71,599.13
East Wanneroo Development Area Cell 5	0905712B - 0905712C	77.55
East Wanneroo Development Area Cell 6	000002 - 000002A	8,293.35
East Wanneroo Development Area Cell 7	000001 - 000001A	1,766.87
East Wanneroo Development Area Cell 8	0905740 - 0905740A	1,726.39
Reserve Account	0905754	227,168.39
Berkley Road Local Structure Plan	0905746H	7,429.58
Town Planning Scheme 5	0905756E	1,355.32
Town Planning Scheme 7A (4)	0905716E	2,109.52
Town Planning Scheme 7A (2)	0905766E	5,242.47

	TOTAL	25,030,172.95
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CARRIED

Appendix XV refers

FA3-02/97 WARRANT OF PAYMENTS FOR THE PERIOD ENDING
31 JANUARY 1997 - [021-1]

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

MOVED Cr Popham, SECONDED Cr Lynn that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 January 1997, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$34,599,058.77:

FUNDS	VOUCHERS	AMOUNT
		\$
Treasurer's Advance Account No 1	040640 - 041957	7,068,691.44
Municipal	000354 - 000363	26,297,208.92
Trust		
East Wanneroo Development Area Cell 1	000002B	1,574.67
East Wanneroo Development Area Cell 2	000001B	826.55
East Wanneroo Development Area Cell 3	0905721H - 0905721I	3,512.54
East Wanneroo Development Area Cell 4	0905719C	2,923.93
East Wanneroo Development Area Cell 5	0905712D	6.57
East Wanneroo Development Area Cell 6	000003 - 000003A	143,419.25
East Wanneroo Development Area Cell 7	000001B	335.53
East Wanneroo Development Area Cell 8	0905740B	46.65
Town Planning Scheme 7A (2)	0905766F - 0905766G	5,934.40
Town Planning Scheme 7A (4)	0905761F	2,384.13
Town Planning Scheme 5	0905756F	1,533.98
Berkley Road Local Structure Plan	0905748	28,050.73
Reserve Account	000001 - 000001A	1,042,509.48
	TOTAL	\$34,599,058.77

CARRIED

Appendix XVI refers

FA4-02/97

**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 Building, Engineering, Libraries, Park, Recreational and Cultural Services and Municipal Law and Fire Services Departments.

MOVED Cr Popham, SECONDED Cr Lynn that Council authorises the amendments, as detailed on Attachment 'A' to Report FA4-02/97 to the list of Orders for Goods and Services - Approving and Requisitioning Officers.

CARRIED

Cr Magyar entered the Chamber at this point, the time being 2307 hrs.

FA5-02/97

**AUTHORISATION OF REALLOCATION OF FUNDS - [006-
2]**

Various requests have been received for authorisation, in accordance with Section 6.8 (1) of the Local Government Act 1995, to incur unbudgeted expenditure. In most instances, a source of funding has been identified to accommodate the additional expenditure. A number of necessary adjustments to the budget estimates have also been identified. These are detailed on Attachment 'A' to this report. Items approved by Council, but not previously listed in the Schedule, are also included for consistency and to facilitate presentation of an accumulated balance.

Cr Taylor referred to Account No 29582 on page 4 of Attachment A to Report FA5-02/97 and queried the possibility of submitting an insurance claim.

The City Treasurer advised he would take this matter on notice and provide information prior to the next Council meeting to be held on 26 February 1997.

ADDITIONAL INFORMATION

At the Finance and Community Services Committee meeting held on 19 February 1997, reference was made to replace the Warwick Leisure Centre building sign due to storm damage and general wear and tear.

The previous sign was made from polythene material and placed on the building, however, over the years this material has weathered poorly. The new sign will require strong materials to accommodate the winter weather, and as such, cannot be considered as an insurance claim.

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

CARRIED BY AN

Appendix XVII refers

FA6-02/97 **EAST WANNEROO DEVELOPMENT SCHEME -
ACCOUNTING PROCEDURES - [780-21; 290-7]**

This reports seeks approval to increase the overdraft limits for the East Wanneroo Development Scheme Cells 1 and 2 by an additional \$50,000 for each cell.

MOVED Cr Lynn, SECONDED Cr Popham that Council:

- 1** in accordance with the provisions of Section 6.20 (1) and (2) of the Local Government Act 1995 authorises the increase in overdraft limits for the East Wanneroo Development Scheme as follows:

East Wanneroo Development Scheme Cell 1 from \$200,000 to \$250,000
East Wanneroo Development Scheme Cell 2 from \$100,000 to \$150,000

- 2** in accordance with the provisions of Section 6.20 (2) (a) of the Local Government Act 1995 gives one month's local public notice of the proposal to increase the overdraft limits for the East Wanneroo Development Scheme Cells 1 and 2.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA7-02/97 **PAYMENT 1994/95 WORKERS COMPENSATION
PREMIUM - [013-6]**

This report seeks authorisation in accordance with Section 6.8 (1) of the Local Government Act 1995, to incur additional unbudgeted expenditure of \$62,109 from Account No 48495 Unaligned Expenditure for expenditure to the State Government Insurance Office for settlement of the 1994/95 workers compensation premium.

MOVED Cr Magyar, SECONDED Cr Healy that Council:

- 1** authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995 the unbudgeted expenditure of \$62,109 from Account No 48495 - Unaligned Expenditure - Expenditure Incurred Previous Years for payment to the State Government Insurance Office for additional workers compensation premium for the 1994/95 year; and

- 2** recognises that this over expenditure can be partly funded by a \$52,270 saving on the 1995/96 workers compensation insurance premium.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA8-02/97

CAPITALISATION OF FIXED ASSETS - [004-2]

Council has since 1985, been capitalising assets with an individual value of more than \$300. It is considered appropriate to now review this amount and authority is sought to increase the amount for capitalisation of assets from \$300 to \$500.

MOVED Cr Popham, SECONDED Cr Lynn that Council adopts a value of \$500 as the minimum for asset capitalisation effective 1 July 1997.

CARRIED

FA9-02/97

DONATIONS - [009-1]

This report details requests for financial assistance during the month of January, 1997.

REPORT RECOMMENDATION: That Council:

- 1 donates \$50.00 to each of the following persons to assist with costs to participate in their respective sports:

Miss Kylie King	-	4 Derouen Rise, Sorrento	6020
Miss Morgan-Leigh Luplau	-	37 Afric Way , Kallaroo	6025
Miss Tara Smith	-	4 Lamond Close, Kinross	6028
Miss Grace Murphy	-	18 The Ridge, Woodvale	6026
Miss Chloe Hicks	-	21 Camelot Grove, Neerabup	6031
Miss Tanja Fairclough	-	6 St Sebastian Chase, Iluka	6028

such donations to be from Budget Item number 29470 - Sundry Donations - Recreation and Sport - Other.

- 2 donates \$50.00 to the following charitable institutions:

The Royal WA Institute for the Blind (Inc)
P O Box 14, Maylands 6051

Alzheimer's Association (SA) Inc
27 Conyngham Street, Glenside 5065

Muscular Dystrophy Association of Western Australia (Inc)
P O Box 328
West Perth 6872

such donations to be from Budget Item number 26531 - Sundry Donations - Other Welfare Services.

MOVED Cr Popham, SECONDED Cr Lynn that Council:

- 1 donates \$50.00 to each of the following persons to assist with costs to participate in their respective sports:

Miss Kylie King	-	4 Derouen Rise, Sorrento	6020
Miss Morgan-Leigh Luplau	-	37 Afric Way, Kallaroo	6025
Miss Tara Smith	-	4 Lamond Close, Kinross	6028
Miss Grace Murphy	-	18 The Ridge, Woodvale	6026
Miss Chloe Hicks	-	21 Camelot Grove, Neerabup	6031
Miss Tanja Fairclough	-	6 St Sebastian Chase, Iluka	6028

such donations to be from Budget Item number 29470 - Sundry Donations - Recreation and Sport - Other.

- 2 donates \$50.00 to the following charitable institutions:

The Royal WA Institute for the Blind (Inc)
P O Box 14, Maylands 6051

Alzheimer's Association (WA) Inc
9 Bedbrook Place, Shenton Park

Muscular Dystrophy Association of Western Australia (Inc)
P O Box 328
West Perth 6872

such donations to be from Budget Item number 26531 - Sundry Donations - Other Welfare Services.

CARRIED

FA10-02/97 DONATION - SCHOOL VOLUNTEER PROGRAM - [009-1]

This report details a request for financial assistance from the School Volunteer Program.

The School Volunteer Program is an intergenerational initiative, where senior members of the community are assisting children on a one-to-one basis in high schools. This program is now operating in thirty one metropolitan and thirteen regional schools. Within the City of Wanneroo it operates at Woodvale and Girrawheen Senior High Schools and Mercy College.

The School Volunteer Program is now planning to extend into primary schools with a similar program titled "Kooniny" which translates as "little children" in Noongah language.

REPORT RECOMMENDATION: That Council donates \$200 to the School Volunteer Program, 2 Jameson Street, South Perth to assist with costs associated with the implementation of the 'Kooniny Program'. Such donation to be from Budget Item number 21962 - Education Other Miscellaneous.

MOVED Cr Popham, SECONDED Cr Lynn that Council defers consideration of donating funds to the School Volunteer Program, 2 Jameson Street, South Perth pending enquiries into the nature of this program and a further report be submitted

to the Finance and Community Services Committee.

CARRIED

FA11-02/97 BUSH FIRE APPEAL - SHIRES OF NORTHAM AND MUNDARING - [009-1]

This report details a request for financial assistance from the Shires of Northam and Mundaring for their Bush Fire Appeal.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the expenditure of \$3,000 for assistance to bushfire victims in Northam and Mundaring.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA12-02/97 DONATION - DRUGWISE OFFICIAL PUBLICATION - [705-2]

This report details a request for financial assistance to Drugwise the official journal of the Palmerston Drug Research and Rehabilitation Association.

MOVED Cr Popham, SECONDED Cr Lynn that Council does not accede to the request of the Palmerston Drug Research and Rehabilitation Association to sponsor advertising in the Drugwise publication.

CARRIED

FA13-02/97 CASH ADVANCE - ALEXANDER HEIGHTS PODIATRY CLINIC - [635-15-1]

This report outlines the necessity for a cash float for the new Alexander Heights Podiatry Clinic. The Alexander Heights Podiatry Clinic commenced on 16 January, 1997 and this service is required to issue interim receipts for payments, therefore a cash float is required for change.

MOVED Cr Popham, SECONDED Cr Lynn that Council:

- 1 authorises the advance of \$20.00 to the Alexander Heights Podiatry Clinic for a cash float; and
 - 2 ensures the cash float is operated in accordance with accepted accounting principles.
- CARRIED**

FA14-02/97 **CASH FLOATS - DUNCRAIG AND QUINNS ROCKS
PODIATRY SERVICES AND GREENWOOD VACATION
CARE PROGRAMME - [853-2]**

This report details requests for the replacement of missing cash floats.

The Duncraig and Quinns Rocks Podiatry Services cash floats were taken from cabinets at the centres without the knowledge of anyone involved in the service. The Greenwood Vacation Care Programme petty cash float was not handed back to the Greenwood/Warwick Zone Recreation Facilities Manager on completion of the programme. All avenues have been exhausted in locating the cash floats and the necessity to be careful when storing and handling cash has been reinforced to all persons associated with cash handling.

MOVED Cr Popham, SECONDED Cr Lynn that Council writes off the following missing cash floats:

- | | | |
|---|-----------------------------------|-----------|
| 1 | Duncraig Podiatry Services | \$ 20.00; |
| 2 | Quinns Rocks Podiatry Services | \$ 20.00; |
| 3 | Greenwood Vacation Care Programme | \$100.00; |

against Account No 25966371 for \$40.00 and Account No 24725112 for \$100.00.

CARRIED

FA15-02/97 **WRITE OFF RATES - [018-13]**

This report outlines two further cases where rates payments were received after the date when discount was to apply, however due to the circumstances involved the discount could be permitted.

MOVED Cr Major, SECONDED Cr Hancock that Council, in accordance with the provisions of Section 6.12 (1) (c) of the Local Government Act 1995 writes off the rates on the following properties:

- | | |
|----------------------------|---------|
| 3 Hasper Place, Marmion | \$34.56 |
| 29 Brisbane Drive, Padbury | \$24.37 |

CARRIED BY AN

MAJORITY

Cr Taylor entered the Chamber at this point, the time being 2310 hrs.

FA16-02/97

**RECORDS AND DOCUMENT MANAGEMENT SYSTEM
EVALUATION - [206-13]**

Computervision Pty Ltd (Computervision) is recommended as the preferred supplier for Request for Proposal (RFP) 094-96/97, for the supply, delivery, installation, testing and maintenance of records and document hardware and software. Computervision adopted a business needs approach that fits will with the City's future strategies and submitted a very compliant solution. Approval is sought to accept the proposal submitted by Computervision.

MOVED Cr Wight, SECONDED Cr Cooper that Council:

- 1 accepts the proposal submitted by Computervision;
- 2 authorises expenditure to a maximum of \$300,000 for the Records and Document Management System with funding from the following accounts:

Accounts:	Description:	96/97 RDMS Budgeted Expendi- ture	Preferred Solution	96/97 RDS Budget Over Run
20283 Computer Equipment	RDMS Hardware	10,000	83,000	73,000
20283 Computer Equipment	RDMS Hardware (<i>Not in RFP</i>)		15,000	15,000
20259 Software Licenses	RDMS Software	78,000	139,000	61,000
20252 Consultancy	RDMS Implementation (<i>Consultancy</i>)	24,000	48,000	24,000
20251 Training	RDMS Training	80,000	15,000	(65,000)
	Total	\$192,000	\$300,000	\$108,000

- 3 approves, a cost over run of \$173,000 in the 96/97 IT Capital Budget recognising the following saving in the 96/97 IT Capital Budget -

Accounts:	Description:	96/97 Savings
20251 Training	RDMS Training	65,000
20283 Computer Equipment	Host System Hardware	108,000
		\$173,000

- 4 advises Fujitsu Australia Ltd and Southmark Computer Services that their submissions were unsuccessful.
- CARRIED BY AN
ABSOLUTE MAJORITY**

Following evaluation of suppliers shortlisted for the replacement of Council's Core Computer Systems, the Core Systems Replacement (CSR) Committee is not in a position to recommend a future approach.

MOVED Cr Popham, SECONDED Cr Lynn that Council:

1 in accordance with clause 2.4 (d) of the Request for Proposal agrees to purchase PS2000 for HR/Payroll from Praxa Ltd, at a total implementation cost of \$185,000, to be funded from the following accounts:

* equipment	\$14,800	20283 Computer
Equipment		
* software/modifications	\$122,200	20259 Software
Purchases	installation/conversion	\$28,000 20268
System Support		
* training	\$20,000	20251 Training

2 authorises the IT Steering Committee to evaluate the application of automated time and attendance systems, as part of the HR/Payroll implementation;

3 advises Wacher and Data General that no proposal has been accepted in total but that in accordance with the RFP the proposal submitted by Praxa Ltd for the supply of a Human Resource/Payroll system has been accepted. In addition, tenders will be called in August or September 1997 to enable a review of developments and enhancement in software solutions;

4 advises Praxa Ltd that:

- (a) its proposal in respect of HR/Payroll has been accepted;
- (b) although its proposed solution was preferred there were critical areas where the functionality of its systems was unsatisfactory;
- (c) in addition tenders will be called in August or September 1997 to enable a review development and enhancements in software solutions.

CARRIED

COMMUNITY SERVICES SECTION

CS1-02/97

NAMING OF COMMUNITY FACILITY IN BEAUMARIS SHOPPING CENTRE - [635-16]

Correspondence has been received from the Ocean Reef Residents Association concerning the current ambiguity associated with the name of the community facility located in Beaumaris Shopping Centre. The main concern from the Association's point of view is that the words "Ocean Reef" be used in the title rather than "Beaumaris". The Association requests that the building be referred to as "Ocean Reef Community Centre."

This issue was tabled for discussion at the meeting of the Finance and Community Services Committee on 20 November 1996. Report CS192-11/96 recommended that the facility be officially named "Ocean Reef Community Hall"; however, the Committee resolved that it be recommended the facility located in the Beaumaris Shopping Centre be officially named "Beaumaris Community Centre".

At its meeting on 27 November 1996, Council resolved to defer the naming of this facility subject to a deputation to the February 1997 meeting of the Finance and Community Services Committee by representatives of the Ocean Reef Residents Association (Item CS192-11/96 refers).

RECOMMENDATION: That Council:

- 1 officially names the facility located in the Beaumaris Shopping Centre, the "Beaumaris Community Centre";
- 2 erects a suitable sign on the facade of the building to this effect;
- 3 advises the Ocean Reef Residents Association of Council's decision.

MOVED Cr Hancock, **SECONDED** Cr Freame that Council officially names the facility located in the Beaumaris Shopping Centre the "Ocean Reef Community Centre".

LOST

MOVED Cr Taylor, **SECONDED** Cr Ewen-Chappell that Council:

- 1 officially names the facility located in the Beaumaris Shopping Centre, the “Beaumaris Community Centre”;
- 2 erects a suitable sign on the facade of the building to this effect;
- 3 advises the Ocean Reef Residents Association of Council’s decision.

CARRIED

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

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

AGAINST: Crs Magyar, Cooper, Major, Lynn, Hancock and Freame.

CS2-02/97 ENVIRONMENTAL HEALTH DEPARTMENT ANNUAL REPORT 1995/96 - [201-4]

This report represents a statistical summary of the activities of the Environmental Health Department for the 1995/96 financial year. The report outlines the Department’s statutory activities and community services provided pursuant to the Local Government Act, the Health Act 1911, the Environmental Protection Act, 1986 and their related statutes. In addition, this summary is required to satisfy reporting requirements of the Executive Director of Public Health pursuant to Section 38 of the Health Act 1911.

MOVED Cr Wight, SECONDED Cr Popham that Council endorses the submission of the statistical report to the Executive Director Public Health, in accordance with the provisions of Section 38 of the Health Act 1911.

CARRIED

CS3-02/97 AUTHORISED OFFICERS - HEALTH ACT 1911 - [241-0]

Mr John Bail and Mr Chris Stout are both qualified pest control operators and are employed within Council’s Environmental Health Department as Technical Officers.

To ensure strict legalities have been addressed, their role in enforcing the provisions of the Fly Eradication Regulations needs to be ratified.

MOVED Cr Wight, SECONDED Cr Popham that Council resolves to confirm that in accordance with Section 27(5) of the Health Act, Technical Officers J Bail and C Stout are authorised “officers” under the Fly Eradication Regulations.

CARRIED

CS4-02/97 BREACH OF HEALTH ACT 1911 NOTICE - [30/3426-6]

Council is advised of a breach of a Health Act 1911 Notice dated 8 January 1997 served upon the proprietors of the Dong Hiep Trading Co, 6 Marangaroo Drive, Girrawheen.

MOVED Cr Wight, SECONDED Cr Popham that Council in accordance with the provisions of the Health Act 1911:

- 1 **endorses the Health Notice issued on 8 January 1997 upon Mr Hung Choung Huynh and Mrs Thi Ngo Tieu;**

- 2 **instigates legal proceedings against Mr Hung Choung Huynh and Mrs Thi Ngo Tieu for failure to comply with the conditions of the Health Notice**

CARRIED

CS5-02/97 BREEDING OF MOSQUITOES - [508/102/49]

Council is advised of a swimming pool located at Lot 102 (49) Hudson Avenue, Girrawheen that is supporting the breeding of mosquitoes.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 endorses the Health Notice served on 30 January 1997 in respect of mosquito breeding in the swimming pool located at 49 Hudson Avenue, Girrawheen;
- 2 instigates legal proceedings against Mr Van Em Tiet and Mrs Thi Thanh Nguyen for failure to comply with the terms of the Health Notice of 30 January 1997.

CARRIED

CS6-02/97 BREACH OF FLY ERADICATION REGULATIONS -
[208/23/244]

Council is advised of an incident of fly breeding at Lot 23 (244) Badgerup Road, Gnangara on 28 January 1997 contrary to the Fly Eradication Regulations.

MOVED Cr Wight, SECONDED Cr Popham that Council initiates legal action against Mr David Tran of 250 Marangaroo Drive, Girrawheen, as the occupier of Lot 23 (244) Badgerup Road, Gnangara for a breach of Regulation 4 and default of an Inspector's Notice issued under Regulation 5 of the Fly Eradication Regulations.

CARRIED

CS7-02/97 FOOD COMPLAINT - [851-1]

Council is advised of the results of analysis conducted for petroleum contamination of a Cadbury "Snickers Bar" purchased from the Shell Service Station, 60 Marangaroo Drive, Girrawheen. The most likely source of the aromatic hydrocarbons is petroleum.

MOVED Cr Wight, SECONDED Cr Popham that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against Mow Holdings Pty Ltd, PO Box 457, Jolimont WA 6014 operating as Shell Girrawheen Self Serve, 60 Marangaroo Drive, Girrawheen for the sale of food which was adulterated.

CARRIED

CS8-02/97 HEALTH ORDER - PUBLIC BUILDING - [30/1711]

Council is advised of the service of a Notice on the Directors of the Breakwater Tavern, Hillarys Boat Harbour, Sorrento Quay, Hillarys on 30 December 1996 concerning emergency exit provision from the south east decking area of the Tavern.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 endorses the service of the Health Notice of 30 December 1996 served on the proprietors of the Breakwater Tavern;
- 2 authorises legal action against the proprietors of the Breakwater Tavern under the Health (Public Buildings) Regulations 1992 and the Health Act 1911 upon default of the Notice of 30 December 1996 should their Appeal be unsuccessful.

CARRIED

CS9-02/97 PERTH HAZE STUDY - [305-5, 865-3]

As an acknowledged financial contributor to the Perth Haze Study, this City has been provided with a copy of the CSIRO Report by the Department of Environmental Protection. The Study Report itself (tabled) is a very technical document which prompted the DEP to produce a second booklet "Summary and Major Findings" Perth Haze Study 1994-1996 (Attachment 1 refers).

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 writes to the Minister for the Environment referring to the Summary and Major Findings of the Perth Haze Study to urge Environmental Protection Act legislation to ban the use of incinerators and urban ground fires within the metropolitan area; and
- 2 requests the Minister empower local authorities under the Environmental Protection Act, 1986 to enforce bans as per 1. above, as well as the ban on development vegetation burning already proposed for December 1997; and
- 3 requests the Minister to urge the Department of Environmental Protection to formulate an emission criteria that can be enforced upon errant users of existing domestic wood heaters.

CARRIED

CS10-02/97 PROSECUTION PUBLIC SWIMMING POOL - [30/545]

Council is advised of water sampling conducted at Arnold's Swim Centre, 32 Balgonie Avenue, Girrawheen on 3 February, 1997 which revealed that the pH level in the teaching pool was above the maximum permitted level.

MOVED Cr Wight, SECONDED Cr Popham that Council initiates legal action against Arnold's Swim Centre (WA) Pty Ltd operating as Arnold's Swim Centre, 32 Balgonie Avenue, Girrawheen for a breach of Regulation 11(b) of the Health Act (Swimming Pools) Regulations 1964

CARRIED

CS11-02/97 IMPROPERLY DISCARDED NEEDLES AND SYRINGES (SHARPS) - ex C361-07/96 CS 130-08/96 - [250-1, 241-5]

At the full meeting of Council in August 1996 it was resolved that, "Council endorses:

- 1 a one month trial during the spring summer months to accurately identify the areas where needles and syringes are being disposed of;
- 2 the trial findings being the subject of a further report to Council;
- 3 consideration being given to a community education programme utilising the local newspaper and/or the City newsletter to convey safe needle and syringe collection and disposal advice to the general public". This report is a summary of a the findings of the recent survey.

The City Environmental Health Manager was requested to target youth service centres with information regarding the disposal of needles and syringes.

MOVED Cr Wight, SECONDED Cr Popham that Council endorses:

- 1 **the findings of the survey conducted in December 1996 to identify the areas where needles and syringes are being improperly disposed of;**
- 2 **the uniform procedure proposed by the Health Department of Western Australia for the safe collection and disposal of improperly discarded sharps for use by all Council Departments;**
- 3 **the decision to not install sharps disposal bins at any locations identified in the survey.**

CARRIED

CS12-02/97 ACCESS RECOGNITION AWARDS - [880-8-10]

Approval is being sought from Council to introduce access awards to recognise the efforts of local community groups (or individuals), organisations or businesses in creating or enhancing access to their facilities or services for people with disabilities.

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

- 1 **approves the introduction of a Disability Access Awards Project to encourage improved access within the community and industry;**
- 2 **approves, in accordance with the Provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$1,500 from Account 20169 to Account 20149 - Disability Access Award Project. CARRIED BY AN ABSOLUTE MAJORITY**

CS13-02/97 INTERNET PROVISION - JOONDALUP LIBRARY - [206-8]

The establishment of a public access Internet link from the Joondalup Library has the potential to also be used for the provision of Council information to the community via the Internet. Issues regarding security measures for Council's internal network and Council's

legal responsibility as an Internet provider must be resolved prior to implementation of this service.

Cr Magyar brought to Council's attention a report on ABC Radio which stated that the Federal Government was investigating the possibility of timed charges for Internet users. Cr Magyar believed this issue may affect Council and requested the issue be investigated.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 supports the establishment of an Internet connection to the Joondalup Library at a cost of \$25,000 from allocation 20283, as provided for in the 1996/97 budget;
- 2 approves the domain names 'wanneroo.wa.gov.au' and 'joondalup.wa.gov.au' be registered with the Australian Internet Naming Centre (AUNIC);
- 3 supports the establishment of a single Library administered Internet connection to Council, using a Screened Gateway Firewall security system;
- 4 becomes a member of the Western Australian Internet Association and signatories to the WAIA Code of Conduct.

CARRIED

CS14-02/97 PROPOSED AQUATIC FACILITY - ARENA JOONDALUP
- [260-5]

As Council is aware, the Minister for Sport and Recreation has recently announced the development of aquatic facilities at the Arena Joondalup.

The proposal includes the following components:

- a 50 metre, 10 lane, pool with a constant depth of 2.2 metres;
- a 25 metre, 6 lane training/teaching pool ranging in depth from 900mm to 1.2 metres
- a free formed leisure pool of approximately 300-400 square metres which will include a range of play structures and features.

Representatives from the Minister's Office, the Western Australian Swimming Association and the project architects attended the Finance and Community Services Committee meeting on 11 December 1996 to provide more information.

Cr Wight wished it recorded that, whilst he was not opposed to the project, he was opposed to Council contributing funds for this facility.

Cr Taylor quoted a section of Report CS14-02/97 which read: "*At the same time, however, the introduction of water space at the Arena will produce a detrimental effect on the financial performance of Council's aquatic facilities*".

Cr Taylor wished it recorded that, although he was in support of the proposed facility, he had reservations on the financial impact this facility would have on Council's recreation facilities.

MOVED Cr Wight, SECONDED Cr Popham that:

- 1 Council advises the Minister of Sport and Recreation of its willingness to contribute \$3 million towards the development of aquatic facilities at the Arena Joondalup; and
- 2 funds will be included in its 1998/99 and 1999/2000 annual budgets to coincide with the Government's timeline for this project. **CARRIED**

Cr Lynn left the Chamber at this point, the time being 2327 hrs.

CS15-02/97 **QUINNS ROCKS/CLARKSON/MERRIWA - FAMILY AND CHILDREN'S SERVICES FUNDED YOUTH SERVICE - [485-23]**

The Minister for Family and Children's Services has accepted Council's expression of interest to provide a youth service in the Quinns Rocks/Clarkson/Merriwa region. The service agreement is valid until 31 December, 1999 and provides a grant of \$45,000 per annum for this period. The Service Agreement has been forwarded to Council for signature.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 accepts the grant of \$45,000 per annum from Family and Children's Services and authorises the Chief Executive Officer to instigate the programme as outlined in Report No CS15-02/97;
 - 2 requests the Youth Advisory Committee to monitor the progress of this project on an ongoing basis.
- CARRIED**

CS16-02/97 **SALE OF CATERING EQUIPMENT - KIOSK - CRAIGIE LEISURE CENTRE - [680-5]**

Australian Kiosk Enterprises (operator of Craigie Leisure Centre Kiosk) has made an offer to purchase the loose items of catering equipment from the Craigie Leisure Centre Kiosk.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 accepts the offer from Australian Kiosk Enterprises to purchase the loose items of catering equipment at Craigie Leisure Centre Kiosk, as listed in attachment 1 to Report No. CS16-02/97 for the sum of \$32,750.00; and
- 2 approves the necessary amendments to the fixed Asset Register to reflect the disposal. **CARRIED**

Appendix XVIII refers

CS17-02/97 SALE OF GYM EQUIPMENT - CRAIGIE LEISURE CENTRE - [980-11]

Four tenders were received on Friday, 31 January 1997, for the surplus gym equipment at Craigie Leisure Centre. Council's endorsement to sell the various items of equipment to the highest tenderer for each item is sought.

MOVED Cr Wight, SECONDED Cr Popham that Council:

1 accepts the offer from Mr Andrew Ivey to purchase:

Arm Curl Machine	\$260
Lateral Machine	\$350
Pectoral Dec Machine	\$290
Seated Row Machine	\$460
Total Hip Machine	\$250
Upright Rowing Machine	\$180
Bench Press Machine	<u>\$470</u>
Total	<u>\$2,260</u>

2 accepts the offer from Mr Craig Monie to purchase:

Side Curl Leg Press	\$250
Leg Curl Machine	\$200
Squat Calf Combination	\$300
Knee Extension Machine	<u>\$200</u>
Total	<u>\$950</u>

3 writes the above items of fitness equipment out of Council's asset register.

CARRIED

CS18-02/97 PROPOSAL TO MERGE BURNS DISTRICT RECREATION ASSOCIATION WITH BURNS RATEPAYERS AND RESIDENTS ASSOCIATION - [330-11 c325-30]

Because of declining interest, the Burns District Recreation Association has proposed that it merges with the Burns Ratepayers and Residents Association.

Council has provided donations to the various Recreation Associations for many years. If Council is expected to provide financial support to the Burns Ratepayers, Residents and Community Recreation Association a precedent would be set and similar donations would be requested from other ratepayer groups within the City of Wanneroo. The problem could be alleviated if the annual donation to the Burns District Recreation Association was included in the Recreation Development Fund and made available to the Burns Ratepayers, Residents and Community Recreation Association following receipt of an acceptable application.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 expresses its support for the merger of the Burns District Recreation Association with the Burns Ratepayers and Residents Association to form the Burns Ratepayers, Residents and Community Recreation Association;
- 2 advises both groups that:
- (a) Council will continue to provide funds in its annual budget for an Australia Day event in Burns Beach and reimbursement for public liability insurance cover for community events conducted by the Burns Ratepayers, Residents and Community Recreation Association;
 - (b) the annual Assistance Fund donation of \$1,000.00 to the Burns District Recreation Association will now be incorporated into the Recreation Development Fund, and that these funds are available to assist community based organisations such as the Burns Ratepayers, Residents and Community Recreation Association to implement recreation and sporting activities in their local area;
 - (c) the conditions and requirements of the Recreation Development Fund would preclude the Association from making cash donations directly to recreational groups in their local area;
- 3 amends its policy manual to reflect these arrangements.
CARRIED

CS19-02/97 WANNEROO DISTRICTS HOCKEY ASSOCIATION - APPLICATION FOR CLUB RESTRICTED LIQUOR LICENCE - [061-198-2-1 c061-198-3-1 c930-17]

Council has received a request from the Wanneroo Districts Hockey Association to apply for a Club Restricted Liquor Licence. This licence is for the Cricket/Hockey Clubrooms located on Kingsway Reserve, Landsdale.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 approves the application by the Wanneroo Districts Hockey Association to apply for a Club Restricted Liquor Licence for Cricket/Hockey Clubrooms, Kingsway Reserve, Landsdale from 1 April to 7 October 1997 on Saturdays from 12.00pm to 12.00am;
 - 2 informs the applicant that no structural alterations are to be made to the building without Council approval;
 - 3 provides the applicant with a letter of endorsement including site and floor plans as required by the Office of Racing and Gaming.
- CARRIED**

CS20-02/97 REQUEST TO FORM A SOCIAL TENNIS CLUB AT KINGSLEY PARK - [061-197-2]

An application has been received from a group of players using Kingsley Park Tennis Courts who wish to form a Tennis Club to play social tennis. There are financial and infrastructure issues to be considered in addressing the application (Attachment one refers).

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 advises L A and G T Peck, that the “casual tennis court” hire rate is applicable for their bookings of the Kingsley Park Tennis Courts;
- 2 agrees to the formation of new tennis clubs, where there are no existing clubs at tennis court complexes with a minimum of eight courts;
- 3 requests the “Sub-Committee to Formulate a Uniform Pricing Policy for Recreation Facilities in the City of Wanneroo” to:
 - (a) consider an appropriate charge for tennis clubs which only play social tennis;
 - (b) develop criteria for assessing *the bona fide of tennis clubs*.

CARRIED

CS21-02/97 HYDROTHERAPY CLASSES - CRAIGIE LEISURE CENTRE - [680-7]

A request has been received from Mullaloo Physiotherapy Clinic to conduct hydrotherapy classes for its patients at Craigie Leisure Centre. An entry fee for this type of activity needs to be established, should Council accept the proposal.

MOVED Cr Cooper, SECONDED Cr Tippett that Council:

- 1 adopts, in accordance with the provisions of Section 6.16 of the Local Government Act 1995, the Schedule of Charges being \$5 per person for private hydrotherapy classes at Craigie Leisure Centre;
 - 2 advertises the proposed fee in accordance with Section 6.19 of the Local Government Act 1995; and
 - 3 introduces a schedule of charges for private hydrotherapy classes at Craigie Leisure Centre effective 1 April 1997.
- CARRIED BY AN
ABSOLUTE MAJORITY**

**CS22-02/97 WA FOLK FOUNDATION - 1997 FOLK ARTS FESTIVAL -
[429-1-12]**

The WA Folk Federation has requested financial support from the City of Wanneroo towards the 1997 Folk Arts Festival to be held in Joondalup in September 1997. The funding request is to the value of \$3,000.

MOVED Cr Wight, SECONDED Cr Popham that Council lists for consideration in its 1997/98 Draft Budget the sum of \$3,000 for the WA Folk Federation's Festival at Joondalup in September 1997.
CARRIED

**CS23-02/97 MUNICIPAL LAW & FIRE SERVICES DEPARTMENT -
ACTIVITIES FROM 1 OCTOBER 1996 TO 31 DECEMBER
1996 - [905-1]**

Municipal Law & Fire Services Department submits its activity report from 1 October 1996 to 31 December 1996.

MOVED Cr Wight, SECONDED Cr Popham that Council accepts the table outlining the Municipal Law and Fire Services Department's activities from 1 October 1996 to 31 December 1996.
CARRIED

**CS24-02/97 VEHICLE ACCESS - HILLARYS BEACH RESERVE - [765-
23]**

Mr B McNaught of the Surf Life Saving Association Western Australia is seeking permission for two clearly marked Surf Life Saving vehicles to access the Hillarys Beach.

The Surf Life Saving Association perform Surf Education Workshops on the beach opposite the Ern Halliday Recreation Camp. The Workshops last for about 2-3 hours and are scheduled once a week for camp members. The vehicles will convey safety and recreational equipment for the workshops. Access would be via Hillarys Marina which is blocked off with a drop chain and padlock. A standard key would be issued for access.

MOVED Cr Wight, SECONDED Cr Popham that Council:

1 grants permission in accordance with the provisions of its Local Laws Relating to Reserves and Foreshores, for the Surf Life Saving Association to gain vehicular access to the Hillarys beach reserve via Hillarys Marina subject to the following conditions:

- (a) access to the beach reserve being solely for the purpose of conveying safety and recreational equipment, not people, for the Surf Education Workshops;
- (b) vehicles must be clearly marked with "Surf Life Saving";
- (c) drop chain at Hillarys Marina to be secured at all times;
- (d) vehicles to travel at a reasonable speed and not to interfere with people using the beach.

2 Permission would be withdrawn in the event of:

- (a) substantial complaints being received;
- (b) the conditions of approval being breached;
- (c) any motor vehicle or trailer used by the applicant/s not having a current valid combined motor vehicle licence and third party insurance policy in existence;
- (d) any driver of the vehicle/s not maintaining a current and valid WA motor driver's licence for the class and type of motor vehicle used on the beach reserve;
- (e) failing to produce this permit on demand by a duly Authorised Council Officer or member of the Western Australia Police Service.

CARRIED

CS25-02/97

DOG ACT APPEAL - MR N BUTTERFIELD, 139 VENTURI DRIVE, OCEAN REEF - [1977/244/139]

On 28 November 1996 Council refused an application by Mr N Butterfield of 139 Venturi Drive, Ocean Reef to keep three dogs at his residence, based on one objection on the grounds of excessive barking and the residential nature of the location.

Mr Butterfield has since lodged an appeal with the Minister for Local Government under Section 26(5) of the Dog Act against Council's decision.

Cr Popham tabled a leaflet regarding private home tuition for the training of dogs entitled "Bark Busters".

This information will be referred to Municipal Law and Fire Services Department

MOVED Cr Wight, SECONDED Cr Popham that Council advises the applicant and adjoining neighbours of the Minister's decision and of the conditions specified.

CARRIED

CS26-02/97

**APPOINTMENT OF HONORARY PARKING INSPECTORS
- HILLARYS BOAT HARBOUR - [910-1]**

A letter dated 9 January 1997 was received from the Manager of the Hillarys Boat Harbour, Sorrento.

He has written to Council nominating a further three people to be Honorary Parking Inspectors for the Hillarys Boat Harbour.

RECOMMENDATION: That Council:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints Scott Alexander Simpson, Frank Charles Hearne and Christopher John Bounds as Honorary Parking Inspectors for the Hillarys Boat Harbour, Sorrento for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Hillarys Boat Harbour, Sorrento as detailed hereunder:
 - (a) Local Laws Relating to Parking Facilities;
 - (b) Local Government (Parking for Disabled Persons) Regulations 1988.

ADDITIONAL INFORMATION

Council is advised that the third person nominated as an Honorary Parking Inspector, Christopher John Bounds, has left the State to go to Sydney. Hillarys Boat Harbour would like to delete his nomination and replace it with the following person:

“Ronald Brett Frame, age 36, occupation Security Officer employed by Protective Services Pty Ltd.”

MOVED Cr Freame, SECONDED Cr Popham that Council:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints Scott Alexander Simpson, Frank Charles Hearne and Ronald Brett Frame as Honorary Parking Inspectors for the Hillarys Boat Harbour, Sorrento for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Hillarys Boat Harbour, Sorrento as detailed hereunder:
- (a) Local Laws Relating to Parking Facilities;
 - (b) Local Government (Parking for Disabled Persons) Regulations 1988. CARRIED

CS27-02/97 APPOINTMENT OF HONORARY PARKING INSPECTORS FOR LAKESIDE JOONDALUP SHOPPING CENTRE, JOONDALUP - [910-1]

Letters dated 1 August 1996 and 14 January 1997 were received from Knight Frank (WA) Pty Ltd, Managing Agents for the Lakeside Joondalup Shopping Centre, Joondalup.

They have written to Council nominating three people to be Honorary Parking Inspectors for the Lakeside Shopping Centre.

MOVED Cr Wight, SECONDED Cr Popham that Council:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints Ashley Stuart Keating, David Louis Hull and Anthony James Fawcett as Honorary Parking Inspectors for the Lakeside Shopping Centre, Joondalup for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Lakeside Shopping Centre, Joondalup as detailed hereunder:
- (a) Local Laws Relating to Parking Facilities;
- (b) Local Government (Parking for Disabled Persons) Regulations 1988. CARRIED

CS28-02/97 RE-APPOINTMENT OF YANCHEP HONORARY BEACH INSPECTOR MR DENNIS HOWARD CLUNING - [323-4]

Council at its meeting on 28 February 1996 resolved to approve the re-appointment of Mr Dennis Howard Cluning of 5 Packet Place, Yanchep as an Honorary Beach Inspector attached to the Yanchep Districts Surf Club for a 12 month period.

MOVED Cr Wight, SECONDED Cr Popham that Council approves the re-appointment of Mr Dennis Howard Cluning as an Honorary Beach Inspector attached to the Yanchep Districts Surf Club, subject to the provisions of the Local Laws Relating to the Safety, Decency, Convenience and Comfort of Persons (No. 14) for a further period of 12 months. CARRIED

CS29-02/97 KEEPING OF PIGEONS - [241-0]

During the latter part of last year, as the result of an Appeal against this City's refusal to approve the keeping of pigeons (CS146-09/96), the Executive Director, Public Health advised that written consent of neighbours was not in Council's By-laws and further, that written consent was not a valid public health ground. The appeal was upheld. Council then resolved to conduct a review of its local law dealing with pigeons and invited general public comments per an advertisement in the Wanneroo Times on 22 October 1996.

It is proposed that Council's existing local law regarding the Keeping of Pigeons (Health Act By-laws Series 'A') be revoked and replaced by a new local law under the Local Government Act 1995. The effect of this change will be to lift the current constraints and permit greater community input to this subject.

Cr O'Grady proposed the following to be included in the proposed new local laws for the keeping of pigeons:

"Loft litter to be disposed of without causing a nuisance by immediate burial or by being bagged and deposited in the household rubbish bin".

REPORT RECOMMENDATION: That Council in accordance with Section 3.12 of the Local Government Act 1995, resolves to give statewide notice of its intention to revoke its current Local (Health) By-law 29B in relation to the keeping of pigeons and to adopt a new local law as described in Attachment 1 to Report CS29-02/97.

MOVED Cr Wight, SECONDED Cr Popham that Council defers consideration of the proposed new local laws relating to the keeping of pigeons for a period of one month.

CARRIED

REMOVAL OF DOG EXCRETA BY OWNERS- [508-9]

Cr Cooper queried the position in relation to a previous suggestion for Council to adopt a by law requiring dog owners to remove their animal's excreta from public places, as he believed all dog owners should be equipped with "dog poo" bags

The City Environmental Health Manager advised that although Council had previously adopted a by law requiring the person responsible to remove their animal's excreta, this had proved hard to police.

The Chief Executive Officer advised a report would be submitted on the present position and consideration would be given to advertising to inform the public of the requirements of the by law.

Cr Ewen-Chappell left the Chamber at this point, the time being 2330 hrs.

GRATUITY PAYMENTS - [404-0]

Cr Major referred to long serving members of staff who have recently retired and queried the position in relation to gratuity payments for these people.

The Chief Executive Officer advised that following amendments to the draft policy in relation to gratuity payments, this matter will be considered at the next Policy meeting to be held on 10 March 1997.

RESIGNATION OF DEPUTY CITY PLANNER - [702-3]

Cr Major referred to the pending departure of John Humphreys, the Deputy City Planner, who is leaving to take up a position in the City of Mosman Park and commented that he would be sadly missed.

LACK OF SHADE - WARWICK OPEN SPACE - [745-3-5]

Cr Popham referred to a recent telephone call he had received from a member of the Greenwood/Warwick Cricket Club who was concerned with the lack of shade at the Warwick Open Space.

This matter will be referred to the Parks Department.

MESSAGE BANK FOR MOBILE PHONES - [320-5]

Cr Ewen-Chappell referred to a mobile phone service called 'message bank' whereby messages can be recorded when the phone is unattended and requested this facility be investigated.

This matter will be referred to Corporate Services for action..

PUBLIC MEETINGS - BOUNDARY RATIONALISATION [702-0]

The Chief Executive Officer referred to the four public meetings scheduled to discuss the boundary rationalisation and advised that he had received a request for two additional meetings to be held in the South Ward and the South-West Ward.

He stated the areas proposed were Sorrento and Marangaroo and sought the consent of Councillors to add these two areas to the list.

PROPOSED COMPULSORY CARER MEMBERSHIP FEE - [856-0]

Cr Lynn submitted a letter from Ms L Clutterbuck, President of the Family Day Care Carers Group in Craigie, in relation to the proposed compulsory carer membership fee.

This matter will be referred to Treasury Department for action.

C41-02/97 BUSINESS FOR INFORMATION

MOVED Cr Cooper, **SECONDED** Cr Freame that the Business for Information Reports be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B1-02/97 HUDSON PARK CLUBROOMS AND TOILET CHANGEROOMS, WORKS REVIEW - [061 - 173 - 3]

As a result of dissatisfaction voiced directly to Councillor Duffy, by sporting bodies resident in the vicinity of this facility, this report reviews the work scheduled and undertaken for this past 1996/97 financial year at the Hudson Park Clubrooms and toilet changeroom building to see which repairs to the centre were seen to be unsatisfactory. Proposals for 1997/98 are also detailed.

Cr Taylor requested the City Building Surveyor to investigate the feasibility of incorporating paving in the proposed maintenance work to be conducted at the Hudson Park Clubrooms.

Correction

Cr Taylor advised that the above paragraph, as reported in the Minutes of the Technical Services Committee meeting held on 12 February 1997 was incorrect and should read "...feasibility of incorporating anti-graffiti coating ...".

MOVED Cr Cooper, **SECONDED** Cr Freame that **REPORT B1-02/97** be received.

CARRIED

B2-02/97 MONTHLY REPORT JANUARY 1997 - PARKS DEPARTMENT - [201-5]

This report details parks maintenance, play equipment, mowing, tree pruning, construction, reticulation, servicing of bores and pumps and general maintenance carried out during the month of January 1997 by the Parks Department.

MOVED Cr Cooper, **SECONDED** Cr Freame that **REPORT B2-02/97** be received.

CARRIED

TOWN PLANNING COMMITTEE

B3-02/97 DEVELOPMENT ENQUIRIES - DECEMBER 1996 AND JANUARY 1997 - [290-0]

The following schedule lists those enquiries received between December 1996 and January 1997 and where possible indicates the area suggested by the enquirer to be the preferred location for such development, together with a resumé of advice given by the department.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B3-02/97 be received.

CARRIED

B4-02/97 **LOT 102 (240) NEAVES ROAD, MARIGINIUP -
MINISTERIAL DETERMINATION OF AN APPEAL
AGAINST A SUBDIVISION REFUSAL - [740-100844]**

The Minister for Planning upheld an appeal against the Western Australian Planning Commission's refusal of a subdivision application, submitted by A P & M Gates for Lot 102 (240) Neaves Road, Mariginiup. The Minister upheld the appeal on the basis that there is a precedent for lots of this size in the locality and the City's Local Rural Strategy is yet to be finalised.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B4-02/97 be received.

CARRIED

B5-02/97 **LOTS 10 AND 11 CAPORN STREET, MARIGINIUP
MINISTERIAL DETERMINATION OF AN APPEAL
AGAINST A SUBDIVISIONAL REFUSAL - [740-100400]**

The Minister for Planning partly upheld an appeal against the Western Australian Planning Commission's refusal of a subdivision application, submitted by G & P A Rocca, for Lots 10 and 11 Caporn Street, Mariginiup by permitting the applicant to create four lots of at least 2 hectares (ha) each rather than the five lots proposed. The Minister advised that while the applicant's proposal was generally consistent with the lot size pattern that is evolving in the locality, the smaller lot sizes proposed were not appropriate.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B5-02/97 be received.

CARRIED

B6-02/97 **APPEAL DETERMINATION : CHILD CARE CENTRE,
LOT 322 (7) TUART ROAD, GREENWOOD - [30/5410]**

This application proposed to convert the existing residence into a child care centre for twenty children. The development of the site is constrained by its size and an existing house, and this necessitated compromises in respect of the parking layout and landscaping provision that were considered unacceptable.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B6-02/97 be received.

CARRIED

B7-02/97 **LOT 100 (220) NEAVES ROAD, MARIGINIUP -
MINISTERIAL DETERMINATION OF AN APPEAL
AGAINST A SUBDIVISION REFUSAL - [740-100843]**

The Minister for Planning upheld an appeal against the Western Australian Planning Commission's refusal of a subdivision application submitted by A P & M Gates for Lot 100 (220) Neaves Road, Mariginiup. The Minister upheld the appeal on the basis that there is a precedent for lots of this size in the locality and the City's Local Rural Strategy is yet to be finalised.

MOVED Cr Cooper, SECONDED Cr Freama that REPORT B7-02/97 be received.

CARRIED

B8-02/97 **APPEAL DETERMINATION - LOT 26 DAMIAN ROAD, JANDABUP - [740-101673]**

An application by K Chaplin Ardagh to subdivide Lot 26 Damian Road, Jandabup, into two rural lots of approximately 2 hectares (ha) was not supported by Council and subsequently refused by the Western Australian Planning Commission (WAPC). The applicant lodged an appeal with the Hon Minister for Planning against the WAPC's decision. The appeal has now been upheld on compassionate grounds.

MOVED Cr Cooper, SECONDED Cr Freama that REPORT B8-02/97 be received.

CARRIED

B9-02/97 **APPEAL DETERMINATION: PROPOSED SUBDIVISION - LOTS 19, 29,, 30 AND 201 EAST ROAD, HOCKING - [740-98766]**

The subdivision of Lots 19, 29, 30 and 201 East Road, Hocking into 193 residential lots was not supported by the City of Wanneroo because portions of the landholding are within a 500 metre poultry farm buffer. The Western Australian Planning Commission (WAPC) approved the subdivision, subject to, inter alia, the applicant advising prospective purchasers of the potential impact of nearby poultry farms on residential uses. Three methods of advising purchasers were imposed; sign on site; notification on Title; and clauses in contracts of sale. The applicant lodged an appeal to the Hon Minister for Planning against the condition relating to a sign on site. The Minister upheld the appeal because of the deleterious effect the sign would have on the marketability of the land.

MOVED Cr Cooper, SECONDED Cr Freama that REPORT B9-02/97 be received.

CARRIED

B10-02/97 **LETTER OF OPPOSITION TO SUBDIVISIONAL RETAINING WALLS, PT LOT 503 JASPER WAY, EDGEWATER - [740-100979, 770-0 510-3177]**

At its meeting of 18 December 1996, Council requested a report regarding a six signature letter received from residents of Tandou Court, Edgewater. The residents wrote expressing their concerns as to what effect the retaining walls on the abutting development might have on their lifestyle and privacy. A meeting between the residents, the applicant and Council officers achieved a resolution which was satisfactory to all parties.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B10-02/97 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B11-02/97 FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER 1996 - [002-3]

In accordance with the Local Government (Financial Management) Regulations 1996, the financial statements for the six months ended 31 December, 1996 are presented to Council as Attachment 'A'. The Operating Statements (refer pages 1 and 2) and Statement of Cash Flows (refer page 3) reflect the financial position at 31 December, 1996.

The net change in assets resulting from operations at 31 December, 1996 was \$39.3m. This position reflects the total rate and refuse revenue levied against six months expenditure. This will decrease changes in net assets progressively over the remaining months of 1996/97.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B11-02/97 be received.

CARRIED

B12-02/97 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JANUARY 1997 - [002-3]

With 7 months of the year expired trends indicate that some budgetary over-runs will be experienced. In accordance with sound budgeting and financial practice the majority of these over-runs have been previously reported to Council and budget reallocations have been activated to avoid any adverse budgetary impacts.

With interest rates and available cash at lower levels than expected budget estimates for interest earnings will not be achieved. This together with the 'unfunded' budget over-runs mentioned above will have an adverse impact on Council's financial position. However savings on discount allowed (\$346,000) and general 'under-runs' throughout Council's programmes together with additional revenue from the General Purpose Grant (\$112,000) will offset, to some degree, these over-runs.

The Municipal Fund Summary of Financial Activity for the period ended 31 January, 1997 is appended as Attachment 'A'.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B12-02/97 be received.

CARRIED

B13-02/97 LOCAL GOVERNMENT NATIONAL REPORT ON LOCAL GOVERNMENT (FINANCIAL ASSISTANCE) ACT 1995 - [011-6]

This report details information on the operating of the Local Government Financial Assistance Act 1995.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B13-02/97 be received.

CARRIED

B14-02/97 RATE EXEMPTION - 3 CONTEST CLOSE, KALLAROO - [1189/3]

This report considers a request for exemption from rates received for a property owned by The Anglican Board of Missions - Australia.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B14-02/97 be received.

CARRIED

B15-02/97 RATE EXEMPTION - 16B MALAWI COURT AND 25 SHALA LANE, JOONDALUP - [2740/25; 2887/16B]

This report considers a request for exemption from rates received for the following properties leased by the Patricia Giles Centre from Homeswest:-

16B Malawi Court, Joondalup
25 Shala Lane, Joondalup

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B15-02/97 be received.

CARRIED

B16-02/97 STAFF AND OUTSIDE WORKERS' OVERTIME - DECEMBER 1996 - [404-10]

This report details the staff and outside workers' overtime for the month of December 1996.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B16-02/97 be received.

CARRIED

B17-02/97 STAFF AND OUTSIDE WORKERS' OVERTIME - JANUARY 1997 - [404-10]

This report details the staff and outside workers' overtime for the month of January 1997.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B17-02/97 be received.

CARRIED

B18-02/97 **MAJOR CAPITAL PROJECTS - COST/BUDGET
COMPARISON - [006-1]**

A comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year is submitted for Council's information - refer Attachment 'A'.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B18-02/97 be received.

CARRIED

B19-02/97 **MULTICULTURAL ADVISORY COMMITTEE - [880-9-0]**

During the past eighteen months the Multicultural Advisory Committee has been working on various initiatives to improve the access to Council's services and facilities for people who live within the City boundaries and are from a non-English speaking background. This report outlines the initiatives that have been implemented to date and outlines the agenda for the current term of office.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B19-02/97 be received.

CARRIED

B20-02/97 **RECREATION AND CULTURAL SERVICES
DEPARTMENT ACTIVITIES REPORT - [260-0]**

This report provides information on activities undertaken during December/January and progress to date on forthcoming events co-ordinated by the Recreation and Cultural Services Department.

MOVED Cr Cooper, SECONDED Cr Freame that REPORT B20-02/97 be received.

CARRIED

C42-02/97 CHIEF EXECUTIVE OFFICER'S REPORT

MOVED Cr Popham, **SECONDED** Cr Tippet that The Chief Executive Officer's Report be received.

CARRIED

C43-02/97 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]

Document: Withdrawal of Caveat
Parties: City of Wanneroo and N P and T Stazzonell
Description: Lots 108 and 109 Meadow Lark Rise, Kingsley
Date: 11.12.96

Document: Easement
Parties: City of Wanneroo and Sanori Developments P/Ltd
Description: Lot 8 Anchorage Drive, Mindarie
Date: 12.12.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo and N Serra and G Tatonetti
Description: Hepburn Avenue Road Reserve, Marangaroo
Date: 13.12.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo and Asheden and Bain
Description: Lot 253 Badgerup Road, Wanneroo
Date: 13.12.96

Document: Deed of Consent
Parties: City of Wanneroo and Minister for Transport and Others
Description: Mindarie Keys Project
Date: 16.12.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo and Davidson P/L and Roman Catholic Archbishop
Description: Cnr Marmion and Shenton Avenues
Date: 18.12.96

Document: Withdrawal of Caveat
Parties: City of Wanneroo and Silkmode P/L
Description: Lot 21 Badgerup Road, Gngangara
Date: 20.12.96

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 763
Date: 30.12.96

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 781
Date: 30.12.96

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 720
Date: 30.12.96

Document: Deed
Parties: City of Wanneroo and George Alex Evans
Description: Lot 261 Badgerup Road, Wanneroo
Date: 7.1.97

Document: Easement
Parties: City of Wanneroo and Water Corporation
Description: Lot 8 Wattle Avenue, Nowergup
Date: 7.1.97

Document: Deed and Easement
Parties: City of Wanneroo and Silkchime Pty Ltd and Warwick
Entertainment Centre
Description: Pt Lot 738 Dugdale Street, Warwick
Date: 9.1.97

Document: Withdrawals of Caveat
Parties: City of Wanneroo and V J Bloor, J G Donovan and B J Hall
Description: Pt Lot 15 Holland Way, Kingsley
Date: 14.1.97

Document: Lease
Parties: City of Wanneroo and CATA Disabled Group
Description: Reserve 43532, Linto Way, Alexander Heights
Date: 16.1.97

Document: Deed
Parties: City of Wanneroo and Smith Corp Pty Ltd and Corp of the Presiding
Bishop of the Church of Jesus Christ of Latter Day Saints
Description: Lot 1839 Baltimore Parade, Merriwa
Date: 22.1.97

Document: Variation of Lease
Parties: City of Wanneroo and Mullaloo Surf Life Saving Club
Description: Club premises - Mullaloo Foreshore
Date: 29.1.97

Document: Deed
Parties: City of Wanneroo and Rosco McGlashan
Description: Copyright Agreement
Date: 29.1.97

Document: Deed
Parties: City of Wanneroo and Patrick Donnelly
Description: Copyright Agreement
Date: 29.1.97

Document: Deed
Parties: City of Wanneroo and Margaret Thomas
Description: Copyright Agreement
Date: 29.1.97

Document: Deed
Parties: City of Wanneroo and Antonio Ariti
Description: Copyright Agreement
Date: 29.1.97

Document: Deed
Parties: City of Wanneroo and Mary Shurman
Description: Copyright Agreement
Date: 29.1.97

Document: Easement in Gross
Parties: City of Wanneroo and Denkey Pty Ltd
Description: Lot 7 Bergen Way, Mindarie
Date: 29.1.97

Document: Agreement
Parties: City of Wanneroo and Australian Kiosk Enterprises Pty Ltd
Description: Inclusion of Clauses
Date: 29.1.97

Document: Lease
Parties: City of Wanneroo and Australian Kiosk Enterprises Pty Ltd
Description: Lease - Craigie Leisure Centre Kiosk
Date: 29.1.97

Document: Deeds
Parties: City of Wanneroo and West Australian Land Authority
Description: Lot 6, Joondalup City Centre - Stage 4A
Date: 29.1.97

Document: Heads of Agreement
Parties: City of Wanneroo and Wanneroo Districts Netball Association
Description: Portion of Reserve 28058, Kingsway, Landsdale
Date: 5.2.97

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 767
Date: 5.2.97

Document: Withdrawal of Caveat
Parties: City of Wanneroo and Smith Corporation Pty Ltd
Description: Merriwa Estate - Stage 7, Baltimore Parade
Date: 5.2.97

Document: Easement
Parties: City of Wanneroo and Mobil Oil Australia Ltd
Description: 4 Walter Padbury Boulevard, Padbury
Date: 6.2.97

Document: Licence
Parties: City of Wanneroo and Wanneroo Employment Skills Training Network Inc
Description: Jenolan Way Community Centre
Date: 6.2.97

Document: Deed
Parties: City of Wanneroo and Hilary Dawn Llewellyn
Description: Copyright Agreement
Date: 12.2.97

Document: Deed
Parties: City of Wanneroo and Albert William Llewellyn
Description: Copyright Agreement
Date: 12.2.97

Document: Deed
Parties: City of Wanneroo and Pat Bayley
Description: Copyright Agreement
Date: 12.2.97

Document: Deed
Parties: City of Wanneroo and George Henry Green Tree
Description: Copyright Agreement
Date: 12.2.97

Document: Deed
Parties: City of Wanneroo and Robert John Shurman
Description: Copyright Agreement
Date: 12.2.97

Document: Agreement
Parties: City of Wanneroo and Direct Drainage (WA) Pty Ltd
Description: Tender Documents - Contract No 110-96/97
Date: 12.2.97

Document: Service Agreement
Parties: City of Wanneroo and Minister for Community Welfare
Description: Youth Service - Quinns Rocks, Clarkson, Merriwa
Date: 12.2.97

Document: Withdrawal of Caveat and Deed
Parties: City of Wanneroo and Embley Investments P/L and RESS
Nominees P/L
Description: Lot 29 (5) Turnbull Way, Neerabup
Date: 12.2.97

Document: Deed
Parties: City of Wanneroo and I & S Ivankovich and E L Martinengo
Description: Lot 302, Amery Road, Wanneroo
Date: 14.2.97

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 592
Date: 14.2.97

Document: Lease
Parties: City of Wanneroo and Hillarys Pre-School Committee
Description: 137 Broadbeach Boulevard, Hillarys
Date: 14.2.97

MOVED Cr Popham, SECONDED Cr Tippett that the Schedule of Documents executed by means of Affixing the Common Seal be received.

CARRIED

LEGAL REPRESENTATION - Mr J Turkington, City Treasurer

By application dated the 28 January 1997, the City Treasurer applied for legal representation to assist in the preparation of a written submission to the Royal Commission in regards to the authorisation of expenditure for the Sinagra trip.

In a press article appearing in "The West Australian" on 28 January 1997 it was stated that Commissioner Davis had given the Treasurer the opportunity to make further submissions to the Royal Commission. As such the City Treasurer requested that he be provided with legal representation to seek advice on this issue.

As the application conformed to Council's policy and there was insufficient time to place the matter before Council, interim assistance was granted.

LEGAL REPRESENTATION - Mr A Robson (former Deputy Town Clerk)

In response to Summons 354 of 1996 dated 13 December 1996, Mr Robson, the former Deputy town Clerk, made application for legal assistance on 23 January 1997.

The Summons which related to Parin's Panel Works required Mr Robson to appear before it on Tuesday, 28 January.

As the application conformed to Council's policy and there was insufficient time to place the matter before Council, interim assistance was approved.

Cr Ewen-Chappell entered the Chamber at this point, the time being 2334 hrs.

LEGAL REPRESENTATION - Dr W Bradshaw (former Mayor & Councillor)

Two requests have been received in respect to legal representation for Dr Bradshaw.

The first claim from Dr Bradshaw dated 29 November 1996 relates to legal fees in respect of a defamation action he is taking against Mayor Arnold Dammers. An account for \$999 from Stables Scott, Barristers & Solicitors is appended to the claim.

On 6 December a letter was written to Dr Bradshaw seeking further information. To date there has been no reply.

The legal advice indicates that the policy addresses the question of legal representation for Councillors and officers who become involved in legal proceedings because of their official responsibilities. In this case, Dr Bradshaw has decided voluntarily to issue proceedings for damage to his reputation. As such the claim is private and not in any way connected with Dr Bradshaw's official duties.

Council's solicitors do not consider Dr Bradshaw, as the plaintiff in a defamation action, is entitled to make a claim against the City of Wanneroo under the policy.

The second claim, in the form of an account for \$3,000, was received from Stables Scott, Barristers & Solicitors and relates to a subpoena served on Dr Bradshaw to appear before the Kyle Inquiry in November 1995.

In response to the request, a letter seeking information on the issues canvassed by the Kyle Inquiry was forwarded to Stables Scott. However, to date there has been no response.

The legal advice is that the issue predates the policy and as it is retrospective rather than prospective as envisaged by the policy, it would be inappropriate to apply the policy to the claim.

As the policy does not apply to this claim it is open for Council to decide the matter independently.

LEGAL REPRESENTATION - Ms O Davidson, Publicity Officer

On 10 February 1997, Ms O Davidson, Council's Publicity Officer requested legal representation in respect to Summons No. 439 of 1997 issued by the Royal Commission into the City of Wanneroo.

The Summons, which was dated 7 February 1997 and related to Parin's Panel Works at Lots 327 and 328 Wanneroo Road, requires Ms Davidson to appear before the Commission on 11 February.

There was insufficient time to place this application before Council and as the application conformed to Council's policy, interim assistance was approved.

LEGAL REPRESENTATION - Ms A Davidson (former Public Relations Officer)

On 14 January, 1997 Ms Alexandra Davidson made formal application for legal representation. Her request was in relation to a summons issued by the Royal Commission. She was required to appear on the 31 January 1997 in relation to the following allegation received by the Commission -

"that on the instructions of Dr Wayne Bradshaw, Mr Wayde Smith and Ms Alexandra Davidson met with and coached Mr Victor Michael Parin in preparation for a meeting with objectors opposing an application by Victor Michael Parin and Marija Parin to the City of Wanneroo to re-develop Parin's Panel Works, Lots 327 and 328 Wanneroo Road, Greenwood"

On the basis that Kott Gunning was to represent Councillors and staff of the City of Wanneroo and there was a likelihood of conflicting evidence, Ms Davidson sought approval to retain a separate solicitor.

Legal advice obtained indicated that the application fell within Councils policy and that due to the conflict of interest it was appropriate to retain independent legal representation.

As the application conformed to Council's policy and there was insufficient time to place the matter before Council, interim assistance was granted.

Bradford & Co, Barristers and Solicitors acting on behalf of Ms Davidson have requested assistance beyond the ceiling imposed by clause 6 of the policy.

A statement of account for \$14,140 accompanied the request. The following information was submitted in support of the request -

- “1 Ms Davidson at all material times as the Public Relations Officer for the City of Wanneroo and acted according to instructions. There was no suggestion that she acted of her own accord.
- 2 The order of witnesses in the Commission indicated to us that Ms Davidson was examined in such a way so as to leave her exposed to the potential of perjury charges due to her having to recall events as they transpired some seven years ago.
- 3 Her evidence in many areas was in direct conflict to other Officers of the Council
- 4 Unless she received our counsel and advocacy, she was exposed and hence we had to continue attending particularly in relation to evidence of one inspector McLeod who inserted listening devices into the home of another Councillor.
- 5 We have attempted to minimise our costs at all material times. “

MOVED Cr Popham, SECONDED Cr Tippett that Council:

- 1 endorses the Chief Executive Officer’s decisions to grant interim assistance to:**
 - (a) **Mr J Turkington**
 - (b) **Mr A Robson**
 - (c) **Ms O Davidson**
 - (d) **Ms A Davidson**
 - 2 rejects Dr Bradshaw’s application in respect of the defamation action as it is not in accordance with its adopted policy;**
 - 3 rejects Dr Bradshaw’s retrospective claim for recoup of costs incurred as a result of his appearance before the Kyle Enquiry;**
 - 4 does not approve the additional claim of \$11,140 submitted by Ms Alexandra Davidson, but requests a further report on evidence submitted to the Royal Commission prior to making a decision on this application.**
- CARRIED**

At this meeting, Motions were moved on the following issues:

Youth issues:

Ms Jill Brown of Merriwa raised her concern with the lack of facilities in the Wanneroo area for youth. She believed that this lack of facilities was directly linked to drug and alcohol problems experienced by youth and believed that youth would benefit greatly from being able to attend a place established exclusively for youth. Ms Brown requested that Council seek the views of youth and provide counselling support groups for youth with alcohol and drug problems. In this regard she suggested that a social worker could be employed to endeavour to help young people.

The following motion was Moved:

“MOVED Ms J Brown, SECONDED Mrs A Hine that Council makes it a priority to consult with our teenagers, provide them with meeting places of their own throughout the suburbs where they have a sense of ownership and pride and that this is implemented in this years’ budget.CARRIED”

Future Boundaries of the City of Wanneroo:

Mrs Mary Mason of Beldon requested that Council informs ratepayers of the proposed split as she was concerned that ratepayers would not have input into this decision.

The Mayor reported that the next edition of News Extra would include information on Council’s proposal regarding the split. He advised that Council was also proposing to have a number of public meetings to inform ratepayers on the proposed split and commented that these would be advertised in the Wanneroo Times, as this was the best avenue to inform most of the ratepayers.

Mrs Mason requested that the dates of the meetings be circulated to ratepayers as she had previously missed notices placed in the Wanneroo Times. The Mayor advised that previous meetings had been conducted by the State Government.

The following Motion was Moved:

“MOVED Mrs M Mason, SECONDED Mr C Power that the City of Wanneroo holds a referendum on the issue of splitting the Wanneroo Council, once the Local Government Advisory Board has reported to the Minister for Local Government.

CARRIED”

MOVED Cr Popham, SECONDED Cr Tippett that Council:

- 1** refers the Motion moved at the Annual General Meeting of Electors held on Thursday 6 February 1997 relating to youth issues to the Youth Advisory Committee for its consideration;

- 2 **defers consideration of the Motion moved at the Annual General Meeting of Electors requesting a referendum on the issue of splitting the Wanneroo Council pending the release of the report of the Local Government Advisory Board to the Minister for Local Government in March 1997.** **CARRIED**

C47-02/97 MINDARIE REGIONAL COUNCIL - RESIGNATION OF DELEGATE - [508-5-5]

Cr Duffy has tendered his resignation as delegate on the Mindarie Regional Council. In tendering his resignation, Cr Duffy conveys his regrets that he is unable to continue as a Council representative but believes that, as he is in a similar business, there is a direct conflict of interest.

Council is therefore required to nominate a Councillor as delegate to the Mindarie Regional Council.

Current representation is as follows:

<u>Delegate</u>	<u>Deputy</u>
Cr G Major	Cr M Lynn
Vacant	Cr A Wight
Cr V Hancock	Cr B Cooper
Cr P Healy	Vacant

As the position of Deputy to Cr Healy is also vacant, it is suggested that nominations for this position also be called.

Cr Taylor nominated Cr Wight as delegate.

Crs Popham and Ewen-Chappell nominated for the positions of deputies.

Crs Wight, Popham and Ewen-Chappell declared an interest in this item as they had been nominated for positions on the Mindarie Regional Council.

Crs Wight, Popham and Ewen-Chappell left the Chamber at this point, the time being 2345 hrs.

MOVED Cr Taylor, SECONDED Cr Duffy that Council:

- 1 acknowledges the resignation of Cr W Duffy from the Mindarie Regional Council;**
 - 2 appoints Cr Wight as delegate to the Mindarie Regional Council;**
 - 3 appoints Cr Popham as deputy to Cr Wight;**
 - 4 appoints Cr Ewen-Chappell as Deputy to Cr Healy.**
- CARRIED**

SUMMARY

The IMM National Congress will be held in Canberra from 18 - 21 May 1997. The Congress theme is "Visions for Communities - Leadership Beyond 2000". In view of topics covered on change management and the opportunity for new directors to visit some leading reform local governments it is recommended the Mayor, Chief Executive Officer and two Directors be authorised to attend.

Registration fees, accommodation and airfares are approximately \$3000 per delegate for the Congress with a two day study tour of Councils costing \$800 per participant.

BACKGROUND

The Institute of Municipal Management National Congress is held annually at the National Convention Centre in Canberra. The Congress has been traditionally attended by the Mayor and Chief Executive Officer. The theme of the Congress is "Leadership Beyond 2000". The Congress will address issues of how we define our communities and the role of Councils in planning.

DETAILS

As the Congress will finish on Wednesday 21st there is an ideal opportunity to visit some Councils on Thursday and Friday to gain first hand exposure to local government reforms.

Registration fees, accommodation and airfares for the Congress are in the order of \$3000 per delegate. Cost of attendance in Sydney or Melbourne for an extra two days is estimated to cost \$800 per participant.

The benefits from pre-arranged visits to Councils known to be leaders in specific reforms are deemed to be considerable for the Council as it implements change.

COMMENT/FUNDING

The Chief Executive Officer recommends that the attendance by two Directors at the Congress followed by a two day visit to Councils will help gain first hand experience of reforms being implemented in the Eastern States and assist ability to meet the responsibilities required in their new portfolios.

Funds are available within Account 20151 - Chief Executive Officer's Department - Conference Expenses to facilitate attendance. Similarly funds are available in Account 20006 - Members of Council - Conferences, to facilitate the attendance of the Mayor.

It is recommended that the Mayor, Chief Executive Officer and two Directors attend the Congress. It is also recommended that the Chief Executive Officer and two/directors be granted an opportunity to undertake Council visits on the Thursday and Friday following the Congress. This will give the opportunity for exposure to reforms in the officers' area of responsibility and allow implementation experience to be passed on. It is felt that such information will prove invaluable as Council moves through the restructure process.

MOVED Cr Popham, SECONDED Cr Tippett that Council:

- 1 authorises the attendance of the Mayor, Chief Executive Officer and two Directors at the 1997 IMM National Congress to be held in Canberra during the period 18-21 May 1997 ;**
- 2 authorises the expenditure of funds from allocations 20006 and 20151 to facilitate attendance by the Mayor, the Chief Executive Officer and two Directors; and**
- 3 authorises the expenditure of funds to enable the Chief Executive Officer and two Directors to undertake Council visits following the Congress.**

CARRIED

C49-02/97 REALLOCATION OF FUNDS - ANIMAL MANAGEMENT RESOURCES EXTENSION - [901-1]

SUMMARY

A reallocation of funds is required to enable Animal Management Resources Extension (AMREX) to be commissioned to develop a policy for urban animal management.

The sum of \$2,500 is to be reallocated from Animal Control Staff Training to Staff Training - Animal Management Programme.

BACKGROUND

At its meeting of 23 January 1997, the Urban Animal Management Advisory Committee agreed that AMREX be approached to prepare a draft Urban animal Management Policy for the City of Wanneroo.

AMREX has been involved in the development of a number of policies. The Committee believed that it would be appropriate to use that expertise to develop a policy for the City of Wanneroo.

AMREX has been utilised by Council for training of Rangers in all aspects of dog handling and dog control. In addition, it has assisted Council in other animal programmes such as Barkline. It also assisted in the development of information pamphlets which are available at all Veterinary Clinics in the City of Wanneroo and at the Municipal Law & Fire Services Department.

MOVED Cr Wight, SECONDED Cr Magyar that Council, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the transfer of \$2,500 from Budget Item 21222 - Staff Training - Animal Control to Budget Item 21271 - Animal Management (AMREX) Programme to facilitate the formulation of an Animal Management Policy for the City of Wanneroo.

**CARRIED BY AN
ABSOLUTE MAJORITY**

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

C50-02/97 LEAVE OF ABSENCE - CR FREAME - [702-0]

Cr Freame requested leave of absence from Council duties for the period 1 - 8 March 1997 inclusive.

MOVED Cr Taylor, SECONDED Cr Lynn that Council approves the leave of absence for Cr F Freame for the period 1 - 8 March 1997 inclusive. CARRIED

APPOINTMENT OF DELEGATE - WANNEROO GROUNDWATER ADVISORY COMMITTEE - [322-18-1]

Cr Hancock reported that she had been appointed as Council's delegate to the Wanneroo Groundwater Advisory Committee, and that this Committee held its first meeting on 24 February 1997.

LOCATION OF SURVEILLANCE CAMERAS - [905-1]

Cr Tippett reported that Girrawheen/Koonoodla Recreation Association has enquired of the location and good order of surveillance cameras owned by Council. The Association requests that, if such cameras are operable, they be located in the Girrawheen/Koonoodla area.

Cr Dammers reported that the cameras were given to the Police for its use and suggested Council writes to the Police to ascertain what benefit this equipment has been.

Cr Tippett will pass this information to the Association.

BALLAJURA POOL FEASIBILITY COMMITTEE - [450-2]

Cr Tippett advised he has been elected to the Ballajura Swimming Pool Feasibility Committee. This committee has met three times and has appointed consultants to

undertake a feasibility study. Cr Tippett wished to inform Council that the view exists that the location of this pool could well be in Koondoola bushland. Cr Tippett has given the Committee information from Council, including the draft Management Plan for Koondoola Regional Bushland which indicates that the conservation value of the bush land is such that it is not suitable location for the pool; however he feels this bushland is still being considered as a suitable location for the pool.

MIDGE/MOSQUITO CONTROL - [855-3-2]

Cr Duffy advised of an acquaintance of his who is involved in bacterial breeding and suggested this gentleman may be of assistance to Council regarding midge and mosquito control.

It was recommended that the gentleman be requested to liaise with Council's Environmental Health Department.

C51-02/97 SHADE STRUCTURE - SORRENTO QUAY FAMILY BEACH - [765-13]

Cr Popham requested a report be submitted on the feasibility of the construction of a shade structure at Sorrento Quay family beach. He requested the report address the cost, maintenance and availability of a shade structure of approximately 250 m x 50 m.

RESOLVED that a report be submitted to Technical Services Committee on the feasibility of the construction of a shade structure at Sorrento Quay family beach.

C52-02/97 BARRIER - CHILDREN'S PLAY AREAS/EQUIPMENT - [250-2]

Cr Popham requested a report be submitted on a suitable barrier being placed around children's play areas and equipment in parks. He advised such a barrier would assist parents in supervising young children by keeping them within a restricted area.

RESOLVED that a report be submitted to Technical Services Committee on the erection of a suitable barrier around children's play areas and equipment.

C53-02/97 TRAFFIC CALMING MEASURES - WOODVALE DRIVE, WOODVALE - [510-1180]

Cr Taylor requested a report on traffic calming measures which could be implemented in Woodvale Drive, Woodvale, in particular the section south of the high school.

RESOLVED that a report be submitted to Technical Services Committee on the implementation of suitable traffic calming measures in Woodvale Drive, Woodvale and in particular the section south of the High School.

C54-02/97 REQUIRED FACILITIES - CONNOLLY - [740-108]

Cr Cooper referred to the promise made by the State Government of funds for a facility in Connolly, on land adjacent to the shopping centre. Cr Cooper requested a brief report on:

- 1 what facilities may be established on the land adjacent to the Connolly Shopping Centre;
- 2 what facilities are needed in the Connolly area.

RESOLVED that a report be submitted to Technical Services Committee addressing:

- 1 what facilities may be established on the land adjacent to the Connolly Shopping Centre;
- 2 what facilities are needed in the Connolly area.

PUBLIC QUESTION TIME

15-minute period of question time, during which questions may be put by the public on business discussed during the course of the meeting.

Mr A Bryant of Craigie: Mr Bryant reported on the lack of footpaths on Joondalup Drive, and also in Whitfords Avenue from Eddystone Avenue to Marmion Avenue, and from Eddystone Avenue to Craigie Leisure Centre. Mr Bryant asked has the Council any forward plans for installing footpaths along Joondalup Drive?

City Engineer's Response: Such items are listed on the Forward Plan, but no specific answer could be given to this question.

Mr Ron Chamberlain of Connolly: Cr Lynn recommended earlier in the meeting that Council writes a letter of congratulation to successful applicants for the Defence Academy. Mr Chamberlain asked that Council also write to Paul Martinovich of Kingsley.

Mr Vic Harman, Ocean Reef: Regarding TP22-02/97:

- (a) How long has Council charged \$100 for processing pedestrian accessway closure requests?
- (b) Are fees imposed when a person submits a petition relating to a closure?
- (c) Is a ratepayer justified in thinking that their rates should cover such a service?

Response by Mayor:

- (a) This charge was imposed approximately 3-4 years ago in an attempt to ensure that applications were only received from persons who were genuinely seeking an accessway closure.
- (b) The submission of a petition does not incur a fee.
- (c) The service of accessway closure is beyond what is normally provided by Council.

Mrs A Hine, Wanneroo: Would Councillors prefer to be elected by a larger number of people? I think postal voting would discourage minority groups influencing elections.

Mrs A Hine made reference to Item P11-02/97; however no question was raised.

CONFIDENTIAL BUSINESS

Nil

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for 7.30 pm on **WEDNESDAY 26 MARCH 1997**

CLOSE OF BUSINESS

There being no further business, the Chairman declared the Meeting closed at 0016 hrs, the following Councillors being present at that time:

COUNCILLORS: DAMMERS
FREAME
COOPER
LYNN
EWEN-CHAPPELL
MAGYAR
WIGHT
TAYLOR
MAJOR
HANCOCK
DUFFY
HEALY
POPHAM
TIPPETT