

CITY OF WANNEROO

MINUTES OF COUNCIL MEETING HELD ON
23 APRIL 1997

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CITY OF WANNEROO

**MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER,
ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP, ON
WEDNESDAY, 23 APRIL 1997**

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor,	South-West Ward
	L O'GRADY	North Ward
	P O HEALY	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	T W POPHAM	South Ward
	W D DUFFY	South Ward
	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 Treasurer:	J B TURKINGTON
City Building Surveyor:	R FISCHER
City Environmental Health Manager:	M AUSTIN
Acting City Parks Manager:	D CLUNING
Acting City Recreation and Cultural Services Manager:	M STANTON
Acting Manager, Municipal Law & Fire Services:	K SMITH
Manager, Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Design Engineer:	P PIKOR
Publicity Officer:	O DAVIDSON
Committee Clerk: J AUSTIN	
Minute Clerk:	L TAYLOR

An apology for absence was tendered by Cr Tippett.

There were 25 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 1934 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mr V Harman on behalf of the Ocean Reef Residents Association, were taken on notice at the Council Meeting held on 26 March 1997:

Q1 Re Item TS89-03/97: What is the situation with regard to activation of the Government Scheme and whether Council had any up to date information in this regard?

A1 The State Government has initiated action to combat graffiti at a variety of levels, including legislation for stronger penalties, an increased focus by Police, activities in schools and ensuring that public property under its control is cleaned rapidly.

Perth City Mission has been funded through the Office of the Premier and Cabinet to initiate community support, working closely with both State and Local Government authorities, commercial and private property owners.

Areas which have been identified through public response by the Perth City Mission as being heavily hit by graffiti vandalism include walls and fences in public reserves, walkways and bordering estates.

Perth City Mission will undertake the removal of graffiti but has limited resources and relies on volunteers to undertake "paintouts".

This information is the latest received by Council in relation to the activities of the State Government's Graffiti Task Force.

Q2 Could the costs be obtained for a small van incorporating a petrol driven compressor with spray equipment in relation to graffiti?

A2 The cost to purchase a small van incorporating a petrol driven compressor with spray equipment is as detailed hereunder:

Small Van	\$17,000
Compressor & Spray Equipment	\$ 1,500
TOTAL COST	\$18,500

The following questions were submitted by Ms Jill Brown:

Q1 Is Wanneroo Council happy to know that according to Mr Frodsham, Assistant Director of the Department of Waste Management, Environmental Protection, that Wanneroo City Council is a "Mickey Mouse recycling service, whilst ratepayers are paying a Rolls Royce price for it"? (Community Newspaper 15.4.97)

A1 No, the City of Wanneroo is not happy with Mr Frodsham's comments. The City is addressing the issues directly with Mr Frodsham. The City's recycling programme is environmentally responsible. It collects a comprehensive range of quality

products including waste engine oil and car batteries. These products contain potentially hazardous materials and Council considers these to be more important to keep out of the landfill than the plastic Mr Frodsham refers to.

- Q2 Is Wanneroo City Council happy to know that according to Mr Frodsham, of Environmental Protection, that there are more calls to the Department of Environmental Protection on the issue of Wanneroo City Council's failure to collect and recycle plastics than on any other issue in all of Perth?
- A2 The City of Wanneroo is unhappy with the information supplied by the Department of Environmental Protection in response to calls regarding Council's decision not to collect plastics. Council carefully considered the economic and environmental issues before it removed plastics from its recycling programme. Council would question the actual number of complaints received and why Mr Frodsham has not discussed these issues with Council staff. The State Government can assist plastics collection by establishing viable markets for the materials.
- Q3 Is Wanneroo City Council happy to go down in history as the Council that, not only has this disgusting polluting stinking hole in the ground sited over what was once pristine groundwater now required for residents within its city; but, have also failed to effectively reduce the amount of refuse dumped there, and failed to implement effective Reduce, Reuse and Recycle policies which, (accordingly to the Department for Environment) will reduce the tip's capacity to run for a further 15-20 years?
- A3 The Tamala Park landfill site is considered to be a well engineered site approved by the EPA. The site is constantly monitored and inspected by the EPA and the CSIRO. Tamala Park has a sound management plan and practice and is controlled by the Mindarie Regional Council. The life of the site will be reduced by less than one month of the original timeframe from the ongoing receipt of plastics from the City.
- Q4 If user pays recycling is established, would it not be better for Council to consider charging the ratepayer by weight/volume for the refuse in their green bin, rather than discourage those who wish to be environmentally responsible and recycle by slugging them with higher rates for their efforts?
- A4 Pay-by-weight systems are yet to meet the legal requirements for operation in Western Australia. They are also expensive to operate. Council has a range of environmentally responsible waste minimisation options under consideration.
- Q5 When is Wanneroo City Council going to reverse this revolting rubbish risk to resources, residents and ratepayers by reducing, reusing and recycling refuse?
- A5 Council's draft Strategic Plan includes the goal to prepare and implement an ecologically sustainable waste minimisation and recycling plan, including innovative community programmes. This was initiated in 1996 through contact with all identifiable stakeholders and articles in the Wanneroo Times inviting public participation.

A range of ideas is now being reviewed by a private consultant. The next stage, planned for late May, is to distribute information to residents on a broad range of options. This will allow informed public debate to assist in formulating a plan of action. This will then be considered by Council to determine its future strategy.

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

RE: LEGAL REPRESENTATION - [708-2]

Q1 At the March 1997 full Meeting, Council advised that to 25 March 1997, it had expended \$25,047; and was in receipt of other accounts rendered totalling \$42,104; re legal representation and related matters.

Would Council please provide specific and detailed updates of these figures, and any other relevant information it considers ratepayers should be openly appraised of?

A1 Expenditure to 22.4.97 is \$31,845. Other accounts received, but paid are:

Other Accounts	Original Account	Less to be Paid	
A Davidson	\$14,140	\$3,000	Held pending final report \$11,140.
C Edwardes	\$20,860		Held awaiting detailed costing.
A Robson, P Higgs	\$ 1,616		To be authorised for payment.
	\$36,616		

RE: TS6-02/97 - SALE OF FORD SEDAN - PLANT NO 99 956 - [507-1]

Q1 Is this vehicle a 1995 Ford Fairlane Ghia Sedan?

A1 Yes.

Q2 Was it previously on issue to former Town Clerk Coffey?

A2 Yes.

Q3 Is this the vehicle referred to in the Local Government Department's investigation report of the amendment of former Town Clerk Coffey's employment contract?

A3 Yes.

Q4 Is the vehicle fitted with an electric sun-roof?

A4 Yes.

Q5 Is the vehicle fitted with a tow pack?

A5 Yes.

Q6 What other accessories, options, extras etc are fitted?

A6 Sunroof, sun visor, tow pack, floor mats - front and rear carpet, front and rear mud spats, car alarm, window tinting, seat covers

Q7 What are the detailed costings at purchase, of all above fittings?

A7

	\$
Sunroof	1,601
Sun Visor	240
Tow Pack	313
Floor Mats F & R Carpets	75
Front and Rear Mud Spats	75
Car Alarm	395
Window Tinting	160
Seat Covers	650

Q8 Has the vehicle been disposed of? If so, when, to whom, and what were the nett proceeds to the City of Wanneroo?

A8 No

Q9 If the vehicle remains the property of the City, would Council please specifically detail what "arrangements are in hand to dispose of the vehicle for the highest possible price", as per advice of March 1997 for Council meeting?

A9 Trade on future Council purchase

Q10 When will those arrangements be put into full effect?

A10 After Council adoption of FA56-04/97

Q11 Was the vehicle presented for auction with a reserve price of \$35,000, in compliance with resolution of full Council meeting of 26 February 1997?

A11 Yes

Q12 What was the outcome of any such presentation?

A12 Vehicle was passed in

Q13 Was former Town Clerk Coffey paid \$38,500 in cash, by the City, in lieu of this vehicle?

A13 No. He salary sacrificed the \$38,500 to superannuation

Q14 How much (nett) does Council value the vehicle at, as of 23 April 1997?

A14

Purchase Price (including accessories)		\$31,665
Less Depreciation 1995/96	\$1,385	
1996/97	\$1,979	\$ 3,364
Written Down Value 30/4/97		\$28,301

Q15 What nett amount does the City need to realise for the vehicle to avoid incurring a loss?

A15 Had Mr Coffey taken the car on retirement (5 July 1996) Council would have been liable for sales tax of \$6,967.

The cost equation therefore would be:-

Cost of vehicle	\$31,665
Less Depreciation (7 months)	\$ 1,385
	\$30,280
Plus Sales Tax	\$ 6,967
Value for "Conversion" Purposes	\$37,247
Value Assigned	\$38,500
Short Fall	\$ 1,253

The net amount required for Council to 'break-even' is:

Shortfall	\$ 1,253
Written Down Value	<u>\$28,301</u>
	\$29,554

Q16 What contingency plans does Council have in place to recover any such loss/shortfall:

A16 No plan is in place at this stage.

Q17 What further information will Council openly provide re this matter, in the public interest?

A17 No further information should be required

Q18 If former Town Clerk Coffey was paid cash in lieu of the vehicle, did this arrangement create a consequent superannuation entitlement?

A18 No

Q19 If so, was that entitlement subsequently paid by the City of Wanneroo, and at what percentage rate?

A19 No applicable

The following questions were submitted by Mrs A Hine, in relation to the dwelling at Lot 560 Manakoora Rise, Sorrento:

Q1 In August 1996 the City of Wanneroo called in planning code expert "K A Adams and Associates" for his opinion on apparent discrepancies on the above home. His report later that month showed the following substantial discrepancies:

	<u>Required</u> <u>Setback-metres</u>	<u>Actual setback</u> <u>Discovered metres</u>	
<u>Upper Floor</u>			
North End	7.2	4.5	Why no action?
Central End	8.4	3.9	Why no action?
South End	7.6	3.9	Why no action?
<u>Mid Floor</u>			
North End	6.4	1.2	Why no action?
South End	7.0	1.2	Why no action?
<u>Basement</u>			
North End	1.75	1.0	Why no action?
South End	2.2	1.0	Why no action?

Why, with these discrepancies discovered, did the Council not call (at such an early stage) for the construction to be demolished or at least made it comply with the law?

Q2 In your chosen expert's words "This tabulation shows very significant discrepancies"

Again K A Adams states "the discrepancies between the setbacks required and those provided go well beyond what might be considered reasonable concessions under the discretionary powers given to the Council"

With such obvious errors - why have the Councillors and Council staff not acted on ensuring the building be made to comply, and the planning codes policed?

Why has it been left to the ratepayers to pay substantial amounts to show such discrepancies and staff show no concern for the substantial errors to be rectified?

- Q3 The same expert's report states "I am not aware whether or not Council sought the comments of adjoining owners and occupiers. This action would, in my opinion, be demanded in the circumstances."

The adjoining owners and nearby residents have consistently, not just waited to be consulted, but taken it upon themselves to regularly complain to the Council with no action taken by you.

Why isn't the Council assisting the ratepayers by policing the planning codes?

- Q4 Again the same expert states "The house appears also to contravene the Council's height policy. In terms of the measurement method set out in that policy the house appears to exceed the six metres height limit by about 2.67 metres.

In this instance why has the Council totally ignored the Council's requirements and not called for this home to be demolished or corrected?

- Q5 If the Council's motto is "Not for One But For All" isn't it odd that a past Councillor has been allowed to have a home constructed, according to your chosen expert "showing very significant discrepancies"?

- Q6 With such expert advice showing that the ratepayers concerns were correct, why did the Council lift the stop work order last year?

- Q7 Part of the lifting of this stop work order was that the western wall had to be dropped. From my information this has not happened - why not?

- Q8 The plans for this home were not approved at a full Council meeting (apparently only the retaining walls were approved at the full Council meeting).

Surely a home of this size and being constructed for a former Councillor would have warranted approval at a full Council meeting? Why wasn't it?

- Q9 Why, in respect of this home, is Councillor Hancock's call for a Public Inquiry being ignored?

Will in fact there be a full public Inquiry?

- Q10 As has been reported, compensation is to be paid to two adjoining owners, why instead hasn't the Council policed the law and insisted that the construction be demolished or made to fully comply with the planning requirements?

- Q11 With respect to such compensation, if this was decided some six months ago, why have the owners in question been made to use their own funds to make the Council aware of its incompetence and then be also made to wait such a long period of time before receiving such compensation?

Q12 Having a past Councillor (with development experience) and an experienced draftsman involved, isn't there some avenue to pursue reimbursement from these gentlemen for knowingly submitting plans with such discrepancies?

What action is being taken in this respect?

Q13 With all his wealth of past experience, can the CEO Mr Delahaunty, say that he has at all times handled this matter to the best of his ability?

In hindsight, would he still have lifted the stop work order six months ago?

Response by the Chief Executive Officer:

The Chief Executive Officer advised that in view of the fact there is pending legal action and continuing action, it was necessary to seek comments from Council's insurers and their legal advisers prior to answering the above questions, and the responses authorised by them are as follows:

The questions submitted by Mrs A Hine appear to be centred on earlier advice from K A Adams and Associates dated 9 August 1996 rather than the more recent advice dated 19 August 1996. The questions can be categorised into five basic issues which are addressed as follows:

- 1 The demolition option on legal advice, including Queens Counsel is that this option would be unlikely to succeed from a legal perspective and that a negotiated settlement should be pursued.
- 2 Council's legal and insurance advisers have been pursuing a negotiated settlement and are currently waiting a response. It would be inappropriate to respond until these negotiations are concluded.
- 3 An independent inquiry is underway and it would be inappropriate to comment at this stage.
- 4 The Stop Work Order did not deal with the "R" Code issues, therefore once the defects listed in the Stop Work Order were rectified the order was lifted on legal advice.
- 5 The CEO advises that by obtaining the best legal and technical advice available and submitting an immediate claim to the Council's insurance company the action was and still is the most appropriate to take on such matters in the interest of all concerned

CONFIRMATION OF MINUTES

C102-04/97 MINUTES OF COUNCIL MEETING, 26 MARCH 1997

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

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Nil

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Nil

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION**HERITAGE WEEK**

The City of Wanneroo highlighted three different aspects of its history during the recent Heritage Week celebration.

The first event was the opening of the City's first Historical Photographic Exhibition at Lakeside Joondalup Shopping Centre.

This inaugural competition attracted 80 entries covering four separate categories with the best in each one winning \$500.

The photographs will be on display at Lakeside for the rest of this week and the Mayor recommended that residents take time out to view the various interesting perceptions of our heritage.

Another chapter in the City of Wanneroo's drive to preserve its history was the opening of a trail called "Shipwrecks from Two Rocks to Marmion".

This provides information plaques on 15 shipwrecks at Two Rocks, Mindarie and Hillarys boat harbour, as well as three underwater sites where the Eglinton came to grief in 1852, the Centaur in 1874 and the Conference in 1904.

These prominent underwater shipwrecks were selected as safe and accessible dive sites and at each one of these there is a glass underwater information plaque about the ship.

Heritage Week culminated in our traditional Pioneers' luncheon where six more City of Wanneroo residents joined the select group of citizens who have lived 50 years of their adult life in the district.

PETITIONS, MEMORIALS AND DEPUTATIONS

C103-04/97

PETITION REQUESTING THE INSTALLATION OF TRAFFIC SPEED AND VOLUME REDUCTION DEVICES , GRADIENT WAY, BELDON - [510-1791]

A 91-signature petition has been received from Beldon residents requesting the installation of traffic speed and volume reduction devices in Gradient Way, Beldon in an attempt to control the traffic flow in this area.

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

MOVED Cr Lynn, SECONDED Cr Freame that the petition from Beldon residents requesting the installation of traffic speed and volume reduction devices in Gradient Way, Beldon in an attempt to control the traffic flow in this area be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

DEDICATION OF RAOUL WALLENBERG MEMORIAL PARK

Cr Freame advised she deputised for the Mayor at a City of Stirling function to dedicate a park to the memory of Raoul Wallenberg, to be known as the Raoul Wallenberg Memorial Park, situated on the corner of Alexander Drive and Wadsworth Avenue, Dianella.

Raoul Wallenberg assisted thousands of Jews escape Nazi Austria during the Second World War.

GREEK INDEPENDENCE DAY CEREMONY

Cr Freame deputised on behalf of the Mayor at the Greek Independence Day Celebrations and advised that Edward Lindsay Thomas of 2 Ardtalla Court, Duncraig was a recipient of the Greek Naval Cross for services provided during the 1942-45 conflict in Greece.

NORTH METROPOLITAN COLLEGE OF TAFE, CARINE

Cr Freame represented the Mayor at the North Metropolitan College of TAFE, Carine and presented the City of Wanneroo Scholarships.

C104-04/97

PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING DEVICES, FARRELL WAY, PADBURY - [510-792]

Cr Lynn tabled a 20-signature petition on behalf of residents of Padbury requesting the installation of traffic calming devices in Farrell Way, Padbury in an endeavour to address problems of both speed and traffic volumes associated with the "drop-off" and "pick-up" of children from South Padbury Primary School.

MOVED Cr Lynn, SECONDED Cr Freame that the petition from residents of Padbury requesting the installation of traffic calming devices in Farrell Way, Padbury be received and referred to Engineering Department for a report to Technical Services Committee.

CARRIED

JELLYBEAN CHILD CARE CENTRE, WARBURTON AVENUE, PADBURY - [303-9-0, 510-624]

Cr Lynn advised she has received a number of complaints in relation to the Jellybean Child Care Centre .

She reported it appears the Child Care Centre now has evening child care and is currently advertising weekend child care. In addition to this, Cr Lynn advised it was her belief the premises were being rented out for children's parties.

VOTE OF THANKS TO ENGINEERING DEPARTMENT

Cr Lynn thanked the Engineering Department on behalf of the residents of the RSL Village in Hillarys for the assistance which was given to the residents following the recent flooding at the Village on 5 April 1997.

C108-04/97 TRANSPORTATION - SENIOR CITIZENS - [870-1]

Cr Lynn requested that Council write a letter of support to the State Government on behalf of senior citizens living within the City of Wanneroo who will no longer be able to use their transport concession cards prior to 9.00 am daily.

Many of these elderly people are required to attend both hospital and doctors' appointments prior to 9.00 am and would be required to pay full fare on these occasions.

Cr Dammers requested Manager, Welfare Services to report to May Policy Committee meeting in relation to an appropriately worded letter in this regard.

MOVED Cr Lynn, SECONDED Cr Freame that Manager, Welfare Services submit a report to May Policy Committee on a suggested format for a letter of support to be forwarded to the State Government on behalf of senior citizens living within the City of Wanneroo in relation to the use of transport concession cards. CARRIED

C109-04/97 PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY - GAZELLE PLACE AND MARANGAROO DRIVE, MARANGAROO - [510-3275, 510-1403]

Cr Wight tabled a 17-signature petition from Marangaroo residents requesting Council to consider closing the pedestrian accessway between Gazelle Place and Marangaroo Drive, Marangaroo due to the anti-social behaviour of many of the people using the accessway.

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

MOVED Cr Lynn, SECONDED Cr Freame that the petition from Marangaroo residents requesting Council to consider closing the pedestrian accessway between Gazelle Place and Marangaroo Drive, Marangaroo be received and referred to Town Planning Department for action. CARRIED

C110-04/97 LETTER REQUESTING BEACH FRONT CAR PARK UPGRADE BETWEEN WESTVIEW BOULEVARD AND KEY WEST DRIVE, MULLALOO - [510-2260, 510-2190]

Cr Cooper tabled a letter from a concerned ratepayer in relation to the beach front car parks between Westview Boulevard and Key West Drive, Mullaloo. A copy of this was also tabled by Cr Ewen-Chappell.

The letter states residents are concerned at the anti-social behaviour from people using these car parks and request the car parking area in question be upgraded to the same standard as the parking area at Pinnaroo Point.

Cr Cooper advised that a study was being undertaken in relation to the area being bitumised and appropriate lighting being installed and requested an update on the progress of this study to date.

MOVED Cr Lynn, SECONDED Cr Freame that the letter in relation to the beach front car parks between Westview Boulevard and Key West Drive, Mullaloo be received and referred to Engineering Department to be considered in conjunction with the study currently being undertaken. CARRIED

C111-04/97 LETTER REQUESTING THE PROVISION OF CHANGEROOM/TOILET FACILITIES/OFF ROAD CAR PARKING AREAS - MULLALOO SURF LIFE SAVING CLUB AREA - [765-9-1]

Cr Cooper tabled a letter from an Ocean Reef resident requesting urgent consideration be given to allocating funds in the 1997/98 budget for the provision of changeroom and toilet facilities, including showers, for the area between the Mullaloo Surf Life Saving Club and the area bounded by the junction of Oceanside Promenade and Ocean Reef Road.

In addition to this, a request has been made to provide bitumised off roads and car parking areas along this same stretch of coastal area.

This letter will be referred to Building and Engineering Departments to be considered in conjunction with Item C110-04/97.

MOVED Cr Lynn, SECONDED Cr Freame that the letter requesting urgent consideration be given to allocating funds in the 1997/98 budget for the provision of changeroom and toilet facilities, as well as bitumised off roads and car parking for the area between the Mullaloo Surf Life Saving Club and the area bounded by the junction of Oceanside Promenade and Ocean Reef Road be received and referred to Building and Engineering Departments to be considered in conjunction with Item C110-04/97.

CARRIED

C112-04/97 LETTER SEEKING SERVICES OF A SECURITY GUARD AT SENIOR CITIZEN FUNCTIONS, BEAUMARIS COMMUNITY HALL - [340-4]

Cr Magyar tabled a letter from the Ocean Ridge Senior Citizens Club in relation to vandalism at the Beaumaris Community Hall, Ocean Reef. Whilst new lighting has been installed at the community hall, it has not been switched on, which causes serious security problems.

The Ocean Ridge Senior Citizens Club is seeking the services of a security guard at its monthly social evenings which are held from 7.45 pm to 11.30 pm to provide security for the senior citizens.

This letter will be referred to Municipal Law & Fire Services Department for a report to Finance and Community Services Committee.

MOVED Cr Lynn, SECONDED Cr Freame that the letter from the Ocean Ridge Senior Citizens Club seeking the services of a security guard at its monthly social evenings be received and referred to Municipal Law & Fire Services Department for a report to Finance and Community Services Committee. CARRIED

C113-04/97 WANNEROO SCOUTS ASSOCIATION - [441-1]

Cr Magyar advised he had been approached by the Wanneroo Scouts Association requesting that removable bollards be installed in front of the roller door at its facility due to vandalism problems they have experienced in the past.

MOVED Cr Lynn, SECONDED Cr Freame that the request from the Wanneroo Scouts Association to have removable bollards installed in front of the roller door at its facility be referred to Engineering Department for action. CARRIED

C114-04/97 PETITION OBJECTING TO THE CLOSURE OF BOTTLEBRUSH DRIVE, GREENWOOD - [510-0076]

A 3-signature petition has been received from residents of Cassia Street, Greenwood strongly objecting to the closure of Bottlebrush Drive, Greenwood.

The petitioners believe closing the street is not only a drastic step to take, but will also cause an inconvenience to many local residents who use the street on a daily basis and feel other improvements could be made to make Bottlebrush Drive safer.

This petition will be referred to Engineering Department for action.

MOVED Cr Lynn, SECONDED Cr Freame that the petition from residents of Cassia Street, Greenwood objecting to the closure of Bottlebrush Drive, Greenwood be received and referred to Engineering Department for action. CARRIED

C115-04/97 PETITION SUPPORTING CLOSURE OF BOTTLEBRUSH DRIVE, GREENWOOD - [510-0076]

A 107-signature petition has been received from residents of Greenwood supporting Council's proposal for the closure of Bottlebrush Drive, Greenwood.

This petition will be referred to Engineering Department for action.

MOVED Cr Lynn, SECONDED Cr Freame that the petition from residents of Greenwood supporting Council's proposal for the closure of Bottlebrush Drive, Greenwood be received and referred to Engineering Department for action. CARRIED

C116-04/97 PETITION REQUESTING THE IMPLEMENTATION OF RESIDENTIAL SECURITY PATROLS WITHIN THE CITY OF WANNEROO - [905-1]

A 961-signature petition has been received from Ocean Reef Residents Association Inc, on behalf of residents living within the City of Wanneroo; together with a 24-signature petition

tabled by Cr Lynn from residents of DunCraig and Hillarays requesting the implementation of residential security patrols within the City of Wanneroo.

Cr Lynn tabled a copy of a questionnaire, together with the statistics from the 2,390 replies received. The questionnaire related to the subject of law and order and was distributed throughout the South-West Ward.

95% of the replies received from residents were happy to pay a levy for the provision of a security patrol service.

These petitions will be referred to Municipal Law & Fire Services for a report to Finance & Community Services Committee.

MOVED Cr Lynn, SECONDED Cr Freame that the petitions together with questionnaire and replies in relation to the implementation of residential security patrols within the City of Wanneroo be received and referred to Municipal Law & Fire Services for a report to Finance and Community Services Committee. CARRIED

C117-04/97 **PETITION SEEKING THE RESTORATION OF ENTRANCE AND PARK AREA, FOUNDATION PARK, QUINNS ROCKS - [3936/321/29, 061-461]**

A 188-signature petition has been received from residents of Norfolk Estate, Quinns Rocks seeking the restoration of the fountain at the entrance of the Estate and maintenance of the park to the condition it was at the time the land was made available for sale.

The petitioners state the area in question has become particularly untidy and unattractive and would like to see it restored to its previous condition. In an attempt to achieve this, the petitioners request:

- 1 restoration of a heavier duty fountain structure;
- 2 placement of vandal proof security fencing around the fountain area.

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

MOVED Cr Lynn, SECONDED Cr Freame that the petition from residents of Norfolk Estate, Quinns Rocks seeking the restoration of the fountain at the entrance of the Estate and maintenance of the park be received and referred to Parks Department for a report to Technical Services Committee. CARRIED

C118-04/97 **PETITION OPPOSING THE USE OF PERFORMING ANIMALS IN CIRCUSES - [260-8]**

A 131-signature petition has been received from Animal Liberation (WA) opposing the use of performing animals in circuses because:

- the natural instincts of circus animals are frustrated when they are forced to spend their lives in cages or chains;

- the constant transporting of the animals is a cause of distress;
- most of the animals involved are required to complete physical programmes which are quite unnatural for them.

Animal Liberation (WA) drew attention to the advertising campaign currently being run by the RSPCA in banning circuses and requested that Council reconsider putting a ban in place on the use of Council land for the staging of circuses.

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

MOVED Cr Lynn, SECONDED Cr Freame that the petition from Animal Liberation (WA) opposing the use of performing animals in circuses being permitted to use Council land be received and referred to Recreation and Cultural Services Department for action. CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

- A GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE
Meeting held 12 March 1997

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

ADVISORY COMMITTEES

- A FAMILY DAY CARE ADVISORY COMMITTEE
Meeting held 26 February 1997
- B WANNEROO EISTEDDFOD ADVISORY COMMITTEE
Meeting held 27 February 1997

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

OTHER COMMITTEES

- A GIRRAWHEEN/KOONDOOLA RECREATION ASSOCIATION (INC)
Meeting held 21 January 1997
- B YANCHEP TWO ROCKS RECREATION ASSOCIATION INC
Meeting held 3 March 1997
- C 19TH LOTTERIES HOUSE STEERING COMMITTEE
Meeting held 19 March 1997

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

DECLARATIONS OF FINANCIAL INTEREST

Cr Freame declared an interest in Item P36-04/97 as she is involved in child care.

In relation to Item TS112-04/97, Cr Popham wished it recorded that he is the President of the P & F Association at St Stephen's School.

In relation to Item FA56-04/97, Cr Taylor wished it recorded that he may place a tender for this vehicle at the appropriate time.

Mr J B Turkington, City Treasurer declared an interest in Item FA44-04/97 as he is a Board Member of Municipal Workcare.

Cr Magyar declared an interest in C130-04/97 as he had been nominated for consideration of appointment to the position of WAMA member, WA Bicycle Committee.

Mr W D Duffy declared an interest in Item C131-04/97, as he is a landowner representative on the Wanneroo Groundwater Advisory Committee.

BUSINESS REQUIRING ACTION

C119-04/97 POLICY COMMITTEE

MOVED Cr Lynn, SECONDED Cr Wight that the Report of the Policy Committee Meeting held on 7 April 1997 be received.

CARRIED**ATTENDANCES**

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	L O'GRADY	North Ward
	L A EWEN-CHAPPELL - to 1920 hrs	Central Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward
	A W WIGHT	South Ward
	A G TAYLOR - Deputising for Cr Duffy to 1957 hrs and from 2001 hrs	South Ward
	B A COOPER - Observer, Deputising for Cr Ewen-Chappell from 1920 hrs	Central Ward
	S P MAGYAR - Observer from 1810 hrs	Central Ward
	T W POPHAM - Observer	South Ward
	D K TIPPETT, JP - Observer from 1903 hrs; Deputising for Cr Duffy from 1957 hrs to 2001 hrs	South Ward
	V G HANCOCK - Observer; Deputising for Cr Freame from 1958 hrs to 2000 hrs	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Planner:	O G DRESCHER
City Treasurer:	J TURKINGTON
City Building Surveyor:	R FISCHER
Acting City Parks Manager:	D CLUNING
Executive Officer:	P A HIGGS
Committee Clerk:	J AUSTIN

APOLOGIES

An apology for absence was tendered by Cr Duffy; Crs Taylor and Tippett deputised.

An apology for absence was tendered by Cr Lynn.

DECLARATIONS OF FINANCIAL INTEREST

Cr Freame declared an interest in Item P36-04/97 as she is involved in Child Care.

CONFIRMATION OF MINUTES

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

PETITIONS AND DEPUTATIONS

Nil

MEETING TIMES

Commenced: 1804 hrs

Closed: 2034 hrs

REPORT NO:**P29-04/97 CODE OF CONDUCT - [312-2]**

At its meeting on 25 September 1996 Council resolved to establish a Working Party comprising the Deputy Mayor, Cr Freame, Cr Popham and the Executive Officer, to develop a draft Code of Conduct. The Working Party has completed its task and the draft Code has been circulated for comment by Councillors, Department Heads and staff.

This report summarises the main features of the draft Code, considers the comments received in relation to the draft, and presents the revised draft Code for adoption.

RECOMMENDATION that Council adopts the Code of Conduct forming Attachment 1 to Report P29-04/97, subject to the following amendments, such Code having immediate application:

- 1 Page 6: "Gifts, Donations and Bribery" - all reference to "\$100" be amended to "\$500" or such other amount as prescribed by Regulation from time to time;
- 2 Page 6: "Voluntary Disclosure of Election Campaign Contributions" - 1st sentence be amended to read: "In the interests of uncompromised decision making, the Council invites successful election candidates to disclose all contributions of any kind made, and all contributors, to their election campaign where such contribution exceeds \$500;
- 3 Page 7: "Respect for Title of Office: "Councillors, Committee members and staff shall respect the title of elected office, referring to the Mayor and Councillors by their formal title whilst in the public arena, and thereafter as circumstances dictate";
- 4 Page 8: "Honesty and Integrity" - Point 2(d) be amended to read "endeavour to resolve serious conflict";
- 5 Page 6: "Gifts, Donations and Bribery" - Paragraph 5 be amended to read: "no hospitality of any kind shall be accepted if the Councillor or staff member is aware that a company or individual has an application before Council or is under consideration for a contract".

MOVED Cr Magyar, SECONDED Cr O'Grady that Council adopts the Code of Conduct forming Attachment 1 to Report P29-04/97, subject to the following amendments, such Code having immediate application:

- 1 Page 6: "Gifts, Donations and Bribery" - all reference to "\$100" be amended to "\$200";

- 2 Page 6: “Voluntary Disclosure of Election Campaign Contributions” - 1st sentence be amended to read: “In the interests of uncompromised decision making, the Council invites successful election candidates to disclose all contributions of any kind made, and all contributors, to their election campaign where such contribution exceeds \$200;
- 3 Page 7: “Respect for Title of Office: “Councillors, Committee members and staff shall respect the title of elected office, referring to the Mayor and Councillors by their formal title whilst in the public arena, and thereafter as circumstances dictate”;
- 4 Page 8: “Honesty and Integrity” - Point 2(d) be amended to read “endeavour to resolve serious conflict”;
- 5 Page 6: “Gifts, Donations and Bribery” - Paragraph 5 be amended to read: “no hospitality of any kind shall be accepted if the Councillor or staff member is aware that a company or individual has an application before Council or is under consideration for a contract”.

CARRIED

Appendix I refers

P30-04/97 POLICY MANUAL REVIEW - LIBRARY AND PARKS DEPARTMENTS - [200-0]

Council is currently undertaking a review of its policy manual. Libraries and Parks have completed the review of their policies and the amendments are submitted for consideration.

At the Policy Committee meeting, the following comments were raised:

- Policy P2: Christmas Trees on Council Reserves - Cr Ewen-Chappell raised her concern at the poor standard of Christmas trees provided over the last Christmas period as compared with previous years. Cr Dammers believed costs should be provided showing comparison between old and current system of providing Christmas decorations.
- Policy P11: Median and Road Reserve Landscaping Undeveloped Future Road Reserves - Cr Magyar raised his concern at the protection of wildlife. It was recommended that the Objective of the Policy be amended to read: “To visually enhance or protect areas of selected road reserves.....”
- Policy P14: Reticulation - Cr Cooper referred to dry parks and believed the whole issue of reticulation required attention.

REPORT RECOMMENDATION That Council:

- 1 repeals policies H6-02, H6-03, H6-04, H6-05, H6-06, H6-07, H6-09, H6-10, H6-11, H6-12, H6-13, H6-14, H6-15, H6-16, H6-17, H6-18, H6-19, H6-20, H6-21, H6-22, H6-23, H6-24, H6-25, H6-26, H6-27, H6-28, H6-29, H6-30, H6-31, H6-

3, H4-01, H4-02, H4-03, H4-04, H4-05, H4-06, H4-07, H4-09, H4-10, H4-11, H4-12, H4-13, H4-14, H4-15, H4-16, H4-17, H4-18, H4-19,

- 2 adopts new policies L1, L2, L3, L4, L5, L6, L7, P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, P11, P12, P13, P14, P15, P16, P17, P18, P19, as documented in the attachment to Report P30-04/97.

COMMITTEE RECOMMENDATION That Council:

- 1 repeals policies H6-02, H6-03, H6-04, H6-05, H6-06, H6-07, H6-09, H6-10, H6-11, H6-12, H6-13, H6-14, H6-15, H6-16, H6-17, H6-18, H6-19, H6-20, H6-21, H6-22, H6-23, H6-24, H6-25, H6-26, H6-27, H6-28, H6-29, H6-30, H6-31, H6-3, H4-01, H4-02, H4-03, H4-04, H4-05, H4-06, H4-07, H4-09, H4-10, H4-11, H4-12, H4-13, H4-14, H4-15, H4-16, H4-17, H4-18, H4-19,

- 2 amends P11 to include after “visually enhance” the words “or protect”;

- 3 adopts new policies L1, L2, L3, L4, L5, L6, L7, P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, P11 (amended as above), P12, P13, P14, P15, P16, P17, P18, P19, as documented in the attachment to Report P30-04/97.

MOVED Cr Magyar, SECONDED Cr O’Grady that Policies P3 and P11 be deferred for further consideration.

Discussion ensued. Cr Magyar, with the approval of Cr O’Grady, advised he wished to have the motion

WITHDRAWN

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

- 1 repeals policies H6-02, H6-03, H6-04, H6-05, H6-06, H6-07, H6-09, H6-10, H6-11, H6-12, H6-13, H6-14, H6-15, H6-16, H6-17, H6-18, H6-19, H6-20, H6-21, H6-22, H6-23, H6-24, H6-25, H6-26, H6-27, H6-28, H6-29, H6-30, H6-31, H6-3, H4-01, H4-02, H4-03, H4-04, H4-05, H4-06, H4-07, H4-09, H4-10, H4-11, H4-12, H4-13, H4-14, H4-15, H4-16, H4-17, H4-18, H4-19,

- 2 amends P11 to include after “visually enhance” the words “or protect”;

- 3 adopts new policies L1, L2, L3, L4, L5, L6, L7, P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, P11 (amended as above), P12, P13, P14, P15, P16, P17, P18, P19, as documented in the attachment to Report P30-04/97;

- 4 reviews Policies P3 and P11 within a one year period.

CARRIED

P31-04/97 **LEGAL REPRESENTATION FOR COUNCILLORS AND STAFF -
INQUIRY INTO THE CITY OF WANNEROO - [702-8]**

At the Council meeting held on Wednesday, 26 March 1997 Councillor Popham requested the Policy for Legal Representation for present and former Councillors and staff of the City (A2-12) be listed on the agenda for the Policy Committee.

At the Policy Committee meeting, Cr Popham stated he had been under the impression that the figure of \$3,000 for legal representation was to be the limit for the whole of the Inquiry and asked Councillors for their views in this regard. The Chief Executive Officer reminded Councillors that exemption had been given by the Minister for Local Government to enable Councillors to discuss this policy on previous occasions, and stated that any Councillor who considered they may have a financial interest in this item should be aware of this fact before entering into the debate.

MOVED Cr Lynn, SECONDED Cr Wight that the Chief Executive Officer immediately seeks an exemption from the Minister for Local Government to allow discussion in relation to Legal Representation.

CARRIED

P32-04/97 MOBILE TELEPHONES - [320-5]

In March 1997 Council considered additional facilities for Councillor mobile phones. There are two facilities that have been investigated including installation of a hands free kit and messaging facilities. It has been suggested that additional information on these options be provided.

RECOMMENDATION That Council:

- 1 allows Councillors the options of having a mobile phone hands free kit installed in their vehicles. A hands free kit will not be installed in the last six months of a Councillors term and Councillors will be responsible for any costs incurred in transferring the mobile phone equipment to another vehicle;
- 2 allows Councillors the option of having Memo or Message Bank facilities connected to their Council mobile telephone;
- 3 authorises, BY ABSOLUTE MAJORITY, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995 the over budget expenditure of \$3 000 from Account 20081 (Members - Furniture and Office Equipment) to facilitate the installation of mobile telephones in Councillors vehicles;
- 4 seeks a further report regarding a Councillors' equipment policy.

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

- 1 allows Councillors the options of having a mobile phone hands free kit installed in their vehicles. A hands free kit will not be installed in the last six months of a Councillor's term. A Councillor will be eligible for the transfer of the mobile phone equipment to another vehicle once every two years;
- 2 allows Councillors the option of having Memo or Message Bank facilities connected to their Council mobile telephone;

- 3 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995 the over budget expenditure of \$3 000 from Account 20081 (Members - Furniture and Office Equipment) to facilitate the installation of mobile telephones in Councillors vehicles;
- 4 seeks a further report regarding a Councillors' equipment policy.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**P33-04/97 DISTRIBUTION OF COUNCIL MINUTES TO INDIVIDUALS
AND ORGANISATIONS - [702-3, 702-0]**

At its meeting of 23 October 1996, Council amended its policy A1-01 Availability of Council Minutes to provide for the charging of a fee for the distribution of Council Minutes. (Item P100-10/96 refers).

The following charges, which are based on actual costs, were approved to take effect from 1 January 1997 :

Supply of Minutes in hard copy	\$15.00
Supply of Minutes on computer disc	\$ 4.00

MOVED Cr Lynn, SECONDED Cr Wight that Council does not amend its policy A1-01 Availability of Council Minutes to provide a subsidised minute distribution service to community organisations.

CARRIED

P34-04/97 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 not involve an interest that should be declared. However the 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.

RECOMMENDATION That Council notes the legal advice which in summary indicates:

- 1 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 ;

- 2 If Council requests a Councillor to attend a conference and directly pays the air fare and registration fee, the Councillor is not classed as receiving a financial benefit which needs to be declared ;
- 3 where a Councillor, for his or her own purpose, applies for the City to pay costs towards attending a conference, it would be appropriate for that Councillor to declare a financial interest.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 notes the legal advice which in summary 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) If Council requests a Councillor to attend a conference and directly pays the air fare and registration fee, the Councillor is not classed as receiving a financial benefit which needs to be declared ;
 - (c) where a Councillor, for his or her own purpose, applies for the City to pay costs towards attending a conference, it would be appropriate for that Councillor to declare a financial interest;
- 2 seeks further legal advice to clarify Councillors' obligation to disclose a financial interest on matters related to outside boards/committees to which they have been appointed by Council. **CARRIED**

P35-04/97 EMPLOYEE ASSISTANCE PROGRAMME (EAP) - [404-0]

At its meeting of 27 March 1996 Council agreed to adopt an Employee Assistance Programme (EAP). It agreed that Programs Assisting Companies and Employees (PACE WA) be appointed to provide the programme for up to 18 months but that the programme be reviewed and a report submitted to Council after one year of operation.

MOVED Cr Lynn, SECONDED Cr Wight that Council endorses the continuation of the Employee Assistance programme. **CARRIED**

P36-04/97 CHILD CARE CENTRES POLICY - [702-1]

In April 1996 Council resolved (P31-04/96) to adopt a draft Planning Policy relating to Child Care Centres. The draft policy was advertised for comment up to and including 12 June 1996. No submission was received by that date, however, one submission was received on 20 June 1996 and another on 21 June 1996. There was also an omission from the policy that required attention.

In July 1996 Council resolved to defer consideration of this policy (P68-07/96). Since that time two further submissions have been received. The draft policy is recommended for final adoption and modifications proposed to the wording and signage provisions.

Cr Freame declared an interest in this item as she is involved in Child Care. Cr Freame left the Chamber at this point, the time being 2025 hrs.

MOVED Cr Cooper, SECONDED Cr Healy that Council, in accordance with Clause 5.11 of Town Planning Scheme No 1:

- 1 finally adopts the policy relating to Child Care Centres attached to Report P36-04/97 and includes it in Council's Policy Manual;**
- 2 adopts and advertises for public comment the following draft modification to the Child Care Centres Policy:**
 - (a) inserts the words "School site" after Consulting Rooms in Point A.2;
 - (b) inserts the words "and maintained" after reticulated in Point D.2; and;
 - (c) inserts the words "or on Local Distributors in close proximity to District Distributors" after through traffic in Point A.1.
 - (d) inserts the following:

A3. EXISTING CHILD CARE CENTRES

When submitting an Application for Approval to Commence Development for a new child care centre, the proponents should demonstrate their awareness of the number, size and location of existing or approved centres within the locality.

- (e) **deletes Point E.2 and replaces it with the following:**

Approved Child Care Centres can display only one advertising sign approved by the City Building Surveyor. The maximum lettering height is 20cm. Where letters or numerals are individually fixed to walls, the colours and materials shall be approved by the Chief Executive Officer. Where signboards are used the board shall not exceed 50cm in height and 100cm in length, and lettering shall be black on a gold/bronze background. Signs shall not be illuminated

after 8.00pm each night.

- 3 subject to no adverse comment being received, finally adopts the policy without modification. **CARRIED**

Appendix II refers

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

P37-04/97 ELECTRIC FENCES IN AREAS ZONED SPECIAL RURAL - [2358/162/32, 210-0]

At its meeting on 27 November 1996, Council deferred consideration of an electric fence installed on a Special Rural zoned property (TS329-11/96 refers) and requested a review of its policy on electric fences on special rural property.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 seeks a report to amend Council's Local Law relating to Fences and Private Tennis Court Floodlighting that:
- (a) allows security type electric fences in areas zoned as Commercial and Industrial under the Town Planning Scheme;
 - (b) allows electric stock control fences in areas zoned Rural and Special Rural under the Town Planning Scheme.

Such fencing to be designed, constructed and maintained in accordance with AS1329-1989 and AS/NZS3016:1994.

- 2 advises the owners of Lot 162 (32) Springbank Trail, Neerabup that:
- (a) it will approve the electric fence subject to the submission of the agreement of the adjoining owners to the attachment of the electric fence to the dividing fence;
 - (b) failure to obtain the adjoining owners approval means that the electric fence should be removed from the dividing fence;
 - (c) it will approve the erection of an electric fence designed to control stock in compliance with AS1329-1989 and AS/NZ 3016:1994 providing it is located 1000mm away from the dividing fence.

CARRIED

GENERAL BUSINESS ITEMS - [702-0]

Cr Dammers asked Councillors to consider raising items of General Business at the appropriate committees.

APPRECIATION DINNER - [702-0]

Cr O'Grady raised her concerns at the arrangements being made for the appreciation dinner for retiring Department Heads. Cr Dammers advised that arrangements had not been finalised and suggested that any Councillor who wished to make changes to the arrangements should raise the matter at the April Council meeting.

STANDING COMMITTEES - [702-3]

Cr Freamer queried whether name changes would be required to be made to Standing Committees, to bring in line with proposed new Directorates and requested a report on this matter.

MEETING PROCEDURES - SHIRE OF SWAN - [702-0]

Cr Popham advised he had attended Council meetings at the Shire of Swan. He stated that this Shire held two briefing sessions and two Council meetings per month and queried whether consideration could be given to Wanneroo Council holding similar meetings.

LEGAL REPRESENTATION - [702-0]

Cr Taylor queried whether consideration could be given to law firms establishing in Joondalup handling work for Council. The Chief Executive Officer advised that documentation was being prepared for submission to Council relating to the calling of tenders for legal work.

CONDOLENCES - GLENNON FAMILY - [702-0]

Cr Hancock requested a Sympathy Card be sent to the Glennon Family, on the recent loss of their daughter, Ciara.

FLOODING OF PROPERTIES - [506-1]

Cr Magyar raised the issue of flooding of properties, due to recent heavy rains, and requested consideration be given to resolving this ongoing problem. Cr Dammers advised a report was being prepared for submission to Council.

C120-04/97 TECHNICAL SERVICES COMMITTEE

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that the Report of the Technical Services Committee Meeting, held on 9 April 1997, be received. **CARRIED**

ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	P O HEALY	North Ward
	A G TAYLOR	South Ward
	T W POPHAM - From 1827 hrs	South Ward
	V G HANCOCK	South-West Ward
	G A MAJOR - From 1808 hrs	South-West Ward
	A W WIGHT - Observer, Deputising for Cr Popham to 1827 hrs	South Ward
	F D FREAME - Observer, Deputising for Cr Major to 1808 hrs	South-West Ward
	L O'GRADY - Observer	North Ward
	B A COOPER - Observer from 1812 hrs	Central Ward
	S P MAGYAR - Observer	Central Ward
	D K TIPPETT, JP - Observer from 1856 hrs	South Ward

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

APOLOGIES

Apologies for absence were tendered by Crs Dammers and Lynn.

Apologies for late attendance were tendered by Crs Tippett and Popham.

PUBLIC/PRESS ATTENDANCE

There were 10 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

Nil

DECLARATIONS OF FINANCIAL INTEREST

In relation to Item TS112-04/97 at the Technical Services Committee meeting, Cr Popham wished it recorded that he is the President of the P & F at St Stephen's School.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 12 MARCH 1997

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

PETITIONS AND DEPUTATIONS

DEPUTATION - WANNEROO AGRICULTURAL SOCIETY

Messrs Carstairs, Crisafulli and Marinovich and Ms Cockman from the Wanneroo Agricultural Society addressed the Committee in relation to the Wanneroo Showgrounds.

Mr Carstairs referred to documents distributed to the Committee by Cr Healy, which outlined the history relating to the Society's use of the Wanneroo Showgrounds - refer Appendix I.

He believed that this issue had been wrongly presented by the press in a recent edition of The Wanneroo Times and wished to put forward a factual history of the Wanneroo Show and Showgrounds and reasons why the Society were allowed free use of the grounds with no impediments.

Mr Crisafulli briefly outlined points raised in the documents regarding use by the Society of the Wanneroo Showgrounds and believed that although not put in writing, a gentleman's agreement had been reached concerning the Society's right to use the Showgrounds.

Mr Marinovich then commented on the running of the Show, clean up following the Show and Council's involvement with regard to maintenance and preparation for the Show.

In conclusion, Ms Cockman advised that the Wanneroo Agricultural Society had been working in conjunction with Council for many years and she believed it was unfortunate that the article referred to had appeared in the paper.

Following questions from Councillors, the Chairman thanked the deputation for addressing the Committee.

DEPUTATION - TRAFFIC ISLANDS - MANAKOORA RISE, SORRENTO

Mr Kevin Gray and Mr Brian Meade of Manakoora Rise, Sorrento addressed the Committee in relation to Traffic Islands - Manakoora Rise, Sorrento - Item B35-04/97 refers.

Mr Gray outlined reasons why residents of Manakoora Rise contracted for the removal of traffic islands without Council authorisation, namely:

- Restricted access to properties;
- Vehicles travelling on the wrong side of the islands;
- Residents concern with safety.

He advised that residents of the street had been disturbed by the presence of the islands and following canvassing of the residents regarding a proposal to remove the islands, no objections had been received.

Mr Gray believed that the request by Council to reinstate the islands would not be supported by residents and suggested that a meeting be arranged with all interested residents and a senior engineer to resolve this issue.

Mr Gray submitted a 15-signature petition and various correspondence in support of the removal of the traffic islands.

Mr Meade commented that the islands had been very long, denying access to various driveways and advised that he had observed cars travelling on the wrong side of the road at speed, thereby causing a dangerous situation.

He suggested that speed bumps or a roundabout be installed instead of the reinstatement of the traffic islands to assist in traffic calming.

Following questions from Councillors, the Chairman thanked the deputation for addressing the Committee.

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES:

Commenced: 1804 hrs

Closed: 2123 hrs

REPORT NO:

TS107-04/97 **LIGHT VEHICLE REPLACEMENT PROGRAMME - PLANT
REPLACEMENT RESERVE TENDER NUMBERS 151-154-96/97 -
[208-151-154-96/97]**

Council approved in the 1996/97 Budget, a Light Vehicle Replacement Programme to be funded from the Plant Replacement Reserve.

This report addresses a number of tenders for various light vehicles.

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

- 1 accepts Tender Number 151-96/97 from Skipper Trucks for the supply of nine Mitsubishi Canter, 3 tonne forward control trucks for the changeover price of \$116,943.00;
- 2 accepts Tender Number 152-96/97 from Skipper Trucks for the supply of a Mitsubishi FG637C6, 4WD Truck for the changeover price of \$19,363.00;
- 3 does not accept the submission for Tender Number 153-96/97 and defers the replacement of the four Toyota Landcruiser fire unit (plant numbers 95079, 95080, 95088 and 95089) to the 1997/98 Light Vehicle Replacement Programme with tenders to be called in July 1997;
- 4 makes suitable allowance in the 1997/98 Vehicle (Additional) Purchases Programme to fund the shortfall in the Light Replacement Programme for the replacement of the four Toyota Landcruiser fire units;
- 5 accepts Tender Number 154-96/97 from Midway Ford for the supply of a Ford Courier 4WD crew cab utility for the changeover price of \$4,168.00;
- 6 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995 the reallocation of \$468.00 from Account No 21400 - Patrol Services to Account No 21588 - Wanneroo Voluntary Emergency Services to part fund the purchase of a Ford Courier 4WD crew cab utility.

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS108-04/97 **CAPITAL PURCHASES - PLANT ADDITIONAL - TENDER NO:
156-96/97 - RIDE ON ROTARY MOWER - [208-156-96/97]**

Council approved funds in the Capital Purchases - Additional Plant Programme for the purchase of a 1300mm ride-on rotary mower with high lift catcher attachment.

This report outlines the submissions for Tender No: 156-96/97 and recommends Rover Mowers Pty Ltd for the supply of a Toro Groundsmaster 223-D model mower.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that Council accepts Tender No 156-96/97 from Rover Mowers Pty Ltd for the supply of one (1) Toro Groundsmaster Model 223-D ride-on rotary mower for the price of \$21,127.00. **CARRIED**

TS109-04/97 **VEHICLE AND PLANT PURCHASES - TENDER NUMBER 157-96/97 TWO, 8 TONNE FULL FORWARD CONTROL TIP TRUCKS WITH CRANE ATTACHMENT - [208-157-96/97]**

Council approved funds in its 1996/97 Plant Replacement Programme for the replacement of a number of trucks used in the refuse collection services.

This tender is for two (2) 8 tonne tipper trucks with loading cranes for use in the bulk rubbish collection. This report addresses submissions for Tender No: 157-96/97 and recommends the low tender of Prestige Hino for the supply of two (2) Hino Ranger 9 FG1JJKD manual trucks fitted with Fassi F70.22 knuckleboom cranes for the changeover price of \$222,792.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that Council accepts Tender No: 157-96/97 from Prestige Hino for the supply of two (2) Hino Ranger 9 FG1JJKD Manual trucks fitted with a Fassi F70.22 knuckleboom crane and log grapple for the changeover price of \$222,792 including trades. **CARRIED**

TS110-04/97 **SIDE LOADING DOMESTIC REFUSE TRUCKS -TENDER NUMBER 158-96/97 - [208-158-96/97]**

Council approved, at its February 1996 meeting, the calling of tenders in March 1997 for the replacement of domestic refuse collection trucks scheduled in the 1997/98 replacement programme.

Tender Number 158-96/97 was called for the replacement of six domestic refuse collection trucks and this report details the evaluation of the submissions.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that Council accepts the following submissions as part of Tender Number 158-96/97:

- 1 Skipper Trucks for four (4) International ACCO 2350G/250 trucks with Tusk compactor bodies and one International ACCO 2350G/250 truck in 6x2 configuration with Tusk compactor body and trading plant numbers 96579 and 96581, for a changeover price of \$891,860;
- 2 Diesel Motors for one Freightliner FL80 with McDonald Johnston compactor body and trading plant number 96577 for a changeover price of \$164,290;
- 3 Alvito Pty Ltd trading as Stampalia Contractors for the outright purchase of plant numbers 96571 and 96574 for a total of \$114,000;
- 4 National Waste Removals for the outright purchase of plant number 96572 for a total of \$56,000. **CARRIED**

**TS111-04/97 PLANT PURCHASES - PLANT REPLACEMENT RESERVE -
TENDER NUMBERS: 159 - 163 -96/97 - [208-159-163-96/97]**

As part of the 1996/97 budget, Council approved a Plant Replacement Programme funded from the Plant Replacement Reserve and a Plant (Additional) Purchases Programme funded from Municipal funds.

This report outlines submissions for a number of tenders for various items of plant.

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

- 1 accepts Tender Number 159-96/97 from Tutts for the supply of two Mustang 2040 skid steer loaders for the changeover price of \$56,626;
- 2 accepts Tender Number 160-96/97 from Alroh Turf Machinery Services Pty Limited for the supply of a Gallagher Flaul/Vertimower with modifications to the collection trailer and provision of heavy duty flails with hard faced vertiblades for the changeover price of \$15,134;
- 3 authorises, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the reallocation of \$428 from Account Number 29393 Plant Additional Purchases - Public Parks, Gardens and Reserves to Account Number 29389 - Plant Replacement Programme - Public Parks, Gardens and Reserve to part fund the purchase of the Gallagher Flail/Vertimower with modifications;
- 4 accepts Tender Number 161-96/97 from Tutts for the supply of a Mustang 2060 skid steer loader for the changeover price of \$24,963;
- 5 accepts Tender Number 163-96/97 from Tutts Tat Hong for the supply of a Mitsubishi MG130 grader for the changeover price of \$119,250.00;
- 6 accepts Tender Number 162-96/97 from Tutts Tat Hong for the supply of a Sumitomo SH200 Excavator with optional extras to the value of \$6,750 for the changeover price of \$109,940;
- 7 accepts the 5% discount offer from Tutts Tat Hong to the value of \$15,538.95 for the purchase of the excavator, grader and three skid steer loaders.

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS112-04/97 ENGINEERING CURRENT WORKS - [220-0]

The Engineering Department Current Works report is valid for works during the period ending 26 March 1997.

At the Technical Services Committee meeting, Cr Ewen-Chappell referred to Item 4.6 on page 22 to Report TS112-04/97 and requested that traffic calming at the Hartman Drive/Gnangara Road intersection be investigated as she believed this to be a dangerous section of road.

The City Engineer advised that this matter was being investigated.

Cr Popham declared an interest in this item as he is the President of the P & F at St Stephen's School. Cr Popham left the Chamber at this point, the time being 2027 hrs.

MOVED Cr Taylor, SECONDED Cr Ewen-Chappell that Council receives the report on the Engineering Department Current Works. CARRIED

Cr Popham entered the Chamber at this point, the time being 2028 hrs.

TS113-04/97 BARRIDALE DRIVE - DRAFT TRAFFIC MANAGEMENT SCHEME - [510-1258]

In February 1997 an Information Sheet was circulated to residents of Barridale Drive giving details of a proposed draft Traffic Management Scheme. The scheme has been well accepted by the residents. Funding for this scheme is proposed to be listed in the draft 1997/98 Budget.

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

- 1 adopts the draft Traffic Management Scheme for Barridale Drive as shown on Attachment 1 to Report No TS133-04/97;**
- 2 lists the Traffic Management Scheme for Barridale Drive as a high priority in the draft 1997/98 Budget. CARRIED**

Appendix III refers

TS114-04/97 WELFARE SERVICES ADMINISTRATION CENTRE, MERRIWA - ROAD ACCESS TO CAR PARK - [890-16, 510-3468]

The car park at the rear of the Jenolan Way Welfare Services Administration Centre was constructed as part of the Building Project on the basis that access would be available from Deepwater Circuit. Deepwater Circuit is a future proposed subdivisional road but no firm timetable has been established for its construction.

A number of options on providing access to the Centre's car park have been evaluated and it is proposed that Council prefunds a minimum pavement standard for Deepwater Circuit.

REPORT RECOMMENDATION: THAT Council:

- 1 approves the prefunding of the construction of Deepwater Circuit to a limestone standard with a dust suppressant to provide access to the rear car park of the Welfare Services Administration Centre, Merriwa;**
- 2 enters into a binding legal agreement with Smith Corporation on:**

- (a) recouping the actual construction costs for the limestone pavement and associated fees for survey, contract administration and dedication of Deepwater Circuit with payment effective at clearance of title of the respective adjoining lots being developed or subdivided;
 - (b) the upgrading of the limestone pavement of Deepwater Circuit to a standard residential subdivision road prior to clearance of the title of the adjoining lots being developed or subdivided;
- 3 authorises Smith Corporation to call and administer tenders for the limestone pavement construction of Deepwater Circuit;
 - 4 authorises, BY AN ABSOLUTE MAJORITY, in accordance with the provision of Section 6.8(1) of the Local Government Act 1995 the unbudgeted expenditure of \$33,000 for the construction of a limestone pavement in Deepwater Circuit to provide access to the rear car park of the Welfare Services Administration Centre, Merriwa;
 - 5 recognises the funding of this project is by savings generated on the Building Capital Project - Account No 50575.

COMMITTEE RECOMMENDATION That Council defers consideration of approving the prefunding of the construction of Deepwater Circuit, Merriwa to the Council meeting to be held on 23 April 1997, pending further negotiations being conducted with the Smith Corporation on funding options.

ADDITIONAL INFORMATION

At the April 1997 Technical Services meeting (Item TS114-04/97 refers), it was recommended to defer consideration of approving the pre-funding of the construction of Deepwater Circuit, Merriwa to the Council meeting to be held on 23 April 1997, pending further negotiations being conducted with the Smith Corporation on funding options.

The preferred option is for the construction of Deepwater Circuit to the full subdivision standard at an estimated cost of \$96,000. The Developer, Smith Corporation had advised it was not able to assist with this access in the short term as plans to develop the adjacent subdivision had been deferred as a result of the current residential land market.

It was considered that an option to advance the construction was a financial contribution to these works from the City. Based on consideration to defray funding "holding costs" due to advancing this construction, an offer was made to Smith Corporation subject to Council approval:

"that the City will fund 20% of the actual construction costs for this section of Deepwater Circuit or \$19,200, whichever is the lesser".

The design, tendering and administration of the contract would remain the responsibility of the developer.

In response, Smith Corporation has advised that:

It is noted that your initial approach was based on the proposition that Council would prefund the required works subject to a legal agreement between Council and Smith Corporation on those costs being refunded in due course as and when the said portion of road is required to service the adjoining proposed residential subdivision.

Your latest correspondence proposes that the City will make a 20% non-refundable contribution to the cost of constructing the relevant section of Deepwater Circuit to full standard, the total cost of which is estimated by our consulting engineers to be \$96,000. This implies that Smith Corporation would incur the 80% balance of \$76,800 in the immediate future.

Whilst Council's offer to contribute to the costs is appreciated, we must reiterate that the construction of this section of Deepwater Circuit is premature in terms of providing access to our proposed residential subdivision and, notwithstanding that Council's contribution might be viewed as an offset against the cost of bringing this work forward, we are unable to justify the expenditure of an estimated \$76,800 in an area which will generate us no income in the foreseeable future.

Having recently made a substantial commitment to the progressive subdivision of Stage 8 at the other end of the Estate, our timetable for the development for the residential portion of Stage 7 is now less certain than ever before. We therefore regret that we are unable to accept Council's offer but would, as before, be prepared to commit to a refund of Council's pre-funding of the required works.

On this basis, a practical option with minimum cost outlay to the City to provide access in the immediate future to the Welfare Services Centre is the construction of Deepwater Circuit to a limestone stage (stabilised with dust suppressant). This construction standard is considered satisfactory for a car park access road.

The Developer has advised that two contractors were requested to provide a tender for the limestone construction. The tender price was indicated to be about \$20,000. To minimise dust and ongoing maintenance a dust suppressant is proposed to be applied to the limestone and a 3.0m width of pavement primersealed. The total estimated cost of this treatment is in the order of \$26,000. There is likely to be some reinstatement costs for future stormwater drainage and sewerage crossings. Therefore, the City will be able to recoup mainly the limestone pavement costs of about \$19,000. The cost to Council would be in the order of \$7,000. The Developer has also advised that the City's future recoup of costs would not be escalated to reflect present values.

The City Building Surveyor has advised that there are uncommitted funds of \$68,000 in the Building's Capital Account for this Centre. It is considered that construction of a minimum standard of a limestone pavement with a dust suppressant will meet the overall warrants to provide access to the Centre car park.

As Deepwater Circuit is a subdivisional road, it is proposed that the works be administered by the Smith Corporation Consultant Engineers with the associated fees for survey, contract administration and road dedication recouped. The total project costs, including fees, will therefore be in the order of \$33,000 with Council recouping approximately \$26,000 of this cost when subdivision occurs.

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

- 1. approves the pre-funding of the construction of Deepwater Circuit to a limestone standard with a dust suppressant to provide access to the rear car park of the Welfare Services Administration Centre, Merriwa;**
- 2. enters into a binding legal agreement with Smith Corporation on:**
 - (a) recouping the actual construction costs for the limestone pavement and associated fees for survey, contract administration and dedication of Deepwater Circuit with payment effective at clearance of title of the respective adjoining lots being developed or subdivided;**
 - (b) the upgrading of the limestone pavement of Deepwater Circuit to a standard residential subdivision road prior to clearance of the title of the adjoining lots being developed or subdivided;**
- 3. authorises Smith Corporation to seek competitive quotations and administer the contract for the limestone pavement construction of Deepwater Circuit to the satisfaction of the City Engineer;**
- 4. authorises in accordance with the provision of Section 6.8(1) of the Local Government Act 1995 the unbudgeted expenditure of \$33,000 for the construction of a limestone pavement in Deepwater Circuit to provide access to the rear car park of the Welfare Services Administration Centre, Merriwa;**
- 5. recognises the funding of this project is by savings generated on the Building Capital Project - Account No 50575.**

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS115-04/97 BUS SHELTERS - LANDSDALE - [503-3]

The Landsdale Residents Association has requested the provision of bus shelters in Landsdale. North Whitfords Estates has forwarded a submission to provide two bus shelters in the Landsdale Garden Estate at no cost to Council.

The proposal submitted by North Whitfords Estates to provide two bus shelters in The Broadview Landsdale at no cost to Council is conditionally supported.

RECOMMENDATION That Council:

- 1 gives approval for North Whitfords Estates to construct two bus shelters in The Broadview Landsdale in accordance with the design specifications prepared by Banham & Associates at the locations depicted on Attachment 2 to Report TS115-04/97, subject to the following conditions:
 - (a) the bus shelters being provided at no cost to Council;
 - (b) the bus shelter design being certified by a structural engineer;
 - (c) the bus shelters being anti-graffiti coated;
 - (d) North Whitfords Estates agreeing to maintain the two bus shelters for the first 24 months after construction;
 - (e) North Whitfords Estates Architects giving approval to Council to construct additional bus shelters using its design;
- 2 advises North Whitfords Estates that the provision of these three bus shelters in Landsdale constructed in accordance with the design specification prepared by Banham & Associates does not create a precedent or set a standard that needs to be maintained should additional bus shelters be required;
- 3 advises the President of the Landsdale Residents Association of its decision.

ADDITIONAL INFORMATION

Further negotiations have been conducted with North Whitfords Estate in relation to its submission to provide two bus shelters in the Landsdale Garden Estate at no cost to Council.

North Whitfords Estate now proposes to provide three shelters. The additional shelter is to be provided at the bus terminus along the Broadview near the Southmead intersection, as shown on Appendix XX hereto.

This third location was identified by the Landsdale Residents Association as being required to accommodate children waiting for the school bus.

In addition the site is also abutting the location proposed for future mature aged housing.

It is, therefore, recommended that the recommendation of the Technical Services Committee being presented to Council at its meeting to be held on 23 April 1997 be amended by:

1. deleting the word "two" in line one and substituting the word "three";
2. deleting the word and number "Attachment 2" in line three and substituting the word "Attachments 2 and 3".

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

- 1 **gives approval for North Whitfords Estates to construct three bus shelters in The Broadview Landsdale in accordance with the design specifications prepared by Banham & Associates at the locations depicted on Attachments 2 and 3 to Report TS115-04/97, subject to the following conditions:**
 - (a) **the bus shelters being provided at no cost to Council;**
 - (b) **the bus shelter design being certified by a structural engineer;**
 - (c) **the bus shelters being anti-graffiti coated;**
 - (d) **North Whitfords Estates agreeing to maintain the two bus shelters for the first 24 months after construction;**
 - (e) **North Whitfords Estates Architects giving approval to Council to construct additional bus shelters using its design;**
- 2 **advises North Whitfords Estates that the provision of these two bus shelters in Landsdale constructed in accordance with the design specification prepared by Banham & Associates does not create a precedent or set a standard that needs to be maintained should additional bus shelters be required;**
- 3 **advises the President of the Landsdale Residents Association of its decision.**
CARRIED

Appendices IV and XX refer

TS116-04/97 PICTON TERRACE, ALEXANDER HEIGHTS - TRAFFIC CALMING DEVICES - [510-2993]

At its February meeting Council received a petition concerning excessive vehicle speeds on Picton Terrace, Alexander Heights. The low traffic volumes and the developing nature of the area indicates that traffic management on Picton Terrace has a low priority.

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

- 1 **does not support the request from residents for traffic calming devices in Picton Terrace;**

- 2 requests the Police Department to monitor the driver behaviour of motorists in Picton Terrace, Alexander Heights;
- 3 advises the petitioners accordingly. **CARRIED**

TS117-04/97 **MAINTENANCE OF FOOTPATHS, VERGES AND VACANT LOTS - [502-34; 512-0; 904 - 2]**

A petition was received in February 1997 from residents of the municipality requesting Council undertake maintenance to dangerous and unsightly footpaths and also clean and tidy verges where adjoining residents do not maintain the verge (Item C4-02/97 refers). Council was also requested to instruct owners of vacant property to maintain their lots in a clean condition. This report outlines Council's current activities and policies in respect of the above matters and future considerations.

At the Technical Services Committee meeting, Cr Magyar raised the question of flooding through run off from property, particularly run off from grassed areas, and requested that drainage problems be addressed.

The City Engineer advised that in older areas drainage had been designed for a one in two year event and that it was difficult to redesign to cater for a one in 50 year event. Nevertheless the matter was being investigated.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Lynn that Council, in relation to the petition received dealing with the maintenance of footpaths, verges and vacant lots, advises the petition organiser:

- 1 about the Slab Footpath Replacement Programme and details of the paths being upgraded in the suburb of Padbury this fiscal year, together with the list of paths that will be included in the 1997/98 draft Budget for further consideration;
- 2 of Council's obligation to ensure all verges are maintained to a safe standard and its approval at the March 1997 meeting to allow residents to provide a hardstand treatment area 3.0 metres wide measured from the back of kerb and running parallel to the kerb in the verge abutting their property, subject to adequate arrangements being made to dispose of stormwater runoff, to the satisfaction of the City Engineer;
- 3 the maintenance of verges in front of residential premises is the responsibility of the adjacent property owner and Verge Guidelines have been developed to advise property owners of acceptable treatments to verge areas, taking cognisance of pedestrian and vehicular safety and the drainage requirements for disposal of stormwater;
- 4 that vacant land is inspected as part of the annual firebreak inspection to ensure owners have complied with the regulation to install fire breaks and the condition of the land is in keeping with the amenity of the area.

CARRIED

TS118-04/97 VERGE TREATMENT ADJOINING LOT 512 (1) DE ROUEN RISE, SORRENTO - [3081/512/1]

A petition was recently received from residents of De Rouen Rise, Sorrento requesting that Council take action to remove the blue metal from the verge adjoining Lot 512 (1) De Rouen Rise, Sorrento. Council has been pursuing the removal of the blue metal treatment from the side verge adjoining Lot 512 (1) De Rouen Rise, Sorrento since June 1996 as a result of a complaint from a resident of De Rouen Rise.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council advises the organiser of the petition that the property owner has been requested by the City Engineer to undertake complete removal of the blue metal verge treatment adjoining Lot 512 (1) De Rouen Rise, Sorrento. CARRIED

TS119-04/97 UNTIDY VERGES - ACTION TAKEN BY THE CITY OF SOUTH PERTH - [512-0]

At the Council meeting held on 26 February 1997 reference was made to recent action taken by the City of South Perth in relation to its prosecution of a resident for unsightly verges.

It was suggested that there was a new amendment under the Local Government Act relating to verges which would enable local government to take appropriate action to require adjoining residents to maintain and tidy verges adjacent to their property.

The Local Government Act gives Council the ability to make owners responsible for their land in terms of it not being unsightly or overgrown.

However, Part 3, Division 3, Subdivision 2, Clause 3.25 (1) - "Notices requiring certain things to be done by owner or occupier of land" does not include provisions to make adjoining land owners responsible for the maintenance of crown land, road reserve or park reserve abutting their property.

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

- 1 receives the report dealing with the action taken by the City of South Perth in relation to the erection of a fence contrary to the provisions of its Town Planning Scheme;**
- 2 notes that Part 3, Division 3, Subdivision 2, Clause 3.25 (1) - "Notices requiring certain things to be done by owner or occupier of land" pursuant to the Local Government Act 1995 does not include provisions to make adjoining land owners responsible for the maintenance of crown land, road reserve or park reserve abutting their property. CARRIED**

TS120-04/97 FOOTPATH - BURBRIDGE AVENUE KOONDOOLA - [510-844]

Council has received a petition containing 122 signatures requesting the replacement of the 1.2 metre wide slab footpath in Burbridge Avenue Koondoola with a dual use concrete path (Item P28-03/97 refers).

As the footpath is used by school children attending the Koondoola Primary and the Burbridge Schools, it is recommended that the upgrading of the footpath to a 2.1 metre wide dual use path be listed for consideration in the 1997/98 Draft Budget.

RECOMMENDATION: THAT Council:

- 1 lists for consideration in the 1997/98 Draft Budget the replacement of the 1.2 metre wide footpath in Burbridge Avenue Koondoola with a 2.1 metre wide concrete dual use path at an estimated cost of \$46,000;
- 2 advises the organiser of the petition of its decision.

At the Technical Services Committee meeting, Cr O'Grady suggested that the Disability Access Officer be consulted on needs and specifications.

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

- 1 **defers the listing for consideration in the 1997/98 Draft Budget replacement of the 1.2 metre wide footpath in Burbridge Avenue Koondoola to the next meeting of Council to be held on 23 April 1997;**
- 2 **seeks a report from the Engineering Department on how the path between the Burbridge School and the local shopping centre could be funded this year.CARRIED**

TS121-04/97 FIX AUSTRALIA - FIX THE ROADS - [312-2, 510-0, 540-0]

The Western Australian Municipal Association has requested Council's financial support in connection with the "Fix Australia - Fix the Roads" Campaign which is directed to the Federal Government for the return of a larger share to all States of the fuel excise levy.

Council, in 1995, resolved to contribute \$1,000 to the Campaign as it would benefit from any increase in funding allocation to roads by the Federal Government

It would be appropriate to continue to support the Campaign with a further financial contribution.

RECOMMENDATION That Council:

- 1 contributes \$1,000 to the "Fix Australia - Fix the Roads" Campaign, care of the Western Australian Municipal Association;
- 2 authorises, in accordance with the provisions of section 6.8 (1) of the Local Government Act 1995, the reallocation of \$1,000 from Account No 71021 - Roads Maintenance to Account No 36531 - Fix Australia - Fix the Roads Campaign.

Cr Cooper quoted from a recent newspaper article which stated:

"In the 1980-81 financial year the Federal Government collected \$877 million in excise on all petroleum products, while outlaying \$657 million on roads.

In stark contrast, in 1996-97 the fuel excise figure had blown out to a staggering \$10.5 billion, yet federal road funding was a paltry \$1.17 billion.

...the Government's projection that funding for national highways would drop from its current \$800 million to \$270 million by 2000 was an outrage".

Cr Cooper requested that Council refers these figures to Mr Richard Evans MP.

MOVED Cr Cooper, SECONDED Cr Healy that Council:

- 1 contributes \$1,000 to the "Fix Australia - Fix the Roads" Campaign, care of the Western Australian Municipal Association;**
- 2 authorises, in accordance with the provisions of section 6.8 (1) of the Local Government Act 1995, the reallocation of \$1,000 from Account No 71021 - Roads Maintenance to Account No 36531 - Fix Australia - Fix the Roads Campaign;**
- 3 refers the information supplied by Cr Cooper in relation to federal spending for roads to Mr Richard Evans, MP.**

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TS122-04/97 12TH WASTE DISPOSAL AND WATER MANAGEMENT
NATIONAL CONFERENCE ON WASTE MANAGEMENT -
[508-1]**

The 12th Waste Disposal and Water Management National Conference in Brisbane was attended by Councillor Popham and the Resource Engineer, Robert Elliott. The conference theme was "Waste Management - Commercial Realities" and there was a strong focus on practical issues relating to both rubbish and recycling services.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council utilises the information gained from the conference in the preparation of its ecologically sustainable waste minimisation and recycling strategy.

CARRIED

**TS123-04/97 REQUIREMENTS FOR DEVELOPERS TO MULCH - [502-8,
740-1]**

At its September 1996 meeting, Council deferred consideration of requiring developers to mulch green material removed from land being developed pending release of the Department of Environmental Protection's (DEP) formal guidelines (Item C250-09/96 refers). In its latest published guidelines the DEP has provided the industry a twelve month period to demonstrate that burning can be carried out on development sites without causing concern to nearby residents.

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

- 1 authorises the City Engineer to liaise with other Councils and relevant authorities in developing a policy prohibiting the burning off of cleared vegetation in subdivision/development sites;**

2 seeks a report to the Policy Committee on this proposed policy. CARRIED

TS124-04/97 UNAUTHORISED STRUCTURE - DELEGATED AUTHORITY - [210-0]

Council at its meeting resolved that a report be submitted to the Technical Services Committee on delegating power to the City Building Surveyor to serve notices on illegal structures where but for failure to obtain a building licence the structure would be approved. It is considered that such delegated authority should be given.

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

- 1 delegates authority to the Chief Executive Officer to serve a Notice on the owners of unauthorised structures under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring those structures be removed, such Notice to incorporate appeal provisions to the Minister for Local Government;
- 2 notes that it is not empowered to issue retrospective building licences and for structures that would otherwise comply, would support an appeal to the Minister for Local Government. CARRIED

TS125-04/97 PROPOSED ALTERATIONS TO WHITFORD LIBRARY AND SENIOR CITIZENS CENTRE - [240-7-1, 335-1-1]

The current Budget and the Five Year Capital Expenditure Plan list works at the Whitford Library and Senior Citizens Centre. While it is practical to include all work in one contract, the necessary timing of the works means that it must be undertaken between the end of the 1996/97 financial year and adoption of the 1997/98 Budget.

This report outlines proposals for the works and the means of paying for the works between budgets, and seeks approval for the calling of tenders for the contract to undertake all works.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council endorses the design plan SKA1a included as attachment "A" to Report TS125-04/97 and approves the calling of tenders for the works. CARRIED

Appendix V refers

TS126-04/97 PROPOSED DWELLING: LOT 651 (8) OATLEY TURN, DUNCRAIG - [3385/651/0008]

An application has been received for approval to construct a dwelling at Lot 651 (8) Oatley Turn, Duncraig with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council approves the proposed dwelling to be constructed at Lot 651 (8) Oatley Turn, Duncraig, with a reduced setback comprising a minimum of 6.0m to the main dwelling. CARRIED

TS127-04/97 PROPOSED STORE ROOM AND TERRACING AT KINGSLEY PARK - [061-197]

The Kingsley Junior Football Club Inc has sought permission to construct additional spectator terracing and a free-standing store room at the Kingsley Park Sports Hall. This report outlines the Club's proposal and funding and recommends alterations to the proposal and conditions that must be set on any approval to proceed with the Works.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council approves in principle the construction of additional terracing and a brick Store Room adjacent to the Kingsley Park Sports Hall by the Kingsley Junior Football Club Inc subject to:

- 1 the Kingsley Junior Football Club Inc providing all funds for the construction of both terracing and store room;**
- 2 prior to commencing work on the project, the Kingsley Junior Football Club Inc providing a written guarantee that the works will be completed at no cost to Council or failing completion that the works will be left in a safe state until funds to complete the works can be arranged;**
- 3 the Kingsley Junior Football Club Inc or its nominee applying for and gaining development approval and a Building Licence for the proposed works;**
- 4 the works being overseen by a registered builder and being to the satisfaction of the City Building Surveyor;**
- 5 the site for the brick store being re-located so that the west wall of the store replaces a portion of the tennis court fence to the south of the existing light tower and the existing caged goal post store being re-located and re-shaped to become part of the store building;**
- 6 the Kingsley Junior Football Club Inc acknowledging in writing that if in the future the new terrace will be roofed, that the roof will be designed and constructed to prevent access from the barbecue plinth. CARRIED**

TS128-04/97 PROPOSED GARAGE LOT 306 (4) PENNY LANE, WOODVALE - [1731/306/4]

An application has been received for approval to construct a Garage at Lot 306 (4) Penny Lane, Woodvale with a reduced front building setback. It is considered that approval should be given.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council approves the proposed garage at Lot 306 (4) Penny Lane, Woodvale with a reduced front setback of 1500mm.

CARRIED

TS129-04/97 UNAUTHORISED SUNDECK - LOT 126 (22) URBAHNS WAY, HILLARYS - [814/126/22]

The owners of the dwelling at Lot 126 (22) Urbahns Way, Hillarys have erected a sundeck without a building licence. It is considered that a Notice be served on the owners requesting that the sundeck be removed.

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

- 1 serves a Notice on the owners of Lot 126 (22) Urbahns Way, Hillarys, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the sundeck structure be removed, such Notice to incorporate appeal provisions to the Minister of Local Government;
- 2 notes that it is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

**TS130-04/97 UNAUTHORISED PERGOLA STRUCTURE - LOT 299 (348)
WARWICK ROAD, WARWICK - [0003/299/348]**

The owners of the dwelling at Lot 299 (348) Warwick Road, Warwick have erected a pergola without a building licence. It is considered that a Notice be served on the owners requesting that the pergola be removed.

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

- 1 serves a Notice on the owners of Lot 299 (348) Warwick Road, Warwick under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the pergola structure be removed, such Notice to incorporate appeal provisions to the Minister of Local Government;
- 2 notes it is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

**TS131-04/97 UNAUTHORISED RETAINING WALL - LOT 125 (3) SHEA
LANE, ALEXANDER HEIGHTS - [3971/125/3]**

The owners of the dwelling at Lot 125 (3) Shea Lane, Alexander Heights have erected a retaining wall without a building licence. It is considered that a Notice be served on the owners requesting that the retaining wall be removed.

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

- 1 serves a Notice on the owners of Lot 125 (3) Shea Lane, Alexander Heights, under Section 401 of the Local Government (Miscellaneous Provisions) Act requiring the retaining wall be removed, such Notice to incorporate appeal provisions to the Minister of Local Government;
- 2 notes that it is not empowered to issue retrospective building licences and would support an appeal to the Minister for Local Government in this instance. **CARRIED**

MOVED Cr Cooper, SECONDED Cr Freame that Council:

- 1 re-evaluates the priority dry parks as shown in Attachment B to Report TS133-04/97;
- 2 lists evaluated parks for consideration in the 1997/98 Five Year Capital Works Programme;
- 3 addresses funding alternatives in conjunction with the City Treasurer;
- 4 lists for consideration within the draft 1997/98 Budget the sum of \$500,000 to address the issue of dry parks. **CARRIED**

Appendix VI refers

TS134-04/97 BARRIER - CHILDREN'S PLAY AREAS/EQUIPMENT - [250-2]

Council, at its meeting dated 26 February 1997, requested a report on a suitable barrier being placed around children's play areas and equipment in parks.

RECOMMENDATION: THAT Council's Parks Department Technical Officer controlling parks play equipment evaluate each location for its requirements when listing for Budget consideration. Evaluation to include the following:

- 1 safety aspects;
- 2 disability access;
- 3 site conditions and constraints;
- 4 proximity to other facilities;
- 5 special features of the site.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that:

- 1 Council's Parks Department Technical Officer controlling parks play equipment evaluate each location for its requirements when listing for Budget consideration. Evaluation to include the following:
 - (a) safety aspects;
 - (b) disability access;
 - (c) site conditions and constraints;
 - (d) proximity to other facilities;
 - (e) special features of the site;
- 2 the Acting City Parks Manager and the Disability Access Officer to identify two parks suitable for enclosed play areas and to arrange installation of swimming pool type fencing. **CARRIED**

**TS135-04/97 PROPOSED ADDITIONS LOT 240 (10) KILARNEY HEIGHTS,
KALLAROO - [2350/240/10]**

An application has been submitted for approval to construct dwelling additions at Lot 240 (10) Kilarney Heights, Kallaroo. The additions do not comply to R Codes side setbacks and it is considered that approval should be given.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council approves the proposed dwelling additions to be constructed at Lot 240 (10) Kilarney Heights, Kallaroo. CARRIED

TS136-04/97 WANNEROO SHOWGROUNDS - [061-376]

Council received a deputation from the Wanneroo Agricultural Society in response to Report No TS53-02/97.

Publicity received regarding the initial recommendation indicated that Council is reviewing the Wanneroo Agricultural Society tenancy. This information was misleading and therefore the following is recommended.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council reaffirms its commitment to the Wanneroo Agricultural Society and honours the agreement between Wanneroo Road Board and the Wanneroo Agricultural Society dated 11 June 1948 (P57/113 refers) for continued free sole usage of the Reserve 12990 known as the Wanneroo Showgrounds for the purpose of holding the Wanneroo Show on an annual basis from the Sunday prior to the Show to the Sunday following the show (our ref 301-9, 15 September 1992 refers). CARRIED

Appendix VII refers

TS137-04/97 MONTHLY BUILDING REPORT - [210-0]

This report details the number and value of building licences issued during the month of April 1997, building control activity, swimming pool inspections and Council's building works programme.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS137-04/97. CARRIED

Appendix VIII refers

TS138-04/97 STORMWATER FLOODING - VARIOUS LOCALITIES - [506-7]

Heavy rainfall occurred on Saturday, 5 April 1997. This storm resulted in many houses being flooded around the Craigie/Hillarys/Ocean Reef/Connolly areas. A programme to investigate the stormwater flooding utilising Engineering Consultants is proposed.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that Report TS138-04/97 be received. CARRIED

TS139-04/97

DUAL USE PATH - YANCHEP BEACH ROAD - ST ANDREWS DRIVE TO YANCHEP - [510-454]

Cr Healy referred to Item TS153-6/96 where Council recommended the listing of funding consideration, on a priority ranking, for the construction of a dual use path along the section of Yanchep Beach Road between St Andrews Drive and Yanchep in the Five Year Forward Plan and requested that this matter be brought forward as requests have been received from residents to use this path.

Cr Healy also submitted a letter from Mrs H Clayton of Yanchep requesting the urgent consideration of construction of this path.

MOVED Cr Ewen-Chappell, SECONDED Cr Lynn that the letter from Mrs H Clayton of Yanchep requesting the urgent consideration of construction of a dual use path along the section of Yanchep Beach Road between St Andrews Drive and Yanchep be received and referred to the Engineering Department for action. CARRIED

FLOODING - RSL VILLAGE, HILLARYS - [506-7]

Cr Freame referred to recent advice received by her that indicated that a possible contributing factor to recent floodings in the RSL Village, Hillarys could be due to housing in Waterford Drive not having sufficient soak wells in place.

She also believed that the RSL Village did not have sufficient soak wells and requested the City Engineer to take this matter on notice.

BARCLAY PARK, PADBURY - [061-25]

Cr Freame raised her concerns in relation to the deterioration of Barclay Park in Padbury and requested that this matter be investigated.

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

CLEANING - OCEAN RIDGE RECREATION CENTRE - [330-5-1]

Cr Freame requested that cleaning of the forecourt area of the Ocean Ridge Recreation Centre be carried out as soon as possible.

This matter will be referred to Building Department for action.

PARKING - MINDARIE PRIMARY SCHOOL - [910-1]

Cr O'Grady referred to recent parking problems experienced at the Mindarie Community School and queried if letters previously sent to schools concerning the appointment of honorary parking inspectors could now be sent to the P&C at all schools.

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

REQUEST FOR SIGNS - MINDARIE PRIMARY SCHOOL - [3326/695/26, 510-2926]

Cr O'Grady referred to a request she had received from Mindarie Primary School for Council to provide two signs to highlight the location of the school and also for a 40 kmph sign to be located near the school.

She also requested at the Council meeting held on 26 March 1997 that a reply be sent to the letter received from the school regarding a request for the provision of a school crossing and signs.

Cr O'Grady advised she would liaise with the City Engineer in relation to this matter.

REQUEST FOR BENCH SEATING - GREENWOOD PLAYGROUP - [894-6]

Cr Tippett referred to a request he had received from the Greenwood Playgroup for bench type seating to be installed.

The Acting City Parks Manager advised that this seating was on order.

REQUEST FOR RETICULATION - HARMAN PARK, MARMION - [061-163]

Cr Hancock advised that this item, raised at the Technical Services Committee Meeting in relation to Harman Park, should be amended to refer to "Finney Park". This item is therefore corrected as follows:

REQUEST FOR RETICULATION - FINNEY PARK, MARMION - [061-123]

Cr Hancock referred to a request she had received from residents of Marmion Sorrento Retirement Village for Finney Park, Marmion to be reticulated.

The Acting City Parks Manager advised that this park was proposed to be reticulated in conjunction with the retirement village but was not proceeded with due to water availability.

AVIATION CAREERS EXPO - GREENWOOD HIGH SCHOOL - [97/RES32586/101 - 009-1]

Cr Hancock referred to the recent Aviation Careers Expo she had attended at Greenwood High School and advised that parents at the school had been very thankful for Council's donation.

TRAFFIC CALMING - PARKING EMBAYMENTS, CNR HUNT AND MELDON STREETS, KINGSLEY - [502-16]

Cr Taylor requested a report on traffic calming and parking embayments at the corner of Hunt and Meldon Streets in Kingsley.

Cr Wight advised that the traffic engineer had investigated this matter and he would provide Cr Taylor with the relevant information.

SUN SHADES FOR PLAY PITS - [250-3]

Cr Taylor requested an update from the City Building Surveyor in relation to the provision of sun shades for play pits.

The City Building Surveyor advised that as guidelines for establishing what would be an adequate sun shelter are not clearly laid down, discussions have been held with the WA Cancer Council, which is considering establishing guidelines for sun shades based on a model used in Queensland. He commented that a copy of these guidelines had been requested and a report was being prepared.

SALE OF FORMER TOWN CLERK'S CAR - [702-0]

Cr Taylor queried the position in relation to the former Town Clerk's car. He observed that the reserve price had not been met at auction.

The Chief Executive Officer advised that an alternative method of sale was being investigated in conjunction with an overall replacement of the present fleet.

ROLLERBLADING - [468-1]

Cr Major referred to a request he had received from a resident who queried the legal position in relation to rollerblading in the City of Wanneroo.

Cr Magyar advised that it was illegal to rollerblade on dual use paths and commented that Craigie Leisure Centre was the only place where rollerblading was legal.

TENDER PROCEDURES - [208-3]

Cr Major queried if there was a standard period of time for which tenders were open on tenders let by Council.

The Chief Executive Officer advised that although the Local Government Act did not lay down a standard time, there was a minimum period of 14 days.

He stated that most tenders would be open for approximately 3 - 4 weeks, depending on work required by people responding to the specification.

EXPRESSION OF THANKS FROM CHAIRMAN - [702-3]

Being the final Technical Services Committee meeting prior to Annual Elections, the Chairman, Cr Ewen-Chappell, thanked all the Committee members for their hard work and in particular thanked the City Engineer, City Building Surveyor, Acting City Parks Manager, Deputy City Engineer and the Acting Deputy City Building Surveyor for their assistance.

C121-04/97 TOWN PLANNING COMMITTEE

MOVED Cr Wight, SECONDED Cr O'Grady that the Report of the Town Planning Committee Meeting, held on 14 April 1997 be received.

CARRIED

ATTENDANCES

Councillors:	G A MAJOR - Chairman	South West Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY - From 1805 hrs	North Ward
	S P MAGYAR	Central Ward
	A W WIGHT	South Ward
	W D DUFFY	South Ward
	M E LYNN, JP	South-West Ward
	P O HEALY - Observer from 1846 hrs	North Ward
	B A COOPER - Observer	Central Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	A G TAYLOR - Observer	South Ward
	D K TIPPETT, JP - Observer	South Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMCK
City Planner:	O DRESCHER
City Building Surveyor:	R FISCHER
City Engineer:	R McNALLY to 1847 hrs
Co-ordinator, Urban Projects:	D BUTCHER
Minute Clerk:	S BRUYN

APOLOGIES

Apologies for absence were tendered by Crs Popham and Freame.

PUBLIC/PRESS ATTENDANCE

There were 8 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

The following questions in relation to File Ref 510-3090, were submitted by Mrs A Hine (Item TP74-04/97 refers):

- Q1 "About how much does it cost Council to put or erect these particular traffic islands and were these islands constructed to Council standards or Main Roads requirements?"
- Q2 "Does Council feel the need that the traffic islands need to be reinstated for safety and will they be of a different nature (shape)?"
- A1 City Engineer's response: Council is recommending that one of the islands be replaced for traffic management reasons. The other island is not as critical and is more for aesthetic reasons.
- A2 The cost of the islands is in the region of \$8,000 to \$10,000. The report tonight deals with the balance of the questions.

DECLARATION OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 17 MARCH 1997

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

PETITIONS AND DEPUTATIONS

DEPUTATION - PROPOSED AMENDMENT NO 701 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 153 CNR ALEXANDER DRIVE (518) GNANGARA ROAD, LANDSDALE FROM RURAL TO SERVICE STATION AND PROPOSED SERVICE STATION AND CONVENIENCE STORE, LOT 153 CNR ALEXANDER DRIVE (518) GNANGARA ROAD, LANDSDALE

Mr Gene Koltasz of Koltasz Smith & Partners, Mr Basil Ricciardello, Mr Sam Scurria of S A Scurria & Associates and Mr Graeme Henderson of Rheem addressed the Committee in relation to proposed Amendment No 701 to Town Planning Scheme No 1 to rezone Lot 153 Cnr Alexander Drive (518) Gnangara Road, Landsdale from rural to service station and proposed development of a service station and convenience store, Lot 153 Cnr Alexander Drive (518) Gnangara Road, Landsdale - Item TP59-04/97 refers.

Mr Koltasz referred to issues presented in the agenda on this matter and addressed a number of items, including:

- Council supported previous zoning proposals for this site;
- The current development application relates only to a service station and does not include a fast food outlet;
- Concern that information on new ground water protection technology was not contained in the report to the Committee;
- New technology in service station tank design and construction provide for extremely low risk for potential ground water contamination;
- Believe contradiction in views Council has received from Telstra as the applicant has agreed to incorporate measures suggested by Telstra into the service station;
- There are not sufficient service stations in the locality, which is designed to service a high volume of traffic, and do not believe the neighbourhood shopping precinct at Landsdale would be effected;
- Council policy on location and distribution of service stations does not take into account that all high traffic volume roads do not pass through industrial areas;
- The proposed service station complies with the Western Australian Planning Commission's requirements in relation to the provision of a dual carriageway and also meets with Main Roads WA's criteria;
- As only a small portion of the site will be developed, do not believe this will unduly effect remnant vegetation.

In conclusion, Mr Koltasz requested Council to initiate rezoning in order to allow the full process of assessment to be undertaken.

Following questions from Councillors, The Chairman thanked Messrs Koltasz, Ricciardello, Scurria and Henderson for addressing the Committee and advised that the matter would be considered later in the meeting.

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES:

Commenced: 1801 hrs
Closed: 2033 hrs

TP59-04/97

PROPOSED AMENDMENT NO 701 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 153 CNR ALEXANDER DRIVE (518) GNANGARA ROAD, LANDSDALE FROM RURAL TO SERVICE STATION AND PROPOSED SERVICE STATION AND CONVENIENCE STORE, LOT 153 CNR ALEXANDER DRIVE (518) GNANGARA ROAD, LANDSDALE - [30/1539, 790-701]

Applications have been submitted by S A Scurria & Associates to rezone Lot 153, corner Alexander Drive (518) Gngangara Road, Landsdale from Rural to Service Station and a development application for a service station and convenience store on Lot 153 Gngangara Road, Landsdale. The site is located within the Mirrabooka Underground Water Pollution Control Area and is classified as a Priority 2 Groundwater Source Protection Area. The Water and Rivers Commission and Telstra have strongly objected to the proposal. The City's consultant botanist has identified this site as containing remnant vegetation in good condition.

The proposed development has problems, with regard to access and the design of the overall site. For these reasons, the development application is recommended for refusal, and it is recommended that the rezoning not be supported.

REPORT RECOMMENDATION: THAT Council:

- 1 does not support proposed Amendment No 701 to Town Planning Scheme No 1 which seeks to rezone Lot 153 corner Alexander Drive (518) Gngangara Road, Landsdale from Rural to Service Station for the reasons that:
 - (a) the site is within the Mirrabooka Underground Water Pollution Control Area and is classified for Priority 2 source protection and the Water and Rivers Commission has advised that it will not issue a permit for the development as required under the by-laws of the Metropolitan Water Supply Sewerage and Drainage Act 1909;
 - (b) the site is located within close proximity to Telstra's telecommunications facility and Telstra has advised that the proposed development may increase Radio Frequency Interference noise which will degrade its satellite tracking reception services;
 - (c) this site forms part of an area containing remnant native vegetation that is in good condition and is identified for protection by the City's consultant botanist;
 - (d) the intersections of regional roads are not considered appropriate locations for service stations on traffic management and safety grounds;
- 2 refuses the application submitted by S A Scurria & Associates on behalf of B & M Ricciardello Nominees and Koltasz Smith and Partners for a service station and convenience store on Lot 153 (518) corner Alexander Drive/Gngangara Road,

Landsdale, for the following reasons:

- (a) the site is within the Mirrabooka Underground Water Pollution Control Area and is classified for Priority 2 source protection and the Water and Rivers Commission has advised that it will not issue a permit for the development as required under the by-laws of the Metropolitan Water Supply Sewerage and Drainage Act 1909;
- (b) the site is located within close proximity to Telstra's telecommunications facility and Telstra has advised that the proposed development may increase Radio Frequency Interference noise which will degrade its satellite tracking reception services;
- (c) the site forms part of an area containing remnant native vegetation that is in good condition and is identified for protection by the City's consultant botanist;
- (d) the intersections of regional roads are not considered appropriate locations for service stations on traffic management and safety grounds;
- (e) the design of the proposal is unacceptable as it does not incorporate the strategy for the total lot or reflect the removal of the fast food component;
- (f) Lot 153 (518) Gngangara Road, Landsdale is included in the Rural zone under Council's Town Planning Scheme No 1 and is not considered appropriate for the proposed service station and convenience store use;
- (g) approval of this application would be contrary to the orderly and proper planning of the area.

ADDITIONAL INFORMATION

City Planner reported that advice had been received from Messrs Birman and Ride, Barristers and Solicitors, on behalf of B and M Ricciardello expressing concern over the five fraudulent letters of opposition and requesting that Council:

- 1 make available copies of the original letters of objection and the altered copies of objection notwithstanding usual policy to maintain confidentiality in respect of such communications;
- 2 advise specifically what steps are now being taken to investigate the matter, identify the guilty parties and the action Council proposes to take.

City Planner stated he did not believe the five letters had any impact on the determination; however legal advice will be sought from Council's solicitors.

COMMITTEE RECOMMENDATION That Council:

- 1 does not support proposed Amendment No 701 to Town Planning Scheme No 1 which seeks to rezone Lot 153 corner Alexander Drive (518) Gngangara

Road, Landsdale from Rural to Service Station for the reasons that:

- (a) the site is within the Mirrabooka Underground Water Pollution Control Area and is classified for Priority 2 source protection and the Water and Rivers Commission has advised that it will not issue a permit for the development as required under the by-laws of the Metropolitan Water Supply Sewerage and Drainage Act 1909;
- (b) the site is located within close proximity to Telstra's telecommunications facility and Telstra has advised that the proposed development may increase Radio Frequency Interference noise which will degrade its satellite tracking reception services;
- (c) this site forms part of an area containing remnant native vegetation that is in good condition and is identified for protection by the City's consultant botanist;
- (d) the intersections of regional roads are not considered appropriate locations for service stations on traffic management and safety grounds;

2 refuses the application submitted by S A Scurria & Associates on behalf of B & M Ricciardello Nominees and Koltasz Smith and Partners for a service station and convenience store on Lot 153 (518) corner Alexander Drive/Gnangara Road, Landsdale, for the following reasons:

- (a) the site is within the Mirrabooka Underground Water Pollution Control Area and is classified for Priority 2 source protection and the Water and Rivers Commission has advised that it will not issue a permit for the development as required under the by-laws of the Metropolitan Water Supply Sewerage and Drainage Act 1909;
- (b) the site is located within close proximity to Telstra's telecommunications facility and Telstra has advised that the proposed development may increase Radio Frequency Interference noise which will degrade its satellite tracking reception services;
- (c) the site forms part of an area containing remnant native vegetation that is in good condition and is identified for protection by the City's consultant botanist;
- (d) the intersections of regional roads are not considered appropriate locations for service stations on traffic management and safety grounds;
- (e) the design of the proposal is unacceptable as it does not incorporate the strategy for the total lot or reflect the removal of the fast food component;

- (f) Lot 153 (518) Gngangara Road, Landsdale is included in the Rural zone under Council's Town Planning Scheme No 1 and is not considered appropriate for the proposed service station and convenience store use;
- (g) approval of this application would be contrary to the orderly and proper planning of the area.

3 seeks a report from the City Planner on a suggested strategy in regard to the future use of the land within the Telstra buffer zone;

4 refers the irregularly presented objections received by Council to the relevant authority for investigation.

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

1 does not support proposed Amendment No 701 to Town Planning Scheme No 1 which seeks to rezone Lot 153 corner Alexander Drive (518) Gngangara Road, Landsdale from Rural to Service Station for the reasons that:

- (a) the site is within the Mirrabooka Underground Water Pollution Control Area and is classified for Priority 2 source protection and the Water and Rivers Commission has advised that it will not issue a permit for the development as required under the by-laws of the Metropolitan Water Supply Sewerage and Drainage Act 1909;
- (b) the site is located within close proximity to Telstra's telecommunications facility and Telstra has advised that the proposed development may increase Radio Frequency Interference noise which will degrade its satellite tracking reception services;
- (c) this site forms part of an area containing remnant native vegetation that is in good condition and is identified for protection by the City's consultant botanist;
- (d) the intersections of regional roads are not considered appropriate locations for service stations on traffic management and safety grounds;

2 refuses the application submitted by S A Scurria & Associates on behalf of B & M Ricciardello Nominees and Koltasz Smith and Partners for a service station and convenience store on Lot 153 (518) corner Alexander Drive/Gngangara Road, Landsdale, for the following reasons:

- (a) the site is within the Mirrabooka Underground Water Pollution Control Area and is classified for Priority 2 source protection and the Water and Rivers Commission has advised

that it will not issue a permit for the development as required under the by-laws of the Metropolitan Water Supply Sewerage and Drainage Act 1909;

- (b) the site is located within close proximity to Telstra's telecommunications facility and Telstra has advised that the proposed development may increase Radio Frequency Interference noise which will degrade its satellite tracking reception services;
- (c) the site forms part of an area containing remnant native vegetation that is in good condition and is identified for protection by the City's consultant botanist;
- (d) the intersections of regional roads are not considered appropriate locations for service stations on traffic management and safety grounds;
- (e) the design of the proposal is unacceptable as it does not incorporate the strategy for the total lot or reflect the removal of the fast food component;
- (f) Lot 153 (518) Gngangara Road, Landsdale is included in the Rural zone under Council's Town Planning Scheme No 1 and is not considered appropriate for the proposed service station and convenience store use;
- (g) approval of this application would be contrary to the orderly and proper planning of the area.

3 seeks a report from the City Planner to the May meeting of the Town Planning Committee on a suggested strategy in regard to the future use of the land within the Telstra buffer zone, such report to address the involvement of State and Federal Government and appropriate Ministers in due course;

4 refers the irregularly presented objections received by Council to the relevant authority for investigation. **CARRIED**

TP60-04/97 **DEVELOPMENT ASSESSMENT UNIT AND DELEGATED AUTHORITY COMMITTEE - 27 FEBRUARY 1997 TO 27 MARCH 1997 - [290-1]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 27 February 1997 to 27 March 1997.

MOVED Cr Wight, SECONDED Cr O'Grady that Council endorses the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report TP60-04/97. CARRIED

Appendix IX refers

TP61-04/97 MODIFIED DRAFT FORESHORE MANAGEMENT PLAN FOR YANCHEP-TWO ROCKS - PROPOSED DEFERRAL - [765-20]

The public comment period on the modified draft Foreshore Management Plan (FMP) for Yanchep-Two Rocks Foreshore areas closed on 14 March 1997. The City has received three public submissions. In view of the coastal study being undertaken by Yanchep Sun City Pty Ltd in respect of the coastlines to the north and south of Two Rocks Marina, it is recommended that consideration of the modified draft FMP be deferred until such time this study is completed.

MOVED Cr Wight, SECONDED Cr O'Grady that Council defers a decision on the modified draft Foreshore Management Plan for Yanchep-Two Rocks areas until advice is received from the Minister for Lands in respect of the coastal study undertaken by Alan Tingay and Associates on behalf of Yanchep Sun City Pty Ltd on the coastline within the distances of 2 km and 1 km of the respective abutments of the north and south breakwaters of the Two Rocks Marina, as this study is likely to have implications for the modified draft Foreshore Management Plan.

CARRIED

TP62-04/97 DRAFT STATE PLANNING STRATEGY - [319-7]

The Western Australian Planning Commission has released for public comment a draft State Planning Strategy. The Strategy is to provide a long-term (to the year 2029) land use planning strategy for the State. The draft Strategy has been assessed, particularly in terms of its implications for the City of Wanneroo, and a number of comments on the draft are recommended for submission to the Commission.

MOVED Cr Wight, SECONDED Cr O'Grady that Council endorses the comments made on the draft State Planning Strategy contained in Report TP62-04/97.

CARRIED

Appendix X refers

TP63-04/97 HILLARYS ANIMAL EXERCISE BEACH - [765-11]

SUMMARY OF THE PURPOSE AND EFFECT (WHICH 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 remove the prohibition on dogs in the currently designated horse exercise area.”

MOVED Cr Wight, SECONDED Cr Lynn that Council:

- 1 rescinds its resolution relating to Item TP32-02/97 of its meeting held on
26 February 1997;
- 2 designates the present horse exercise area on Hillarys Animal Exercise
Beach as the area where horses may be exercised with no time
restrictions;
- 3 excludes the horse exercise area from the previously gazetted prohibited
dog exercise area and consequently allows dogs in the horse exercise area
only if on leashes;
- 4 removes the words, "In this clause reference to an animal does not
include a dog" in Local Law 9 of the Local Laws relating to Reserves and
Foreshores;
- 5 designates the currently designated "no dog/animal zone" as a dog
exercise area with no time restrictions;
- 6 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 horse
exercise area to reflect recommendations 2 to 5 above;
- 7 refers details of proposed new beach signage regulations to the Urban
Animal Management Advisory Committee for approval;
- 8 places an advertisement in the Wanneroo Times explaining the new
proposal;
- 9 constructs the southern portion of the Animal Exercise Beach car park 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 Car Park;
- 10 lists for consideration within the Draft 1997/98 Budget, funds to extend
the animal car park northwards to accommodate a parking area for
horse floats only;
- 11 until such time as the car park is extended northwards to accommodate a
parking area for horse floats, sets apart six horse float parking bays in
the central portion of the car park;
- 12 advises the petitioners accordingly. CARRIED BY AN
ABSOLUTE MAJORITY

TP64-04/97 DESIGN GUIDELINES FOR STAGE 8C, PT LOT M1722
DELAMERE AVENUE, CURRAMBINE - [740-96519]

The design guidelines for Stage 8C Currambine, submitted by Feilman Planning Consultants on behalf of Beaumaris Land Sales, are required to satisfy a subdivision

condition and will become a planning policy for the subject land. The draft guidelines will need to be modified prior to advertising as a planning policy.

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

- 1** adopts as a draft, the planning policy for the area bordered by Delamere Avenue, Oakland Hills Boulevard, Aberfoyle Heights and Cyane Way, Currumbine, as shown in Attachment No 3 to Report TP64-04/97, subject to the draft policy first being modified to reflect the following:
- (a) the policy title, area of influence and objectives being included;
 - (b) the requirements of Council's Engineering Department;
 - (c) in Clause 1, the addition of a sub-clause requiring secondary street setbacks in accordance with the Residential Planning Codes 1991;
 - (d) the modification of Clause 3 to ensure car parks and/or garages do not represent more than half of the elevation visible from the primary street;
 - (e) the modification of Clause 4 to ensure roof pitches and materials to carports and garages are compatible rather than the same as the main dwelling;
 - (f) the modification of Clause 6 to ensure that:
 - (i) all replacement fencing is to be in accordance with the design guidelines;
 - (ii) the 1.5 metre sightline truncations also relate to fencing adjacent to carports;
 - (iii) details of acceptable form/s of fencing for the remaining portion of the estate are included;
 - (iv) diagrams of each style of fencing are included;
 - (g) the modification of Clause 7 to ensure:
 - (i) that the storage area is permanent, enclosed, at least 4 m² in area, compatible to the overall development and detached outbuildings, have compatible rather than the same, building materials on the dwelling;
 - (ii) each dwelling makes provision for a refuse storage area and access thereto from the collection point;
- 2** following the modifications outlined in Point 1 above, advertises the draft planning policy in accordance with Clause 5.11 of Town Planning Scheme No 1 for a period of thirty days;

- 3 in the event that no objection is received as a result of advertising, finally adopts the planning policy;
- 4 upon finally adopting the planning policy, exercises discretion under:
- (a) Clause 1.5.7 of the Residential Planning Codes and reduces the front setback requirements from 6 metres average with a 3 metre minimum to 4 metres average with a 2 metre minimum for all lots within the policy area;
 - (b) Clause 1.5.7 of Residential Planning Codes and reduces the rear setback requirement for carports and garages from an average of 4 metres to 1.5 metres minimum on lots served by the rear laneway within the policy area;
 - (c) Clause 5.9 of Town Planning Scheme No 1 and reduces the minimum open space requirement from 50% to 40% of the site for all lots within the policy area. CARRIED

Appendix XI refers

TP65-04/97 **JOONDALUP CIVIC & CULTURAL FACILITIES**
PROJECT: PERFORMING ARTS THEATRE - LOCATION
OF LOTTERIES HOUSE - [730-8-8-1]

Hames Sharley have completed a Planning and Architectural brief for the Performing Arts Complex of the Joondalup Civic and Cultural Facility which proposes the Welfare/Lotteries House building be located adjacent to the east west walkway (Civic Walk) adjacent to the Joondalup Administration Centre. The proposed location is recommended as the basis for further negotiations.

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

- 1 accepts the Planning and Architectural Brief from Hames Sharley for Performing Arts Complex in the Joondalup Civic and Cultural Facilities Precinct to be utilised in conjunction with the principles expressed in the Joondalup Civic and Cultural Facilities Master Plan subject to further investigation of the integration of the complex with the City Centre and compliance with the principles embodied in the Joondalup City Centre Development Plan and Manual;
- 2 agrees that the location of the Lotteries House should be adjacent to the east/west pedestrian spine (Civic Walk) and the Joondalup Administration centre;
- 3 authorises the Chief Executive Officer to negotiate with the Lotteries Commission (or its representative) the precise location for the proposed Lotteries House,
- 4 forwards a copy of the brief "Joondalup Civic and Cultural Facilities Project: Performing Arts Theatre" to the Minister for the Arts seeking a commitment in principle to the project. **CARRIED**

TP66-04/97

**USE APPROVAL - MOBILE BATCH PRODUCTION PLANT,
LOT 6 (86) WESCO ROAD, NOWERGUP - [30/2831]**

The application by Greg Thomas is for the operation of a mobile batching plant with no permanent structures, within an existing limestone quarry site, Lot 6 (86) Wesco Road, Nowergup. Council's approval is requested for a Rural Industry as some of the materials are to be obtained from the locality. Conditions regarding amenity and general operations will be required. As the proposal's operation cannot be properly assessed until established, approval is recommended for a twelve month period only.

RECOMMENDATION: That Council approves the application submitted by Greg Thomas for a use approval to operate a mobile batching plant from Lot 6 (86) Wesco Road, Nowergup subject to:

- 1 the use of the lot for the operation of the mobile batching plant ceasing by 1 May 1998 unless a further application is made to and approved by Council prior to that date;
- 2 the operation being carried out in accordance with the requirements of the Department of Environmental Protection;
- 3 prior to the commencement of operations, the approval of the Water and Rivers Commission being obtained;
- 4 its operation not causing any injury to or prejudicially affecting the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or otherwise to the satisfaction of the City Planner;
- 5 the mobile batching plant only operating from the lot while an approved quarry operates from the lot;
- 6 the proposal being setback at least 30 metres from any property boundary or 40 metres from any property boundary or 40 metres from any road boundary;
- 7 the majority of materials being used to be obtained from the locality;
- 8 standard and appropriate conditions as considered appropriate by the City Planner.

At the Town Planning Committee Meeting Cr Duffy queried the position in relation to imposing a road levy on operations other than extractive industries and requested this issue be referred to the Policy Committee to investigate the feasibility of a levy being imposed.

MOVED Cr Wight, SECONDED Cr O'Grady that Council does not approve the application submitted by Greg Thomas for a use approval to operate a mobile batching plant from Lot 6 (86) Wesco Road, Nowergup. CARRIED

TP67-04/97

**USE APPROVAL - MOBILE BATCH PRODUCTION PLANT,
LOT 5 (190) FLYNN DRIVE, NEERABUP - [30/5555]**

The application by Mr Thomas is for the operation of a mobile batching plant with no permanent structures within an existing sand quarry, Lot 5 (190) Flynn Drive, Neerabup. Council's approval is requested for a Rural Industry use as some materials are to be obtained from the locality. Conditions regarding amenity and general operations will be

required. As the proposal's operation cannot be adequately assessed until established, approval is recommended for a twelve month period only.

MOVED Cr Wight, SECONDED Cr O'Grady that Council approves the application submitted by Greg Thomas, to operate mobile batching plant from Lot 5 (190) Flynn Drive, Neerabup, subject to:

- 1 **the use of the lot for the operation of the mobile batching plant ceasing by 1 May 1998 unless a further application is made to, and approved by, Council prior to that date;**
- 2 **the operation being carried out in accordance with the requirements of the Department of Environmental Protection;**
- 3 **prior to the commencement of operations, the approval of the Water and Rivers Commission being obtained;**
- 4 **its operation not causing any injury to or prejudicially affecting the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or otherwise to the satisfaction of the City Planner;**
- 5 **the mobile batching plant only operating from the lot while an approved quarry operates from the lot;**
- 6 **the proposal being setback at least 30 metres from any property boundary 40m from any road boundary;**
- 7 **the majority of materials being used, to be obtained from the locality;**
- 8 **standard and appropriate conditions as considered appropriate by the City Planner.**

CARRIED

TP68-04/97

PROPOSED GUEST HOUSE, LOT 120 (24) DORCHESTER AVENUE, WARWICK - [30/5567]

An application has been received from Mr Burton-Wigley seeking approval to use his dwelling on Lot 120 (24) Dorchester Avenue, Warwick for a guest house to accommodate a maximum of eight guests. Surrounding neighbours were notified by means of a letter. A 27 signature petition and four separate submissions were received. Only one separate submission supported the proposal.

The proposal is supported subject to the approval of a revised plan to be submitted by the applicant showing appropriate on-site parking and landscaping of the parking area.

RECOMMENDATION: THAT Council approves the application submitted by Mr Burton-Wigley for a guest house on Lot 120 (24) Dorchester Avenue, Warwick, subject to:

- 1 the provision of six parking bays and associated manoeuvring space on site;
- 2 the maximum number of guests being limited to eight;
- 3 the provision of landscaping to screen the car parking area from the street and to minimise the impact of the car parking area on the streetscape;
- 4 the submission of a revised plan detailing the required parking and landscaping to the satisfaction of the City;
- 5 standard and appropriate conditions.

At the Town Planning Committee Meeting, Cr Taylor stated that the plans appended to the Report do not accurately indicate what is constructed on the property.

MOVED Cr Wight, SECONDED Cr O'Grady that Council defers consideration of the application submitted by Mr Burton-Wigley for a guest house on Lot 120 (24) Dorchester Avenue, Warwick pending an investigation being conducted into the house plans of the guest house. CARRIED

TP69-04/97 SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY COMMITTEE 27 FEBRUARY 1997 TO 27 MARCH 1997 - [290-1]

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

MOVED Cr Wight, SECONDED Cr O'Grady that Council endorses the action taken by the Subdivision Control Unit and Delegated Authority Committee in relation to the applications described in Report TP69-04/97. CARRIED

Appendix XII refers

TP70-04/97 CLOSE OF ADVERTISING : AMENDMENT NO 745 TO TOWN PLANNING SCHEME NO 1 TO REZONE A PORTION OF MEDICAL CENTRE TO ACCOMMODATE A

**PHARMACY, LOT 1256 (23) EDINBURGH AVENUE,
KINROSS - [790-745]**

Amendment No 745 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 1 April 1997. This amendment seeks to rezone a portion of Lot 1256 (23) Edinburgh Avenue, Kinross from Special Zone (Restricted Use) Medical Centre to Special Zone (Restricted Use) Pharmacy. As a result of advertising, one submission in support of the proposal was received. The submission has been considered and final adoption of Amendment No 745 is recommended.

RECOMMENDATION That Council:

- 1 pursuant to Town Planning Regulation 17(2), adopts Amendment No 745 to Town Planning Scheme No 1 to rezone a portion of Lot 1256 (23) Edinburgh Avenue, Kinross from Special Zone (Restricted Use) Medical Centre to Special Zone (Restricted Use) Pharmacy, without modification;
- 2 subject to the receipt of the cash-in-lieu payment of \$11,950 being received, authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.

ADDITIONAL INFORMATION

With reference to the above amendment which is due to be considered by Council at its meeting on 23 April 1997 (TP70-04/97), it is proposed to modify the initial recommendation.

The modification is to rezone the whole of the subject lot to Special Zone (Restricted Use) Pharmacy not exceeding 150 m² and Medical Centre, rather than only rezoning a portion of the lot, specifically Unit 2, to Special Zone (Restricted Use) Pharmacy. This change maintains the existing medical centre zoning while also allowing the landowner to operate a pharmacy. At some time in the future the subject unit may then revert to medical centre use, as originally approved, without requiring a further rezoning. The area limit also ensures that there is only one pharmacy operating at this lot.

Council supported this modification at its meeting on 18 December 1996, however at the close of advertising the modification to the wording of this amendment was overlooked. It is noted that the amendment documents contained the appropriate wording and the proposal was advertised correctly.

In accordance with this modification, the recommendation as per Report TP70-04/97 is no longer valid and the new recommendation is submitted.

MOVED Cr Cooper, SECONDED Cr Wight that Council:

1. pursuant to Town Planning Regulation 17(2), adopts Amendment No 745 to Town Planning Scheme No 1 to rezone Lot 1256 (23) Edinburgh Avenue, Kinross from Special Zone (Restricted Use) Medical Centre to Special Zone (Restricted Use) Pharmacy not exceeding 150 m² and Medical Centre;
2. subject to the receipt of the cash-in-lieu payment of \$11,950 being received, authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents. **CARRIED**

TP71-04/97 **CLOSE OF ADVERTISING : AMENDMENT NO 776 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 337 (19) GRIFFON WAY, ALEXANDER HEIGHTS AND THE MODIFICATION OF CONDITIONS OF DEVELOPMENT APPROVAL FOR THE ALEXANDER HEIGHTS SHOPPING CENTRE : LOT 12 (200) MIRRABOOKA AVENUE AND LOT 337 (19) GRIFFON WAY, ALEXANDER HEIGHTS - [790-776 30/5273]**

Amendment No 776 to Town Planning Scheme No 1 seeks to rezone a drainage site located at Lot 337 (19) Griffon Way, Alexander Heights from Residential Development to Commercial in order to accommodate a shopping centre development. The amendment was advertised for a 42 day period, closing on 1 February 1997. Two submissions were received, one objecting to the proposal and one in support.

The objection has since been withdrawn on the basis that development conditions previously made by Council with regard to the drainage site are modified. It is recommended that Council finally adopts Amendment No 776 and modifies the shopping centre conditions of approval relating to the drainage site.

MOVED Cr Wight, SECONDED Cr O'Grady that:

- 1 finally adopts Amendment No 776 to Town Planning Scheme No 1 to rezone Lot 337 (19) Griffon Way, Alexander Heights from Residential Development to Commercial;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;
- 3 rescinds parts 5, 6(b), (c), (d) and (e) of resolution TP255-10/96 viz:
 5. “agrees in principle to the leasing of the new drainage site in accordance with the provisions of Section 3.58 of the Local Government Act 1995, at a rental value that reflects the proposed commercial use of the land and on the basis that the shopping centre landowner/s are responsible for the full costs associated with maintaining the drainage and car parking proposed to be located on this site;
 - 6.(b) the cancellation and disposal, to the Lot 12 landowners, of the drainage reservation located at Lot 337 (19) Griffon Way, Alexander Heights, prior to the issue of a building licence;
 - (c) the amalgamation and re-subdivision of Lots 12 and 337 to conform with the design of the replacement drainage sump prior to the issue of a building licence;
 - (d) the freehold transfer of the replacement drainage sump site to the City of Wanneroo at nil consideration prior to the issue of a building licence;
 - (e) the landowners entering into a lease with the City of Wanneroo in accordance with the provisions of Section 3.58 of the Local Government Act 1995 prior to the issue of a building licence. This lease is to cover the use by the shopping centre landowners of the replacement drainage sump site for car parking purposes and to be based on a rental value that reflects the proposed commercial use of the land and on the basis that the shopping centre landowners are responsible for the full costs associated with maintaining the drainage and car parking proposed to be located on this site.”
- 4 replaces the parts referred to in Part 3 above with the following:
 - “5. agrees in principle to the leasing of the new drainage site in accordance with the provisions of Section 3.58 of the Local Government Act 1995, at a peppercorn rental on the basis that the shopping centre landowners are responsible for the full costs associated with constructing and maintaining the drainage and car parking proposed to be located on this site;

- 6.(b) the reconfiguration of the drainage reserve located at Lot 337 (19) Griffon Way, Alexander Heights to the satisfaction of the City prior to the issue of a building licence;
- (c) the Department of Land Administration agreeing to and implementing a change of purpose for the new drainage reservation referred to in point (b) above to include car parking and power to lease prior to the issue of a building licence;
- (d) the landowners entering into a lease with the City of Wanneroo in accordance with the provisions of Section 3.58 of the Local Government Act 1995 prior to the issue of a building licence. This lease is to cover the use by the shopping centre landowners of the new drainage and car parking reserve at a peppercorn rental on the basis that the shopping centre landowners are responsible for the full costs associated with constructing and maintaining the drainage *and* car parking.”

CARRIED BY AN
ABSOLUTE MAJORITY

TP72-04/97

**REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN FORREST ROAD AND MASON WAY,
PADBURY - [510-334]**

The residents adjoining the pedestrian accessway between Forrest Road and Mason Way, Padbury have requested Council to close the accessway on the grounds of vandalism and anti-social behaviour. The application was supported by a petition signed by 42 residents representing 38 households. The accessway leads directly into a park, a school site and shops and is part of a network of accessways in the area.

RECOMMENDATION That Council agrees to the accessway between Mason Way and Forrest Road, Padbury being closed subject to the benefiting adjoining property owners agreeing to meet all of the associated costs.

MOVED Cr Magyar, SECONDED Cr O'Grady that Council does not agree to the closure of the accessway between Mason Way and Forrest Road, Padbury. **LOST**

MOVED Cr Taylor, SECONDED Cr Fream that Council agrees to the accessway between Mason Way and Forrest Road, Padbury being closed subject to the benefiting adjoining property owners agreeing to meet all of the associated costs.

CARRIED

TP73-04/97

**CLOSURE OF LANEWAY BETWEEN HAINSWORTH
AVENUE AND HARFORD WAY, GIRRAWHEEN - [510-170]**

Homeswest requested the City to consider closing the laneway that runs between Hainsworth Avenue and Harford Way, Girrawheen on the grounds of the violence and anti-social behaviour occurring in the laneway. To enable the laneway to be closed the land needs to be disposed of to the adjoining property owners. Unfortunately, long delays have occurred in processing the application because no commitment has been received from the

adjoining property owners to purchase the land. An agreement has still not been received, however, Council can make a decision on the application in anticipation of an agreement being eventually made.

MOVED Cr Wight, SECONDED Cr O'Grady that Council supports the cancellation of Reserve 39054 between Hainsworth Avenue and the Girrawheen Primary School subject to the land within the reserve being amalgamated with the adjoining properties. CARRIED

**TP74-04/97 TRAFFIC ISLANDS - MANAKOORA RISE, SORRENTO -
[510-3090]**

Two traffic islands have been removed from Manakoora Rise without Council authorisation. As the physical removal of the traffic islands is contrary to the Local Government Act there are liability aspects for the persons involved. The reinstatement of the traffic islands has been programmed but deferred pending the Deputation from street residents at the Technical Services meeting on 9 April 1997.

REPORT RECOMMENDATION: THAT Council defers instituting legal action on the removal of the two traffic islands in Manakoora Rise subject to a written undertaking from the involved street residents that they will arrange, at their cost, the reinstatement of the western traffic island adjacent to Lots 559 and 558 to the satisfaction of the City Engineer within twenty-one days.

COMMITTEE RECOMMENDATION: That Council:

- 1 defers instituting legal action on the removal of the two traffic islands in Manakoora Rise subject to a written undertaking from the involved street residents that they will arrange, at their cost, the reinstatement of the western traffic island adjacent to Lots 559 and 558 to the satisfaction of the City Engineer within twenty-one days;
- 2 seeks to recover 3% of the costs of the works to meet the cost, checking, design and supervision of reinstatement works.

ADDITIONAL INFORMATION

At the April Town Planning Committee Meeting (Item TP74-94/97 refers) it was recommended to defer instituting legal action on the removal of the two traffic islands in Manakoora Rise subject to a written undertaking from the involved street residents that they will arrange, at their cost, the reinstatement of the western traffic island adjacent to Lots 559 and 558 to the satisfaction of the City Engineer within twenty one days.

Accordingly, the involved street residents written commitment on this matter has been sought. In response, a letter dated 23 April has been received advising that a meeting of all the residents has been called for Tuesday, 29 April where the matter will be discussed. Following this, a further response is proposed to be forwarded within a couple of weeks.

On this basis it is considered that Council should defer instituting legal action pending this response from the residents. Also, in view of the residents' meeting programme, an additional week to arrange the reinstatement works is considered appropriate.

MOVED Cr Freame, SECONDED Cr Popham that Council :

1. **defers instituting legal action on the removal of the two traffic islands in Manakoora Rise subject to a written undertaking from the involved residents that they will arrange, at their cost, the reinstatement of the western traffic island adjacent to Lots 559 and 558 to the satisfaction of the City Engineer within twenty eight days;**
2. **seeks to recover 3% of the costs of the works to meet the cost, checking, design and supervision of reinstatement works.** **CARRIED**

TP75-04/97 DELEGATION OF DEVELOPMENT AND SUBDIVISION CONTROL POWERS - [201-1-1, 960-1]

Council is required to review the delegation it has granted in respect to development and subdivision control. Council's Solicitors, McLeod and Co, have provided a recommended form of resolution that satisfies current legal requirements and provides a similar level of delegation to that which Council has previously granted. Council is required to adopt a resolution along the lines recommended in order to provide for continued delegation of its development and subdivision control powers.

The extent of delegation will be an important influence in the performance and efficiency of Council's proposed organisational structure. It is therefore recommended that Council establishes a working party to review and report on the extent of delegation necessary for the efficient and effective functioning of the business units relating to the development and subdivision processes.

RECOMMENDATION:

THAT Council:

1. pursuant to the powers contained in the Western Australian Planning Commission instrument of delegation under the State Planning Commission Act 1985, published in the Government Gazette of 2 December 1992, and pursuant to the powers contained in s.3.34 of the City of Wanneroo Town Planning Scheme No 1, (TPS 1) by absolute majority delegates its authority to deal with applications for development approval, (including applications for approval of a home occupation, a use, applications for approval to commence development, and composite applications) or for approval to exercise the discretion contained in TPS 1 (including the Residential Planning Codes) to:
 - (a) the City Planner where the decision would involve:
 - (i) an approval in accordance with Council Policy and/or TPS1 requirements, except in the case where the application has been advertised and objection has been received;

- (ii) the exercising of discretion permitted under the Residential Planning Codes for setbacks by up to 10% where it is considered that the reduced setback will not detrimentally affect the development, adjoining properties or the streetscape;
 - (iii) the exercising of discretion under the provisions of Town Planning Scheme No 1 to reduce building setbacks, carparking, and/or landscaping by up to 10% where it is considered the reduced standard will not detrimentally affect the development, adjoining properties or the streetscape;
 - (iv) the exercising of discretion to determine whether or not advertising/neighbour consultation is required;
 - (b) the Chairman of the Town Planning Committee, in conjunction with the City Planner, for the remaining applications with the exception of the following categories which the delegates shall refer to the Council for determination:
 - (i) where the application would involve the modification of a structure plan, an amendment to TPS1 or the relocation of a building envelope;
 - (ii) where objection has been received regarding the application;
 - (iii) where the application has planning merit but is inconsistent with Council policy; or
 - (iv) where the application involves a use not listed;
- 2 For the purpose of s.24 of the Town Planning and Development Act 1928, specifies the functions of the Council under s.24(3) of that Act as functions to be performed by the Chief Executive Officer, and further recognises:
- (a) the Chief Executive Officer may wish to delegate to the City Planner the authority to deal with subdivision applications in the following categories:
 - (i) subdivision applications received which are in conformity with an approved Structure Plan by a resolution of Council;
 - (ii) subdivision applications previously supported by Council and approved by the Western Australian Planning Commission on a previous occasion;
 - (iii) applications for extension of subdivision approval issued by the Western Australian Planning Commission which were previously supported by Council;
 - (iv) applications for amalgamation or subdivision which result from conditions of development approval given by or on behalf of the Council;

- (v) applications for amalgamation of lots of a non-complex nature which would allow the development of the land for uses permitted in the zone within which that land is situated;
 - (vi) subdivision applications solely involving excision of land for public purposes including, but without limiting the foregoing, road widenings, sump sites, school sites and community purpose sites.
- (b) the Chief Executive Officer should refer to the Council any subdivision application where the decision to support or not support the application would be inconsistent with Council Policy;
- 3 where decisions have been made by a delegate pursuant to any of the preceding delegations or a decision made by the Chief Executive Officer consequent upon the specification of functions related to subdivision, requires a schedule of decisions to be provided at a subsequent meeting of Council, setting out in each case brief details of the land and the determination made, with a short summary explanation;
- 4 forms a Delegation of Authority Working Group comprising:
- (a) the City Planner and/or nominated representatives;
 - (b) three Council representatives;
- 5 requires the Delegation of Authority Working Group to investigate and report to Council on the extent of development and subdivision related delegation necessary for the efficient and effective processing of the new Development directorship;
- 6 nominates the three Council representatives to be included in the Delegation of Authority Working Group.

MOVED Cr Wight, SECONDED Cr Major that Council:

- 1 **pursuant to the powers contained in the Western Australian Planning Commission instrument of delegation under the State Planning Commission Act 1985, published in the Government Gazette of 2 December 1992, and pursuant to the powers contained in s.3.34 of the City of Wanneroo Town Planning Scheme No 1, (TPS 1) delegates its authority to deal with applications for development approval, (including applications for approval of a home occupation, a use, applications for approval to commence development, and composite applications) or for approval to exercise the discretion contained in TPS 1 (including the Residential Planning Codes) to:**
- (a) **the City Planner where the decision would involve:**
 - (i) **an approval in accordance with Council Policy and/or TPS1 requirements, except in the case where the application has been advertised and objection has been received;**

- (ii) the exercising of discretion permitted under the Residential Planning Codes for setbacks by up to 10% where it is considered that the reduced setback will not detrimentally affect the development, adjoining properties or the streetscape;
 - (iii) the exercising of discretion under the provisions of Town Planning Scheme No 1 to reduce building setbacks, carparking, and/or landscaping by up to 10% where it is considered the reduced standard will not detrimentally affect the development, adjoining properties or the streetscape;
 - (iv) the exercising of discretion to determine whether or not advertising/neighbour consultation is required;
- (b) the Chairman of the Town Planning Committee, in conjunction with the City Planner, for the remaining applications with the exception of the following categories which the delegates shall refer to the Council for determination;
 - (i) where the application would involve the modification of a structure plan, an amendment to TPS1 or the relocation of a building envelope;
 - (ii) where objection has been received regarding the application;
 - (iii) where the application has planning merit but is inconsistent with Council policy; or
 - (iv) where the application involves a use not listed;

2 For the purpose of s.24 of the Town Planning and Development Act 1928, specifies the functions of the Council under s.24(3) of that Act as functions to be performed by the Chief Executive Officer, and further recognises:

- (a) the Chief Executive Officer may wish to delegate to the City Planner the authority to deal with subdivision applications in the following categories:
 - (i) subdivision applications received which are in conformity with an approved Structure Plan by a resolution of Council;
 - (ii) subdivision applications previously supported by Council and approved by the Western Australian Planning Commission on a previous occasion;

- (iii) applications for extension of subdivision approval issued by the Western Australian Planning Commission which were previously supported by Council;
 - (iv) applications for amalgamation or subdivision which result from conditions of development approval given by or on behalf of the Council;
 - (v) applications for amalgamation of lots of a non-complex nature which would allow the development of the land for uses permitted in the zone within which that land is situated;
 - (vi) subdivision applications solely involving excision of land for public purposes including, but without limiting the foregoing, road widenings, sump sites, school sites and community purpose sites.
- (c) the Chief Executive Officer should refer to the Council any subdivision application where the decision to support or not support the application would be inconsistent with Council Policy;
- 3 where decisions have been made by a delegate pursuant to any of the preceding delegations or a decision made by the Chief Executive Officer consequent upon the specification of functions related to subdivision, requires a schedule of decisions to be provided at a subsequent meeting of Council, setting out in each case brief details of the land and the determination made, with a short summary explanation;
- 4 forms a Delegation of Authority Working Group comprising:
- (a) the City Planner and/or nominated representatives;
 - (b) three Council representatives;
- 5 requires the Delegation of Authority Working Group to investigate and report to Council on the extent of development and subdivision related delegation necessary for the efficient and effective processing of the new Development directorship;
- 6 defers nominating the three Council representatives to be included in the Delegation of Authority Working Group until after the May Council elections.

CARRIED BY AN
ABSOLUTE MAJORITY

Following a comment by the City Planner that the parking area was on private property, Cr Cooper suggested that shoppers should refer this matter to the Wanneroo Shopping Centre management.

The City Planner will write to the owners of the shopping centre, expressing concern at the problems experienced with parking.

REMOVAL OF TREES - HODGES DRIVE, HEATHRIDGE - [250-10]

At the Town Planning Committee Meeting, Cr Duffy referred to a request he had received from business owners located in the shopping centre in Hodges Drive, Heathridge for Council assistance to remove trees near the Connolly Shopping Centre to improve the visual impact of their properties.

The City Planner advised a meeting could be arranged with the shopping centre owners to discuss the removal of the trees and extending the landscape treatment onto Hodges Drive.

PROPOSED WORK SHOP ON RURAL STRATEGY - [290-1-1]

At the Town Planning Committee Meeting, Cr O'Grady queried the timeframe for conducting workshops for Councillors on rural strategy.

The City Planner advised he would circulate a memorandum with a timetable for this workshop to all Councillors.

ALTERATION OF GROUND LEVELS - [702-1-1]

At the Town Planning Committee Meeting, Cr O'Grady requested a report in relation to alteration of ground levels and their effect when building.

The City Building Surveyor advised he would circulate a copy of a report prepared for Council by Graham Compson in relation to this matter.

C122-04/97 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Lynn, **SECONDED** Cr Wight that the Report of the Finance & Community Services Committee Meeting held on 16 April 1997, be received. **CARRIED**

ATTENDANCES

Councillors:	M E LYNN, JP - Chairman	South-West Ward
	P O HEALY - From 1808 hrs	North Ward
	B C COOPER	Central Ward
	A G TAYLOR	South Ward
	F D FREAME	South-West Ward
	T W POPHAM - Deputising for Cr Tippet	South Ward
	A W WIGHT - Observer, deputising for Cr Taylor from 1833 hrs to 1836 hrs, 1956 hrs to 1957 hrs and 2019 hrs to 2024 hrs	South Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	S P MAGYAR - Observer	Central Ward
	G A MAJOR - Observer	South-West Ward
	V G HANCOCK - Observer	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager, Corporate Services:	R E DYMOCK
City Treasurer: J TURKINGTON	
Deputy City Environmental Health Manager:	P SWAIN
Acting City Recreation & Cultural Services Manager:	M STANTON
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
City Planner:	O DRESCHER
City Building Surveyor:	R FISCHER
Deputy City Engineer:	D BLAIR
Disability Access Officer:	J EDWARDS
Cultural Services Co-ordinator:	A COOK
Publicity Officer:	O DAVIDSON
Systems Librarian:	T LAWTON
Committee Clerk:	J AUSTIN
Minute Clerk:	S BRUYN

APOLOGIES

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

Apologies for absence were tendered by Crs Dammers and O'Grady.

PUBLIC/PRESS ATTENDANCE

There were 2 members of the Public in attendance.

PUBLIC QUESTION TIME

Nil

DECLARATIONS OF FINANCIAL INTEREST

Cr Taylor declared an interest in Item FA56-04/97 as he was considering placing a tender on one of the vehicles in the executive fleet.

The City Treasurer, Mr J B Turkington being a Board Member of Municipal Workcare declared an interest in Item FA44-04/97.

CONFIRMATION OF MINUTES**MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 19 MARCH 1997**

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

PETITIONS AND DEPUTATIONS

Nil

CONFIDENTIAL BUSINESS

The following Items were considered Behind Closed Doors:

FA54-04/97 RATES OUTSTANDING 3 YEARS AND OVER - [018-11]

FA55-04/97 EXTENSION OF WANGARA INDUSTRIAL ESTATE - MARKETING OF LOTS - [780-23]

MEETING TIMES

Commenced: 1803 hrs
Closed: 2107 hrs

FINANCE & ADMINISTRATIVE SECTION**REPORT NO:**

**FA35-04/97 TENDER NO 145-96/97 - PRINTING AND/OR DELIVERY OF
NEWSEXTRA - NEWSLETTER - [702-3, 704-1-2]**

Tenders for the printing and distribution for the next five editions of NewsExtra have been called resulting in a response from five printing companies and an Australia Post quote for delivery.

Companies tendering for the printing and/or delivery had three options on which to quote:

- Option 1 Print and delivery to all residential and business letterboxes
- Option 2 Print and delivery to one delivery point in bulk
- Option 3 Delivery to all residential and business letterboxes.

Only one tender was received for Option 1, five for Option 2 and one for Option 3. Also, quotes were sought for 4-page, 8-page and 12-page editions.

In view of a certain amount of dissatisfaction concerning distribution, it is recommended that Council considers contracting Scott Four Colour Print for printing and Australia Post for delivery.

REPORT RECOMMENDATION: That Council:

- 1 accepts the tenders submitted by Scott Four Colour Print and Australia Post for the printing and delivery of NewsExtra for the period 1 May 1997 to 30 June 1998, at a cost per quarter of either four-page \$9,464, eight-page \$13,74 or 12-page \$19,504;
- 2 lists in the 1997/98 Budget an amount of \$80,000 to accommodate the printing and delivery of the 1997/98 quarterly NewsExtra;
- 3 arranges the signing of the tender documents.

At the Finance and Community Services Committee meeting, Cr Taylor requested that the feasibility and costings on providing a wrap around for NewsExtra and a possible change of name be investigated.

The Chief Executive Officer indicated this information would be submitted prior to the next Council meeting to be held on 23 April 1997.

COMMITTEE RECOMMENDATION: That Council defers consideration of the tender submitted by Scott Four Colour Print and Australia Post for the printing and delivery of NewsExtra pending an investigation into the feasibility and costings on providing a wrap around for NewsExtra and a possible change of name.

ADDITIONAL INFORMATION

In response to Council's request into the feasibility and costings on providing a wrap around for NewsExtra and a possible change of name the following information has been obtained.

Wrap arounds are no longer used and the three possible options for alternative presentations of the newsletter and the costs associated with the distribution of 72 900 copies are as follows:

- | | | |
|---|--|----------------------|
| 1 | Insert newsletter into a plastic cover with a cover sheet stamped with the City crest and addressed "To the City of Wanneroo Resident"
= 18 cents plus 5 cents for cover sheet = 23 cents each. | Total cost \$16 767 |
| 2 | Insert newsletter into a plastic cover without cover sheet
= 18 cents. | Total cost \$13 122. |
| 3 | Insert newsletter into a DL size paper envelope stamped with the City crest and addressed "To the City of Wanneroo Resident" = \$100 per 1000. | Total cost \$ 7 290 |

These quotes do not include postage. The plastic cover option is likely to increase the Australia Post delivery charge by 4 to 5 cents a copy. For a paper envelope the cost would remain at 6 cents a copy.

Attached are three alternative newsletter banners for Council's consideration together with the current special election edition for comparison. However, owing to the difficulty in reproducing in black and white the full impact of possible name and banner changes, it is recommended that a decision on this aspect of the newsletter's production be deferred until the August edition - Appendix XXI refers.

MOVED Cr Taylor, SECONDED Cr Wight that due to the need to finalise the tender and ensure the newsletter is not out of date and distributed in May that Council:

- | | | | | | | | |
|------------|---|-----------|----------|------------|-------------|---------|-----------|
| 1 | accepts the tender submitted by Scott Four Colour Print and Australia Post for the printing and delivery of NewsExtra for the period 1 May 1997 to 30 June 1998, at a cost per quarter of either: | | | | | | |
| | <table border="0"> <tr> <td style="padding-right: 20px;">four-page</td> <td>\$ 9 464</td> </tr> <tr> <td>eight-page</td> <td>\$13 274 or</td> </tr> <tr> <td>12-page</td> <td>\$19 504;</td> </tr> </table> | four-page | \$ 9 464 | eight-page | \$13 274 or | 12-page | \$19 504; |
| four-page | \$ 9 464 | | | | | | |
| eight-page | \$13 274 or | | | | | | |
| 12-page | \$19 504; | | | | | | |
| 2 | lists in the 1997/98 Budget an amount of \$80 000 to accommodate the printing and delivery of the 1997/98 quarterly Newsletter; | | | | | | |
| 3 | arranges the signing of the tender documents; | | | | | | |

4 refers possible banner and name change to the May Policy Committee Meeting. CARRIED

Appendix XXI refers

FA36-04/97 NORTH WEST METRO TOURISM ASSOCIATION - [320-2-2]

The North West Metro Tourism Association (Inc) has applied for funding from Council for the 1997/98 financial year. The Association promotes tourism within the City of Wanneroo and receives contributions from member tourist operators. In order to assess the funding application Council needs to consider its commitment to tourism in the district.

REPORT RECOMMENDATION: That Council lists for consideration in its 1997/98 Draft Budget the sum of \$18,000 for the North West Metro Tourism Association (Inc) to promote tourism in the City of Wanneroo.

COMMITTEE RECOMMENDATION: That Council lists for consideration in its 1997/98 Draft Budget the sum of \$10,750 being 50% contribution towards:

Brochure - review, upgrade, reprint	\$15,000
Airport Video Wall (display 3 minute/hour/ 24hr/day/7 days/week	\$ 3,000
Map/editorial in; Hello Perth/What's on in Perth - 460,000 books	\$ 3,500

subject to the Airport Video Wall displaying information on the City of Wanneroo.

MOVED Cr Magyar, SECONDED Cr Hancock that Council lists for consideration in its 1997/98 Draft Budget the sum of \$13,000, being 50% contribution towards:

Brochure - review, upgrade, reprint	\$15,000
Airport Video Wall (display 3 minute/hour/ 24hr/day/7days/week	\$ 3,000
Map/editorial in - Hello Perth/What's on in Perth - 460,000 books	\$ 3,500
Internet - development of Internet page, rent	\$ 2,500
Development of CD-Rom promotional media system with TAFE/ECU	\$ 2,000

LOST

MOVED Cr Taylor, SECONDED Cr Wight that Council lists for consideration in its 1997/98 Draft Budget the sum of \$10,750 being 50% contribution towards:

Brochure - review, upgrade, reprint	\$15,000
Airport Video Wall (display 3 minute/hour/ 24hr/day/7 days/week	\$ 3,000
Map/editorial in; Hello Perth/What's on in Perth - 460,000 books	\$ 3,500

subject to the Airport Video Wall displaying information on the City of Wanneroo.

- 1 approves renewal of the Lease of Lot 1 Bower Grove, Two Rocks to the Education Department for a Pre-Primary Centre for a five year term at an initial rental of \$1149.30 which is to be increased annually according to the Consumer Price Index;
- 2 approves renewal of the Lease of Lot 15 Juniper Way, Duncraig to the Education Department for a Pre-Primary Centre for a five year term at an initial rental of \$1446.60 which is to be increased annually according to the Consumer Price Index. **CARRIED**

**FA40-04/97 JOONDALUP ADMINISTRATION CENTRE REFURBISHMENT
- ACCEPTANCE OF CONSULTANT FOR TENDER REF:165-96/97 - [605-2-1]**

The restructure of the City of Wanneroo administration and the relocation of the Council Chambers to its new facility in July 1997 has provided an opportune time to effect the refurbishment of the Joondalup Administration Centre to reflect the new Corporate structure. The design and management of this work has been advertised to gain the services of a suitably qualified consultant. Council endorsement is sought for the appointment of the consultant.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 agrees to the appointment of Marshal Kusinski Design Consultants to provide the service required:
 - as presented in the consultancy tender brief reference : 165-96/97 for the City of Wanneroo Joondalup Administration Centre refurbishment at Boas Avenue Joondalup;
 - for the sum of 6% of the Contract Sum to a maximum of \$170,950;
 - plus \$44,950.00 for Norman Disney and Young;
 - \$6,000.00 for Ralph Beattie Bosworth as fees where these two firms will act as sub consultants to Marshal Kusinski Design Consultants;
- 2 agrees to the signing of the Contract Documents;
- 3 allocates for consideration funds of \$1,500,000 in the 1997/98 draft budget for the ongoing refurbishment of the Council's Administration Centre. **CARRIED**

**FA41-04/97 WARRANT OF PAYMENTS FOR THE PERIOD ENDING
31 MARCH 1997 - [021-1]**

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

ADDITIONAL INFORMATION

Due to a computer malfunction, it was necessary to replace pages 1 to 22 of Attachment 'A' to Report FA41-04/97.

MOVED Cr Lynn, SECONDED Cr Wight that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 March, 1997, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$19,374,212.70:

FUNDS	VOUCHERS	AMOUNT
		\$
Treasurer's Advance Account No 1	43300 - 44400	7,429,262.00
Municipal	000380 - 000393	11,816,218.01
Trust	000038 - 000044	68.87
East Wanneroo Development Area Cell 1	000003B	1,452.25
East Wanneroo Development Area Cell 2	000002B	763.27
East Wanneroo Development Area Cell 3	0905721K	2,805.59
East Wanneroo Development Area Cell 4	0905719E	2,690.09
East Wanneroo Development Area Cell 5	0905713B	293.65
East Wanneroo Development Area Cell 6	000004B	8,336.37
East Wanneroo Development Area Cell 7	000002B	286.59
East Wanneroo Development Area Cell 8	000001B	41.63
Town Planning Scheme 7A (2)	0905766I	4,746.92
Town Planning Scheme 7A (4)	0905761H	1,910.12
Town Planning Scheme 5	0905756G	2,029.00
Berkley Road Local Structure Plan	0905748B	7,280.14
Reserve Account	000003	96,028.20
	TOTAL	\$19,374,212.70

CARRIED

Appendix XIII refers

FA42-04/97 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. Items approved by Council, but not previously listed in the Schedule, are also included for consistency and to facilitate presentation of an accumulated balance.

MOVED Cr Taylor, SECONDED Cr Lynn that Council authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, amendments to the "revised budget figures" of the 1996/97 Budget as detailed in the Schedule of Budget Reallocation Requests - 16 April, 1997.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIV refers

FA43-04/97 OUTSTANDING GENERAL DEBTORS - 31 MARCH 1997 - [020-0]

This report details the outstanding general debtors as at 31 March 1997 and outlines the action being taken to effectively control those debtors which have outstanding for in excess of 90 days. It recommends a write off of debts totalling \$1,250.50.

At the Finance and Community Services Committee Meeting, the City Treasurer reported that the proprietors of the Salt Water Cafe, Mr & Mrs J Pertile, had agreed to pay in accordance with the original payment arrangement of \$5,562.50 on 23/12/96, 23/3/96 and 23/6/97. Their cheque for \$11,125.00 was expected prior to the April 1997 Council meeting.

MOVED Cr Wight, SECONDED Cr Popham that Council, writes out of its General Debtors Ledger an amount of \$1,250.50 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report No FA43-04/97.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XV refers

**FA44-04/97 1997/98 WORKERS COMPENSATION INSURANCES
RENEWAL - [013-6]**

Council is in receipt of the 1997/98 Workers Compensation Insurance renewal from Municipal Workcare the Local Government self insurance Scheme. The renewal terms are very attractive and it is suggested Council renews its commitment to the Scheme for the 1997/98 year.

At the Finance and Community Services Committee meeting, the City Treasurer reported that legal advice received indicated that Council was not required to go to tender for a service which is an exclusive service.

The City Treasurer, Mr J B Turkington being a Board Member of Municipal Workcare declared an interest in this item.

MOVED Cr Lynn, SECONDED Cr Wight that Council advises the Municipal Workcare Scheme that it wishes to renew its 1997/98 membership with the Scheme on the basis that:

- 1 the premium payable will be calculated at 3% of estimated 1997/98 payroll with 30% payable by 31 July 1997 and 70% payable on 30 September 1997;**
- 2 terms and conditions of membership will be unaltered from those originally agreed in 1995.**

CARRIED

**FA45-04/97 NATIONAL COMPETITION POLICY - APPLICATION AT THE
CITY OF WANNEROO - [702-11]**

This report addresses the issues associated with the National Competition Policy and its application to Local Government in Western Australia. It focuses on compliance requirements, details the implementation timetable and indicates that penalties may be imposed for breaches of the policy.

Compliance with the National Competition Principles sets a rigorous implementation program which will require the Business Unit Managers of this City during 1997/98, to closely consider, assess and evaluate his/her business activity to ensure it is contestable and capable of being "market tested" effective 1 July 1998.

RECOMMENDATION: That Council:

- 1 accepts the obligations associated with implementation of the National Competition Policy principles;
- 2 undertakes a cost benefit analysis of its activities to ascertain to which the National Competition Policy principles will apply;
- 3 ensures that each of its business activities is exposed to a rigorous assessment and evaluation to ensure it complies with the National Competition Policy principles and is capable of being fully "market tested" and contestable by 1 July 1998.

MOVED Cr Magyar, SECONDED Cr Major that Council:

- 1 reluctantly accepts the obligations associated with the implementation of the National Competition Policy principles;
- 2 undertakes a cost benefit analysis including non-apparent social and environmental costs and benefits of its activities to ascertain to which the National Competition principles will apply;
- 3 attempts to recover the costs of any of its activities which generate a benefit for other levels of Government;
- 4 ensures that each of its business activities is exposed to a rigorous assessment and evaluation to ensure it complies with the National Competition Policy principles and is capable of being fully "market tested" and contestable by 1 July 1998.

Cr Magyar with the approval of Cr Major advised that subject to the issues he has raised being taken into consideration by way of a further report, he wished to have his Motion

WITHDRAWN

MOVED Cr Magyar, SECONDED Cr Major that Council:

- 1 **accepts the obligations associated with implementation of the National Competition Policy principles;**
- 2 **undertakes a cost benefit analysis of its activities to ascertain to which the National Competition Policy principles will apply;**
- 3 **ensures that each of its business activities is exposed to a rigorous assessment and evaluation to ensure it complies with the National Competition Policy principles and is capable of being fully "market tested" and contestable by 1 July 1998.**

CARRIED

Council's split valuation system for rating purposes and the continued subdivision of broadacre properties requires that the gross rental/unimproved valuation boundaries be delineated on an annual basis.

The boundary delineation is subject to the Minister's approval pursuant to Section 6.28 of the Local Government Act 1995.

MOVED Cr Lynn, SECONDED Cr Wight that Council in accordance with the provisions of Section 6.28 of the Local Government Act 1995 request the Minister to realign the gross rental/unimproved valuation boundaries for the 1997/98 rating year as outlined on the plan laid on the table. CARRIED

FA49-04/97 1997/98 RATES INCENTIVE SCHEME - [018-20]

It has been customary over past years for Council to offer donated prizes for payment of rates within 21 days of issue of the rate notice. It is considered appropriate due to past success in attracting ratepayers to pay rates early that this scheme again be offered for the 1997/98 year.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 undertakes a Rate Incentive Scheme for the 1997/98 year;**
- 2 adopts the conditions of entry and drawing of winners to the 1997/98 Rate Incentive Scheme as outlined in Report FA49-04/97;**
- 3 commences negotiations with prospective donors for prizes for the 1997/98 rate incentive scheme. CARRIED**

Appendix XVII refers

FA50-04/97 DONATIONS - [009-1]

This report details requests for financial assistance during the month of April, 1997. The requests for financial assistance are:-

1. for sports persons who have been selected to represent Western Australia in various categories of sport;
2. a \$75.00 donation to the North Metropolitan College of TAFE, Joondalup for a Best Student Award.

At the Finance and Community Services Committee meeting, it was noted that the figure of '\$75.00' in item 2 of the Recommendation of Report FA50-04/97 was incorrect and should be replaced with the figure of '\$225.00'.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 donates \$50.00 to each of the following persons to assist with costs to participate in their respective sports:

Mr Peter Wolski	-	10 Deyoung Road, Craigie	6025
Mr Wayne Eliot	-	62 Readshaw Road, Duncraig	6023
Miss Jolene Cullen	-	48 Poynter Drive, Duncraig	6023
Miss Dayle Carnachan	-	10 Deltoid Place, Heathridge	6027
Miss Angela Favell	-	41 Stonehaven Parade, Kinross	6028
Miss Liz Blatchford	-	217 Lilburne Road, Duncraig	6023
Miss Alana Donnelly	-	10 Bennetts Place, Sorrento	6020
Miss Jayne Cruttenden	-	8 Fallbrook Avenue, Woodvale	6026
Mr Ryan Purcell	-	3 Fallbrook Avenue, Woodvale	6026
Miss Mandy Cochrane	-	14 Castlefern Way, Duncraig	6023
Miss Gabby Clarke	-	19 Oronsay Road, Greenwood	6024
Miss Kelsey Morrissey	-	8 Oakapple Drive, Duncraig	6023
Miss Tienielle Brownfield	-	54 King Edward Drive, Heathridge	6027
Miss Michelle Cobb	-	26 Fallbrook Avenue, Woodvale	6026

such donations to be from Budget Item number 29470 - Sundry Donations - Recreation and Sport - Other;

- 2 donates \$225.00 to North Metropolitan College of TAFE, Joondalup towards a Best Student Award;

such donation to be from Budget Item number 21965 - Education - Other.

CARRIED

FA51-04/97 DONATION - CHALLENGE BRASS BAND - [009-1]

This report details a request for financial assistance from the Challenge Brass Band to assist with costs to organise free concerts for the residents of Wanneroo in recognition of the Challenge Brass Band's tenth anniversary. It recommends a donation of \$500.00.

MOVED Cr Lynn, SECONDED Cr Wight that Council donates \$500 to the Challenge Brass Band to assist with costs to celebrate its 10th Anniversary. Such donation to be from Account Number 26531 - Sundry Donations - Other Welfare Services. CARRIED

FA52-04/97 DONATION - SCHOOL VOLUNTEER PROGRAM - [009-1]

This report details a request from the School Volunteer Program for financial assistance. This Group which offers intergenerational support to high school students within the City of Wanneroo is now considering a program for primary school children. In view of the considerable worth of the program it is recommended Council offers support to the value of \$200.

MOVED Cr Lynn, SECONDED Cr Wight 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. **CARRIED**

FA53-04/97 SALE OF SURPLUS EQUIPMENT - [010-0-1]

An offer of \$20.00 has been made by Mr E Tassone to purchase a Vulcan Dishlex Dishwasher considered to be irreparable which is now surplus to Council's requirements.

MOVED Cr Lynn, SECONDED Cr Wight that Council accepts the offer of \$20.00 from Mr Eddie Tassone to purchase a Vulcan Dishlex Dishwasher which is irreparable and surplus to Council's requirements. CARRIED

FA54-04/97 RATES OUTSTANDING 3 YEARS AND OVER - [018-11]

This report details 26 properties on which rates and charges are outstanding for a period of three years and over and recommends sale proceedings commence in relation to two.

RECOMMENDATION: That Council, in accordance with the provisions of Section 6.68 of the Local Government Act 1995 proceeds with the sale of:

- (2) 22 Meridian Drive, Wanneroo
- (13) 58 Wilkie Avenue, Yanchee

ADDITIONAL INFORMATION

Councillors will be aware that the above matter was discussed at the April meeting of Council's Finance and Community Services Committee. The recommendation from Committee to Council was:-

"That Council, in accordance with the provisions of Section 6.68 of the Local Government Act 1995 proceeds with the sale of:-

- (2) 22 Meridian Drive, Wanneroo
- (13) 58 Wilkie Avenue, Yanchep"

Following investigation it is found that the suburb shown on the 22 Meridian Drive property as **Wanneroo** should in fact be **Mullaloo**.

As a consequence the correct recommendation should be:-

"That Council, in accordance with the provisions of Section 6.68 of the Local Government Act 1995 proceeds with the sale of:-

- (2) 22 Meridian Drive, Mullaloo
- (13) 58 Wilkie Avenue, Yanchep"

The corresponding correction should also be made to Attachment 'A' to Report FA54-04/97.

MOVED Cr Lynn, SECONDED Cr Wight that Council, in accordance with the provisions of Section 6.68 of the Local Government Act 1995 proceeds with the sale of:

- (2) 22 Meridian Drive, Mullaloo
 - (13) 58 Wilkie Avenue, Yanchep
- CARRIED**

**FA55-04/97 EXTENSION OF WANGARA INDUSTRIAL ESTATE -
MARKETING OF LOTS - (780-23)**

Council has subdivided its landholding in the north-west corner of the Wangara Industrial Estate into sixteen lots zoned for light industry. The subdivision development works are nearing completion and it is appropriate for Council to appoint a real estate firm to sell the new lots.

At the Finance and Community Services Committee meeting, Cr Taylor requested that the City Planner seek clarification from First Pacific Davies in relation to its accepting 1.00% of the gross selling price for conjunctional sales.

The City Planner reported he would advise Councillors on this matter by way of a memorandum prior to the next Council meeting to be held on 23 April 1997.

ADDITIONAL INFORMATION

The City Planner advised that at the last Finance & Community Services Committee meeting when this item was considered, concern was expressed in relation to Condition 4 of that recommendation relating to the additional one percent of the gross selling price which would be charged in the event of a conjunctional sale.

The City Planner has made enquiries with First Pacific Davies and submitted a copy of a facsimile received outlining the rationale behind their expression of interest - Appendix XXII refers.

Although the company is prepared to accept a flat 1%, their view is that the City would be disadvantaged as it would be unlikely that other real estate companies would refer their clients to buy City land and would endeavour to re-direct them to other industrial areas.

Council should also note that the expression of interest offered a lesser than the normal scale of fees for private treaty sales and this is largely due to the number of lots that the City would be offering for sale.

The City therefore, would need to consider whether it would be disadvantaged by only offering a 1% fee structure on each lot for the three months post auction as this would need to be shared in the case of a conjunctional sale.

Although the company is prepared to accept the 1% fee structure, it is believed that the City would be advantaged by offering the additional 1%, ie in total 2% in the event of a conjunctional sale and therefore the recommendation before Council is considered appropriate.

MOVED Cr Cooper, SECONDED Cr Healy that Council appoints the firm of First Pacific Davies as its selling agent for the auction and later private treaty sale, if required, of the lots within its subdivision in the north-west sector of Wangara on the following basis:

- 1 auction expenses not exceeding \$13,000 to be paid by Council from Account No 33198 - Extension of Wangara Industrial Estate;**
- 2 the selling fee to be paid to the auctioneering firm is to equal 1.00% of the gross selling price for each lot;**
- 3 First Pacific Davies being granted an exclusive agency of three months in which to market any lots not sold at auction, subject to the provisions of Section 3.58 of the Local Government Act 1995;**
- 4 the selling fee for lots sold by private treaty is to be 1.00% of the gross selling price for each lot except where a conjunctional sale with another agent is negotiated in which case the collective fee will equal 2.00%. CARRIED**

Appendix XXII refers.

FA56-04/97 SALE OF FORD FAIRLANE SEDAN - [507-1]

Ford Fairlane sedan, plant number 99956 was included in the auction by John A Bell Auctioneers on 20 March 1997. The reserve price set by Council was not achieved and this report recommends including this vehicle as a trade in the tender for the replacement of the vehicles provided to the Mayor, Chief Executive Officer and Directors.

At the Finance and Community Services Committee meeting, Cr Taylor declared an interest in this item as he was considering placing a tender on one of the vehicles in the executive fleet. However, Cr Taylor further stated he had received legal advice that he did not have an interest, but wished it noted he may submit a tender at the appropriate time.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

Cr Hancock submitted a letter from Mr P Rees in relation to problems experienced with the public accessway in Nyara Crescent, Craigie and requesting the closure of this accessway and requested that this matter be investigated.

This letter will be referred to Engineering Department for action.

MOVED Cr Lynn, SECONDED Cr Wight that the letter from Mr P Rees requesting the closure of the public accessway in Nyara Crescent, Craigie be received and referred to Engineering Department for action. CARRIED

**FA61-04/97 LOCAL GOVERNMENT ADVISORY BOARD SUBMISSION
-(801-5)**

At the Finance and Community Services Committee meeting, the Chief Executive Officer advised that submissions prepared by the Local Government Advisory Board containing options on the splitting of the Cities of Stirling and Wanneroo were submitted to the Minister on 16 April 1997 and stated there was a need for Council to consider future strategies on this issue to ensure public awareness of possible changes.

He suggested a report be submitted to the May meeting of the Finance and Community Services Committee in relation to seeking a deputation to the Minister as to the timeframe involved for any future changes and sought input from Councillors as to whether a report was warranted.

General discussion ensued, with Councillors supporting the need for a report on this matter.

Cr Cooper believed that Council should be instigating steps, in conjunction with the City of Stirling, for a referendum on boundary rationalisation to allow the public to have input into any decision made.

MOVED Cr Lynn, SECONDED Cr Wight that a report be submitted to Council in relation to seeking a deputation to the Minister to enquire as to the timeframe involved for any future changes in the boundaries for the City of Wanneroo. CARRIED

COMMUNITY SERVICES SECTION

**CS48-04/97 YANCHEP HOLIDAY VILLAGE - INSUFFICIENT CHLORINE
LEVEL OF SWIMMING POOL - [30/300-63]**

This Item was **WITHDRAWN**

**CS49-04/97 HEALTH NOTICE - MEAT WORLD 22 BARETTA ROAD
WANGARA - [30/965]**

Council is advised of the service of a Health Notice on the owners of Meat World Pty Ltd, 22 Baretta Road, Wangara on 4 March 1997. The Notice relates to structural repairs, inadequate refrigeration and failure to maintain the premises in a clean condition.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 **endorses the issue of the service of the Health Act Notice of 5 March 1997 on Meat World Wanneroo Pty Ltd;**
- 2 **authorises legal action against Meat World Wanneroo Pty Ltd for default of the Notice dated 5 March 1997. CARRIED**

CS50-04/97 DRAFT STRATEGIC PLAN FOR MULTICULTURAL POLICY - [880-9-0]

The Multicultural Advisory Committee is seeking Council endorsement of a Strategic Plan which will enable the previously adopted Multicultural Policy to be implemented. During its 1996/97 term of office the Committee has developed the strategies which it believes are achievable objectives for the organisation.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 **endorses the Draft Multicultural Strategic Plan “City of Wanneroo - Strength in Cultural Diversity” as outlined in Attachment 1 to Report No CS50-04/97;**
- 2 **authorises the development of an Action Plan outlining areas of responsibility, time lines and associated costs. CARRIED**

Appendix XVIII refers

CS51-04/97 FINANCING OF ACCESS PROJECTS - [880-8-10]

The Disability Access Advisory Committee is seeking Council’s approval for the financing of 8 access projects. The projects which range in price from \$294.00 to \$15,000.00 (to a total of \$43,713.90) will enhance access to local services and facilities.

REPORT RECOMMENDATION:

THAT Council:

- 1 approves expenditure of \$43,713.90 for access projects as detailed in Report No CS51-04/97;
- 2 approves, BY AN ABSOLUTE MAJORITY, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds to the following allocations:

From Allocation	To Allocation	Amount
20169	31419 Stationery - Whitford	\$ 567.00
	31519 Stationery - Duncraig	\$ 567.00
	31919 Stationery - Woodvale	\$ 567.00
	31619 Stationery - Girrawheen	\$ 567.00
	31719 Stationery - Wanneroo	\$ 567.00
	31819 Stationery - Yanchep	\$ 567.00
20169	40281 Capital Purchases - Joondalup	\$3,404.00
20169	40219 Stationery - Joondalup	\$ 400.00
	31419 Stationery - Whitford	\$ 80.00
	31519 Stationery - Duncraig	\$ 80.00
	31919 Stationery - Woodvale	\$ 80.00
	31619 Stationery - Girrawheen	\$ 80.00
	31719 Stationery - Wanneroo	\$ 80.00
	31819 Stationery - Yanchep	\$ 80.00
20169	20283 Computer Equipment	\$1,190.00
20169	28267 Aquamotion Fitness Centre	\$7,344.00
20169	23497 Child Care - Other	\$1,237.15
20169	40255 Joondalup - Bookstock Purchases	\$1,700.00
20169	31660 Girrawheen - Bookstock Purchases	\$1,700.00
20169	23266 Equipment Replacement	\$ 812.75
20169	26531 Sundry Donations	\$6,750.00
20169	31319 Control Stationery	\$ 294.00
	TOTAL	\$28,713.90

At the Finance and Community Services Committee meeting, Cr Taylor requested clarification on legal implications concerning the funding of the proposed Hillarys Boat Harbour project prior to the Council meeting to be held on 23 April 1997.

COMMITTEE RECOMMENDATION: That Council:

- 1 approves expenditure of \$36,963.90 for access projects as detailed in Report No CS51-04/97, with the exception of Item 7 relating to the upgrade of access ramps at swimming areas at Hillarys Boat Harbour;
- 2 approves, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds to the following allocations:

From Allocation	To Allocation	Amount
20169	31419 Stationery - Whitford	\$ 567.00
	31519 Stationery - Duncraig	\$ 567.00
	31919 Stationery - Woodvale	\$ 567.00
	31619 Stationery - Girrawheen	\$ 567.00
	31719 Stationery - Wanneroo	\$ 567.00
	31819 Stationery - Yanchep	\$ 567.00
20169	40281 Capital Purchases - Joondalup	\$3,404.00
20169	40219 Stationery - Joondalup	\$ 400.00
	31419 Stationery - Whitford	\$ 80.00
	31519 Stationery - Duncraig	\$ 80.00
	31919 Stationery - Woodvale	\$ 80.00
	31619 Stationery - Girrawheen	\$ 80.00
	31719 Stationery - Wanneroo	\$ 80.00
	31819 Stationery - Yanchep	\$ 80.00
20169	20283 Computer Equipment	\$1,190.00
20169	28267 Aquamotion Fitness Centre	\$7,344.00
20169	23497 Child Care - Other	\$1,237.15
20169	40255 Joondalup - Bookstock Purchases	\$1,700.00
20169	31660 Girrawheen - Bookstock Purchases	\$1,700.00
20169	23266 Equipment Replacement	\$ 812.75
20169	31319 Control Stationery	\$ 294.00
		TOTAL \$21,963.90

- 3 defers consideration of financing the upgrading of access ramps at swimming areas at Hillarys Boat Harbour pending a further report being submitted by the Disability Access Committee.

ADDITIONAL INFORMATION

The Manager, Welfare Services advised that at the Finance and Community Services Committee meeting of 16 April 1997, Report CS51-04/97 was approved by the Committee with a recommendation that the matter of financing the upgrading of access ramps at swimming areas at Hillarys Boat Harbour be deferred pending a further report being submitted by the Disability Access Committee.

Additional information was requested regarding the legality of Council contributing monies to a project on non Council property.

Following consultation with the City Treasurer it would seem the most appropriate process would be to approach a community service organisation to carry out the project. Council's contribution would then be in the form of a donation.

Due to the time constraints in co-ordinating this, it is suggested that the matter be deferred and presented to the May Finance and Community Services Committee meeting for reconsideration.

RECOMMENDATION

That the funding of an upgrade to Hillarys Boat Harbour as presented in CS51-04/97 be deferred for further consideration by Council at its May Finance and Community Services meeting.

MOVED Cr Taylor, SECONDED Cr Popham that Council:

- 1** approves expenditure of \$36,963.90 for access projects as detailed in Report No CS51-04/97, with the exception of Item 7 relating to the upgrade of access ramps at swimming areas at Hillarys Boat Harbour;
- 2** approves, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds to the following allocations:

From Allocation	To Allocation	Amount
20169	31419 Stationery - Whitford	\$ 567.00
	31519 Stationery - Duncraig	\$ 567.00
	31919 Stationery - Woodvale	\$ 567.00
	31619 Stationery - Girrawheen	\$ 567.00
	31719 Stationery - Wanneroo	\$ 567.00
	31819 Stationery - Yanchep	\$ 567.00
20169	40281 Capital Purchases - Joondalup	\$3,404.00

20169	40219	Stationery - Joondalup	\$ 400.00
	31419	Stationery - Whitford	\$ 80.00
	31519	Stationery - Duncraig	\$ 80.00
	31919	Stationery - Woodvale	\$ 80.00
	31619	Stationery - Girrawheen	\$ 80.00
	31719	Stationery - Wanneroo	\$ 80.00
	31819	Stationery - Yanchep	\$ 80.00
20169	20283	Computer Equipment	\$1,190.00
20169	28267	Aquamotion Fitness Centre	\$7,344.00
20169	23497	Child Care - Other	\$1,237.15
20169	40255	Joondalup - Bookstock Purchases	\$1,700.00
20169	31660	Girrawheen - Bookstock Purchases	\$1,700.00
20169	23266	Equipment Replacement	\$ 812.75
20169	31319	Control Stationery	\$ 294.00
			TOTAL \$21,963.90

- 3 defers the funding of an upgrade to Hillarys Boat Harbour as presented in Report CS51-04/97 for further consideration by Council at its May Finance and Community Services meeting.
- CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIX refers

CS52-04/97 CONTRACT BEACH INSPECTOR LIFEGUARD SERVICE - ANNUAL BUDGET - [765-1-2]

Council has been involved in a successful co-operative venture with Surf Life Saving WA for the past seven years in co-ordinating a Beach Inspector Lifeguard Service along the City's most frequented beaches.

The City of Wanneroo's beaches are continually gaining patronage in phase with residential development and the Beach Inspector Lifeguard Service is invaluable in providing an excellent standard of safety for beach users.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1 receives the overview report from Surf Life Saving WA on the Contract Beach Inspector Lifeguard service for the 1996/97 Summer Season;
- 2 lists \$27,633.00 for consideration in the 1997/98 Draft Budget, to contract Surf Life Saving WA to provide Beach Inspector Lifeguard services as outlined below:

Sorrento	1 December 1997 - 27 February 1998	9.00am-5.00pm
Mullaloo-Guard 1	1 December 1997 - 27 February 1998	9.00am-5.00pm
Mullaloo-Guard 2	24 December 1997 - 30 January 1998	8.00am-4.00pm
Hillarys	24 December 1997 - 30 January 1998	9.00am-4.00pm
Quinns	29 December 1997 - 25 January 1998	8.00am-4.00pm

CARRIED

CS53-04/97 NON-STATUTORY DONATION - LIONS CLUB OF WHITFORD - [009-1]

A request has been received from the Lions Club of Whitford seeking a non-statutory donation of the hall hire fees for its bingo sessions at Whitford Senior Citizens Centre. Proceeds from the bingo sessions will be redistributed to local community groups.

RECOMMENDATION: That Council makes a non-statutory donation of \$1,895.40 to Lions Club of Whitford from Account Number 26531 (Other Welfare Services - Sundry Donations).

MOVED Cr Lynn, SECONDED Cr Wight that Council makes a non-statutory donation to a maximum of \$1,895.40 to Lions Club of Whitford from Account Number 26531 (Other Welfare Services - Sundry Donations).

CARRIED

CS54-04/97 JOONDALUP SYMPHONY ORCHESTRA - REQUEST FOR DONATION - [429-1-12]

The Joondalup Symphony Orchestra (JSO) has requested a donation from Council to assist with a proposed free family outdoor concert during the 1997/98 summer season. The JSO's request for funding will be extended to additional potential government funding sources and corporate sponsors

MOVED Cr Lynn, SECONDED Cr Wight that Council lists for consideration in the 1997/98 draft budget the sum of \$10,000 as a donation to the Joondalup Symphony Orchestra for a free family outdoor concert during the 1997/98 summer season.

CARRIED

CS55-04/97 CULTURAL DEVELOPMENT PROJECTS - 1997/98 - [429-1-12]

Two regular community development projects will no longer be promoted by staff in the Recreation and Cultural Services business unit. They include the annual Festival of Perth concert at Neil Hawkins Park (Item CS128-07/96) and Children's Book Week, which will now be co-ordinated by Library staff together with representatives from the Education Department (Item CS194-11/96). Four new initiatives require consideration. The project titles are: Tales of Times Past; Youth Theatre project; Totem Pole project; Cultural Tours. The four new

initiatives total \$33,000. It is anticipated the cost to Council will be \$20,000. At its meeting on 19 March 1997, the Finance and Community Services Committee requested further information on these initiatives. This report provides additional information and seeks Council's support for the inclusion of these projects in the 1997/98 draft budget.

Cr O'Grady wished it recorded that she would be severely questioning this item at Budget time.

MOVED Cr Lynn, SECONDED Cr Wight that Council authorises the following projects to be listed for consideration in the 1997/98 Cultural Development draft budget:

		Expenditure	Income
Tales of Times	Arts WA		\$2,000
Past	City of Wanneroo	\$6,000	
	Total	\$8,000	
Youth Theatre	Healthway		\$5,000
Project	City of Wanneroo	\$6,000	
	Estimated Inkind Support		\$4,000
	Total	\$15,000	
Totem Pole	City of Wanneroo	\$3,000	
Project	Total	\$3,000	
Cultural	Entrance Fees @ \$5.00 each		\$600
Tours	Corporate Sponsor		\$2,000
	City of Wanneroo	\$4,400	
	Total	\$7,000	CARRIED

**CS56-04/97 APPOINTMENT OF HONORARY PARKING INSPECTOR -
NEWPARK SHOPPING CENTRE, MARANGAROO - [910-1]**

A letter dated 14 March 1997 was received from the Centre Manager of the Newpark Shopping Centre, Marangaroo nominating another person to be an Honorary Parking Inspector for the Newpark Shopping Centre.

MOVED Cr Lynn, SECONDED Cr Wight that Council:

- 1** in accordance with Section 9.13 of the Local Government Act 1995 appoints Julian Edward Jay as an Honorary Parking Inspector for the Newpark Shopping Centre, Marangaroo for a 12 month period, subject to renewal;
- 2** in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspector to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Newpark Shopping Centre, Marangaroo as detailed hereunder:

- (b) Local Government (Parking for Disabled Persons) Regulations 1988.
CARRIED

COUNCILLOR HOSTED SUNDOWNERS - [702-3]

Cr Popham referred to a recent costing he had sought from the Council Steward in relation to Councillor-hosted sundowners for departmental staff and sought input from Councillors on this suggestion.

It was suggested this issue could be raised following the May elections.

COMMUNICATIONS - JOONDALUP CIVIC AND CULTURAL FACILITY - [730-8-9]

The Chief Executive Officer advised that with the impending opening of the Joondalup Civic and Cultural Facility, consideration should be given to ensuring staff presence at this facility to assist Councillors and provide service for the public.

He stated there was also concern with security between the new facility and the existing administration building and advised this would need to be investigated prior to the opening of the centre.

The Chief Executive Officer sought views from Councillors on this matter and advised these issues would be considered at the next meeting of the Joondalup Civic and Cultural Committee to be held on 18 April 1997.

C125-04/97 BUSINESS FOR INFORMATION

MOVED Cr Wight, SECONDED Cr Freame that the Business for Information Reports, be received.

CARRIED

TECHNICAL SERVICES COMMITTEE**B34-04/97 TRAFFIC MANAGEMENT - BOAS AVENUE AND GRAND BOULEVARD - [502-16]**

Council has requested that a report be submitted in relation to traffic management at the intersection of Boas Avenue and Grand Boulevard. Boas Avenue and Grand Boulevard is a four-way intersection and traffic signals have been planned as a future traffic strategy.

MOVED Cr Wight, SECONDED Cr Freame that Report B34-04/97 be received.CARRIED

B35-04/97 TRAFFIC ISLANDS - MANAKOORA RISE, SORRENTO - [510-3090]

During a routine site inspection by an officer from the Engineering Department, it was discovered that two traffic islands had been removed from Manakoora Rise without Council authorisation. As the physical removal of the islands is contrary to the Local Government Act there are liability aspects for the persons involved. On this basis the matter has been referred to the Police Service for investigation. In addition, the reinstatement of the islands has been programmed.

MOVED Cr Wight, SECONDED Cr Freame that Report B35-04/97 and 15-signature petition and correspondence submitted by Mr Kevin Gray during the deputation at the Technical Services Committee meeting held on 9 April 1997 be received and referred to Engineering Department. CARRIED

B36-04/97 PETITION REQUESTING CLOSURE OF STORMWATER DRAINAGE SUMP IN JOSEPHINE WAY, ALEXANDER HEIGHTS - [510 - 2978]

A six signature petition was received from Alexander Heights residents requesting the closure of the stormwater drainage sump situated on the west side of Josephine Way, Alexander Heights.

Investigations indicate that the sump can not be removed as it services a significant catchment area including the western leg of Josephine Way.

MOVED Cr Wight, SECONDED Cr Freame that Report B36-04/97 be received.CARRIED

B37-04/97 PARKING - ST MARKS DRIVE - [510-2500]

At its November 1996 meeting Council, considered a report on traffic flow in St Mark's Drive, Hillarys and resolved to advise St Marks Anglican Community School to discourage the use of the parking embayments in St Marks Drive by student motorists for all day parking. This situation was to be reviewed during the first term of 1997 to investigate the need for possible time restriction parking prohibitions.

MOVED Cr Wight, SECONDED Cr Freame that Report B37-04/97 be received.CARRIED

**B38-04/97 MONTHLY REPORT MARCH 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 March 1997 by the Parks Department

MOVED Cr Wight, SECONDED Cr Freame that Report B38-04/97 be received.CARRIED

**B39-04/97 NATIONAL PLAY FORUM HELD IN ADELAIDE ON 11 &
12 MARCH 1997 - [250-1]**

The Royal Australian Institute of Parks & Recreation conducted a Play Forum in Adelaide on 11 & 12 March 1997. Council's Parks Department Technical Officer, Mr Trevor Taylor, attended the forum to evaluate procedures undertaken by other states with respect to installation and maintenance of play equipment.

MOVED Cr Wight, SECONDED Cr Freame that Report B39-04/97 be received.CARRIED

TOWN PLANNING COMMITTEE**B40-04/97 DEVELOPMENT ENQUIRIES - MARCH 1997 - [290-0]**

This report provides list of enquiries received in March 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 Wight, SECONDED Cr Freame that Report B40-04/97 be received.
CARRIED**

B41-04/97 **APPEAL DETERMINATION - PROPOSED EXTENSION TO RANGE OF GOODS SOLD FROM AN EXISTING MARKET GARDEN SALES FACILITY, LOT 5 (1187) WANNEROO ROAD, WANNEROO - [30/165]**

The Planning Group, on behalf of A & L Rigali, requested that a range of convenience goods be permitted for sale from an existing market garden sales premises at Lot 5 (1187) Wanneroo Road, Wanneroo. The applicant suggested that this represented neither a Rural Store or a Corner Store. The justification was that the range of goods on offer would be less than that of either store.

It was considered that the proposal would constitute a "shop" use under Town Planning Scheme No 1 which is not permitted within a Rural Zone. The application was refused on this basis. The Minister agreed with this determination and dismissed the appeal.

At the Town Planning Committee Meeting, Cr Ewen-Chappell raised her concerns with the range of goods being sold from a nearby lot and believed there should be conformity for all stores in the area.

MOVED Cr Wight, SECONDED Cr Freame that Report B41-04/97 be received.
CARRIED

B42-04/97 **APPEAL DETERMINATION : CONVENIENCE STORE ADDITION TO EXISTING SERVICE STATION, LOT 504 (60) MARANGAROO DRIVE, GIRRAWHEEN - [30/374]**

The Town Planning Appeal Tribunal granted approval for an application by the Shell Company of Australia for convenience store additions to an existing service station on Lot 504 (60) Marangaroo Drive, Girrawheen. The applicant subsequently revised the plans that were approved by the Tribunal. A directional hearing was requested by the Tribunal as a result of the City advising that it believed that it did not have the ability to approve a revised plan that was refused by Council although approved by the Tribunal. The hearing was held on 11 December 1996, and the City's comments were requested for this hearing. The Tribunal was advised that the City considered the revised plans to represent a change (additional pump stand and minor canopy modifications), however, that conditions imposed on the original development were still appropriate. The applicant agreed to these conditions, which were adopted by the Tribunal as the full and final conditions to be imposed on the development.

MOVED Cr Wight, SECONDED Cr Freame that Report B42-04/97 be received.
CARRIED

B43-04/97 **UNAUTHORISED LANDFILL: LOT 171 (1) KIRRIBILLI COURT, KALLAROO - [2935/171/1]**

At its meeting on 27 November 1996 (TP269-11/96) Council resolved to defer consideration of unauthorised landfill on Lot 171 (1) Kirribilli Court, Kallaroo for one month, subject to a further report from the December Town Planning Committee.

On 19 December 1996 the City received a development application from the owners of Lot 171 to level the unauthorised sand on the property as part of a landfill programme involving stabilisation and compaction.

The application has been approved subject to general conditions regarding proposed development.

MOVED Cr Wight, SECONDED Cr Freame that Report B43-04/97 be received.

CARRIED

B44-04/97 **OUTCOME OF CITY OF SUBIACO'S SUPREME COURT ACTION AGAINST THE MINISTER FOR PLANNING - [009-1, 290-0]**

Council offered a \$500 contribution towards the City of Subiaco's Supreme Court action against the Minister for Planning's reconsideration of a previous appeal determination. The City of Subiaco has thanked Council for its support and advised that the Supreme Court has quashed the decision of the Minister to reconsider and uphold the appeal.

MOVED Cr Wight, SECONDED Cr Freame that Report B44-04/97 be received.

CARRIED

B45-04/97 **PEDESTRIAN ACCESSWAY CLOSURES - [520-2]**

Council, at its meeting on 26 February 1997 (Item No TP22-02/97) resolved to include in the Business for Information section a report each month on the progress of pedestrian accessway closures.

This report provides a summary detailing the current situation regarding every pedestrian accessway closure application the City is processing.

MOVED Cr Wight, SECONDED Cr Freame that Report B45-04/97 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE**B46-04/97** **FINANCIAL REPORT FOR THE PERIOD ENDED 31 MARCH 1997 - [002-3]**

With 9 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 and revenue shortage.

MOVED Cr Wight, SECONDED Cr Freame that Report B46-04/97 be received.CARRIED

B47-04/97 STAFF AND OUTSIDE WORKERS' OVERTIME - MARCH 1997 - [404-10]

This report details the staff and outside workers' overtime for the month of March 1997.

**MOVED Cr Wight, SECONDED Cr Freame that Report B47-04/97 be received.
CARRIED**

B48-04/97 MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [006-1]

A comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year is submitted for Council's information.

MOVED Cr Wight, SECONDED Cr Freame that Report B48-04/97 be received.CARRIED

B49-04/97 DRAFT 1997/98 BUDGET AND FORWARD PLAN PROGRESS REPORT - [006-3]

Compilation of the Draft 1997/98 Budget and Forward Plan is progressing generally in accordance with the Budget and Forward Plan timetable previously circulated.

**MOVED Cr Wight, SECONDED Cr Freame that Report B49-04/97 be received.
CARRIED**

B50-04/97 **REVIEW OF 1996/97 ANNUAL BUDGETS OF LOCAL GOVERNMENT IN WESTERN AUSTRALIA - [006-3]**

Over the last two years the Local Government Department has undertaken a review of budgets submitted by the various local governments.

The purpose of this review was to encourage not only excellence and “best practice” principles but also to monitor local government compliance with legislative requirements.

The City of Wanneroo’s 1996/97 budget was adjudged to be of sufficient quality for this City to gain a Merit Award from the Minister for Local Government.

MOVED Cr Wight, SECONDED Cr Freame that Report B50-04/97 be received.

CARRIED

B51-04/97 **RATE EXEMPTION - 53 BELLEVILLE GARDENS, CLARKSON - [4035/204/53]**

This report considers a request for exemption from rates received for a property owned by the Roman Catholic Archbishop of Perth and is held as a place of residence for a Minister of Religion. As the usage of this property complies with the requirements of Section 6.26(2)(d) of the Local Government Act 1995 it has been classified as non rateable land.

MOVED Cr Wight, SECONDED Cr Freame that Report B51-04/97 be received.

CARRIED

DECLARATIONS OF FINANCIAL INTEREST

Nil

MEETING TIMES

Commenced: 0803 hrs.

Closed: 0915 hrs

OC21-04/97 TENDER FOR LEASE OF COFFEE SHOP - JOONDALUP REGIONAL LIBRARY - [730-8-8-2, 208-150-96/97]

No tenders were received for the lease of the Coffee Shop. A number of options have been explored including management by Council, delaying the lease and incorporating the space into the Library.

At the Joondalup Civic and Cultural Facilities Project meeting, the Committee requested the City Building Surveyor to investigate further options of leasing the Coffee Shop and provide information prior to the Council meeting to be held on 23 April 1997.

MOVED Cr Lynn, SECONDED Cr Taylor that the Joondalup Civic and Cultural Facilities Project Committee authorises the listing for consideration in the draft 1997/98 budget \$215,000 for the fitout of the coffee shop in the Joondalup Library. CARRIED

OC22-04/97 CIVIC AND CULTURAL CENTRE OPENING PROMOTION - [240-14]

As the opening of the Civic and Cultural Centre on Sunday 13 July 1997 is planned as a community event, it will be necessary to carry out extensive promotion of the day's activities.

In the lead up to the opening, stories can be placed in the local paper however this is not considered enough publicity to attract a large number of people.

Two options for achieving a good turnout for this special day have been investigated:

- 1 A wrap around in the Wanneroo Times on Tuesday 8 July;
- 2 A special edition of NewsExtra for distribution throughout the district in the week prior to the event.

MOVED Cr Lynn, SECONDED Cr Taylor that Council authorises a special edition of NewsExtra and a full-page advertisement in the Wanneroo Times to promote the opening of the Civic and Cultural Centre. CARRIED

OC23-04/97 OFFICE ACCOMMODATION - [730-8-8-1]

The introduction of the new management structure and an assessment of the support required for the office of the Mayor and Councillors leads to the conclusion that the Office of the Chief Executive Officer should be located in close proximity.

MOVED Cr Lynn, SECONDED Cr Taylor that Council authorises the consultant to prepare options of staff operations within the Civic Building. CARRIED

USE OF FUNCTIONS AREA FACILITIES - [730-8-8-1]

At the Joondalup Civic & Cultural Facilities Project Committee Meeting, Cr Dammers requested that Council liaise with the contractors of the function area in relation to bookings for the use of the facility. Cr Popham raised the issue of availability of the function area for Council's use.

City Building Surveyor advised that arrangements are in hand with the contractors to ensure a mechanism will be available for Council's use of the facilities.

MOVED Cr Taylor, SECONDED Cr Popham that the meeting adjourn for 5 minutes, the time being 2130 hrs. CARRIED

The meeting resumed at 2138 hrs.

C127-04/97 CHIEF EXECUTIVE OFFICER'S REPORT

MOVED Cr Wight, SECONDED Cr Taylor that the Chief Executive Officer's Report be received. **CARRIED**

C128-04/97 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]

Document: Sub-lease
Parties: City of Wanneroo and Wanneroo Shooting Complex and Perth Field Rifle Club Inc
Description: Part of State Forest - 65 Perry Road, Pinjar
Date: 24.3.97

Document: Withdrawal of Caveat
Parties: City of Wanneroo and G A Evans
Description: Lot 261 (243) Badgerup Road, Wanneroo
Date: 27.3.97

Document: Withdrawal of Caveat
Parties: City of Wanneroo and D & M A Stillitano
Description: Lot 53 Queensway Road, Landsdale
Date: 2.4.97

Document: Withdrawal of Caveats
Parties: City of Wanneroo and Silkchime P/L
Description: Lot 948 Dugdale Street and 940 and 941 Ellersdale Avenue, Warwick
Date: 2.4.97

Document: Deed
Parties: City of Wanneroo and Emilo Neil Menchetti
Description: Copyright Agreement
Date: 7.4.97

Document: Deed
Parties: City of Wanneroo and Jack Brody
Description: Copyright Agreement
Date: 7.4.97

Document: Deed
Parties: City of Wanneroo and Zena Brody
Description: Copyright Agreement
Date: 7.4.97

Document: Deed
Parties: City of Wanneroo and Oliver Raymond Edwards
Description: Copyright Agreement
Date: 7.4.97

Document: Deed
 Parties: City of Wanneroo and Constance Mary Edwards
 Description: Copyright Agreement
 Date: 7.4.97

Document: Deed
 Parties: City of Wanneroo and George Bernard Leach
 Description: Copyright Agreement
 Date: 7.4.97

Document: Scheme Amendment
 Parties: City of Wanneroo, Water Corporation and Minister for Education
 Description: Lot 299 Connolly Drive, Clarkson (Clarkson High School)
 Date: 14.4.97

MOVED Cr Wight, SECONDED Cr Taylor that the Schedule of Documents executed by means of Affixing the Common Seal be received. CARRIED

C129-04/97 VACANCY - WAMA MEMBER - HIGH OCCUPANCY VEHICLE STRATEGY COMMITTEE - [312-2]

SUMMARY

WAMA has invited nominations to the High Occupancy Vehicle (HOV) Strategy Committee. The Council meets quarterly in Perth and directs matters in relation to buses and High Occupancy Vehicles in the metropolitan area.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit a nomination to the position of WAMA Metropolitan Member - High Occupancy Vehicle (HOV) Strategy Committee.

DETAILS

The purpose of the Strategy Committee is to direct development of policy, planning and operation of High Occupancy Vehicles and bus priorities in the metropolitan region. The Committee meets quarterly at the Department of Transport in Perth. The meetings are of two hours duration and the day and time will be advised. There is no meeting fee and the incumbent may be an Elected Member or an officer with a suitable technical background. The term of appointment is for two years.

The Committee is comprised of representatives from the Department of Transport, Transperth, Main Roads WA, Police Department, Ministry for Planning and Local Government.

MOVED Cr Wight, SECONDED Cr Taylor that Council does not nominate a Councillor for consideration of appointment to the position of WAMA Member, High Occupancy Vehicle Strategy Committee. CARRIED

The Wanneroo Groundwater Advisory Committee is involved in the management and protection of groundwater in the Wanneroo Groundwater area. The current private membership of the Wanneroo Groundwater Advisory Committee represents a number of diverse activities undertaken within the Wanneroo Groundwater area including market gardening, poultry production and the equine industry.

There is no strict eligibility for membership of the Advisory Committee however it is highly desirable that nominees by groundwater users within the area. It is also considered advantageous if members have a personal commitment to protection and good management of the groundwater resources and good local knowledge. To maintain a balance of industry representation it is suggested that a panel of three names is nominated for each position and that the nominees are associated with the market gardening and equine industries.

Both Messrs Duffy and Tedesco are eligible for further terms on the Committee and have expressed an interest in continuing on the committee. If Council wishes to renominate Messrs Duffy and Tedesco to the committee there is no need to nominate a panel of names for the committee.

Cr Duffy declared an interest in this item as he was to be nominated for consideration of appointment as a landowner representative. Cr Duffy was not present in the Chamber at this point.

Cr Popham nominated Mr W D Duffy; Cr Taylor seconded this nomination.

Cr Healy nominated Mr Ivan Ivankovic and Mr F Tedesco; Cr Ewen-Chappell seconded these nominations.

MOVED Cr Healy, **SECONDED** Cr Ewen-Chappell that Council nominates W D Duffy, I Ivankovic and F Tedesco for consideration of appointment to the position of landowner representative for the Wanneroo Groundwater Advisory Committee. **CARRIED**

Cr Duffy entered the Chamber at this point, the time being 2146 hrs.

C132-04/97 FOOTPATH - BURBRIDGE AVENUE, KOONDOOLA - [510-844]

SUMMARY

A report on the upgrading of the slab footpath in Burbridge Avenue to a 2.1 metre wide concrete path was considered by the Technical Services Committee at its meeting on 9 April 1997.

This report reviews the funding of this path and recommends the reallocation of unexpended funds associated with footpath projects to the construction of the path between the Burbridge School and the local shopping centre.

BACKGROUND

Council received a petition containing 122 signatures requesting the replacement of the 1.2 metre wide footpath in Burbridge Avenue, Koondoola with a 2.1 metre wide concrete path to accommodate wheelchairs and prams.

A report on this matter was presented to the April meeting of Technical Services Committee and it was recommended that Council:

1. defers the listing for consideration in the 1997/98 Draft Budget replacement of the 1.2 metre wide footpath in Burbridge Avenue, Koondoola to the next meeting of Council to be held on 23 April 1997;
2. seeks a report from the Engineering Department on how the path between the Burbridge School and the local shopping centre could be funded this year.

COMMENT/FUNDING

The estimated cost to upgrade the section of footpath between the Burbridge School and Koondoola Plaza is \$31,000.

A review of completed footpath projects highlighted the availability of savings for reallocation to this project:

ACCOUNT NUMBER	DESCRIPTION	FUNDS \$
32816	Marri Road, Duncraig	4,155
32831	Stephens Street, Ocean Reef	4,100
32833	Ariti Avenue, Wanneroo	1,950
32835	Graham Road, Quinns	3,000
32836	Enterprise Avenue, Yanchep	1,600
32838	Burt Street, Quinns	2,600
32841	Tendering Way, Girrawheen	1,270
32849	Sandgate Way, Marangaroo	1,540
32852	Templeton Crescent, Girrawheen	2,330
32837	Wanneroo Road, Kingsley	1,330
32824	Marine Terrace, Sorrento	5,000
32823	High Street, Sorrento	5,000
32801	Raleigh Road	2,000
	TOTAL:	35,875

These savings will enable the majority of the path to be upgraded to a 2.1 metre wide standard. While contractors are on site, there are sufficient benefits to progress completion of the total length of footpath in Burbridge Avenue. There will be sufficient savings in the Footpath Maintenance budget account to accommodate the shortfall of funding.

MOVED Cr Taylor SECONDED Cr Wight that Council:

1. **authorises the replacement of the 1.2 metre wide concrete slab footpath in Burbridge Avenue, Koondoola with a 2.1 metre wide insitu concrete dual use path at an estimated cost of \$46,000;**

2. authorises, in accordance with the provisions of section 6.8 (1) of the Local Government Act 1995, the unbudgeted expenditure of \$46,000 for the replacement of the 1.2 metre wide concrete slab footpath in Burbridge Avenue, Koondoola with a 2.1 metre wide in situ concrete dual use path;
3. recognises the funding of this project is by savings generated on the following footpath works:

ACCOUNT NUMBER	DESCRIPTION	FUNDS \$
32816	Marri Road, Duncraig	4,155
32831	Stephens Street, Ocean Reef	4,100
32833	Ariti Avenue, Wanneroo	1,950
32835	Graham Road, Quinns	3,000
32836	Enterprise Avenue, Yanchep	1,600
32838	Burt Street, Quinns	2,600
32841	Tendering Way, Girrawheen	1,270
32849	Sandgate Way, Marangaroo	1,540
32852	Templeton Crescent, Girrawheen	2,330
32837	Wanneroo Road, Kingsley	1,330
32824	Marine Terrace, Sorrento	5,000
32823	High Street, Sorrento	5,000
32801	Raleigh Road	2,000
71022	Footpath Maintenance	10,125
	TOTAL:	46,000

**CARRIED BY AN
ABSOLUTE MAJORITY**

**C133-04/97 APPOINTMENT OF COMMITTEE AND COUNCIL MEETINGS -
MAY 1997 - [702-3]**

SUMMARY

In accordance with the provisions of section 5.11(1)(d) of the Local Government Act, the appointment of all Council Committees lapse on an ordinary election day. It will therefore be necessary to reform Committees and appoint members after the election on 3 May 1997.

BACKGROUND

It has been custom and practice for Council to hold a Special Meeting on the Monday following an election to elect the Mayor and Deputy Mayor. This meeting is normally preceded by the swearing in of new Councillors.

At this Special Council members are appointed to its Standing and Occasional Committees. In addition, delegates are appointed to any other Committee which requires to meet during May, prior to the full Council meeting.

With respect to the appointment of all other Committees of Council, appointments have been deferred until the Full Council meeting in May, thus allowing the newly elected Councillors to become familiar with the procedures of Council.

COMMENT

It is suggested that Council continues to use a Committee system. However, to better reflect the new structure of the organisation, the Town Planning Committee should be retitled Development and Planning Services Committee. The new Committee would be responsible for all development and building proposals.

MOVED Cr Freame, SECONDED Cr Wight that:

- 1 Council appoints Monday 5 May 1997 at 7.00 pm for the Swearing In of Councillors and 7.30 pm for the Special Council meeting, both to be held in the Council Chamber, Administration Centre, Boas Avenue, Joondalup;**
- 2 the Agenda for the Special Council Meeting take the following format:**
 - (a) appointment of Mayor and Deputy Mayor;**
 - (b) consideration of the continuation of the Committee System;**
 - (c) in the event of the continuation of the Committee System:**
 - (i) the nomination of the Committees to be established;**
 - (ii) the appointment of members Members/Deputies of Committees;**
 - (iii) any other appointments of an urgent nature;**
 - (d) the appointment of the meeting dates of Council and Committees.**

CARRIED

C134-04/97 PUBLIC OR MEDIA ACCESS TO CONFIDENTIAL INFORMATION - [200-0]

This report, marked "Not For Publication" was deferred for consideration later in the meeting, behind closed doors.

C135-04/97 CIVIC RECEPTIONS AND FUNCTIONS - [703-3]

SUMMARY

Approval is sought from Council for the official opening of the Alexander Heights Community Care Centre by the Mayor, and the hosting of an afternoon tea for approximately 40 guests. It is proposed that this function take place on Thursday, 15 May 1997 at 2.30pm.

BACKGROUND

A Centre Based Respite Programme has been operating at the Centre since December 1996, with Podiatry services having commenced in February 1997, and a Hairdressing service scheduled to be opened during March 1997.

DETAILS

The official opening will take place at the Alexander Heights Community Hall, Linto Way, Alexander Heights.

Invitations will be extended to Councillors, Department Heads, Local Politicians and Welfare guests to a maximum of 40 guests.

COMMENT/FUNDING

Estimated costings for afternoon tea:

Catering (morning tea - \$3.00 per head x 40)	\$120.00
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MOVED Cr Wight, SECONDED Cr Taylor that Council:

1. **approves the official opening of the Alexander Heights Community Care Centre on Thursday, 15 May 1997, at 2.30pm;**
2. **issues invitations to all Councillors, Department Heads, Local Politicians, and Welfare guests to a maximum of 40 guests;**
3. **provides an afternoon tea for guests following the official launch. CARRIED**

C136-04/97 DONATION - FAMILY FUN DAY - [200-0]**BACKGROUND**

A request has been received from Family and Children's Services for a donation to a Family Fun Day in Neerabup.

DETAILS

Family Week will run from the 12 - 18 May 1997. The theme for Family Week this year is "Families - The heart of the community". Family and Children's services are running a number of initiatives during the week and are holding a Family Fun Day in Neerabup. The Family Fun day will be open to the whole Neerabup community and will provide information and activities specifically aimed at families. The aim of the day is to provide all activities free to the public.

COMMENT/FUNDING

Family and Children's Services have requested that the City make a contribution of \$200 to the day. The Education Department is providing the venue (Schools in Houses) and Parent

Help Centre is contributing \$500 to the event. Family and Children's Services Joondalup is providing staff to run the event and allocating \$800.

Neerabup has been identified as an area that has a high number of young families and is lacking in services for families. Activities on the day will be provided free of charge and the number of activities is dependent on the funding attracted.

MOVED Cr O'Grady, SECONDED Cr Healy that Council contributes \$200 to the Neerabup Family Fun Day, organised by Family and Children's Services.

CARRIED

C137-04/97 TRIBUNAL APPEAL - COMMUNITY CHURCH COMPLEX, LOT 70 (77) QUEENSWAY ROAD, LANDSDALE - [30/2249]

METRO SCHEME:	RURAL
LOCAL SCHEME:	RURAL
APPLICANT/OWNER:	WA CONFERENCE OF THE SEVENTH DAY ADVENTIST CHURCH

SUMMARY

In October 1996, Council granted conditional approval to an application by the WA Conference of the Seventh Day Adventist Church to develop a community church complex on Lot 70 (77) Queensway Road, Landsdale. One of the conditions of approval, which resulted from community opposition, required the deletion of the hall component of the application. The applicant subsequently lodged an appeal to the Town Planning Appeal Tribunal against this condition.

The Town Planning Appeal Tribunal held a mediation conference on 14 April 1997 which was attended by representatives of the appellant, the Landsdale Residents' Association on behalf of the objectors and the City. At this conference the appellant and the residents' association agreed that, subject to the City of Wanneroo's consent, the appeal should be allowed on the basis of certain conditions. These conditions relate to the relocation of doors from the western elevation of the proposed building and the provision of screen landscaping, a screen wall and a monitored security alarm system. In view of the agreement reached at the mediation conference, it is recommended that Council supports the compromise position.

BACKGROUND

Council at its meeting on 24 October 1996 (item TP237-10/97 refers) resolved to grant conditional approval to an application by the WA Conference of the Seventh Day Adventist Church for a community church complex on Lot 70 (77) Queensway Road, Landsdale.

When this proposal was advertised a great deal of opposition was generated by the local community. In this regard 15 individual submissions and a 116 signature petition were received opposing the development. The Landsdale Residents' Association also made a deputation on the matter to the Town Planning Committee. Objection to the proposal generally related to the loss of amenity due to noise, interference with chosen lifestyle, devaluation of adjoining properties, anti-social behaviour and increased traffic along Queensway Road.

Given the local opposition to the proposal, Council imposed a condition on the approval requiring the deletion of the hall component of the development. It was considered that the hall would provide a venue for sporting and other social events which could create noise and traffic disturbance late into the evening.

A notice of appeal was subsequently lodged with the Town Planning Appeal Tribunal against this condition. Council at its meeting on 26 February 1997 (item TP25-02/97 refers) resolved that it would not contest the appeal but would advise the Tribunal in writing of its reasons for imposing the condition and further resolved to inform the local residents who objected to the proposal that it is open to them to seek and obtain leave to be represented in the appeal and themselves undertake opposition to the appeal.

The objectors were subsequently advised of this resolution and that if they wished to have their position aired at the Tribunal they should do so through the community representatives who formed the deputation to Council's Town Planning Committee when the application was being considered.

Representatives of the Landsdale Residents' Association then contacted the Town Planning Appeal Tribunal and advised that they wished to be heard with regard to the appeal.

On 26 March 1997 the first sitting of the Town Planning Appeal Tribunal took place. The Tribunal adjourned the matter until 7 April 1997 to enable the appellant to seek further legal advice.

On 7 April 1997 the Tribunal was unable to resolve the question of whether representatives of the local residents could be accepted as joint respondents with the City and it called for a mediation conference to be held on 14 April 1997. It was the Tribunal's wish that the City be represented at the mediation conference.

DETAILS

The mediation conference was attended by representatives of the appellant, the Landsdale Residents' Association on behalf of the objectors and the City. At the conclusion of the conference the appellant and the residents' association representatives agreed that, subject to the City of Wanneroo's consent, the appeal should be allowed on the basis of the following conditions:

1. the doors on the west wall of the hall, as shown on the plans submitted with the application, should be removed and instead sound attenuated openings be placed on the western wall for ventilation purposes only;
2. in lieu of the doors on the western wall, the requisite number of fire doors be provided in the eastern wall of the hall;
3. the appellant provide landscaping and planting to mask the view of the western side of the development to the satisfaction of the respondent;

4. the appellant construct a wall in masonry, coloured to match the existing entrance, to a height of two metres from the north western corner of the lot, along the western boundary, to the first corner peg of adjoining lots south of the frontage of the proposed community Church building;
5. the proposed new development be fitted with a monitored security alarm system.

COMMENT

The condition to delete the hall component of the proposal did not form part of the City Planner's recommendation to Council and it is considered unlikely that the degree of amenity concerns expressed by the local residents would ever be realised.

Notwithstanding this, an agreement has now been reached on the conditions that the appellant and the local objectors will accept the hall component of the proposal.

The agreed conditions could be implemented without compromising any building, health or other Council requirements, except that the requirements of Council's Fencing Local-law will need to be varied to enable the 2.0 metre high wall referred to in condition 4. The Local-law specifies a maximum height of 1.8 metres. The 2.0 metre high wall was specified at the mediation conference to provide better noise attenuation than a 1.8 metre high wall.

Council should note that the Town Planning Appeal Tribunal's new practice directions indicate that if parties to the appeal do not participate in the mediation in good faith or act in an unreasonable, frivolous or vexatious manner the tribunal may award costs against that party.

It is recommended that Council supports the outcome of the mediation conference to allow the hall component of the application, subject to the above conditions.

MOVED Cr Wight, SECONDED Cr Cooper that Council:

1. **advises the Town Planning Appeal Tribunal that, in view of the agreement reached at the mediation conference on 14 April 1997, it is prepared to support replacing condition 1 of its approval to commence development dated 23 October 1996 issued to the WA Conference of the Seventh Day Adventist Church for a community church complex on Lot 70 (77) Queensway Road, Landsdale, with the following conditions:**
 - (a) **the doors on the west wall of the hall, as shown on the plans submitted with the application, should be removed and instead sound attenuated openings be placed on the western wall for ventilation purposes only;**
 - (b) **in lieu of the doors on the western wall, the requisite number of fire doors be provided in the eastern wall of the hall;**
 - (c) **the appellant provide landscaping and planting to mask the view of the western side of the development to the satisfaction of the respondent;**

- (d) the appellant construct a wall in masonry, coloured to match the existing entrance to a height of 2.0 metres from the north western corner of the lot, along the western boundary, to the first corner peg of adjoining lots south of the frontage of the proposed community Church building;
- (e) the proposed new development be fitted with a monitored security alarm system.
2. exercises its discretion under clause 3 of its Fencing and Private Tennis Court Floodlighting Local-law in this instance and permits the construction of a 2.0 metre high wall along the western boundary of Lot 70 as described in part 1 (d) above. **CARRIED**

Appendix XXIII refers.

C138-04/97 UPDATE - ELECTION ARRANGEMENTS - [801-01-97]

This report provides an update on arrangements for the elections being conducted on Saturday 3 May 1997.

Councillors will be aware that nominations closed on Thursday 3 April 1997. The following nominations were received -

<u>NORTH WARD</u> Lynn O'GRADY	One Councillor Elected unopposed	4 year term
<u>CENTRAL WARD</u> term Arthur VENTHAM Millie ZUVELA Malcolm COLLIER Steve MAGYAR Brian COOPER	Three Councillors	Two 4 year terms; One 2 year
<u>SOUTH WARD</u> Dave TIPPETT John HOLLYWOOD	Two Councillors Elected unopposed Elected unopposed	4 year terms
<u>SOUTH-WEST WARD</u> John BOMBAK Margaret LYNN Vicki HANCOCK	Two Councillors	4 year terms

As a consequence there will be no elections in the North and South Wards.

Early voting commenced at the Chief Polling Place and Sorrento/DunCraig Recreation Centre on Friday 11 April 1997 and will remain open until 4.00 pm on Friday 2 May 1997.

As at 2.00 pm on Tuesday 22 April 1997 the following numbers of early votes had been cast -

	<u>Central</u>	<u>South-West</u>
Chief Polling Place	21	49
Sorrento/Dun Craig Rec Centre	<u>3</u>	<u>35</u>
	24	84
	—	—

Absent votes can be cast at any local government office within the State until 4.00 pm on Tuesday 29 April 1997.

Postal vote applications close at 4.00 pm on Tuesday 29 April 1997.

During the week commencing 14 April 1997 a special Election edition of "NewsExtra" was distributed to all households within Central and South-West Wards. This publication has generated several enquiries in relation to the elections along with positive feedback comments.

A comprehensive elections notice was published in the Wanneroo Times Community newspaper on 16 and 23 April 1997 and will appear again on 30 April 1997.

Voting on election day Saturday 3 May 1997 will be between the hours of 8.00 am and 6.00 pm. The counting of votes will commence shortly after 6.00 pm on election day in the Function Area, 3rd Floor, Joondalup Administration Centre.

All other arrangements for the elections are progressing smoothly.

MOVED Cr Wight, SECONDED Cr Taylor that the report Update - Election arrangements be received. CARRIED

C139-04/97 STRUCTURAL REFORM - [801-5]

BACKGROUND

The Council submission in response to the Local Government Advisory Board's inquiry was submitted on the 17 January 1997. Since that time the Board has appointed a consultant who has undertaken financial modelling feasibility studies on the various options being considered. Following a request from the Board the Council's computer model was made available to the consultant to test the viability of the various options.

The Council conducted six public meetings throughout the district to explain the Council's submission and gain feedback from the community. The most consistent response from the public was resentment with the State Government interfering in Local Government issues with no commitment made which would guarantee community consultation. There was general support for City of Wanneroo service levels and a demand for a referendum to be held.

DETAILS

The only information available on the process followed by the Local Government Advisory Board is in the Local Government Act 1995.

In August 1996 the Minister for Local Government directed the Local Government Advisory Board to make an **inquiry** into the possible splitting of the Cities of Stirling and Wanneroo. An inquiry, under section 2.45 (1) (c), allows the Board to canvass a range of options, however it cannot be used directly to change the constitution of a Local Government. The Board was to report to the Minister on its investigation and the preferred options canvassed by 31 March 1997.

The Minister will then consider the report by the Local Government Advisory Board and determine the preferred option. When the Minister has chosen a preferred option it will be submitted to the Local Government Advisory Board as a **proposal**, in accordance with Schedule 2.1 of the Local Government Act.

The Local Government Advisory Board must formally assess the proposal and invite public submissions on the proposal. Following the Board's assessment of the proposals and any submissions received a report will be submitted to the Minister. When the Board reports to the Minister it must recommend that the Minister reject the proposal or make an order to effect the proposal.

In considering the recommendation of the Local Government Advisory Board, the Minister may only accept or reject the recommendation. In order to assist in the consideration of the recommendation, the Minister may request a poll of the affected electors.

If the Minister accepts the proposal an order will be made to effect the change. The order will detail the transition provisions of the change.

COMMENT/FUNDING

To date, no official acknowledgement has been received from the Local Government Advisory Board in regards to Council's submission. There has also been no information received regarding the report of the Board, future timetables or the proposed actions of the Minister. Councillors would however be aware of substantial speculation on varied actions which may or may not take place.

The Western Australian Municipal Association has written suggesting that the Association Presidents meet with Council prior to the impending announcement of the Minister to discuss the processes, direction adopted by the Council and experiences with the Local Government Advisory Board.

RECOMMENDATION That Council:

- 1 expresses some concern with the lack of communication on the Structural Reform process and seek a deputation with the Minister as soon as possible to discuss the ongoing process and likely timetable;
- 2 forms a deputation consisting of the Mayor, Deputy Mayor and the Chief Executive Officer; and
- 3 accepts the offer by the Western Australian Municipal Association to convene a meeting with the Council's Structural Reform Committee as soon as possible.

MOVED Cr Cooper, SECONDED Cr O'Grady that:

1 Council:

- (a) **expresses some concern with the lack of communication on the Structural Reform process and seek a deputation with the Minister as soon as possible to discuss the ongoing process and likely timetable;**
 - (b) **forms a deputation consisting of the Mayor, Deputy Mayor and the Chief Executive Officer; and**
 - (c) **accepts the offer by the Western Australian Municipal Association to convene a meeting with the Council's Structural Reform Committee as soon as possible.**
- 2 a report be submitted to the May 1997 Policy Committee meeting outlining options of organising a petition to be placed in the City's libraries and including a survey in NewsExtra to gauge residents' views. CARRIED**

C140-04/97 COMMUNICATION OF COUNCIL RESOLUTIONS - [702-0]

Council's Policy A2-02 - Communication of Council Resolutions states that "written notification of Council resolutions shall not be conveyed to affected parties prior to 3.00 pm on the Friday immediately following the Council meeting"

Council has in the past set aside Policy A2-02 in cases where its offices are closed due to public holidays.

As Council's offices will be closed on Friday 25 April 1997, it is suggested that Council sets aside its policy in this instance to allow the communication of resolutions from the 23 April meeting of Council.

MOVED Cr Wight, SECONDED Cr Taylor that Council sets aside its policy A2-02 in respect of communication of Council Resolutions to allow for immediate action on all items within the Council Minutes of 23 April 1997 after 3.00 pm Thursday, 24 April 1997.

CARRIED

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT**FOOTPATH - AINSBURY PARADE, CLARKSON - [510-3725]**

Cr Freama requested a report on the status of the footpath in Ainsbury Parade, Clarkson between the child care centre and Clarkson Primary School.

ELECTION ISSUE - [801-1]

Cr Hancock believed the current election has undercurrent connotations which have been detrimental towards her. She drew attention to a letterbox drop in Duncraig area regarding an issue she supposedly voted against and advised if any persons were contemplating similar action that this was an offence and any such persons would be reported immediately to the Returning Officer and the Electoral Commission.

C141-04/97 GNANGARA GROUNDWATER ADVISORY COMMITTEE - [322-18-1]

Cr Major requested that Council moves that suitable advertising be arranged for the positions on the Gngangara Groundwater Advisory Committee when those positions fall vacant in two years time.

RESOLVED that suitable advertising be arranged for the positions on the Gngangara Groundwater Advisory Committee when those positions fall vacant in two years time.

C142-04/97 WORKSHOP ON WASTE MANAGEMENT - [508-1]

Cr Magyar requested that Council:

- 1 holds a Councillors and Staff workshop to fully explore the consumption of fossil fuels and environmental effects of current and alternative waste management practices;
- 2 includes in the workshop an examination of the various economic models and concepts used to guide the decisions made regarding waste management issues.

RESOLVED that Council:

- 1 holds a Councillors and Staff workshop to fully explore the consumption of fossil fuels and environmental effects of current and alternative waste management practices;
- 2 includes in the workshop an examination of the various economic models and concepts used to guide the decisions made regarding waste management issues.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

PUBLIC QUESTION TIME

15-minute period of question time, during which questions may be put by the public on business discussed during the course of the meeting.

Mr Vic Harman, Ocean Reef Residents Association: Regarding graffiti, Mr Harman read the following "The intent of this recommendation is to place the responsibility for graffiti removal onto the land owner. The owner of land abutting a road or walkway with a wall or fence on which graffiti has been displayed would be subject to legal action as a result of not removing the graffiti placed there by the actions of other persons" He then asked the following questions:

- 1 Would you agree that the contractors that remove graffiti from Council property are funded by the rates paid by ratepayers?

Response by Mayor. Yes.

- 2 Would you then agree it is an imposition for ratepayers to be further responsible for graffiti for which they are not responsible?

Response by Mayor. Yes.

Mr J Hollywood, of Burns Beach asked whether a report relating to 12th Waste Disposal and Water Management National Conference was available.

Cr Dammers advised that a copy of this report is available in the Councillors' Reading Room.

ADDRESS BY MAYOR AND COUNCILLORS

This being the final Council meeting prior to Annual Elections and with the retirement of the current Mayor, Cr Dammers, the opportunity was afforded to both the Mayor, retiring and renominating Councillors to say a few words.

The Mayor gave his thanks to Councillors and staff who he had worked in association with over his past 10 years on Council and outlined some of the highlights during that period. He stated he was now looking forward to spending more time with his family.

Both retiring Councillors' and those seeking re-election gave their thanks and good wishes to fellow Councillors, past and present, officers and members of the public.

MOVED Cr Wight, SECONDED Cr Freame that the meeting be held Behind Closed Doors to discuss a staff matter, the time being 2235 hrs. CARRIED

The Members of the public and press left the Chamber at this point.

CONFIDENTIAL BUSINESS**C134-04/97 PUBLIC OR MEDIA ACCESS TO CONFIDENTIAL INFORMATION - (200-0)**

The Department of Local Government completed its investigation into the former Town Clerk's employment contract in January 1997. Its findings are contained in the report "Investigation of the Amendment to the Town Clerk's Contract of Employment City of Wanneroo" (the report), provided confidentially to Councillors. A request has been received from the Wanneroo Times for a copy of the report. The report is considered confidential because it contains personal information and legal advice. It is not recommended for release to the media or the public.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that the request from the Wanneroo Times for a copy of the Department of Local Government report on the investigation into the amendment to the former Town Clerk's employment contract be refused on the grounds of confidentiality.

Discussion ensued. Cr Wight, with the approval of Cr Ewen-Chappell requested that the Motion be **WITHDRAWN**

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that:

- 1 Chief Executive Officer's Report C134-04/97 marked "Not for Publication" (attached hereto in the Minute Book), be received;**
- 2 Council defers its decision on releasing a copy of the Department of Local Government report on the investigation into the amendment to the former Town Clerk's employment contract subject to the Department of Local Government ruling on the Crown Solicitor's advice which they have received on the matter. CARRIED**

MOVED Cr Magyar, SECONDED Cr Wight that the meeting be held with the doors open, the time being 2301 hrs. **CARRIED**

Members of the public and press entered the Chamber at this point. In accordance with the Local Government Act 1995, the Chief Executive Officer advised members of the public of the item considered behind closed doors and read the above Motion.

DATE OF NEXT MEETING

A Special Council Meeting has been scheduled for 7.30 pm on **Monday 5 May 1997.**

CLOSE OF BUSINESS

There being no further business, the Chairman declared the Meeting closed at 2307 hrs, the following Councillors being present at that time:

COUNCILLORS: DAMMERS
FREAME
COOPER
LYNN
EWEN-CHAPPELL
MAGYAR
O'GRADY
WIGHT
TAYLOR
MAJOR
HANCOCK
DUFFY
HEALY
POPHAM