

CITY OF WANNEROO

MINUTES OF COUNCIL MEETING HELD ON 28 MAY 1997

INDEX

Page	No	Item
1		ATTENDANCES AND APOLOGIES
2		PUBLIC QUESTION TIME
9		CONFIRMATION OF MINUTES
9	C143-05/97	MINUTES OF COUNCIL MEETING HELD ON 28 MAY 1997
9	C144-05/97	MINUTES OF SPECIAL COUNCIL MEETING HELD ON 30 APRIL 1997
9	C145-05/97	MINUTES OF SPECIAL COUNCIL MEETING HELD ON 5 MAY 1997
9		QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION
9		QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION
10		ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION
10		NEW COUNCILLORS
10		1997 LITTLE FEET CHILDREN'S FESTIVAL
10		OPENING OF ALEXANDER HEIGHTS COMMUNITY CARE CENTRE
10		APPRECIATION COCKTAIL PARTY FOR LIBRARY VOLUNTEERS
11		OTHER THANKS
11		POLL PETITION

PETITIONS & DEPUTATIONS

- 11 RED CROSS DOORKNOCK/RED SHIELD APPEAL - [318-1,
318-4]
- 12 PRESENTATION OF PLAQUE - HELLENIC COMMUNITY
OF WA - [702-0]
- 12 C146-05/97 LETTER EXPRESSING CONCERN AT ANTISOCIAL
BEHAVIOUR - SEACREST DRIVE, SORRENTO - [510-
1842, 061-338]
- 12 C147-05/97 LETTERS REGISTERING CONCERN AT DEVELOPMENT
OF HEPBURN HEIGHTS - [3773/43417/32, 30/5618]
ESTABLISHMENT OF A "NO THROUGH ROAD" SIGN,
MILLSTREAM RISE, HILLARYS - [510-2807]
- 12 C148-05/97 VARIOUS CORRESPONDENCE RECEIVED - FOR
APPROPRIATE ACTION - [702-0]
- 13 C149-05/97 LETTER OPPOSING REZONING - ST LUKE'S CHURCH,
PADBURY - [30/874]
- 13 C150-05/97 HONORARY PARKING INSPECTOR - QUINNS ROCKS -
[910-1]
- 14 C151-05/97 LETTER REQUESTING UPGRADING OF WARBROOK
ROAD, JANDABUP - [510-0]
- 14 C152-05/97 PETITION REQUESTING THE ESTABLISHMENT OF A
"NO THROUGH ROAD" SIGN, MILLSTREAM RISE,
HILLARYS - [510-2807]
- 14 C153-05/97 PETITION OBJECTING TO PROPOSED DWELLING, LOT
222 (1) THE GAP, OCEAN REEF - [2337/222/1]
- 15 C154-05/97 PETITION OBJECTING TO NOISE EMANATING FROM A
PROPERTY IN MONKTON PLACE, KINROSS -
[3631/759/40]
- 15 C155-05/97 PETITION IN RELATION TO ROAD NOISE POLLUTION
EMANATING FROM HODGES DRIVE, CONNOLLY - [510-
1700]
- 15 C156-05/97 PETITION REQUESTING THE INSTALLATION OF
ADDITIONAL LIGHT, TROCHIDAE WAY, HEATHRIDGE -
[510-2045]
- 16 C157-05/97 PETITION IN RELATION TO CONDITION OF PROPERTY -
SHAFTESBURY AVENUE, ALEXANDER HEIGHTS -
[1630/5604/39]
- 16 C158-05/97 PETITION REQUESTING RETENTION OF BUS SHELTER,
CORNER ALLENSWOOD ROAD AND HEPBURN
AVENUE, GREENWOOD - [510-1900]
- 16 C159-05/97 PETITION OBJECTING TO THE CLOSURE OF
PEDESTRIAN ACCESSWAY BETWEEN ULRIC COURT
AND TURNER CLOSE, DUNCRAIG - [510-2198]
- 17 C160-05/97 PETITION REQUESTING THE LAYING OF ROAD BASE
ON THE EAST BOUND SIDE OF GNANGARA ROAD -
[510-0004]
- 17 C161-05/97 PETITION IN SUPPORT OF NEIGHBOUR - CRAIGIE -
[1464/214/10, 1464/14/12, 510-1464]

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

19 **DECLARATIONS OF FINANCIAL INTEREST**

19 **BUSINESS REQUIRING ACTION**

20 C162-05/97 **POLICY COMMITTEE**

22 P38-05/97 CITY OF WANNEROO NEWSLETTER - POSSIBLE
CHANGES TO NAME AND MASTHEAD - [702-3, 704-1-2]
22 P39-05/97 STRUCTURAL REFORM - PETITION FOR REFERENDUM
- [801-5]

24 P40-05/97 POLICY MANUAL REVIEW - [200-0]

25 P41-05/97 ISSUES COUNCIL MAY CONSIDER BEHIND CLOSED
DOORS - [702-3]

25 P42-05/97 REFUND OF BUILDING LICENCE FEES POLICY
- [TS 28-10/96, 061-390-2]

26 P43-05/97 STANDING ORDERS LOCAL LAWS - [200-0]
28 SIGNS HOARDINGS AND BILLPOSTING REVIEW
WORKING PARTY - [30/5296]

29 TOUR OF ADMINISTRATION BUILDING FOR NEW
COUNCILLORS - [702-0]

29 REPRESENTATION OF MAYOR AT FUNCTIONS - [702-0]

29 JOONDALUP CINEMA COMPLEX - [30/4308]

29 ATTENDANCE AT MEETINGS - [702-0]

29 CITIZENSHIP CEREMONY - [703-1]

29 POLICY REVIEW - [702-1]

29 CHANGE OF NAME - KOONDoola - [727-10]

30 ADMINISTRATION COSTS - REPORTING - [702-0]

30 P44-05/97 RELOCATION OF WARWICK TRAFFIC BRANCH
- [30/4829]

30 ARGENTINE ANTS - [855-3-1]

30 P45-05/97 CODE OF CONDUCT - [312-2]

31 RESPONSE TO ARTICLE - WEST AUSTRALIAN - [702-0]

31 RETIRING COUNCILLORS' FUNCTION - [703-3]

31 NOMINATION OF DEPUTIES - FINANCE AND

COMMUNITY SERVICES COMMITTEE - [702-0]

31 CATERING CONTRACT - [730-8-8, 208-149-96/97]

31 HONOUR BOARD - [330-7-2]

32 P46-05/97 APPRECIATION FOR COMMUNITY GROUPS - [703-3]

33 C163-05/97 **TECHNICAL SERVICES COMMITTEE**

37 TS140-05/97 ENGINEERING DEPARTMENT ANNUAL TENDERS
- [208-6]

38 TS141-05/97 ENGINEERING DEPARTMENT ANNUAL TENDERS -
EXTENSION OF CONTRACTS SUPPLY - [208-6]

39 TS142-05/97 INCLUSION OF AIR BAGS AS A STANDARD
REQUIREMENT FOR LIGHT VEHICLE SPECIFICATION
- [507-1]

- 39 TS143-05/97 CORD STREET AND PONTIAC WAY, JOONDALUP -
FEASIBILITY OF ROUNDABOUTS INSTALLATION -
[510-3153, 510-1665]
- 40 TS144-05/97 CREANEY DRIVE, KINGSLEY - TRAFFIC SPEEDS
- [510-1504]
- 40 TS145-05/97 BOTTLEBRUSH DRIVE - PROPOSED ROAD CLOSURE
- [510-0076, 510-0078]
- 41 TS146-05/97 TRAFFIC CALMING - WOODVALE DRIVE, WOODVALE
- [510-1180]
- 41 TS147-05/97 EDGEWATER PRIMARY SCHOOL -PARKING
EMBAYMENTS - TREETOP AVENUE - [510-1222]
- 42 TS148-05/97 PARKING PROHIBITIONS - COUNTRY CLUB
BOULEVARD AND SPYGLASS DRIVE, CONNOLLY
- [510-2107, 510-3014]
- 42 TS149-05/97 PARKING PROHIBITIONS -MARANGAROO PRIMARY
SCHOOL - [510-1130]
- 43 TS150-05/97 BROADBEACH BOULEVARD - RESIDENT PARKING
- [510-2728]
- 44 TS151-05/97 METROPOLITAN REGIONAL ROAD PROGRAMME
- [540-0]
- 45 TS152-05/97 WOODVALE DRIVE, WOODVALE -VERGE TREATMENT
- [510-1180]
- 45 TS153-05/97 TENNIS COURTS UPGRADE PROGRAMME - LIGHTING
- [061-390-3, 061-166-2, 745-3-2]
- 46 TS154-05/97 WASTE MANAGEMENT ANNUAL TENDER - EXTENSION
OF CONTRACT 114-95/96 SUPPLY OF MOBILE
GARBAGE BINS - [208-114-95/96]
- 46 TS155-05/97 GIRRAWHEEN & KOONDoola IMPROVEMENT PLAN
- MEMORANDUM OF UNDERSTANDING - [770-0]
- 48 TS156-05/97 JOONDALUP CITY CENTRE - BUS SHELTERS - [730-8- 1,
503-3]
- 49 TS157-05/97 JOONDALUP CITY CENTRE - SIGNAGE REVIEW
- [730-8-1, 509-0-1]
- 49 TS158-05/97 BUILDING DEPARTMENT ANNUAL CONTRACTS
ADMINISTERED BY PLANT MANAGEMENT
CONSULTANTS NORMAN DISNEY & YOUNG
- [052-2, 240-13, 690-12, 745-3-3, 890-16]
- 50 TS159-05/97 YANCHEP NATIONAL PARK - GLOUCESTER LODGE
- [307-01]
- 51 TS160-05/97 CHILD HEALTH CLINICS - [625-15-1; 303-9-04]
- 52 TS161-05/97 CONSTRUCTION OF TOILET BUILDINGS ON
ABBERVILLE PARK, MINDARIE; KORELLA PARK,
MULLALOO & PERIDOT PARK, NEERABUP - [208-166-
96/97, 061-462, 061-200-1, 061-488]
- 52 TS162-05/97 ROLLOVER OF BUILDING DEPARTMENT ANNUAL
TENDERS - [208-30, 31, 32, 33, 34, 35, 38-96/97]
- 52 TS163-05/97 TENDER NO 016-097/98 - SUPPLY AND APPLICATION
OF PESTICIDES - [208-8]
- 53 TS164-05/97 PARKS DEPARTMENT ENTERPRISE BARGAINING

		AGREEMENT NEGOTIATIONS - [404-23]
53	TS165-05/97	CHRISTMAS LIGHTS COUNCIL BUILDING SURROUNDS - [250-1]
54	TS166-05/97	FOUNDATION PARK, QUINNS ROCKS - [061-461]
54	TS167-05/97	FINNEY PARK MARMION - [061-123]
55	TS168-05/97	HEPBURN HEIGHTS ESTATE, PADBURY - [250-1]
55	TS169-05/97	WESTERN AUSTRALIAN HORTICULTURAL COUNCIL INC - BOTANICAL GARDEN PROPOSAL - [250-1]
57	TS170-05/97	ILUKA PUBLIC OPEN SPACE DEVELOPMENT - BEAUMARIS SPORTS ASSOCIATION PROJECT - [2501]
58	TS171-05/97	APPOINTMENT OF WORKING PARTIES - [702-0]
60	TS172-05/97	FOOTPATH - ANIMAL EXERCISE BEACH HILLARYS TO THE MARINA - [405-0]
60	TS173-05/97	CONCERN AT ROAD CROSSING - WHITFORDS AVENUE, HILLARYS - [502-9]
60	TS174-05/97	REQUEST FOR FOOTPATH - STONESFIELD COURT AND PARKHURST RISE - [502-32]
61	TS175-05/97	MOTOR REPAIR SHOP - 2 DUMONT COURT, KINGSLEY - [1540/460/2]
61	TS176-05/97	VERGE TREATMENTS - GIBSON AVENUE, PADBURY - [512-0]
61		IRON STAINS ON IRRIGATION PIPES - [250-6]
61		REQUEST TO REPLACE VERGE WITH HARDSTAND - FORREST ROAD PADBURY - [512/334]
61		POWER RESTRICTIONS - LIGHTS ON PLAYING FIELDS - [250-9]
62		USE OF SURFACTANTS - [250-6]
62		ACTION TAKEN DUE TO NOISE ABATEMENT NOTICE - MR B HAMILTON - [863-1]
62		RECYCLING IN THE CITY OF WANNEROO - [508-4]
63	C164-05/97	DEVELOPMENT & PLANNING SERVICES COMMITTEE
67	DP77-05/97	DEVELOPMENT ASSESSMENT UNIT AND DELEGATED AUTHORITY COMMITTEE 28 MARCH 1997 TO 28 APRIL 1997 - [290-1]
67	DP78-05/97	DRAFT FORESHORE MANAGEMENT PLAN FOR MULLALOO -OCEAN REEF FORESHORES - CONSIDERATION OF SUBMISSIONS - [765-11]
68	DP79-05/97	EXPRESSIONS OF INTEREST FROM ORGANISATIONS TO HOST REGIONAL COASTAL FACILITATORS - [050-0]
69	DP80-05/97	SIGN LICENCE APPLICATION - MINDARIE COMMERCIAL DEVELOPMENT - LOT 9 (4) BERGEN WAY, MINDARIE - [30/5296]
69	DP81-05/97	PROPOSED TWO-STOREY SERVICED APARTMENT BUILDINGS, BASEMENT CAR PARK, HEALTH CLUB AND TENNIS COURT ADDITIONS TO THE JOONDALUP HOTEL RESORT: LOT 535 (45) COUNTRY CLUB BOULEVARD, CONNOLLY - [30/4576]
72	DP82-05/97	PROPOSED GUESTHOUSE : LOT 120 (24) DORCHESTER

AVENUE, WARWICK - [30/5567]

- 73 DP83-05/97 TELSTRA BUFFER ZONE, ALEXANDER DRIVE, LANDSDALE; APPLICATION FOR REZONING FOR URBAN/RESIDENTIAL PURPOSES - [290-7-2, 790-801]
- 76 DP84-05/97 APPLICATION FOR SPECIAL RURAL ZONING : LOC 2316 NEAVES ROAD, MARIGINIUP - [790-795]
- 77 DP85-05/97 PROPOSED BUILDING ENVELOPE RELOCATION, LOT 511 THE FAIRWAYS, GNANGARA - [4382/511/12]
- 78 DP86-05/97 SUBDIVISION CONTROL UNIT AND DELEGATED AUTHORITY COMMITTEE 28/3/97 TO 28/4/97 - [290-1]
- 78/86 DP87-05/97 PROPOSED SUBDIVISION -PT LOT 4 (390) JOONDALUP DRIVE, JOONDALUP, "THE SANCTUARY" - [740-93718]
- 80 DP88-05/97 CLOSE OF ADVERTISING : AMENDMENT NO 781 TO TOWN PLANNING SCHEME NO 1 TO RECODE A PORTION OF PART LOT 158 (12) HEPBURN AVENUE, SORRENTO FROM RESIDENTIAL DEVELOPMENT R20 TO RESIDENTIAL DEVELOPMENT R30 AND R50 - [790-781]
- 81 DP89-05/97 PROPOSED AMENDMENT NO 797 TO TOWN PLANNING SCHEME NO 1 TO RECODE PORTION OF PART LOT M1722 (449) BURNS BEACH ROAD, ILUKA FROM RESIDENTIAL DEVELOPMENT R20 TO RESIDENTIAL DEVELOPMENT R40 - [790-797]
- 81 DP90-05/97 USE OF RESIDENTIAL PROPERTY AS A MOTOR REPAIR STATION, SMASH REPAIR STATION IN BREACH OF THE CITY'S TOWN PLANNING SCHEME NO 1 : LOT 402 (77) KOONDOOLA AVENUE, KOONDOOLA - [843/402/77]
- 82 DP91-05/97 UNAUTHORISED DEVELOPMENT - LANDFILL : LOT 218 (24) GRAHAM ROAD, QUINNS ROCKS - [421/218/24]
- 83 DP92-05/97 INDUSTRIAL SITES EVALUATION WORKING PARTY - [701-3]
- 84 DP93-05/97 REAPPOINTMENT OF SIGNS, HOARDINGS AND BILLPOSTING REVIEW WORKING PARTY - [30/5296]
- 84 DP94-05/97 APPEAL ADVICE - NORTH WHITFORDS ESTATE STAGE 5 SUBDIVISION, CELL 5 LANDSDALE - [740-93627, 780-21]
- 86/78 DP87-05/97 PROPOSED SUBDIVISION -PT LOT 4 (390) JOONDALUP DRIVE, JOONDALUP, "THE SANCTUARY" - [740-93718]
- 86 DP95-05/97 CLARKSON/BUTLER DISTRICT DISTRIBUTOR ROAD FUNDING ARRANGEMENT - [780-20]
- 88 DP96-05/97 MINISTERIAL APPEAL DECISIONS - [319-7-2]
- 88 MIDGE PROBLEM - LAKE JOONDALUP - [856-5]
- 89 PARKING PROBLEMS - ELLERSDALE AVENUE, WARWICK - [910-2, 510-129]
- 89 STRATEGIC PLANNING - ALKIMOS/EGLINTON - [790-739]
- 89 CARPORT - DERICOTE WAY, GREENWOOD - [510-161, 161/64/43]
- 89 LAND DEVELOPMENT - [502-4]
- 89 DP97-05/97 PETITION OPPOSING PROPOSED POLICE STATION - HILLARYS - [631-714-114, 790-784]
- 92 BOUNDARY RATIONALISATION - [801-5]

93	C165-05/97	FINANCE AND COMMUNITY SERVICES
95	FA62-05/97	SYDNEY 2000 OLYMPIC FLAGS - [200-0]
95	FA63-05/97	PAYMENT OF A MAYORAL ALLOWANCE AND MEETING FEES TO COUNCILLORS - [702-3]
96	FA64-05/97	BERKLEY ROAD LOCAL STRUCTURE PLAN AND EAST WANNEROO CELL 5 - COMPENSATION FOR LAND ACQUISITION - [790-98424]
96	FA65-05/97	BERKLEY ROAD LOCAL STRUCTURE PLAN : PREFUNDING ARRANGEMENT FOR CONSTRUCTION OF PART OF MIRRABOOKA AVENUE - [780-22]
97	FA66-05/97	BUSINESS PLAN FOR MAJOR LAND TRANSACTION - BERKLEY ROAD LOCAL STRUCTURE PLAN AREA - [780-22]
98	FA67-05/97	BUSINESS PLAN FOR MAJOR LAND TRANSACTION - NORTH WEST EXTENSION OF WANGARA INDUSTRIAL ESTATE - [780-23]
98	FA68-05/97	LEASE OF COUNCIL PROPERTY: LOT 905 (6) DUGDALE STREET, WARWICK - AQUIS PTY LTD - [0138/905/6]
98	FA69-05/97	SUPPLY AND DELIVERY OF COUNCIL'S EXECUTIVE VEHICLES TENDER NUMBER 168-96/97 - [208-168-96/97]
99	FA70-05/97	EMPLOYMENT OF REGIONAL ECONOMIC DEVELOPMENT OFFICER - [404-0]
99	FA71-05/97	ANNUAL SUPPLY TENDERS - TENDER NUMBERS 002- 97/98, 003-97/98, 004-97/98. - [208 002-97/98, 003-97/98, 004-97/98]
100	FA72-05/97	WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 April 1997- [021-1]
101	FA73-05/97	AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]
101	FA74-05/97	TRUST FUND BALANCES - [023-5]
101	FA75-05/97	OUTSTANDING GENERAL DEBTORS - 30 APRIL 1997 - [020-0]
102	FA76-05/97	APPOINTMENT OF AUDITOR - 1 JULY 1997 TO 30 JUNE 2000 - [002-1-1]
102	FA77-05/97	WRITE OFF RATES - [018-13]
103	FA78-05/97	1997/98 PUBLIC LIABILITY AND PROFESSIONAL INDEMNITY INSURANCE RENEWAL - [013-6]
103	FA79-05/97	ANNUAL REVIEW - FEES AND CHARGES - [261-2-2]
104	FA80-05/97	1997/98 MEMBERSHIP SUBSCRIPTION WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION - [312-2]
104	FA81-05/97	DONATIONS - [009-1]
105	FA82-05/97	CASH ADVANCE - NEW YOUTH SERVICE - CLARKSON - [485-23]
105	FA83-05/97	DIFFERENTIAL RATING AND MINIMUM PAYMENTS - [018-4]
107	FA84-05/97	APPOINTMENT OF WORKING PARTIES - [702-0]
116	FA85-05/97	ENTERPRISE BARGAINING AGREEMENT - ADDITIONAL INFORMATION - [404-23]
117	FA86-05/97	JOONDALUP ADMINISTRATION CENTRE REFURBISHMENT - LOCATION OF DIRECTORATES -

[605-2-1]

- 117 FA87-05/97 ORDERS FOR GOODS AND SERVICES - APPROVING/
REQUISITION OFFICERS - [010-0-1]
- 117 FA88-05/97 1997/98 INSURANCE RENEWAL - MOTOR VEHICLE
PLANT AND INDUSTRIAL SPECIAL RISK - [013-5]
- 118 FA89-05/97 PRODUCTION OF AN EXTRA EDITION OF NEWSEXTRA
AND ADVERTISEMENT IN THE WANNEROO TIMES TO
PROMOTE THE OPENING OF THE JOONDALUP CIVIC
AND CULTURAL CENTRE STAGE ONE - [730-8-8-1]
- 118 FA90-05/97 RECONSIDERATION OF COMMITTEE STATUS - [702-0]
- 118 FA91-05/97 USE OF FUNCTION AREA FOR OPENING OF CHILDREN'S
BOOK WEEK - [218-1-4, 605-3]
- 119 FA92-05/97 PROVISION OF SKATEBOARDING FACILITIES - [468-2]
- 119 FA93-05/97 INSTALLATION OF VIDEO SURVEILLANCE EQUIPMENT
- [905-1]
- 119 FA94-05/97 BEACH CLEANING EQUIPMENT - [765-1]
- 120 **COMMUNITY SERVICES SECTION**
- 120 CS58-05/97 FOOD COMPLAINT - SAMPLE NO 128C - [30/300-42]
- 120 CS59-05/97 FOOD COMPLAINT - SAMPLE NUMBER 131C - [30/1032-2]
- 120 CS60-05/97 SERVICE OF HEALTH ACT NOTICE - [30/3426-7]
- 120 CS61-05/97 HOUSE UNFIT 207 WANNEROO ROAD, KINGSLEY -
[3000/PT24/207]
- 121 CS62-05/97 DRILLCORP LTD - OIL CONTAMINATION OF
STORMWATER DRAIN CNR BRADY ST & OCEAN REEF
RD, WANGARA - [1275/138/41]
- 121 CS63-05/97 REFUSE ADVERSELY AFFECTING PROPERTY -
[1351/11465/6]
- 122 CS64-05/97 MOSQUITO AND NON-BITING MIDGE CONTROL IN
WETLAND AREAS - RESEARCH FUNDING - [8553-3, 009-1]
- 122 CS65-05/97 WANGARA SUMP - [85-1]
- 123 CS66-05/97 PUBLIC SWIMMING POOL PROSECUTION SEACREST
RETIREMENT VILLAGE - [30/0221]
- 123 CS67-05/97 LIFECARE HYDROTHERAPY POOL, SANORI HOUSE, 126
GRAND BOULEVARD, JOONDALUP - INSUFFICIENT
CHLORINE LEVEL OF SWIMMING POOL - [30/3906]
- 123 CS68-05/97 YMCA MOBILE YOUTH CENTRE - [485-13]
- 124 CS69-05/97 TRANSPORT CONCESSION CARDS/SENIOR CITIZENS -
[870-1]
- 124 CS70-05/97 FINANCING OF ACCESS PROJECT - HILLARYS BOAT
HARBOUR - [880-8-10]
- 126 CS71-05/97 APPLICATION FOR FUNDING OF PLAYGROUND
EQUIPMENT - BELDON EDUCATION SUPPORT CENTRE
- [880-8-10]
- 126 CS72-05/97 JOONDALUP LIBRARY SCHEDULE OF CHARGES - [240-2]
- 127 CS73-05/97 OUTCOMES AND RECOMMENDATIONS OF THE
RECREATION DEVELOPMENT FUND ASSESSMENT
PANEL MEETING - [260-15]
- 128 CS74-05/97 OUTCOMES AND RECOMMENDATIONS OF THE
CULTURAL DEVELOPMENT FUND APPLICATIONS -
[429-1-16]

- 128 CS75-05/97 RE-NAMING OF THE OCEAN RIDGE COMMUNITY CENTRE, HEATHRIDGE - [330-5-1 c330-5-2]
- 129 CS76-05/97 GROUP ENTRY FEES - GLOUCESTER LODGE MUSEUM - [307-1]
- 129 CS77-05/97 REDUCTION OF HIRE FEES - TOP HAT AND TAILS - [635-11-2]
- 129 CS78-05/97 METAL SHED FOR YOUTH ACTIVITIES - [485-13 c680-1]
- 130 CS79-05/97 ANNUAL REPORT COCKMAN HOUSE - [052-2]
- 130 CS80-05/97 NORTH METROPOLITAN REGION RECREATION ADVISORY COMMITTEE - [260-2]
- 130 CS81-05/97 SORRENTO DUNCRAIG RECREATION CENTRE KIOSK - [330-1-1]
- 131 CS82-05/97 ASHBY HOUSE - LOT 1 (1369) WANNEROO ROAD - [050-0]
- 131 CS83-05/97 JOONDALUP FESTIVAL - [429-1-12]
- 131 CS84-05/97 MUNICIPAL LAW & FIRE SERVICES DEPARTMENT - ACTIVITIES FROM 1 JANUARY 1997 TO 31 MARCH 1997 - [905-1]
- 132 CS85-05/97 APPOINTMENT OF HONORARY PARKING INSPECTORS - HILLARYS BOAT HARBOUR, SORRENTO - [910-1]
- 132 CS86-05/97 DOG ACT APPEAL ADVICE - MS R RUCKBEIL, 4 BELLANA PLACE, QUINNS ROCKS - [3575/7/4]
- 132 CS87-05/97 REMOVAL OF DOG EXCRETA BY OWNERS - [508-9]
- 133 CS88-05/97 JOONDALUP LOTTERIES HOUSE - [890-18]
- 133 CS89-05/97 FUNDING OF DISABILITY ACCESS PROJECTS - RECREATION DEVELOPMENT FUND - [880-8-10]
- 134 STAFF GOLF DAY - [404-0]
- 134 REQUEST FOR DONATION - [009-1]
- 134 BURN-OFF PERMITS - [902-1]
- 134 HOUSES UNDER CONSTRUCTION - [510-1897]
- 134 PIANO - FUNCTION AREA, ADMINISTRATION BUILDING - [605-3]
- 135 C166-05/97 **BUSINESS FOR INFORMATION**
- 135 B52-05/97 ENGINEERING CURRENT WORKS - [220-0]
- 135 B53-05/97 MONTHLY REPORT APRIL 1997 - PARKS DEPARTMENT - [250-1]
- 135 B54-05/97 RAIPR NATIONAL CONFERENCE PERTH 2-7 NOVEMBER 1997 - [202-1]
- 135 B55-05/97 DEVELOPMENT ENQUIRIES : APRIL 1997 - [290-0]
- 136 B56-05/97 LOT 68 GRENVILLE AVENUE, SORRENTO - MINISTERIAL DETERMINATION OF AN APPEAL AGAINST STRATA SUBDIVISION CONDITIONS - [740-649-96]
- 136 B57-05/97 MINISTERIAL APPEAL DETERMINATION: PROPOSED ADDITIONAL GROUPED DWELLING: LOT 124 (3) MALAK COURT, WANNEROO - [30/5522]
- 136 B58-05/97 LOT 416 (51) QUINNS ROAD, QUINNS ROCKS - MINISTERIAL DETERMINATION OF AN APPEAL AGAINST SUBDIVISION REFUSAL - [740-101077]

- 137 B59-05/97 LOT 9 (51) GRISKER ROAD, WANNEROO - MINISTERIAL DETERMINATION OF AN APPEAL AGAINST A SUBDIVISIONAL REFUSAL - [740-101095]
- 137 B60-05/97 PEDESTRIAN ACCESSWAY CLOSURES - MONTHLY PROGRESS REPORT - [520-2]
- 137 B61-05/97 PRINCIPAL ACTIVITIES PLAN - [280-0]
- 138 B62-05/97 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 1997- [0
- 138 B63-05/97 MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [006-1]
- 138 B64-05/97 STAFF AND OUTSIDE WORKERS' OVERTIME - APRIL 1997 - [404-10]
- 138 B65-05/97 DRAFT 1997/98 BUDGET AND FINANCIAL PLAN PROGRESS REPORT - [006-3]
- 139 B66-05/97 PROGRESS REPORT ON THE DISABILITY SERVICE PLAN - [880-8-11]
- 139 B67-05/97 RECREATION AND CULTURAL SERVICES DEPARTMENT ACTIVITIES REPORT - [260-0]
- 140 C167-05/97 **CHIEF EXECUTIVE OFFICER'S REPORT**
- 140 C168-05/97 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]
- 140 C169-05/97 LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]
- 145 C170-05/97 LOCAL GOVERNMENT STATUTORY COMPLIANCE ASSESSMENT RETURN - [312-1]
- 145 C171-05/97 USE OF EQUIPMENT BY COMMUNITY GROUPS - [004-2]
- 147 C172-05/97 YELLAGONGA ENVIRONMENT CENTRE INC - NOMINATION - [061-408-1]
- 148 C173-05/97 APPOINTMENT OF DEPUTIES - FINANCE AND COMMUNITY SERVICES COMMITTEE - [702-0]
- 148 APPOINTMENT OF COUNCIL REPRESENTATIVES TO EXTERNAL ORGANISATIONS - [702-0]
- 148 C174-05/97 AGRICULTURAL PROTECTION BOARD REGIONAL ADVISORY COMMITTEE - [301-1]
- 148 C175-05/97 COASTAL MANAGEMENT ADVISORY GROUP - [303-8]
- 149 C176-05/97 GNANGARA MOUND COMMUNITY CONSULTATIVE COMMITTEE - [332-18-1]
- 149 C177-05/97 NORTH WEST DISTRICT PLANNING COMMITTEE [314-2]
- 149 C178-05/97 REGIONAL ECONOMIC DEVELOPMENT ORGANISATION (NORTH) - [312-2]
- 149 C179-05/97 STABLE FLY MANAGEMENT STEERING GROUP - [855-3]
- 149 C180-05/97 ST JOHN AMBULANCE BRIGADE - [319-6]
- 150 C181-05/97 WANNEROO CHAMBER OF COMMERCE - [303-6]
- 150 C182-05/97 NORTHERN SUBURBS SENIOR CITIZENS ASSOCIATION (FORMERLY WANNEROO SENIOR CITIZENS ASSOCIATION (INC) [340-6]
- 150 C183-05/97 WANNEROO EMPLOYMENT AND SKILLS TRAINING (FORMERLY WANNEROO SOCIAL PLANNING INC) - [321-0]

- 150 C184-05/97 WARWICK LEISURE CENTRE & CHURCHES OF CHRIST
MANAGEMENT COMMITTEE - [702-3]
- 150 C185-05/97 WARWICK SPORTSMANS CLUB - [745-3-5]
- 151 C186-05/97 WHITFORD CITY WANNEROO HOSPITAL FOUNDATION
- [30/300]
- 151 C187-05/97 YANCHEP NATIONAL PARK ADVISORY COMMITTEE -
[727-8-1]
- 151 C188-05/97 YANCHEP TWO ROCKS RESIDENTS ASSOCIATION INC -
RETIREMENT SUB-COMMITTEE - [330-9]
- 151 C189-05/97 YELLAGONGA REGIONAL PARK COMMUNITY
ADVISORY COMMITTEE - [061-408-1]
- 151 C190-05/97 COASTAL LIMESTONE FORMATIONS - FENCING AND
SIGNAGE - [765-1]
- 153 C191-05/97 ANNUAL STUDENT SCHOLARSHIP AWARD - [701-1]
- 155 C192-05/97 INVESTIGATION INTO THE AMENDMENT OF THE
TOWN CLERK'S CONTRACT - [702-3]
- 157 C193-05/97 REQUEST FOR REPORT INTO FORMER TOWN CLERK'S
CONTRACT - WANNEROO TIMES - [200-]

158 **MOTIONS FOR FURTHER ACTION AND MOTIONS
FOR REPORT**

- 158 C194-05/97 NEERABUP NATIONAL PARK [727-8-2]
- 158 INSTALLATION OF ROUNDABOUTS - [512-0]
- 158 BURNS BEACH RESIDENTS ASSOCIATION - [325-30]
- 158 PARKING - DAVALLIA PRIMARY SCHOOL -
[692/31791/6]
- 159 GLENGARRY PRIMARY SCHOOL - [961/34505/25, 510-
1770]
- 159 C195-05/97 MONITORING OF BORE RESULTS - MINDARIE
REGIONAL COUNCIL OPERATION, TAMALA PARK -
[508-5-5, 508-5-3]
- 159 RETICULATION TO ENTRY STATEMENT - TRAPPERS
DRIVE/WHITFORDS AVENUE - [510-1729, 510-1287]

160 **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

160 **NOTICE OF MOTIONS FOR CONSIDERATION AT THE
FOLLOWING MEETING, IF GIVEN DURING THE
MEETING**

160 **PUBLIC QUESTION/COMMENT TIME**

CONFIDENTIAL BUSINESS

- 163 C193-05/97 REQUEST FOR REPORT INTO FORMER TOWN CLERK'S
CONTRACT - WANNEROO TIMES - [200-]

164 **DATE OF NEXT MEETING**

164 **CLOSE OF BUSINESS**

CITY OF WANNEROO

**MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER,
ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP, ON
WEDNESDAY, 28 MAY 1997**

ATTENDANCES AND APOLOGIES

Councillors:	B A COOPER - Mayor to 2250 hrs	Central Ward
	A G TAYLOR - Deputy Mayor; Acting Mayor from 2250 hrs	South Ward
	L O'GRADY	North Ward
	P O HEALY	North Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	M J ZUVELA	Central Ward
	A W WIGHT	South Ward
	T W POPHAM	South Ward
	D K TIPPETT, JP	South Ward
	J HOLLYWOOD, JP	South Ward
	G A MAJOR	South-West Ward
	F D FREAME	South-West Ward
	M E LYNN, JP	South-West Ward
	J BOMBAK, JP	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
Director, Community Services:	C HALL
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
Acting Manager, Welfare Services:	G MARTELLI
City Librarian:	N CLIFFORD
Executive Officer:	P A HIGGS
Marketing Manager:	M BARCLAY
Publicity Officer:	K LEE
Committee Clerk: J AUSTIN	
Minute Clerk:	L TAYLOR

There were 85 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 1931 hrs.

PUBLIC QUESTION TIME

The following questions were submitted by Mrs A Hine, on behalf of a friend, in relation to the residential subdivision currently under construction at Lot 1 (11) Prendiville Avenue, corner Constellation Drive, Ocean Reef:

- Q1 Is this development really necessary to develop this land? Please give another reason other than money!
- A1 The applicant of the subdivision proposal has advised that the subject land is surplus to the Prendiville Colleges requirements. Notwithstanding the fact that the land was originally set aside for educational use, the land is zoned Residential Development under the City's Town Planning Scheme No 1 and as such the owner has a right to develop the land for residential purposes.
- Q2 In what way is this to enhance the area? It will cause I'm sure severe traffic congestion on both Constellation Drive and Prendiville Drive.
- A2 In order to reduce vehicle speeds and improve traffic and pedestrian safety along Constellation Drive where it abuts this subdivision, conditions were imposed on the developer requiring the provision of traffic treatments along Constellation Drive and the construction of a new roundabout at the intersection of Constellation Drive, Southern Cross Circle and the proposed entry road to the subdivision.
- Q3 Accidents involving school children from both the Primary and College? What measures are going to be put in place to ensure their safety?
- A3 Same as answer 2.
- Q4 Were the local residents given the opportunity for input into this decision?
- A4 The Western Australian Planning Commission is the determining authority for land subdivision. In any case as the subject land is zoned for residential purposes and is intended to be used for this purpose there is no statutory requirement for public consultation.
- Q5 As the parent of a child at Prendiville I was asked to write to the Archbishop expressing my concerns, this I did but obviously to no avail.
- A5 Same as answer 4.
- Q6 If the church wanted to build on this land then why did they not build the church on it instead of across the road, wouldn't this have been more sensible?
- A6 Same as answer 1.
- Q7 There is so little bush left in Ocean Reef as every time a new area is allocated for housing all the bush is bulldozed away with no regard to environmental or wildlife, why is this? Now you are to remove the only patch of bush close to schools and shopping centre.

- A7 Same as answer 1.
- Q8 Can Council please give full documentary information on this piece of land since ownership?
- A8 Prendville College owned by Roman Catholic Archbishop of Perth since approximately 1986. Prior to that time the whole of Iluka and part of Ocean Reef was owned by Roman Catholic Archbishop of Perth and Davidson Estate (McCusker). (Adelaide Steamship Company prior to Davidson Estate)
- Q9 Has there ever been any environmental assessment done of this area? If so where can they be seen?
- A9 Separate geological and vegetation reports were completed in 1977 covering the overall area of what is now known as the Beaumaris Estate. These reports cover the majority of the site of the subject subdivision. Arrangements can be made to view these documents by contacting Mr Rod Peake of the City's Approval Services Unit.

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

- Q1 As compensation has been recommended by Council to adjoining landowners, an investigation has been instigated by your insurance company, the Minister for Local Government has commenced his own investigation, one involved staff member being moved to another department, one involved staff member resigning, an independent R Code advisor stating breaches and contraventions to the R Codes and their objectives, would Council now admit that the dwelling of a past Councillor should never have been allowed to be constructed in its current form?
- A1 The matter is subject to investigation and legal advice and no comment can be made.
- Q2 With an answer no doubt being yes to question No 1 above, why isn't the Council now putting a stop work order in place on this construction?
- A2 A stop work notice can only address issues in contravention of the Local Government Act. The issues of concern relate to the Residential Planning Codes which are gazetted under the provisions of the Town Planning and Development Act.
- Q3 I wish to refer you to your response to my question last month regarding Ken Adams, 9th August 1996 independent report. You say that there was a more recent advice dated 19th August 1996. You know that this second letter of the 19th August showed very little difference in the calculations. The construction still in Mr Ken Adams report showed severe breaches of the R Codes.

Again why has there been no action by this Council when on 19th August your expert Mr Ken Adams reported severe breaches of the R Codes and its objectives?

- A3. The action taken by Council followed the advice of its legal and Insurance advisors.
- Q4 With regard to your last month's response "The questions submitted appeared to be centred on earlier advice from K Adams dated 9 August 1996 rather than a more recent advice dated 19th August 1996"
- Was this an attempt to mislead and provide improper answers to this Council because the setback differences between the two letters were minimal and in each letter it is shown that severe breaches of the R Codes and its objectives have occurred?
- A4 No
- Q5 Regarding your response last month, that legal advice was, that the demolition option was unlikely to succeed.
- Why did not the City of Wanneroo at least show it was prepared to see that justice must prevail, construction must comply and thus attempt to ensure that past Councillor Parin's dwelling be demolished or made to comply with the R Codes?
- A5 See answer to 3.
- Q6 Mr Mayor, Can you advise the Council and state categorically that you have had absolutely no past business connections, been involved in any associations or ever received any political donations from past Councillor Parin or his associated companies?
- A6 *Response by Mayor:* The Mayor advised that he was a member of Rotary for over 20 years, and Mr Vic Parin was also a member. The Mayor stated he owned shares in the same public company as Mr Parin, which he purchased on Mr Parin's advice. The Mayor had discussions with Mr Parin, some years ago, regarding a business not this did not proceed. In relation to the 1989 State Election, the Mayor stated he was unaware whether Mr Parin had made any donations. To the Mayor's knowledge, he has had no other dealings with Mr Parin.
- Q7 Mr Deputy Mayor, At the time of voting for demolition on this construction is it true that you had advised other councillors that if they voted for demolition that they risked being sued personally by past councillor Parin?
- A7 No, there was no vote specifically for the demolition of the dwelling
- Q8 Do you believe all Councillors have been correctly and honestly advised by Mr Fischer of all the correct planning procedures and do you believe they all have a full knowledge of the working of the R Codes?
- A8 Mr Fischer has correctly and honestly advised Council including facilitating the attendance of its Residential Planning Codes Legal and Insurance advisors to address Councillors and answer questions.

- Q9 Is it true to say that the reason a stop work order was not placed on breaches of the R Codes was due to the following:
- 1 such breaches would show incompetencies on the part of staff at the City of Wanneroo?
 - 2 such incompetencies would have adverse affect on the Council's insurance company paying the compensation to the affected adjoining land owners?
- A9 No, see answer to 2.
- Q10 Through the Mayor to Mr Fischer - Could you please advise me on why your department placed the stop work order on deviations to approved plans rather than the main issue ie severe breaches of the R Codes and their objectives:
- A10 See answers to 2 and 3.
- Q11 Through the Mayor to Mr Fischer - would it be true that the reason that no stop work order was placed on severe breaches to the R Codes and their objectives was to avoid embarrassment to yourself and your department due to the overall incompetence of your department?
- A11 No.
- 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?
- A12 Any recovery or reimbursement action remains the right of the Council's Insurance company.
- Q13 Why, to this day, when Council is still receiving such loud and constant criticism from all adjoining neighbours concerning excessive heights to walls, boundary and retaining walls, etc, is this past councillor allowed to continue construction without the necessary approvals as per the R Codes (ie the maximum height for boundary retaining walls is two metres - with discretionary powers to 2.5 metres - only if written consent is given from neighbours)?
- A13 The Builder has a valid approval issued under the provisions of the Local Government Act that permits the construction of the dwelling and the retaining walls.
- Q14 Why when the Council has a history of rightly policing the most minimal obligations on ratepayers (often as small as 100mm) has the Council in this case of a past councillor, allowed such obvious breaches of several metres, etc?
- A14 Council has acted on the advice of its Legal and Insurance advisors.

- Q15 Due to the fact that the Anti-Corruption Commission is taking statements, your insurance company is undertaking an investigation and the Minister for Local Government has commenced his own investigation, isn't it logical and right that the Council immediately place a stop work order based on severe breaches of the R Codes (as found by your own expert) until the results of these investigations are known?
- A15 No.
- Q16 As the most concerned ratepayer, can I please request a vote at the next full council meeting on whether a stop work order be placed on the construction until results of all the investigations are completed?
- A16 See answer to 2.

The following questions were submitted by Mr Barry Higgins:

“At the April 1997 Full Council Meeting, public questions were asked concerning the Manakoora Rise issue. Minutes of that meeting record, inter alia, “Response by the CEO - 3. An independent Enquiry is underway and it would be inappropriate to comment at this stage”.

Q1 Who appointed the Enquiry?

A1 Enquiries or investigations have been instigated by the;
(i) Municipal Liability Scheme, and
(ii) Department of Local Government.

Q2 When was the enquiry appointed?

A2 (i) Municipal Liability Scheme - 18 February 1997
(ii) Department of Local Government - 22 April 1997

Q3 Who is conducting the Enquiry?

A3 (i) Municipal Liability Scheme
(ii) Department of Local Government - The authorised Officer is Anne Marshall

Q4 What are the terms of reference?

A4 (i) Municipal Liability Scheme.

The terms of reference are unknown.

(ii) Department of Local Government - terms of reference are;

Whether the City of Wanneroo Council followed the correct approval processes in its approval of the development application for the construction of a residence on Lot 560 (3) Manakoora Rise, Sorrento.

Q5 When did the enquiry commence?

A5 See answer to question 2.

Q6 Where is the enquiry being held?

A6 (i) Municipal Liability Scheme. At the office of the Municipal Liability Scheme and as determined by its Officers.

(ii) Department of Local Government. At the office of the Department of Local Government and as determined by its authorised Officer.

Q7 Is the enquiry open to the public?

A7 (i) No.

(ii) No.

Q8 What is the finalisation date?

A8 (i) Unknown

(ii) Unknown

Q9 Will the report(s) findings and recommendations of the enquiry be made public?

A9 (i) Not yet determined.

(ii) This will be at the discretion of the Minister for Local Government.

The following questions were submitted by Barry Higgins:

In 1996, the WA Director of Public Prosecutions told us that our community was "Awash with drugs"

Now in 1997, it appears we have a "drug tidal wave" as more young people are dying on our streets as a result of drug overdoses, seemingly on a daily basis.

As Government of one of Australia's fastest growing municipalities, will Council give urgent and serious consideration to convening a Young People's Summit?

The summit should identify the immediate needs of the young people of the City of Wanneroo, thus placing Council in a position to take swift action to meet as many of those needs as feasible, ie "Listen then Act"

Would Council please consider including in deliberations:

Q1 Convening a young people's summit as soon as possible?

A1 The Council through its Welfare Services Department can investigate the feasibility of convening a youth summit. There is no evidence to suggest a summit is the best way to reach "at risk" youth in the community.

Council recognises the problems youth face in the community and operates three centres on a "drop in" basis and as an outreach service to outlying suburbs. These services are:

Anchors Youth Centre
Clarkson Youth Centre
Yanchep Youth Centre

Whilst Council's Youth Services Programme plays an important role in dealing with youth and their associated issues, the majority of Youth Support Services are funded by the State Government, who have the resources to address youth issues

Q2 Inviting a "role model" keynote speaker, eg Glen Jackovich?

Q3 All speakers to be young people, as many as wish to speak?

Q4 Inviting local youth organisations and business people, state and federal parliamentarians and departments Wanneroo Councillors and staff and other interested groups and people as observers.

A4 Council works closely with the State Department of Family and Children's Services on all youth issues. A planning day was held at Council on November 1996. Service providers, employees and interested members of the community were present.

Staff working the Youth Services programme liaise closely with community groups, local Members of Parliament, youth and the business community.

Q5 Advertising the summit widely and appropriately?

Q6 Promoting it with a relevant slogan, eg "Youth Tell Us"

A2,A3,A5,A6:

These questions will be taken on notice. Should Council decide that it has a role in the planning of a forum, these questions would be considered at the planning stage.

Mr Higgins further commented as follows:

"Whilst recognising that state and federal authorities seem to be struggling to cope with young people's problems, any positive action taken by Council which assists even in the saving of only one young person's life, must be worthwhile.

Any such initiative may well be seen as a "bench mark" for local governments across Australia to follow.

Evidence indicates that chances are at least one young person in our community will die of a drug overdose, as this meeting takes place tonight.

Will Council please address this tragic situation as a matter of urgency?"

Mayor's response: Council shares Mr Higgins' concerns and attempting to overcome these problems.

The following questions were raised by Ms Jill Brown:

Q In reference to the 9 km of land adjoining Neerabup National Park which has been taken by Alinta Gas, will Council write to the State Government requesting that an equivalent amount of land be returned.

A *Response by Mayor:* Councillors have noted this, and have the opportunity to move a Motion later in the meeting if they so wish.

Cr Bombak left the Chamber at this point, the time being 2000 hrs.

CONFIRMATION OF MINUTES

C143-05/97 MINUTES OF COUNCIL MEETING, 23 APRIL 1997

Correction

1 Header to Pages 2 - 18 to be amended to read : "23.04.97"

2 Page 4: Answer to Question 1 submitted by Mr Higgins should be amended to read "Other accounts received, but not paid are:"

MOVED Cr Wight, SECONDED Cr O'Grady that the Minutes of the Council Meeting held on 23 April 1997, amended as above, be confirmed as a true and correct record.

CARRIED

C144-05/97 MINUTES OF SPECIAL COUNCIL MEETING, 30 APRIL 1997

MOVED Cr Freame, SECONDED Cr Lynn that the Minutes of the Special Council Meeting held on 30 April 1997 be confirmed as a true and correct record.

CARRIED

C145-05/97 MINUTES OF SPECIAL COUNCIL MEETING, 5 MAY 1997

MOVED Cr Wight, SECONDED Cr Healy that the Minutes of the Special Council Meeting held on 5 May 1997 be confirmed as a true and correct record.

CARRIED

Cr Bombak entered the Chamber at this point, the time being 2003 hrs.

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**NEW COUNCILLORS**

Council has three new faces attending their first full Council Meeting as councillors tonight.

Congratulations were extended to Milly Zuvela (Central Ward) and John Bombak, JP (South-West Ward) on their recent electoral wins, and also to John Hollywood, JP (South Ward) who was elected unopposed.

Sitting Council members who successfully contested the elections were Margaret Lynn, JP (South-West) Ward, Stephen Magyar (Central Ward) and the Mayor (also in Central Ward).

Also, congratulations went to Lynn O'Grady (North Ward) and David Tippett, JP (South Ward) who returned to Council unopposed.

Lastly, congratulations were extended to Arthur Taylor (South Ward) for being voted Deputy Mayor.

The Mayor welcomed new staff members, Chris Hall - Director of Community Services and Marcia Barclay - Marketing Manager.

1997 LITTLE FEET CHILDREN'S FESTIVAL

On Sunday, 11 May, the Mayor had the pleasure of attending the VIP function at the 1997 Little Feet Children's Festival and was presented with a Certificate of Appreciation.

For the Mayor and fellow councillors who were able to attend, it was such a delight to take part in what is one of the most popular community events in the northern suburbs.

OPENING OF ALEXANDER HEIGHTS COMMUNITY CARE CENTRE

Cr Arthur Taylor's first official duty as Deputy Mayor was to open the Alexander Heights Community Care Centre on Thursday, 15 May, which he took great pleasure in doing.

The centre was funded by the City of Wanneroo, the Commonwealth Government's home and community care program and the Lotteries Commission.

Designed to cater for the needs of the elderly, the centre is another example of the Council's continuing drive to establish amenities for all sections of our community.

APPRECIATION COCKTAIL PARTY FOR LIBRARY VOLUNTEERS

The Mayor thanked Cr Fleur Freame who deputised for him at the appreciation cocktail party for library volunteers on Friday, 16 May.

Volunteers play such a significant role in many aspects of our community. The City's library service would be much poorer if it was not for these people.

OTHER THANKS

The Mayor extended his thanks also to the following Councillors who deputised on his behalf at events he was unable to attend:

- Cr Tippett at the Best Beach Award - Thursday, 15 May
- Cr Ewen-Chappell at the annual presentation breakfast for the Mullaloo Surf Life Saving Club - Sunday, 18 May
- Cr Major at the Sorrento Bowling Club's Trophy Presentations - Sunday, 18 May
The opening of the new stage at St Stephen's School - Monday, 19 May
- Deputy Mayor, Arthur Taylor at the Institute of Municipal Management National Congress in Canberra - Sunday, 18 May to Wednesday, 21 May
Chief Executive Officer, Lindsay Delahaunty, Director of Resource Management, John Turkington and Director of Strategic Planning, Ray Fischer also attended.
- Cr Freame at the 1997 Annual Award evening for the North Metropolitan College of TAFE Tuesday, 20 May 1997
- Cr Magyar at the 1997 Miss Wanneroo Show Girl Quest - Saturday, 24 May
- Deputy Mayor, Arthur Taylor at the celebration of Buddha's Birthday by the congregation of Vietnamese Buddhists - Sunday, 25 May
- Cr Lynn at the Hellenic community of WA's 60th anniversary of the Cathedral of Saints, Constantine and Helene - Sunday, 25 May

Cr Taylor submitted copies of the following discussion papers to be placed in the Councillors' Reading Room:

- ◆ 16th IMM National Congress discussion paper
- ◆ Voluntary Structural Reform in NSW Local Government discussion

POLL PETITION

Finally, the Mayor reminded all Councillors that petitions calling on Local Government Minister, Paul Omodei to put to a poll of electors any decisions to change the City of Wanneroo's boundaries are at all of the City's libraries and recreation centres.

PETITIONS, MEMORIALS AND DEPUTATIONS

RED CROSS DOORKNOCK/RED SHIELD APPEAL - [318-1, 318-4]

Cr Freame acknowledged the work undertaken by the 1st DunCraig Guides, 1st Whitford Guides, Padbury Scouts and Cubs, Anglican Church of St Lukes and students from Padbury High School for the Red Cross Doorknock Appeal and the Red Shield Appeals.

PRESENTATION OF PLAQUE - HELLENIC COMMUNITY OF WA - [702-0]

Cr Lynn advised that whilst representing the Mayor at the Hellenic Community of WA's celebrations she had presented on behalf of the Councillors a plaque to commemorate the 60th Anniversary of the consecration of the Cathedral of St Constantine and Helene in Northbridge. The Hellenic Community thanked Councillors for this gift which was greatly appreciated.

C146-05/97 LETTER EXPRESSING CONCERN AT ANTISOCIAL BEHAVIOUR - SEACREST DRIVE, SORRENTO - [510-1842, 061-338]

Cr Lynn submitted a letter from Mr Bert Wallace of 93 Seacrest Drive, Sorrento concerning the antisocial behaviour in Seacrest Drive opposite Seacrest Park. Whilst Mr Wallace appreciates this matter is primarily a police concern, he believes this problem could be reduced by the introduction of a night security patrol.

MOVED Cr Magyar, SECONDED Cr Freame that the letter from Mr Bert Wallace of 93 Seacrest Drive concerning antisocial behaviour in Seacrest Drive be received and referred to Municipal Law and Fire Services for action. CARRIED

C147-05/97 LETTERS REGISTERING CONCERN AT DEVELOPMENT OF HEPBURN HEIGHTS - [3773/43417/32, 30/5618]

Cr Lynn submitted letters from Mrs Evelyn Davies of 55 Walter Padbury Boulevard, Padbury; Mr and Mrs David McKenna of 52 Walter Padbury Boulevard; Mrs Sandra Carrello of 57 Walter Padbury Boulevard and Mr and Mrs Harry Bolwell, owners of 61 Walter Padbury Boulevard, registering their concern at the development of Hepburn Heights, in relation to traffic flow, safety issues and preservation of bush.

Cr Lynn advised that a meeting is to be held in June with the Mayor, South-West Ward Councillors and staff members to address the issue.

These letters will be referred to Engineering Department for action.

MOVED Cr Magyar, SECONDED Cr Freame that the letters from residents/owners of Walter Padbury Boulevard, Padbury regarding the development of Hepburn Heights be received and referred to Engineering Department for action. CARRIED

ESTABLISHMENT OF A "NO THROUGH ROAD" SIGN, MILLSTREAM RISE, HILLARYS - [510-2807]

In reference to the 14-signature petition requesting the establishment of a "No Through Road" sign at the commencement of Millstream Rise, Hillarys (Item C152-05/97 refers), Cr Lynn advised that this sign was now in place.

C148-05/97 VARIOUS CORRESPONDENCE RECEIVED - FOR APPROPRIATE ACTION - [702-0]

Cr Bombak submitted the following documentation to Council and requested they be referred to the appropriate departments:

- copy plan and letter from the Davallia Primary School P & C regarding traffic parking in Trenton Way and Juniper Way, Duncraig
- to be referred to Engineering Department for action.
- letters from St Marks Anglican Community School P & F President, Mrs Georgia Waldock, and Mr K C Fairfield, Bursar, requesting a footpath in Whitfords Avenue adjacent to St Marks School
- to be referred to Engineering Department for action.
- letter from Ms Lorraine Counter, Hepburn Heights Landowners Association Steering Committee regarding the preparation of a constitution for the Steering Committee
- to be referred to Corporate Services for action
- letter from Mrs K M Reid of 17 Farley Way, Duncraig regarding the lack of recycling of plastics in the City of Wanneroo
- to be referred to Engineering Department for action
- letter from Max and Michelle Henderson of 31 Stonesfield Court, Hepburn Heights regarding the proposed walkway from Parkhurst Rise to Stonesfield Court
- to be referred to Parks Department for action
- letter from Mrs Dot Newton regarding the construction of a property in Dallas Crescent
- to be referred to Building Department for action.
- letter from Mr and Mrs Raymond Caporn of 9 Sandstone Place Marmion regarding issues
- to be referred to Engineering Department for action
- copy letter from Mr Phil Peirce of Millstream Rise regarding the request for a "No Through Road" sign
- to be referred to Engineering Department for action.

MOVED Cr Magyar, SECONDED Cr Freame that the letters submitted by Cr Bombak on various issues be received and referred to the appropriate departments for action.

CARRIED

C149-05/97 LETTER OPPOSING REZONING - ST LUKE'S CHURCH, PADBURY - [30/874]

Cr O'Grady submitted a letter from Mrs Dorothy King, of Heathridge Church of the Nazarene in connection with the rezoning of St Luke's Church, Padbury.

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

MOVED Cr Magyar, SECONDED Cr Freame that the letter from Mrs Dorothy King in connection with the rezoning of St Luke's Church, Padbury be received and referred to Town Planning Department for action. CARRIED

C150-05/97 HONORARY PARKING INSPECTOR - QUINNS ROCKS - [910-1]

Cr O'Grady submitted a letter from a resident of Quinns Rocks offering his services as Honorary Parking Inspector in the Quinns Rocks area.

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

MOVED Cr Magyar, SECONDED Cr Freame that the letter from a resident of Quinns Rocks offering his services as Honorary Parking Inspector in the Quinns Rocks area be received and referred to Municipal Law and Fire Services for action. CARRIED

C151-05/97 LETTER REQUESTING UPGRADING OF Warbrook Road, JANDABUP - [510-0]

Cr Taylor submitted a letter from Mr Bill Irwin, Secretary of the Whiteman Park International Pistol Club requesting the upgrading of Warbrook Road, Jandabup.

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

MOVED Cr Magyar, SECONDED Cr Freame that the letter from Mr Bill Irwin, Secretary of the Whiteman Park International Pistol Club requesting the upgrading of Warbrook Road, Jandabup be received and referred to Engineering Department for a report to Technical Services Committee. CARRIED

C152-05/97 PETITION REQUESTING THE ESTABLISHMENT OF A "NO THROUGH ROAD" SIGN, MILLSTREAM RISE, HILLARYS - [510-2807]

A 14-signature petition has been received from Mr R Johnson, JP, MLA; Member for Hillarys on behalf of residents of Millstream Rise, Hillarys requesting the establishment of a "No Through Road" sign at the commencement of Millstream Rise, Hillarys.

The petitioners are concerned at the heavy concentrations of traffic in this area, particularly of a weekend when children are playing in the cul-de-sac.

This petition will be referred to Engineering Department for action.

MOVED Cr Magyar, SECONDED Cr Freame that the petition from Mr R Johnson, JP, MLA; Member for Hillarys on behalf of residents of Millstream Rise, Hillarys requesting the establishment of a "No Through Road" sign at the commence of

Millstream Rise, Hillarys be received and referred to Engineering Department for action. CARRIED

C153-05/97 PETITION OBJECTING TO PROPOSED DWELLING, LOT 222 (1) THE GAP, OCEAN REEF - [2337/222/1]

A 24-signature petition has been received from Ocean Reef residents objecting to the proposed construction of a three storey dwelling at Lot 222 (1) The Gap, Ocean Reef.

The petitioners state a residence of this nature will be out of context with houses already existing in the immediate vicinity, which are either single or two storey, and believe the proposed residence will be too high, thereby encroaching on the privacy of neighbouring houses.

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

MOVED Cr Magyar, SECONDED Cr Fream that the petition from Ocean Reef residents objecting to the proposed construction of a three storey dwelling at Lot 222 (1) The Gap, Ocean Reef be received and referred to Building Department for a report to Technical Services Committee. CARRIED

C154-05/97 PETITION OBJECTING TO NOISE EMANATING FROM A PROPERTY IN MONKTON PLACE, KINROSS - [3631/759/40]

A 2-signature petition has been received from residents of Monkton Place, Kinross in relation to the volume of noise created by children using basketball rings intermittently at weekends, holidays and continually after school.

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

MOVED Cr Magyar, SECONDED Cr Fream that the petition from residents of Monkton Place, Kinross in relation to the volume of noise created by children using basketball rings intermittently at weekends, holidays and continually after school be received and referred to Environmental Health Department for action. CARRIED

C155-05/97 PETITION IN RELATION TO ROAD NOISE POLLUTION EMANATING FROM HODGES DRIVE, CONNOLLY - [510-1700]

A 13-signature petition has been received from the Secretary, The Fairways, Connolly on behalf of the residents of the Fairways Retirement Village in relation to the increasing amount of noise emanating from traffic travelling along Hodges Drive.

The petitioners refer to the "chip-stone" construction of Hodges Drive and the constant noise which is created by traffic travelling on this type of road construction. In an effort to alleviate the constant noise, the petitioners request that Hodges Drive be covered with a "hot-mix" surface.

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

MOVED Cr Magyar, SECONDED Cr Freama that the petition from the Secretary, The Fairways, Connolly on behalf of the residents of the Fairways Retirement Village in relation to the increasing amount of noise emanating from traffic travelling along Hodges Drive be received and referred to Engineering Department for a report to Technical Services Committee. CARRIED

C156-05/97 PETITION REQUESTING THE INSTALLATION OF ADDITIONAL LIGHT, TROCHIDAE WAY, HEATHRIDGE - [510-2045]

A 6-signature petition has been received from residents of Trochidae Way, Heathridge requesting the installation of an additional light on the light pole between house numbers 18 and 20 Trochidae Way, Heathridge.

The petitioners state there have been several house break-ins in Trochidae Way, particularly in the area mentioned, where the lighting is extremely poor. The installation of an additional light has been requested in an attempt to prevent further break-ins occurring.

This petition will be referred to Engineering Department for action.

MOVED Cr Magyar, SECONDED Cr Freama that the petition from residents of Trochidae Way, Heathridge requesting the installation of an additional light on the light pole between house numbers 18 and 20 Trochidae Way, Heathridge be received and referred to Engineering Department for action. CARRIED

C157-05/97 PETITION IN RELATION TO CONDITION OF PROPERTY - SHAFTESBURY AVENUE, ALEXANDER HEIGHTS - [1630/5604/39]

A 5-signature petition has been received from Alexander Heights residents in relation to the condition of a property in Shaftesbury Avenue, Alexander Heights.

The petitioners state a car body and general rubbish around the property create an unsightly appearance from the street frontage.

This petition will be referred to Engineering Department for action.

MOVED Cr Magyar, SECONDED Cr Freama that the petition from Alexander Heights residents in relation to the condition of a property in Shaftesbury Avenue, Alexander Heights be received and referred to Engineering Department for action. CARRIED

C158-05/97 PETITION REQUESTING RETENTION OF BUS SHELTER, CORNER ALLENSWOOD ROAD AND HEPBURN AVENUE, GREENWOOD - [510-1900]

A 23-signature petition has been received from residents of Keith Simpson Retirement Village, Kingsley expressing their concern at the proposed removal of the bus shelter near the corner of Allenswood Road and Hepburn Avenue, Greenwood.

The residents of this retirement village are all over 70 years old; and as well as other residents in the immediate vicinity, all use this seat and bus shelter while waiting for public transport. Accordingly, the petitioners ask that consideration be given to retaining the bus shelter.

This petition will be referred to Engineering Department for action.

MOVED Cr Magyar, SECONDED Cr Freame that the petition from residents of Keith Simpson Retirement Village, Kingsley expressing their concern at the proposed removal of the bus shelter near the corner of Allenswood Road and Hepburn Avenue, Greenwood be received and referred to Engineering Department for action. CARRIED

C159-05/97 PETITION OBJECTING TO THE CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN ULRIC COURT AND TURNER CLOSE, DUNCRAIG - [510-2198]

An 83-signature petition has been received strongly objecting to the proposed closure of the pedestrian accessway between Ulric Court and Turner Close, Duncraig.

The petitioners state this accessway provides a safe route for school children attending Poynter Primary School and for residents in the district to access the chain of walkways to the school and surrounding areas. The closure of the accessway will put not only children but residents as well at much higher risk as a result of using alternative routes in higher traffic areas.

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

MOVED Cr Magyar, SECONDED Cr Freame that the petition strongly objecting to the proposed closure of the pedestrian accessway between Ulric Court and Turner Close, Duncraig be received and referred to Town Planning Department for action. CARRIED

C160-05/97 PETITION REQUESTING THE LAYING OF ROAD BASE ON THE EAST BOUND SIDE OF GNANGARA ROAD - [510-0004]

A 29-signature petition has been received from customers of M T Tummies Lunchbar, Gngangara supporting the owner's request for the laying of a road base on the east bound side of Gngangara Road as a pull-over area for passing vehicles and trucks.

The owner of the lunchbar states Gngangara Road is an extremely busy thoroughfare and as such it is unsafe to stop on such a busy main road; thus the lunchbar loses trade.

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

MOVED Cr Magyar, SECONDED Cr Freame that the petition from customers of M T Tummies Lunchbar, Gngangara supporting the owner's request for the laying of road base on the east bound side of Gngangara Road as a pull-over area for passing vehicles and trucks be received and referred to Engineering Department for a report to Technical Services Committee. CARRIED

**C161-05/97 PETITION IN SUPPORT OF NEIGHBOUR - CRAIGIE -
[1464/214/10, 1464/214/12, 510-1464]**

A 12-signature petition has been received from residents of Craigie in support of a neighbour who they believe has been the target of continuous complaints, of various natures. The petitioners state their neighbour has always shown a friendly and responsible nature and feel he has certainly not earned the attention which has been directed his way.

This petition will be referred to Corporate Services for action.

MOVED Cr Magyar, SECONDED Cr Freame that the petition from residents of Craigie in support of a neighbour who they believe has been the target of continuous complaints, of various natures be received and referred to Corporate Services for action.

CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

A YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT
 COMMITTEE
 Meeting held 10 April 1997

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

CARRIED

ADVISORY COMMITTEES

A ART COLLECTION ADVISORY COMMITTEE
 Meeting held 17 February 1997

B CHILDREN'S SERVICES ADVISORY COMMITTEE
 Meeting held 24 March 1997

C MULTICULTURAL ADVISORY COMMITTEE
 Meeting held 17 April 1997

D HISTORICAL SITES ADVISORY COMMITTEE
 Meeting held 23 April 1997

E CULTURAL DEVELOPMENT ADVISORY COMMITTEE
 Meeting held 28 April 1997

F DISABILITY ACCESS ADVISORY COMMITTEE

Meetings held 2 April 1997 and 7 May 1997

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

OTHER COMMITTEES

A YANCHEP TWO ROCKS RECREATION ASSOCIATION INC
Meeting held 7 April 1997

B JUNIOR COUNCIL
Meetings held 9 April 1997 and 8 May 1997

C OUTSIDE SAFETY COMMITTEE
Meeting held 16 April 1997

D 20TH LOTTERIES HOUSE STEERING COMMITTEE
Meetings held 16 April 1997 and 14 May 1997

E WHITFORD RECREATION ASSOCIATION INC
Meetings held 17 March 1997 and 21 April 1997

F OFFICE SITES SAFETY COMMITTEE
Meeting held 20 May 1997

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

DECLARATIONS OF FINANCIAL INTEREST

Cr Magyar declared an interest in Item P44-05/97 as he is employed at the Warwick Traffic Branch.

The City Engineer declared a financial interest in TS140-05/97, Tender 014-97/98, as he owns shares in the parent company of the recommended Tender.

In connection with Item CS66-05/97, Cr Cooper wished it recorded that his mother lives in the Seacrest Retirement Village.

Cr Taylor declared an interest in Item FA69-05/97 as he had submitted a tender.

Cr Freame declared an interest in Item C169-05/97 as it involves the payment of legal expenses incurred through her appearance before the Royal Commission.

Manager, Corporate Services declared an interest in Item C169-05/97 as it involves the payment of legal expenses incurred through his appearance before the Royal Commission.

BUSINESS REQUIRING ACTION

C162-05/97 POLICY COMMITTEE

MOVED Cr Freame, SECONDED Cr Popham that the Report of the Policy Committee Meeting held on 12 May 1997 be received. **CARRIED**

ATTENDANCES

Councillors:	F D FREAME, Chairman	South-West Ward
	P O HEALY from 1808 hrs	North Ward
	B A COOPER, Mayor	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	A W WIGHT	South Ward
	T W POPHAM	South Ward
	G A MAJOR	South-West Ward
	L O'GRADY - Observer; Deputising for Cr Healy to 1808 hrs	North Ward
	A G TAYLOR - Observer to 1950 hrs	South Ward
	S P MAGYAR - Observer	Central Ward
	M J ZUVELA - Observer	Central Ward
	D K TIPPETT, JP - Observer from 1935 hrs	South Ward
	J HOLLYWOOD, JP - Observer	South Ward
	M E LYNN, JP - Observer	South - West Ward
	J BOMBAK, JP - Observer from 1806 hrs	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Manager Corporate Services:	R E DYMOCK
City Planner:	O G DRESCHER
City Building Surveyor:	R FISCHER
City Librarian:	N CLIFFORD
Manager, Welfare Services	P STUART
Publicity Officer:	O DAVIDSON
Marketing Manager:	M BARCLAY
Publicity Officer:	K LEE
Committee Clerk:	J AUSTIN

APOLOGIES

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

ELECTION OF CHAIRMAN

Cr Freame was elected Chairman.

DECLARATIONS OF FINANCIAL INTEREST

Cr Magyar declared an interest in Item P44-05/97 as he is employed at the Warwick Traffic Branch.

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 7 April 1997 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

MEETING TIMES

Commenced:	1803 hrs
Closed:	2106 hrs

Report C139-04/97 detailed the provisions of the Local Government Act 1995 relating to the local government boundary review and adjustment process, and highlighted that there exists no requirement for a poll of electors to be conducted in order to determine public opinion - the conduct of a poll on the final recommendation of the Local Government Advisory Board being solely at the discretion of the Minister for Local Government.

This report considers the possibility of raising a petition to request the Minister to require the conduct of a poll of electors in the event that the final recommendation proposes any change to the status quo, and the conduct of public opinion surveys by the Council.

At the Policy Committee meeting, the Chief Executive Officer advised of the need to act immediately on this issue as it was believed an announcement would be made by the Minister for Local Government during the course of the week. He also advised that the Minister has answered the request for a deputation and would address the Council on 3 June 1997.

REPORT RECOMMENDATION That Council :

- 1 coordinates the compilation of a petition through the display of petition forms in Council's libraries, recreation centres and the Administration Centre; such petition to be worded in the following terms:

PREAMBLE

Clause 7 of Schedule 2.1 of the Local Government Act 1995 provides that the Minister for Local Government MAY require that a recommendation to change the boundaries of a local government district be put to a poll of electors. The Hon Minister is not obliged to seek the views of the electors on an issue that could have substantial impact on every member of the community. This petition seeks to request the Hon Paul Omodei MLA, Minister for Local Government, to put to a poll of electors any recommendation for change to the existing boundaries of the City of Wanneroo made by the Local Government Advisory Board.

Your support will help to ensure that the views of the people of the City of Wanneroo are considered by the State Government in determining the future of our City.

PETITION

We the undersigned humbly petition the Hon Minister for Local Government to put to a poll of electors of the City of Wanneroo, any proposal to alter the boundaries of the district recommended by the Local Government Advisory Board:

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound will ever pray.

NAME

ADDRESS

SIGNATURE

- 2 endorses the inclusion of a survey of residents in the May edition of NewsExtra, and conveys the responses received to the Hon Minister for Local Government together with the petition.

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

- 1 coordinates the compilation of a petition through the display of petition forms in Council's libraries, recreation centres and the Administration Centre; such petition to be worded in the following terms:

PREAMBLE

Clause 7 of Schedule 2.1 of the Local Government Act 1995 provides that the Minister for Local Government MAY require that a recommendation to change the boundaries of a local government district be put to a poll of electors. The Hon Minister is not obliged to seek the views of the electors on an issue that could have substantial impact on every member of the community. This petition seeks to request the Hon Paul Omodei MLA, Minister for Local Government, to put to a poll of electors any recommendation for change to the existing boundaries of the City of Wanneroo made by the Local Government Advisory Board.

Your support will help to ensure that the views of the people of the City of Wanneroo are considered by the State Government in determining the future of our City.

PETITION

We the undersigned humbly petition the Hon Minister for Local Government to put to a poll of electors of the City of Wanneroo, any proposal to alter the boundaries of the district recommended by the Local Government Advisory Board; such poll to provide arguments for and against the proposal, clearly presenting the advantages and disadvantages so that the people of the City of Wanneroo may consider all the facts in determining the future of their City:

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound will ever pray.

NAME	ADDRESS	SIGNATURE
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- 2 endorses the inclusion of a survey of residents in the May edition of NewsExtra, and conveys the responses received to the Hon Minister for Local Government together with the petition. **CARRIED**

P40-05/97 **POLICY MANUAL REVIEW - [200-0]**

Council is currently undertaking a review of its policy manual. Welfare Department has completed the review of its policies and the amendments are submitted for consideration.

At the Policy Committee meeting, amendments were raised to Policies W1, W2, W3 and W4.

REPORT RECOMMENDATION That Council:

- 1 repeals policies F1-01, F1-02 and F2-03;
- 2 adopts new policies W1, W2, W3, W4 and W5 as documented in attachments to Report P40-05/97.

- the applicant pays all State and other levies which when charged will not contribute to the City's revenue.

MOVED Cr Freame, SECONDED Cr Popham that Council endorses the contributions for self help groups - Minimum Building Licence Fee Policy J3-20.

The purpose of the Policy is to assist user building groups who raise funds to advance the amenities of Council buildings by using those funds on Council owned buildings.

The Director, Strategic Planning may advise an applicant that Council may donate the building fee towards the project provided that:

- **the applicant is meeting the proportion of the fee that is inversely proportioned to the applicant's contribution to the proposed building works.**
- **the building works are on land vested in or owned by Council and is to become a part of a Council building.**
- **the applicant pays all State and other levies which when charged will not contribute to the City's revenue.**

CARRIED

P43-05/97

STANDING ORDERS LOCAL LAWS - [200-0]

In accordance with the provisions of the Local Government Act 1995, Council's Standing Orders Local Laws must be reviewed. The review of Standing Orders incorporates changes in the Local Government Act and procedural changes. The proposed Standing Orders are drafted in a fashion that suits the operation of the City and should streamline meeting procedures. Before Standing Orders is adopted, there are a number of actions that must be taken. It is recommended that Standing Orders is submitted to Council's solicitors for legal scrutiny.

Discussion ensued at the Policy Committee Meeting, with Councillors submitting recommended amendments to the proposed Standing Orders.

It was suggested that an independent comment on the Standing Orders be obtained from Mr David Price. Cr Magyar queried whether it would be appropriate to hold a workshop with Mr Price.

The following items were discussed; however no changes were agreed upon:

- 3.4 - Public Question Time;
- 3.2 - Order of Business: Requests for deputations;
- 5 - Procedural motions;
- 6.1 - Councillor only Committees

REPORT RECOMMENDATION That Council submits the proposed Standing Order Local law to Council's Solicitors for examination.

COMMITTEE RECOMMENDATION: That:

- 1 Council submits the proposed Standing Order Local Law to Council's solicitor for examination, subject to the following amendments:
 - (a) 5.4(a)(ii) be amended to read "at least 5 of the councillors";
 - (b) 3.2 Order of Business:
 - (i) The order of business at an ordinary meeting of Council be amended to include:
 - "Questions Without Due Notice" following "Questions with Due Notice";
 - "Motions for Further Action" following "Motions of Which Previous Notice has been Given";
 - (ii) The order of business at an ordinary meeting of a committee be amended to include "General Business";
 - (c) 3.6 Disclosure of Financial Interest: Paragraph 3 be amended to read "A member having declared an interest must not participate in the item unless the meeting determines otherwise";
 - (d) 3.10 Recommendations of Committees: The words "but such a motion shall require to be carried by an absolute majority of the Council" be deleted;
 - (e) Appendix 1, Petition of Electors: Form to include:
 - area which allows petitioners to state whether they agree/disagree/have no opinion regarding the petition.
 - footnote to advise petitioners they may contact Council if they wish to either withdraw from the petition or change their comment;
 - (f) 4.4 Rescission Motion: Notice of Motion to include reason for motion and submission of an alternative motion;
 - (g) 4.8 Voting: The third paragraph be amended to read "The Chairperson may exercise a second vote if the votes are tied";
- 2 costs be obtained in relation to seeking an independent comment on the draft Standing Orders from Mr David Price, with information submitted for consideration at the Council meeting on 28 May 1997.

ADDITIONAL INFORMATION

SUMMARY

Following the decision of the Policy Committee on the 12 May 1997 to seek to appoint an independent person to review Council's draft Standing Orders, a response has been obtained from Mr David Price of David J Price and Associates for consideration by Council.

BACKGROUND

In accordance with the requirements of the Local Government Act 1995, Council's Standing Orders were required to be reviewed in order to comply with the new provisions of the Act. Councillors were provided with the first draft copy of this document on the 7 January 1997 and invited to submit comments. A second draft copy was provided to Councillors on the 28 February 1997 again inviting comments. Following receipt of all submissions and a review of other Council's Standing Orders, appropriate modifications were made and a draft Standing Order document was then submitted to the Policy Committee on the 12 May 1997. At that committee meeting, further amendments were proposed and it was resolved that Council seek a quote from Mr David Price for an independent review on the draft Standing Orders, and that the information be submitted for consideration at the Council meeting on the 28 May 1997.

DETAILS

Mr Price has indicated that a review of Council's draft Standing Orders would cost \$600 and would be completed within one week. For a complete revision of Council's Standing Orders, Mr Price has quoted \$4000 to \$5000 with a time frame of approximately 3 months.

COMMENT/FUNDING

A copy of Mr Price's response appears as Appendix XXVI.

MOVED Cr Freame, SECONDED Cr Bombak that consideration of Standing Orders Local Laws be deferred and referred back to June Policy Committee. CARRIED

Appendix XXVI refers.

SIGNS HOARDINGS AND BILLPOSTING REVIEW WORKING PARTY - [30/5296]

Cr Ewen-Chappell referred to the need for a meeting of the Signs Hoardings and Billposting Review Working Party. She noted that this Committee had not yet been established and had been listed on the agenda for the Development and Planning Services Committee on 19 May 1997.

Chief Executive Officer advised that there was no problem in a meeting of the Working Party being held prior to the Development and Planning Services Committee establishing this Working Party.

TOUR OF ADMINISTRATION BUILDING FOR NEW COUNCILLORS - [702-0]

Cr Cooper queried whether arrangements had been made for new Councillors to be given an introductory tour of the Administration Building.

Chief Executive Officer advised that arrangements were in place.

REPRESENTATION OF MAYOR AT FUNCTIONS - [702-0]

Cr Cooper requested any Councillor who represented the Mayor at a function to advise him of any costs incurred, in order that he may make reimbursement from the Mayoral allowance.

JOONDALUP CINEMA COMPLEX - [30/4308]

Cr Cooper referred to criticism being received by the Government on its decision to support the Joondalup Cinema complex and requested Councillors' agreement to a press release advising of Council's support of the Government on this matter. Councillors present were in agreement with this proposal.

ATTENDANCE AT MEETINGS - [702-0]

Cr Cooper wished Councillors to note that they were welcome to attend any meeting which the Mayor may schedule within the Diary of Events.

CITIZENSHIP CEREMONY - [703-1]

The Mayor advised of the inability of both himself and the Deputy Mayor, Cr Arthur Taylor, to attend the Citizenship Ceremony to be held on Tuesday, 13 May 1997 due to a meeting scheduled with Mr George Cash and Mrs Cheryl Edwardes.

Cr Cooper advised of arrangements made for Cr Freame and the Chief Executive Officer to undertake the duties at this ceremony on his behalf and requested as many Councillors as were able to attend this meeting.

POLICY REVIEW - [702-1]

Cr Lynn asked the state of the policy review in respect of Council taking over responsibility of public facilities from developers.

Cr Freame advised that a meeting was held this evening and the matter is progressing. Cr Cooper advised the City of Gosnells policy would be circulated to all Councillors.

CHANGE OF NAME - KOONDOOLA - [727-10]

Cr Hollywood stated he had been approached by a resident of Koondoola who wished a public meeting to be held regarding changing the name of the suburb.

Chief Executive Officer stated a petition of electors is required to hold a public meeting and requested Cr Hollywood to discuss the matter with him.

RESPONSE TO ARTICLE - WEST AUSTRALIAN - [702-0]

Cr Popham read to the Committee a recent article in the West Australian Newspaper entitled "Planner provides food for thought" and asked for a response from the City Planner. The City Planner responded accordingly.

RETIRING COUNCILLORS' FUNCTION - [703-3]

Cr Ewen-Chappell asked why the Retiring Councillors' Function had been changed from 30 May to 6 June. The Mayor advised this change had been made to enable him to attend the function.

Further queries were raised regarding the merging of the appreciation dinner for retiring officers with the Retiring Councillors' Function.

NOMINATION OF DEPUTIES - FINANCE AND COMMUNITY SERVICES COMMITTEE - [702-0]

Cr Ewen-Chappell stated the deputies to Cr Cooper on the Finance and Community Services Committee had been wrongly recorded.

The Chief Executive Officer advised this matter would require a correction to the minutes of the Special Council Meeting held on 5 May 1997.

CATERING CONTRACT - [730-8-8, 208-149-96/97]

At the Policy Committee Meeting, Cr Freama queried the position of the catering contract. City Building Surveyor advised this matter was reported through the Joondalup Civic and Cultural Facilities Project Committee and copies of reports sent to Councillors. He stated at this stage no contract had been signed and negotiations were still taking place.

Cr Major queried the current status with regard to the hiring out of the function areas in the new Civic building and whether the contract caterers would be responsible for the hiring out of the functions rooms, or responsible solely for catering.

The City Building Surveyor advised that Council had resolved to award a lease to a company to manage both the new building and catering services. Details of this lease will be circulated to all Councillors.

The City Building Surveyor further advised that to date the lease has not been signed and is in the final stages of negotiation, following which it will go back to Council for ratification.

HONOUR BOARD - [330-7-2]

Cr Cooper advised of discussions with Mr Ross Morrison of Wanneroo Townsite Recreation Association in relation to the removal of the Honour Board at the Wanneroo Recreation Centre. Cr Ewen-Chappell advised the board had been removed during the refurbishment of the building and would be reinstated with suitable wording.

C163-05/97 TECHNICAL SERVICES COMMITTEE

MOVED Cr Wight, SECONDED Cr Healy that the Report of the Technical Services Committee Meeting, held on 14 May 1997, be received. **CARRIED**

ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	L O'GRADY	North Ward
	S P MAGYAR	Central Ward
	A G TAYLOR	South Ward
	T W POPHAM - to 2000 hrs	South Ward
	J BOMBAK, JP	South-West Ward
	M E LYNN, JP	South-West Ward
	J HOLLYWOOD, JP - Observer, deputising for Cr Popham from 2000 hrs to 2010 hrs	South Ward
	M J ZUVELA - Observer	Central Ward
	P O HEALY - Observer from 1810 hrs to 2000 hrs	North Ward
	G A MAJOR - Observer	South-West Ward
	B A COOPER - Mayor, Observer	Central Ward
	D K TIPPETT, JP - Observer from 1807 hrs to 2000 hrs, deputising for Cr Popham from 1908 hrs to 1916 hrs	South Ward
	F D FREAME - Observer	South-West Ward

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

APOLOGIES

An apology for absence was tendered by Cr Wight.

PUBLIC/PRESS ATTENDANCE

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

ELECTION OF CHAIRMAN

Cr Ewen-Chappell was elected Chairman.

DECLARATIONS OF FINANCIAL INTEREST

The City Engineer declared a financial interest in TS140-05/97, Tender 014-97/98, as he owns shares in the parent company of the recommended Tender.

PUBLIC QUESTION TIME

Mr Vic Harman:

Q1 To the Engineering Department, please can we have the lights outside the Community Centre in the Beaumaris Shopping Centre put on. They are not operating and if they are they are not operating long enough.

A1 City Engineer's response: Council will contact the shopping centre regarding this.

Mr Laurie Boylan:

In relation to TS169-05/97, I have five questions to ask in relation to that report.

Q1 The recommendations which are referred to on page 100 of that report - why does the Council accept in principle to make these recommendations in relation to point 1 of the recommendation.

Q2 The summary on page 96 - final sentence of the summary - how can the City of Wanneroo give a commitment to accept in principle when various other environmental aspects must be considered.

Q3 What interest does Council have in this proposal.

Q4 As per page 98, three sites proposed or recommended by the Acting City Parks Manager. Site 3, Yellagonga Regional Park, why was that area considered.

Q5 In relation to page 99, in the details section - project proposal - the third last sentence states a brief outline of functions proposed has been discussed. Where can I get this information on functions proposed.

A1-5 These questions were taken on notice.

Ms Cathy Dixon:

Q1 A sentence on page 99 says "the proposal for a Botanical Garden has conforming requirements regarding conservation and protection of vegetation". Can you explain to me what that actually means. Concerned that all these different interests with the use of fungicides and herbicides will have a detrimental effect on Yellagonga Regional Park. What proposals are there for protection of the existing vegetation and fauna.

A1 Acting City Parks Manager's response: This matter will be taken on notice and answered when the report is dealt with.

Mrs A Hine:

- Q1 I would like to ask about TS169. Has Council thought about the Department of Conservation and Land Management moving in there. Can they not run their business in there without damaging the environment. Have the government vest that land in the City of Wanneroo, relocate CALM to allow the expansion of the townsite, and then everybody can get a little bit of help.
- Q2 On page 5 of the purple pages, drainage sump treatments. Is there any possibility of our sumps being planted with trees that will in time mature for the children of the future.
- Q3 All this brick paving that we are having in the Wanneroo townsite being expanded further. Why have we got to have so many red bricks and no trees. What is wrong with this Council planting more trees. Birds are going to have nowhere to go.
- A1 Acting City Parks Manager's response: The question regarding the median strip, there are trees proposed for the median. There are some trees planted already down Noonan Drive. In relation to the area between Church Street and Dundobar Road, trees planted would not survive as there is no access to get water into the median. Wherever possible trees will be planted.
- A2 City Engineer's response: In relation to sumps, we have appointed an engineering consultant to look at the question of upgrading all sumps, including fencing and landscaping. That aspect will be included in the consideration.

Ms Jacqueline Harvey:

- Q1 In relation to TS169, on page 97 it states that the recommendations are generally consistent with the Environmental Protection Authority's System 6 Report. How is it consistent.
- A1 Acting City Parks Manager's response: This will be answered during discussion on the report.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 9 APRIL 1997

The Minutes of the Technical Services Committee Meeting held on 9 April 1997, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES:

Commenced: 1803 hrs

Closed: 2010 hrs

REPORT NO:**TS140-05/97 ENGINEERING DEPARTMENT ANNUAL TENDERS - [208-6]**

The supply of materials, works and services for Engineering Department operations has been addressed in the past by annual contracts with tenders called in April/May each year. As part of this process, tenders were advertised in April for the annual supply and works services contracts for the 1997/98 financial year. The tenders have been evaluated and the recommendations made accordingly.

The City Engineer declared a financial interest in this item as he owns shares in the parent company of the recommended Tender.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 **accepts the tenders listed below as detailed on Attachments 1 to 7, 9 & 10 to Report No TS140-05/97:**

Tender 006-97/98 - Supply and Delivery of Road Sealing Aggregate

Pioneer Concrete (WA) Pty Ltd

Tender 007-97/98 - Sweeping of Urban Roads

Hills Sweeping & Educting Services

Tender 008-97/98 - Supply and Laving of Stencil Patterned Concrete

Westside Concrete & Bobcat Hire

Tender 009-97/98 - Hire of Multi Tyred Roller

Mayday Earthmoving

Tender 010-97/98 - Supply and Application of Bitumen and Bituminous Products

Bitumen Emulsions

Tender 011-97/98 - Bus Shelter Graffiti Control

Ausmic Environmental Industries

Tender 012-97/98 - Pavement Markings in Various Locations

Centreline Markings

Tender 014-97/98 - Supply and Delivery of Clay Brickpavers

Metro Brick

Tender 017-97/98 - Supply and Delivery of Pre-mixed Concrete

BGC Concrete

- 2 extends Contract No 013-97/98 - Supply and Delivery of Street Name Signs and Other Signage - De Neeff Signs for a further twelve months from 1 July 1997 to 30 June 1998 under the current prices, terms and conditions;
- 3 endorses the signing of tender documents. CARRIED

Appendix II refers

TS141-05/97 ENGINEERING DEPARTMENT ANNUAL TENDERS - EXTENSION OF CONTRACTS SUPPLY - [208-6]

The supply of materials, works and services for Engineering Department operations has been addressed in the past by annual contracts with tenders called in April/May each year. As part of the 1996/97 tenders, an extension of contract for two optional twelve monthly extensions at the total discretion of Council Clause was incorporated into the document. This report considers these Contracts and recommends twelve monthly extensions.

MOVED Cr Wight, SECONDED Cr Hollywood that Council extends the following contracts for a further twelve months from 1 July 1997 to 30 June 1998 under the current prices, terms and conditions:

Contract No 2-96/97 - Supply and Delivery of Asphalt Products

ASPHALTEC PTY LTD

Contract No 5-96/97 - Supply and Laying of Bituminous Concrete

PIONEER ROAD SURFACES

Contract No 8-96/97 - Supply and Laying of Concrete Kerbing

KERB QIC AND COMPANY

Contract No 9-96/97 - Supply and Delivery of Precast Concrete Pipes and Ancillary Products

WEMBLEY CEMENT INDUSTRIES - circular manhole covers, grated covers, bases and side entry systems

ADDED TECHNICAL STEEL PROCESSING COMPANY - fully galvanised grated and side entry pits

Contract No 14-96/97 - Sweeping of Kingsway Netball Courts

CRUISER ROAD SWEEPERS

RECOMMENDATION: That Council:

- 1 lists in the Capital Works Forward Plan as a low priority the construction of roundabouts at the Cord Street intersections with Joondalup Drive and Winton Road;
- 2 lists in the draft 1997/98 Budget, minor channelisation improvements to the Cord Street and Winton Way junction.

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

- 1 lists in the Capital Works Forward Plan as a high priority the construction of roundabouts at the Cord Street intersections with Joondalup Drive and Winton Road;
- 2 lists in the draft 1997/98 Budget, minor channelisation improvements to the Cord Street and Winton Way junction. **LOST**

MOVED Cr Bombak, SECONDED Cr Ewen-Chappell that consideration of listing in the Capital Works Forward Plan the construction of roundabouts at the Cord Street intersections with Joondalup Drive and Winton Road and the listing in the 1997/98 draft Budget improvements to the Cord Street and Winton Way junction be deferred and referred back to Technical Services Committee. **CARRIED**

TS144-05/97 **CREANEY DRIVE, KINGSLEY - TRAFFIC SPEEDS - [510-1504]**

A petition requesting installation of traffic calming devices on Creaney Drive, Kingsley was presented to Council's February meeting. Investigation indicates that the low traffic volumes and low crash rate do not establish a high priority for a traffic calming scheme.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 **does not support the request from residents for traffic calming devices in Creaney Drive;**
- 2 **monitors the traffic situation in Creaney Drive, Kingsley;**
- 3 **advises the petitioners accordingly.** **CARRIED**

TS145-05/97 **BOTTLEBRUSH DRIVE - PROPOSED ROAD CLOSURE - [510-0076, 510-0078]**

In March 1997, a letter regarding an option of a possible closure of Bottlebrush Drive, Greenwood was distributed to residents for their comments. The submissions from the residents showed an inconclusive level of community support for the road closure. It is, therefore, proposed that a formal traffic study be undertaken of West Greenwood to establish a preferred traffic management strategy for this area.

REPORT RECOMMENDATION: THAT Council:

- 1 does not initiate a road closure of Bottlebrush Drive;
- 2 authorises the City Engineer to engage traffic consultants to undertake a traffic study of west Greenwood.

COMMITTEE RECOMMENDATION: That Council authorises the City Engineer to engage traffic consultants to undertake a traffic study of west Greenwood.

MOVED Cr Popham, SECONDED Cr Hollywood that Council authorises the City Engineer to engage traffic consultants to undertake a traffic study of west Greenwood and to incorporate in that study the feasibility of the closure of Bottlebrush Drive.

CARRIED

TS146-05/97 TRAFFIC CALMING - WOODVALE DRIVE, WOODVALE - [510-1180]

The Engineering Department has been requested to prepare a traffic calming scheme for the section of Woodvale Drive south of Woodvale High School (Item No C53-02/97 refers). A roundabout treatment at Woodvale Drive and Althaea Way is proposed to be listed in the Capital Works Programme.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 **lists on a medium priority in the Capital Works Programme the construction of a roundabout at the junction of Woodvale Drive and Althaea Way as shown on Attachment 3 to Report No TS146-05/97;**
- 2 **continues to monitor vehicle speed along Woodvale Drive and refer any incidences of speeding to the Police Service for enforcement;**
- 3 **advises the residents of Woodvale Drive accordingly.** **CARRIED**

Appendix III refers

TS147-05/97 EDGEWATER PRIMARY SCHOOL -PARKING EMBAYMENTS - TREETOP AVENUE - [510-1222]

A traffic management scheme for the western section of Treetop Avenue, including roundabouts at the junctions of Outlook Drive and Pioneer Drive together with parking embayments adjacent to the Edgewater Primary School has been developed. The Department of Education has declined to part fund parking embayments for Treetop Avenue, Edgewater, in the vicinity of Edgewater Primary School. It is recommended that Council fully funds the parking scheme to complete the traffic management strategy for this section of Treetop Avenue.

MOVED Cr Wight, SECONDED Cr Hollywood that Council fully funds, from Account Number 33047, the construction of parking embayments in Treetop Drive adjacent to Edgewater Primary School, Edgewater at an estimated cost of \$36,700 as shown on Attachment 1 to Report No TS147-05/97. CARRIED

Appendix IV refers

TS148-05/97 PARKING PROHIBITIONS - COUNTRY CLUB BOULEVARD AND SPYGLASS DRIVE, CONNOLLY - [510-2107, 510-3014]

The Course Manager of Joondalup Country Club has sought the installation of 'NO PARKING' on Country Club Boulevard and Spyglass Drive adjacent to the club car park. A draft proposal was forwarded to the Joondalup Country Club for comment and is now presented for Council's adoption.

MOVED Cr Wight, SECONDED Cr Hollywood that Council authorises the installation of the 'NO PARKING ANYTIME CARRIAGEWAY OR VERGE' signs adjacent to the Joondalup Country Club car park in Country Club Boulevard and Spyglass Drive as shown on Attachment 2 to Report No TS148-05/97. CARRIED

Appendix V refers

TS149-05/97 PARKING PROHIBITIONS -MARANGAROO PRIMARY SCHOOL - [510-1130]

The Principal of Marangaroo Primary has sought a review of the existing parking prohibitions adjacent to the school. A draft proposal was forwarded to the school for comment and is now presented for Council's adoption.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1** revokes the existing "NO PARKING ON VERGE 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY" prohibition in Addington Way adjacent to Marangaroo Primary School between points (A-B) and (C-D) as shown on Attachment 1 to Report No TS149-05/97;
- 2** revokes the existing "NO PARKING ON VERGE 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY" prohibition in Giralt Road adjacent to Marangaroo Primary School between points (E-F) as shown on Attachment 1 to Report No TS149-05/97;
- 3** revokes the existing "NO PARKING CARRIAGEWAY OR VERGE 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY" prohibition in Giralt Road adjacent to Marangaroo Primary School between points (G-H) as shown on Attachment 1 to Report No TS149-05/97;
- 4** revokes the existing "NO PARKING 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY" prohibition in Giralt Road between points (J-K) as shown on Attachment 1 to Report No TS149-05/97;

- 5 amends the existing “NO PARKING CARRIAGEWAY OR VERGE 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY” prohibition in Giralt Road adjacent to Marangaroo Primary School between points (I-E) as shown on Attachment 1 to read “NO STANDING ANYTIME CARRIAGEWAY OR VERGE” as shown on Attachment 2 to Report No TS149-05/97;
- 6 amends the existing “NO PARKING 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY” prohibition in Giralt Road adjacent to Marangaroo Primary School between points (K-L) as shown on Attachment 1 to read “NO STANDING ANYTIME ” as shown on Attachment 2 to Report No TS149-05/97;
- 7 amends the existing “NO PARKING ON VERGE 8:15-9:15AM, 3:00-4:00PM, MONDAY-FRIDAY” prohibition in Addington Way adjacent to Marangaroo Primary School between points (B-C) as shown on Attachment 1 to read “NO STANDING ANYTIME CARRIAGEWAY OR VERGE” as shown on Attachment 2 to Report No TS149-05/97;
- 8 amends the existing “NO STANDING ANYTIME CARRIAGEWAY OR VERGE” prohibition at the junction of Giralt Road and Addington Way adjacent to Marangaroo Primary School between points (N-O) shown on attachment 1 to read “NO STANDING ANYTIME” as shown on Attachment 2 to Report No TS149-05/97;
- 9 approves the installation of the “NO STANDING ANYTIME” signs between a point (P) 17 metres north of the roundabout splitter island on Giralt Road a point (Q) 9 metres south of the pedestrian refuge island on Giralt Road as shown on Attachment 2 to Report No TS149-05/97;
- 10 approves the extension of the existing “NO STANDING ANYTIME CARRIAGEWAY OR VERGE” prohibition on Giralt Road to a point (M) 24 metres south of the pedestrian refuge island on Giralt Road as shown on Attachment 2 to Report No TS149-05/97;
- 11 approves the extension of the amended “NO STANDING ANYTIME” prohibition at the junction of Giralt Road and Addington Way adjacent to the Marangaroo Primary School to a point (R) 12 metres south of the pedestrian refuge island on Giralt Road as shown on Attachment 2 to Report No TS149-05/97. **CARRIED**

Appendix VI refers

TS150-05/97 BROADBEACH BOULEVARD - RESIDENT PARKING - [510-2728]

Residents of Broadbeach Boulevard, Hillarys have complained of a resident using the verge area to the park opposite their homes to park vehicles. Due to Broadbeach Boulevard being a public road, the parking not being hazardous and there being no breach of the City’s Town Planning Scheme, no further action is proposed.

MOVED Cr Wight, SECONDED Cr Hollywood that Council informs the complainants that there is no further assistance available from Council in the matter of parking on the verge in Broadbeach Boulevard.
CARRIED

TS151-05/97 METROPOLITAN REGIONAL ROAD PROGRAMME - [540-0]

Main Roads WA has sought submissions for the five year rolling Metropolitan Regional Road Programme. The Improvement and Rehabilitation projects are required to be submitted by 3 June 1997.

This report outlines the guidelines for the assessment of roadworks and recommends projects for consideration by the Metropolitan Regional Road Group.

At the Technical Services Committee Meeting Cr Bombak referred to road improvement projects planned for Whitfords Avenue between Endeavour Road to Flinders Avenue and Hepburn Avenue between the Mitchell Freeway and West Coast Drive and requested an update on these projects.

The City Engineer advised he would take these items on notice.

MOVED Cr Wight, SECONDED Cr Hollywood that Council submits the following projects to Main Roads WA for consideration for funding as part of the Metropolitan Regional Road Programme:

ROAD IMPROVEMENT PROJECTS

YEAR	ROAD	SECTION
1998/1999	Marmion Avenue	Anchorage Drive to Hester Avenue Duplication
1999/2000	Marmion Avenue	Hester Avenue to Baltimore Parade
2001/2001	Alexander Drive	Gnangara Road to Landsdale Road Duplication
2001/2002	Whitfords Avenue	Endeavour Road to Flinders Avenue Duplication
2002/2003	Shenton Avenue	Joondalup Drive to Marmion Avenue
	West Coast Drive	Hepburn Avenue to St Helier Drive Duplication

ROAD REHABILITATION PROJECTS

ROAD	SECTION	WORKS
Beach Road	Marmion Avenue to Erindale Road (northern carriageway - various sections)	Asphalt overlay
Warwick Road	Marmion Avenue to Wanneroo Road (northern carriageway - various sections)	Asphalt overlay
Hepburn Avenue	Mitchell Freeway to West Coast Drive (various sections)	Asphalt overlays of varying thickness
West Coast Drive	Beach Road to Hepburn Avenue	Standard Asphalt overlay
Whitfords Avenue	Wanneroo Road to Endeavour Road (various sections)	Standard Asphalt overlay
Pinjar Road	Wanneroo Road to Spence Street	Standard and structural overlays in accordance with mechanical testing
Craigie Drive	Marmion Avenue to Coyle Road	Asphalt overlay
Two Rocks Road	Yanchep Beach Road to Lisford Avenue	Stone chip reseal

CARRIED**TS152-05/97 WOODVALE DRIVE, WOODVALE -VERGE TREATMENT - [510-1180]**

A dual use path was constructed in November 1996 on the north western side of Woodvale Drive, Woodvale between Duffy Terrace and Wanneroo Road. This report recommends that savings on the project be expended on hardstanding sections of verge area in Woodvale Drive between Trappers Drive and Althaea Way.

MOVED Cr Wight, SECONDED Cr Hollywood that Council approves the installation of stencil patterned concrete in the verge area between the kerb and dual use path in Woodvale Drive, Woodvale adjoining Timberlane Park and Lot 348 Delonix Close, at an estimated cost of \$12,000 with the works funded from Account Number 31255 - Woodvale Drive Dual Use Path.

CARRIED**TS153-05/97 TENNIS COURTS UPGRADE PROGRAMME - LIGHTING - [061-390-3, 061-166-2, 745-3-2]**

Council has approved an amount of \$120,000 in the 1996/97 Budget for the upgrade of existing lighting at tennis courts. In the previous financial year, the lighting at Elliot Park tennis courts was upgraded to the City's Association Standard.

In the current year's programme it has been proposed that the following tennis court complexes be considered for lighting upgrade to this standard:

- a) Heathridge Park, Heathridge
- b) Warwick Regional Open Space, Warwick
- c) Timberlane Park, Woodvale

Electrical Technology Consultants was commissioned to investigate and report the options for the upgrading of lighting. The consultant has submitted a report which has been considered by the Engineering and the Recreation and Cultural Services Departments and a staged approach has been recommended.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 accepts the proposal for upgrading the lighting at the Heathridge, Warwick and Woodvale Tennis Court Complexes in three stages;
- 2 carries forward the \$120,000 in the current budget under Account Number 29264 Tennis Court Lighting Upgrade Programme to the 1997/98 financial year;
- 3 lists for consideration, with a high priority, in the 1997/98 Budget an amount of \$120,000 for Stage 2 of the upgrading of the lighting at the Heathridge, Warwick and Woodvale Tennis Court complexes;
- 4 defers the calling of tenders for the upgrading of tennis court lighting at the Heathridge, Warwick and Woodvale Tennis Court complexes until after adoption of the 1997/98 Budget. **CARRIED**

TS154-05/97 **WASTE MANAGEMENT ANNUAL TENDER - EXTENSION OF CONTRACT 114-95/96 SUPPLY OF MOBILE GARBAGE BINS - [208-114-95/96]**

The supply of 240 litre rubbish carts is covered under an annual contract that expires in June 1997. As part of the current contract an extension clause was incorporated into the document. This report considers the contract and recommends a twelve month extension.

MOVED Cr Wight, SECONDED Cr Hollywood that Council extends contract 114-95/96 Supply of Mobile Garbage Bins with Brickwood Holdings Pty Limited for a further twelve months from 1 July 1997 to 30 June 1998 under the current prices, terms and conditions. **CARRIED**

TS155-05/97 **GIRRAWHEEN & KOONDOOLA IMPROVEMENT PLAN - MEMORANDUM OF UNDERSTANDING - [770-0]**

Homeswest proposes to redevelop and refurbish its apartments, townhouses and other properties in Girrawheen and Koondoola prior to their sale. The projects aim is to achieve maximum participation and involvement from the private sector.

Concomitant with the above, Council's participation is also essential to ensure the success of the projects. Homeswest has therefore prepared a "Memorandum of Understanding" which is an agreement intended to formalise Council's commitment to the Estate Improvement Program.

Council's acceptance of the Memorandum will be the basis for the projects to proceed.

The Memorandum of Understanding has been vetted by the City Solicitor and Council Officers who have suggested amendments to safeguard the City's interest.

MOVED Cr Wight, SECONDED Cr Hollywood that Council advises Homeswest that it is prepared to enter into a Memorandum of Understanding with regard to the Improvement Scheme for the Suburbs of Girrawheen and Koondoola in accordance with the Draft Memorandum received on 23 April 1997 subject to the City Solicitor drafting appropriate amendments to the relevant parts of the Recital and Clauses to the agreement as listed hereunder:

- 1 Recital D being amended to apply to the Estates Improvement Scheme for Koondoola and Girrawheen;**
- 2 a new Recital "E" being added which states that Homeswest and the Council agree to jointly prepare a structure plan which would identify the works to be carried out in respect of the Estates Improvement Scheme for Koondoola And Girrawheen and which sets out possible redevelopment areas and joint venture opportunities ("the Scheme");**
- 3 incorporate a new Clause to be inserted after the words "Principles guiding the Agreement" to replace clause 1 stating that the Agreement is to apply to the Estate Improvement Scheme for Koondoola and Girrawheen;**
- 4 Clause 1 being amended to state that the City reserves the right to withdraw from the agreement by notice in writing upon the change in the constitution of the Council;**
- 5 Clause 2 being amended to state that the parties as soon as possible jointly prepare a structure plan which will identify:**
 - (a) the areas which are to be redeveloped;**
 - (b) the joint venture opportunities in relation to the Scheme;**
 - (c) the works which need to be carried out in order to effect the redevelopment;**
 - (d) how the redevelopment is to be implemented and co-ordinated;**
 - (e) a list of priorities as to the timing for carrying out the works which are part of the redevelopment;**

- 6 **Clause 3 being amended to state that the structure plan will have due regard to the objectives which each party has addressed as noted in Recitals B and C of this agreement;**
- 7 **Clause 4 being amended to state that such agreements must be acceptable to both parties;**
- 8 **Clause 9(i) being amended to state that:**
- (a) **the City will act with due expedition in processing Homeswest's applications;**
 - (b) **the City is only required to contribute such amount as is in accordance with its budget allocation;**
 - (c) **the City will co-operate with Homeswest in linking its works programmes to Homeswest projects in accordance with the structure plan;**
- 9 **Clause 13 being amended by deleting the word "Manager" and substituting therefore the word "Managers";**
- 10 **Clause 14 being deleted and replaced with a new Clause 14 stating that a Community Consultation Officer will be appointed if agreed by both parties and on such terms and to perform such duties as they shall agree. CARRIED**

TS156-05/97 JOONDALUP CITY CENTRE - BUS SHELTERS - [730-8-1, 503-3]

Council, at its meeting held on 26 February 1997 when deliberating on LandCorp's submission for a new style of bus shelter to be provided within Joondalup, resolved to defer the matter to enable LandCorp to give further consideration to increasing protection from the weather for bus patrons.

LandCorp has submitted amended working drawings of the new proposed bus shelter to be provided within Joondalup for Council's approval which now includes an end panel made from polycarbonate in lieu of the previous design. These shelters are still based on the model created by the Department of Transport and adopted by the City of Perth as part of the Central Area Transit System. LandCorp propose to erect these shelters and once complete, hand the ongoing maintenance to the Council. LandCorp's contractor would cover the contractual defects liability period.

REPORT RECOMMENDATION: THAT Council gives approval to LandCorp to erect a prototype of the Joondalup City Centre Bus Shelter in accordance with the plans and specifications prepared by Sign Supplies dated 2 December 1996 and amended plans dated 13 March 1997 subject to:

- 1 the location being determined by the City Engineer;
- 2 the maintenance of the bus shelter being the responsibility of LandCorp or its Contractor during the trial period;

- 3 the trial period for evaluating the bus shelter being for a minimum of six months.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 **does not give approval to LandCorp to erect a prototype of the Joondalup City Centre Bus Shelter in accordance with the plans and specifications prepared by Sign Supplies dated 2 December 1996 and amended plans dated 13 March 1997;**
- 2 **requests LandCorp to submit further designs for a bus shelter to provide protection from the weather for bus patrons. CARRIED**

TS157-05/97 JOONDALUP CITY CENTRE - SIGNAGE REVIEW - [730-8-1, 509-0-1]

LandCorp has commissioned Consultants to undertake a signage review of the Joondalup City Centre and surrounds. An inventory has been prepared which lists proposed treatments comprising refacing, repositioning, removal and the provision of new signage to assist pedestrian traffic.

LandCorp will fund all new signage and the upgrading of those existing signs which are being relocated to more consistent and appropriate positions. Council is responsible for the maintenance of the existing signage and therefore funds need to be provided in the 1997/98 Budget to refurbish some of the signs.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 **gives approval to the treatments shown on Attachments 1 and 2 to Report No TS157-05/97 to the Joondalup City Centre signage as submitted by Tract (WA) Pty Ltd on behalf of LandCorp subject to the signage treatments proposed on Wanneroo Road being referred to Main Roads WA for approval;**
- 2 **endorses the action taken in providing the amount of \$40,000 in the 1997/98 Draft Budget for the maintenance of the Joondalup City Centre Signage. CARRIED**

Appendix VII refers

TS158-05/97 BUILDING DEPARTMENT ANNUAL CONTRACTS ADMINISTERED BY PLANT MANAGEMENT CONSULTANTS NORMAN DISNEY & YOUNG - [052-2, 240-13, 690-12, 745-3-3, 890-16]

Nine of the twelve annual maintenance contracts run by the Building Department and administered by the Plant Management consultants, Norman Disney & Young, are due for extending for a further twelve month period to the 30 June 1998 subject to the agreement of

both Council and the contractors. The nine contracts are held by three Contractors, and all three contractors have advised that they are willing to continue for a further 12 months.

This report seeks Council approval for extending the contract period for the contracts in question for a further 12 months.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 accepts the offer from Direct Engineering Services Pty Ltd to increase the Contract Sum to \$12,311 and agrees to the extension of the term of the contract for the maintenance of mechanical services at the Joondalup Administration Centre (tender ref 128-96/97) for a twelve month period to 30 June 1998;
- 2 accepts the offer from Haden Engineering Pty Ltd to increase the Contract Sum to \$345 and agrees to the extension of the term of the contract for the maintenance of mechanical services in the Joondalup Administration Centre Computer Suite (tender ref 129-96/97) for a twelve month period to 30 June 1998;
- 3 accepts the offer from Haden Engineering Pty Ltd to increase the Contract Sum to \$9,599 to include the maintenance of the CHAPS unit and agrees to the extension of the term of the contract for the maintenance of mechanical services at the Craigie Leisure Centre (tender ref 130-96/97) for a twelve month period to 30 June 1998;
- 4 agrees to the extension of the term of the contract for the maintenance of mechanical services at the Wanneroo Library (tender ref 131-96/97) for a twelve month period to 30 June 1998;
- 5 accepts the offer from Westside Services to increase the Contract Sum to \$1,060 and agrees to the extension of the term of the contract for the maintenance of fire services at the Craigie Leisure Centre (tender ref 132-96/97) for a twelve month period to 30 June 1998;
- 6 agrees to the extension of the term of the contract for the maintenance of fire services at the Whitford Library (tender ref 133-96/97), Duncraig Library (tender ref 134-96/97), Girrawheen Library (tender ref 135-96/97) and Wanneroo Library (tender ref 136-96/97) for a twelve month period to 30 June 1998.

CARRIED

TS159-05/97 YANCHEP NATIONAL PARK - GLOUCESTER LODGE - [307-01]

With Council's 21 year lease terminating 14 August 2000 for the use of Gloucester Lodge as an artefacts museum there is a need to address its future involvement and the extent of its obligations under the terms of the lease given that the Department of Conservation And Land Management is of the view that Gloucester Lodge "*is no longer suitable as a display museum.*"

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 determines with The Department of Conservation and Land Management the length of Council's tenure at Gloucester Lodge and the future use for Gloucester Lodge;
- 2 obtains an agreement with The Department of Conservation and Land Management setting out the terms for Council's involvement in:
 - (a) maintenance work;
 - (b) and restoration work, which will be applicable for the balance of Council's lease/tenure at Gloucester Lodge. **CARRIED**

TS160-05/97 **CHILD HEALTH CLINICS - [625-15-1; 303-9-04]**

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

MOVED Cr Wight, SECONDED Cr Hollywood that Council authorises:

- 1 a contribution to the Timbertops Family Centre of \$2,538.81 from Account No 22116 for costs associated with the Woodvale Child Health Clinic;
- 2 a contribution to the Moolanda Child Care Centre of \$3,279.66 from Account No 22115 for costs associated with the Kingsley Child Health Clinic. **CARRIED**

TS161-05/97 **CONSTRUCTION OF TOILET BUILDINGS ON ABBERVILLE PARK, MINDARIE; KORELLA PARK, MULLALOO & PERIDOT PARK, NEERABUP - [208-166-96/97, 061-462, 061-200-1, 061-488]**

Nine tenders were received on 21 April 1997 for the construction of a toilet changeroom building on Abberville Park, Mindarie, Korella Park, Mullaloo and Peridot Park, Neerabup. Council's endorsement is sought for the engagement of the selected tenderer to undertake the works

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 accepts the tender of \$215,798.00 from H.L.H. Design & Construction for the construction and completion of one toilet building on each of the three recreation reserves named Abberville Park at Mindarie; Korella Park at Mullaloo and Peridot Park at Neerabup;
- 2 agrees to the signing of the contract documents;
- 3 requests that Homeswest pay its offered amount of \$25,000.00 towards the construction of the toilet building on Peridot Park, Neerabup. **CARRIED**

TS162-05/97 ROLLOVER OF BUILDING DEPARTMENT ANNUAL TENDERS - [208-30, 31, 32, 33, 34, 35, 38-96/97]

Seven of the fifteen annual contracts administered by the Building Department are due for extending for a further 12 month period to the 30 June 1998 subject to the agreement of both Council and the Contractors. All seven contractors have responded that they are willing to continue for a further 12 months.

This report seeks Council approval for extending the contract period for the contracts in question to 30 June 1998.

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 accepts the offer from Prestige Property Services to increase by \$816 the Contract Sum to \$31,041 and agrees to the extension of the term of the contract titled "The Supply of Cleaning Services to the Joondalup Administration Centre" (Tender Ref 30-96/97) for a twelve month period to 30 June 1998;
- 2 agrees to the extension of the term of the contract titled "The Supply of Electrical Services" (Tender Ref 31-96/97) for a twelve month period to 30 June 1998;
- 3 agrees to the extension of the term of the contract titled "The Supply of Glass and Glazing" (Tender Ref 32-96/97) for a twelve month period to 30 June 1998;
- 4 agrees to the extension of the term of the contract titled "The Supply of Plumbing and Hydraulic Services" (Tender Ref 33-96/97) for a twelve month period to 30 June 1998;
- 5 agrees to the extension of the term of the contract titled "The Supply of Services to Control Graffiti to Council Buildings" (Tender Ref 34-96/97) for a twelve month period to 30 June 1998;
- 6 agrees to the extension of the term of the contract titled "The Supply and Maintenance of Fire Fighting Equipment" (Tender Ref 35-96/97) for a twelve month period to 30 June 1998;
- 7 agrees to the extension of the term of the contract titled "The Supply of Maintenance Services to Air Conditioning and Air Handling Units" (Tender Ref 36-96/97) for a twelve month period to 30 June 1998. **CARRIED**

TS163-05/97 TENDER NO 016-097/98 - SUPPLY AND APPLICATION OF PESTICIDES - [208-8]

Tenders for the Supply and Application of Pesticides (Tender No 016-97/98) were advertised on 2 April 1997.

Tenders were received from Maxwell, Robinson & Phelps and GT Evans.

The lowest tenderer, GT Evans, is recommended due to price and proven performance.

MOVED Cr Wight, SECONDED Cr Hollywood that Council accepts Tender No 016-97/98 for Supply and Application of Pesticides as submitted by GT Evans in a Schedule of Rates. CARRIED

TS164-05/97 PARKS DEPARTMENT ENTERPRISE BARGAINING AGREEMENT NEGOTIATIONS - [404-23]

Council, at its meeting dated 26 February 1997, adopted Report No TS51-02/97 - Parks and Landscape Services Outside Employee Enterprise Bargaining Agreement.

The Municipal Employees Union has requested various minor changes to the documentation and these require Council authorisation.

At the Technical Services Meeting the Acting City Parks Manager sought advice from Councillors on granting the extra \$1.10 awarded by the Australian Industrial Commission to workers.

The Chief Executive Officer advised further information would be sought on this issue and Council would be advised of an appropriate recommendation at the Finance and Community Services Committee meeting to be held on 21 May 1997.

RECOMMENDATION: That Council authorises the amendments to the following clauses as listed to the draft Enterprise Bargaining Agreement, as adopted at its meeting dated 26 February 1997:

Clauses 9.2 and 11.2, and the amalgamation of Clauses 22 and 23 to a revised Clause 22.

The Mayor advised that this Item had been considered at the Finance and Community Services Committee meeting held on 21 May 1997 and will be dealt with later in the Meeting as part of the Finance and Community Services Section under FA85-05/97.

TS165-05/97 CHRISTMAS LIGHTS COUNCIL BUILDING SURROUNDS - [250-1]

Councillor Laeraine Ewen-Chappell requested that the existing Christmas lights installed at the Wanneroo Civic Centre be upgraded for the 1997/98 Christmas period.

The Parks Department currently installs lights at the Wanneroo Civic Centre, Warwick Leisure Centre, MacDonald Park, Two Rocks recreation Centre, Hester/Marmion Avenue Roundabout and Percy Doyle Complex entrance. These locations have evolved over time following participation by Councillors, ratepayer and recreation association requests.

Designs have been adapted to minimise vandalism and ensure public safety.

MOVED Cr Wight, SECONDED Cr Hollywood that Council authorises the Acting City Parks Manager and the Marketing Manager to prepare design guidelines for the installation of Christmas lights at Council facilities. CARRIED

MOVED Cr Wight, SECONDED Cr Hollywood that Council:

- 1 defers any development of Finney Park;
- 2 awaits the recommendation of the Median and Verge Working Party determinations. **CARRIED**

TS168-05/97 HEPBURN HEIGHTS ESTATE, PADBURY - [250-1]

Residents have contacted Ward Councillors, Cr Freame and Cr Lynn, regarding the deterioration of the entry statement in Walter Padbury Boulevard.

LandCorp established an enhanced standard landscape during the initial subdivision development which was discontinued at transfer to Council, as per Council policy of the day.

REPORT RECOMMENDATION: THAT Council advises residents of the methods and options available to them with regard to redeveloping the entry statement.

MOVED Cr Wight, SECONDED Cr Hollywood that:

- 1 Council defers consideration of the deterioration of the entry statement in Walter Padbury Boulevard pending further negotiations with the Residents Action Group, Ward Councillors and the Acting City Parks Manager;
- 2 a further report be submitted to the Technical Services Committee. **CARRIED**

TS169-05/97 WESTERN AUSTRALIAN HORTICULTURAL COUNCIL INC - BOTANICAL GARDEN PROPOSAL - [250-1]

The Parks Department has instigated preliminary discussions with representatives of the Western Australian Horticultural Council Inc regarding the option of creating a Botanical Garden complex in the Yellagonga Regional Park. The area proposed is bordered by Whitfords Avenue, Duffy Terrace and the lake/drain.

Council approval is required prior to any further discussions regarding preparation of a concept for a Botanical Garden in Yellagonga Regional Park.

The Western Australian Horticultural Council is required to produce a conceptual design and feasibility study prior to any further consideration.

Various other environmental aspects must be considered prior to any commitment by Council.

REPORT RECOMMENDATION: That:

- 1 Council accepts, in principle, the proposal for development of a Botanical Garden within the Yellagonga Regional Park in Woodvale;

- 2 Council liaises with the various government authorities and community groups regarding the environmental aspects of this site;
- 3 Council advises the Western Australian Horticultural Council to submit a detailed proposal to Council prior to any formal adoption of the concept by Council;
- 4 the Technical Services Committee establishes a staff project team to review the proposals, consisting of:
- Strategic Planning Co-ordinator - Mr P Thompson
 Environmental Officer - Mr P Holmes
 Deputy City Engineer - Mr D Blair
 Landscape Architect - Mr L Parthezius

COMMITTEE RECOMMENDATION: That:

- 1 Council agrees to give further consideration to the proposal for development of a Botanical Garden within the Yellagonga Regional Park in Woodvale;
- 2 Council liaises with the various government authorities and community groups regarding the environmental aspects of this site;
- 3 Council advises the Western Australian Horticultural Council to submit a detailed proposal to Council prior to any formal adoption of the concept by Council;
- 4 the Technical Services Committee establishes a staff project team to review the proposals, consisting of:
- Strategic Planning Co-ordinator - Mr P Thompson
 Environmental Officer - Mr P Holmes
 Design Engineer - Mr P Pikor
 Landscape Architect - Mr L Parthezius

MOVED Cr Magyar, SECONDED Cr Freame that:

- 1 Council agrees to give further consideration to the proposal for development of a Botanical Garden within the Yellagonga Regional Park in Woodvale;
- 2 Council liaises with the various government authorities and community groups regarding the environmental aspects of this site;
- 3 Council advises the Western Australian Horticultural Council to submit a detailed proposal to Council prior to any formal adoption of the concept by Council, the detailed proposal is to address the following issues:
- (a) retention of the natural values of the parts of Walluburnup Swamp within the area suggested for the botanical gardens;
- (b) retention of existing natural vegetation within the area suggested for the botanical gardens that do not form part of Walluburnup Swamp;

- (c) control of the spread of exotic plants from the botanical garden to Walluburnup Swamp and other areas of natural vegetation with the Regional Park;
- (d) details of how the botanical gardens will act as a wild life corridor in that part of the Regional Park;
- (e) how the botanical gardens will help the City of Wanneroo to achieve its aims of preserving its natural bio-diversity as mentioned in its draft Strategic Plan;
- (f) how the proposed botanical gardens comply with the Australian Natural Heritage Charter;

4 the Technical Services Committee establishes a staff project team to review the proposals, consisting of:

Strategic Planning Co-ordinator	- Mr P Thompson
Environmental Officer	- Mr P Holmes
Design Engineer	- Mr P Pikor
Landscape Architect	- Mr L Parthezius

Discussion ensued. Cr Magyar with the approval of Cr Freame advised that he wished to have his Motion **WITHDRAWN**

MOVED Cr Magyar, SECONDED Cr Freame that consideration of the proposal for development of a Botanical Garden within the Yellagonga Regional Park in Woodvale be deferred and referred back to Technical Services Committee. CARRIED

TS170-05/97 ILUKA PUBLIC OPEN SPACE DEVELOPMENT - BEAUMARIS SPORTS ASSOCIATION PROJECT - [250-1]

In March 1997 the Beaumaris Sports Association was awarded a \$600,000 grant through the Community Sporting and Recreation Facilities Fund (WA Alive). This funding, coupled with Council's allocated \$500,000, was to fund the building facility.

The oval and surrounds were funded via the subdivisional developer, Beaumaris Land Sales, to \$1.2M.

It is proposed that the work will be commenced by the developer by mid May 1997.

MOVED Cr Wight, SECONDED Cr Popham that:

- 1 Council authorises the appointment of Beaumaris Land Sales as Project Manager for the development of the Iluka Public Open Space development;
- 2 Council authorises, the reallocation of \$120,300 from Account No 29251 Lot 1002 Quinns Rocks Oval Development, to Account No 29253 Iluka Oval and Sports Area;

- 3 **the Technical Services Committee forms a project team to monitor the project, consisting of:**

City Treasurer	- J Turkington
City Building Surveyor	- R Fischer
Acting Recreation & Cultural Services Manager	- M Stanton
Acting City Parks Manager	- D Cluning
Beaumaris Land Sales Representative	- M Garner
Beaumaris Sports Association Chairman	- Cr T Wight

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS171-05/97 APPOINTMENT OF WORKING PARTIES - [702-0]

In developing a more flexible and responsive decision making process it is recommended that working parties be made directly responsible to Standing Committees. This will enable them to report to the Committee rather than directly to Council.

Working parties formed have greater flexibility insofar as they are not required to have formal agendas, adhere to predetermined meeting times or meet quorum requirements.

As they have no delegated power and must make recommendations through a Committee, there is no reduction in accountability.

At the Technical Services Committee Meeting the Acting City Parks Manager advised that Mr R Tauss was no longer a community representative to the Hepburn Heights Working Party and was to be replaced with Mr T Morald.

Cr Major stated he felt the terminology "Working Party" was not an appropriate title for certain Committees and requested that other options be investigated.

Cr O'Grady nominated Cr Magyar as delegate to both the Green Plan Working Party and Hepburn Heights Working Party.

The Mayor advised that in relation to the Verge and Median Landscape Working Group, this group has only recently held its first meeting, and the current membership of Crs Freame, Taylor, Healy and himself should remain.

MOVED Cr Ewen-Chappell, SECONDED Cr Wight that the Technical Services Committee:

- 1 **forms the Green Plan Working Parties to:**

- (a) **make recommendations to the Technical Services Committee regarding surveys of the natural vegetation and environment within the City of Wanneroo;**

- (b) supply technical advice to the Technical Services Committee on Management Plans and Conservation strategies for Conservation Areas within the City of Wanneroo;
- (c) liaise with community Friends groups and other groups involved in caring for Conservation Areas within the City of Wanneroo;
- (d) assist in the implementation of strategies and actions working to preserve, conserve and restore the natural vegetation of the City of Wanneroo;
- (e) promote the importance of the retention of areas of natural vegetation for their social, aesthetic and scientific values;

2 appoints the following delegates to the Green Plan Working Party:

Cr Magyar
Mr D Cluning, Acting City Parks Manager
Ms R Murray, Conservation Officer
Mr M Norman, Community Representative
Mrs M Zakvevsky, Community Representative;

3 forms the Hepburn Heights Working Group to:

- (a) make recommendations to the Technical Services Committee regarding surveys of the natural vegetation within the Hepburn Heights Conservation Area, Reserve No 33296;
- (b) supply technical advice to the Technical Services Committee on Management Plans and Conservation strategies for the Hepburn Heights Conservation Area;
- (c) liaise with community Friends groups and other groups involved in the Hepburn Heights Conservation Area;
- (d) assist in the implementation of strategies and actions working to preserve, conserve and restore the natural vegetation of Hepburn Heights Conservation Area;
- (e) promote the importance of the retention of Hepburn Heights Conservation Area for its social, aesthetic and scientific values;

4 appoints the following members to the Hepburn Heights Working Party:

Cr Magyar
Mr D Cluning, Acting City Parks Manager
Ms R Murray, Conservation Officer
Mr R Dixon, Community Representative
Mr T Morald, Community Representative
Mr J McMahon, Community Representative

5 forms the Verges and Median Landscape Working Group to review standards for development and maintenance of verges and median strips on arterial and distributor roads;

6 appoints the following members to the Verges and Median Landscape Working Group:

Crs Cooper, Freame, Taylor and Healy
Mr R McNally, Director Technical Services
Mr D Cluning, Acting City Parks Manager

CARRIED

TS172-05/97 FOOTPATH - ANIMAL EXERCISE BEACH HILLARYS TO THE MARINA - [405-0]

Cr Lynn submitted a letter from Mr S Barndon expressing concern at the safety aspect of the footpath between the animal exercise beach at Hillarys and the Marina.

MOVED Cr Wight, SECONDED Cr Hollywood that the letter from Mr S Barndon expressing concern at the safety aspect of the footpath between the animal exercise beach at Hillarys and the Marina be received and referred to the Engineering Department for action. CARRIED

TS173-05/97 CONCERN AT ROAD CROSSING - WHITFORDS AVENUE, HILLARYS - [502-9]

Cr Lynn submitted a letter from Mr S Barndon expressing concern at the lack of safe access for pedestrians and cyclists crossing Whitfords Avenue at the western end of Hillarys.

MOVED Cr Wight, SECONDED Cr Hollywood that the letter from Mr S Barndon expressing concern at the lack of safe access for pedestrians and cyclists crossing Whitfords Avenue at the western end of Hillarys be received and referred to the Engineering Department for action. CARRIED

TS174-05/97 REQUEST FOR FOOTPATH - STONESFIELD COURT AND PARKHURST RISE - [502-32]

Cr Lynn submitted a letter from Mr G Bell requesting that further consideration be given to the location of a proposed footpath for Stonesfield Court and Parkhurst Rise, Hepburn Heights.

MOVED Cr Wight, SECONDED Cr Hollywood that the letter from Mr G Bell requesting that further consideration be given to the location of a proposed footpath for Stonesfield Court and Parkhurst Rise, Hepburn Heights be received and referred to Engineering Department for action. CARRIED

TS175-05/97 **MOTOR REPAIR SHOP - 2 DUMONT COURT, KINGSLEY -**
[1540/460/2]

Cr Popham submitted a letter from Mr Fitzgerald in relation to a residential verge in Kingsley being used as a motor repair shop.

MOVED Cr Wight, SECONDED Cr Hollywood that the letter from Mr Fitzgerald in relation to a residential verge in Kingsley being used as a motor repair shop be received and referred to the Town Planning Department for action. CARRIED

TS176-05/97 **VERGE TREATMENTS - GIBSON AVENUE, PADBURY -**
[512-0]

Cr Freame referred to the extra wide verges on Gibson Avenue, Padbury and requested that a report be submitted on the most suitable landscaping treatment for the verges and how the project could be implemented.

MOVED Cr Wight, SECONDED Cr Hollywood that a report be submitted to the Technical Services Committee on the most suitable landscaping treatment for the verges on Gibson Avenue, Padbury and ways to implement the project. CARRIED

IRON STAINS ON IRRIGATION PIPES - [250-6]

The Acting City Parks Manager drew attention to samples of irrigation pipes he had provided for Councillors' information that showed evidence of iron stains caused by a build up of iron in the pipes.

He advised that samples of filters from sprinklers demonstrated a large build up of silt and sediment and investigations were being conducted to find options to treat this problem.

REQUEST TO REPLACE VERGE WITH HARDSTAND - FORREST ROAD
PADBURY - [512/334]

Cr Freame advised that due to the installation of a roundabout in Forrest Road, Padbury it had been necessary to relocate the post box, which was now situated outside a doctors surgery.

She stated that the medical practitioner concerned had requested that Council replace his verge with hardstand.

This matter will be referred to the Engineering Department.

POWER RESTRICTIONS - LIGHTS ON PLAYING FIELDS - [250-9]

Cr Major referred to telephone calls he had received following the recent power restrictions from residents querying lights operating on Council reserves and in particular Marri Park.

He queried the possibility of issuing a standard reply to concerned residents in the event of future power restrictions.

The Acting City Parks Manager advised that action was taken to conserve power during recent power restrictions, with most lights being turned off. He stated that on the third night of the power restrictions, an officer visited various parks, informing those persons using the park that the lights would be turned off.

USE OF SURFACTANTS - [250-6]

Cr Major queried whether a surfactant was added to the water in the water canon used to water trees during summer.

The Acting City Parks Manager advised that a wetting agent was added to the water every third week.

ACTION TAKEN DUE TO NOISE ABATEMENT NOTICE - MR B HAMILTON - [863-1]

Cr Bombak referred to this Item raised at the Technical Services Committee Meeting and stated it was himself who raised this issue and not Cr Hollywood.

Cr Bombak referred to a telephone call he had received from Mr Brett Hamilton in relation to legal proceedings instituted by Council with regard to a noise abatement notice issued in respect of a barking dog.

He requested the Mayor to liaise with the Chief Executive Officer on this matter as he believed the cost involved in carrying on proceedings would be excessive.

The Chief Executive Officer advised that the Environmental Protection Act requires Local Government to administer noise abatement provisions and when a complaint is received Health Officers are required to monitor the situation.

RECYCLING IN THE CITY OF WANNEROO - [508-4]

Cr Lynn referred to the pending report on recycling options as shown on page 8 in the Business Outstanding section of the Agenda and requested that the Engineering Department amend this to reflect her original request which was to investigate current recycling activities and submit a report to the Technical Services Committee regarding possible avenues to improve our recycling operations.

The City Engineer advised this information would be included in the report to be submitted in July 1997.

C164-05/97 DEVELOPMENT AND PLANNING SERVICES COMMITTEE

MOVED Cr Wight, SECONDED Cr Healy that the Report of the Development and Planning Services Committee Meeting, held on 19 May 1997 be received. **CARRIED**

ATTENDANCES AND APOLOGIES

Councillors:	A W WIGHT - Chairman	South Ward
	L O'GRADY	North Ward
	S P MAGYAR	Central Ward
	D K TIPPETT, JP	South Ward
	G A MAJOR	South West Ward
	J BOMBAK, JP	South-West Ward
	L A EWEN-CHAPPELL - Deputising for Cr Cooper	Central Ward
	P O HEALY - Observer from 1809 hrs	North Ward
	M J ZUVELA - Observer	Central Ward
	T W POPHAM - Observer	South Ward
	J HOLLYWOOD, JP - Observer	South Ward
	M E LYNN, JP - Observer, Deputising for Cr Bombak from 1930 hrs to 1937 hrs	South-West Ward

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

APOLOGIES

An apology for absence was tendered by Cr Cooper: Cr Ewen-Chappell deputised.

An apology for absence was tendered by Cr Taylor.

PUBLIC/PRESS ATTENDANCE

There were 34 members of the Public and 1 member of the Press in attendance.

ELECTION OF CHAIRMAN

Cr Wight was elected Chairman.

PUBLIC QUESTION TIME

Mr Graham Dunjey submitted the following questions in relation to Item DP83-05/97 Telstra's Buffer Zone:

Q1 We note that Council intends to defer the application for the rezone until after the proposed workshop. You already have a detailed report on the area from the Town Planner before you now - a workshop will tell you no more than what you have in front of you now. The only issue here is Telstra.

- they do not own land west of Alexander Drive
- they have no vested interest in our land
- they hold no caveats over our land.

Why can't the Council either:

- (a) recommend Telstra purchase their buffer zone if it is that critical to them or
- (b) support the people and approve our application for a rezone?

A1 Council can adopt option (a) or (b) if it so wishes, however as it is considered that Council will have a far better appreciation of the issues affecting this area following the Councillors' Workshop on the Local Rural Strategy, it has been recommended that Council defers decisions upon the matters of formulating a strategy regarding the future use of this land and the rezoning application until after the Workshop has been held.

Q2 We applied for a delegation to the meeting on an issue of what we consider major importance but yet were declined. This is not democratic. How important does Council consider an issue to be in order to grant a delegation?

A2 Council considers the Telstra buffer zone to be a very important issue. However, it was considered that Council would be better equipped to discuss this issue with a delegation following the Councillors' Workshop.

Q3 We note in the Town Planner's recommendations (item 3) that Telstra provide a brief explanation with regard to the buffer zone. This is a major issue which dramatically affects the livelihoods of 63 landholders and their families.

We request Telstra provide a major explanation as to why the buffer zone is so important?

A3 Item 3 of the recommendation of Report DP83-05/97 refers to a 'brief' explanation being provided to the Councillors' Workshop by Telstra representatives because the Workshop will be dealing with all of the area to be covered by the proposed Local Rural Strategy. The time available for the Telstra explanation will therefore be limited so the explanation will need to be brief. Despite the need for brevity, it is hoped that the explanation may still be comprehensive and detailed enough to provide Councillors with a good understanding of this important issue.

- Q4 In the Town Planner's recommendations to Council with regard to the workshop on the Telstra buffer zone planning consultants, Telstra and State and Federal politicians have been invited to the workshop but no such invitation has been extended to any of the landholders.

We hereby request an invitation to address the workshop.

- A4 This request for an invitation to address the Councillors' Workshop will be considered by the Development and Planning Services Committee at its meeting of 19 May 1997. My recommendation is that Council arranges a separate meeting with all landowners in the Telstra buffer zone. Telstra representatives and appropriate State and Federal Members of Parliament should again be invited to this second meeting.

- Q5 We note you are seeking comments from planning consultant Tim Auret about local rural strategies. Such strategy programmes have been put in place since 1978 and yet now 20 years later you are still calling for strategies over land that lies within a 15 km radius of Perth.

The Telstra issue has been going on for 7 years. How much longer is the Council going to continue to procrastinate with strategies and indecisions over our land?

- A5 It is currently intended that a full report on the rezoning application be considered at the July round of meetings and that Council should be in a position to make a decision on the application at that time. Should the outcome be that Urban rezoning is not supported and the area is to remain under some Rural form of land use, the matter of what form of Rural use will then be considered as part of the Local Rural Strategy process, in conjunction with the Gngalara Land Use and Water Management Strategy process. These processes should be finalised towards the end of this year.

Mr Gene Koltasz:

- Q What action has Council taken in regard to recent submissions deemed illegal, with reference to the rezoning of Lot 153 Alexander Drive, Landsdale?
- A City Planner's response: Council has referred the matter to its solicitors for advice and will then be passed to the relevant authorities for appropriate action to be taken.

Mr G Gear of George Street, Alfred Cove:

- 1 Does Council reaffirm its policy that an agreement between interested parties is the best possible way to resolve the "buffer zone" issue?
- 2 Is Council aware that this is also the position of the State Government and of the affected landowners who own property within the "buffer zone" and are currently bearing the cost of maintaining the buffer zone for Telstra?
- 3 Is Council further aware that the landowners put a proposal to Telstra that recognised the needs of both parties and that would have given certainty to Telstra for the future of the buffer zone at no real cost in an effort to reach a negotiated settlement not once but twice, only to have it rejected both times:

- 4 Given that all parties with an interest in the future of the "buffer zone" except Telstra want a negotiated settlement, will Council agree with the landowners that Telstra is seeking commercial protection by having the Council reject or modify any proposed development with which it doesn't agree (at landowners expense) and that Telstra will argue that the rezoning application lodged on behalf of landowners should be rejected to protect its profits?
- 5 Furthermore, as Telstra have rejected a proposal to secure the buffer zone twice and that as an organisation that turns over \$15 billion dollars a year and makes about a \$1 billion dollars profit and clearly have the capacity if not the will to pay for an asset that is needed for their operations will Council give Telstra the commercial protection they are seeking or will Council give Telstra the message that they should stop bludging on the pensioners and small business people who live in the buffer zone and pay their way?

These questions were taken on notice.

Mrs A Hine:

- Q1 Regarding the extension of the Freeway from Ocean Reef Road to Hodges Drive, can Council advise the public who owns the land adjacent to the freeway and if this land would be acquired. What are the details of the land owned by Landcorp which was set aside for Technology Park?
- A1 City Planner's response: The freeway reserve is Crown land. The land on the western side has been subdivided. The eastern land has three landowners, with Landcorp being the main landholder.

Cr Major's response: In relation to Technology Park, Mr Tony Morgan of Landcorp has stated that the land is secured for that purpose.

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 14 APRIL 1997

The Minutes of the Town Planning Committee Meeting held on 14 April 1997, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

PETITION OPPOSING PROPOSED POLICE STATION - HILLARYS - [631-714-114, 790-784] - ITEM DP97-05/97 REFERS

MEETING TIMES:

Commenced: 1802 hrs
Closed: 2035 hrs

- (e) provision of the dual-use pathway through the land currently owned by the Water Corporation of Western Australia adjacent to the outfall at the Ocean Reef Boat Harbour subject to consultation with Water Corporation Western Australia;
 - (f) upgrading the northern beach accessway off the southern limestone car-park as a 3 metre wide concrete emergency vehicle accessway;
 - (g) provision of freestanding showers at the car-parks and the beach accessways frequented by the local residents visiting the beach by foot;
 - (h) provision of a beach accessway south of the southern limestone car-park in line with the pedestrian accessway connecting Atoll Court and Oceanside Promenade and closure of the existing beach accessway situated between Warren Way and Korella Street;
- 2 in accordance with Council's Access Policy makes necessary provisions in the modified draft Foreshore Management Plan report in respect of access, as far as practicable, for people with disabilities to the beach facilities, including car-parks, pathways, toilets, change rooms, picnic areas, barbecues, etc, in accordance with the Building Code of Australia and the Australian Standard on Access;
- 3 advertises the modified draft Foreshore Management Plan twice in the West Australian and the Wanneroo Times inviting public comments for a period of six weeks;
- 4 deposits four copies of the modified draft Foreshore Management Plan reports in all the City's libraries including the mobile library, during the public consultation period of which two can be loaned for a period of one week only;
- 5 conducts a workshop on the Saturday afternoon of the third/fourth weekend of the public comment period;
- 6 writes to the Water Corporation of Western Australia to seek its consent to propose the dual-use pathway through Water Corporation Western Australia land near the outfall at Ocean Reef Boat Harbour which is currently fenced off;
- 7 requires a further report on this subject following the advertising period.

CARRIED

DP79-05/97

**EXPRESSIONS OF INTEREST FROM ORGANISATIONS TO
HOST REGIONAL COASTAL FACILITATORS - (050-0)**

The Western Australian Planning Commission's Coastal Zone Council has invited local authorities, regional Development Commissions and regional offices of State Government agencies to submit expressions of interest to host Regional Coastal Facilitators. One of the roles of the Facilitators is to assist the community coastal groups and the authorities in the involvement of coastal planning and management. Since the City is progressing well in the

planning and management of its coast, it is not considered to require a Facilitator and therefore it is recommended that Council does not host a Facilitator.

MOVED Cr Wight, SECONDED Cr Tippett that Council advises the Western Australian Planning Commission's Coastal Zone Council that since the City is progressing well in coastal planning and management it does not wish to host a Regional Coastal Facilitator. CARRIED

DP80-05/97

SIGN LICENCE APPLICATION - MINDARIE COMMERCIAL DEVELOPMENT - LOT 9 (4) BERGEN WAY, MINDARIE - [30/5296]

An application for a licence to erect horizontal signs at the Mindarie Commercial Development, Lot 9 (4) Bergen Way, Mindarie, has been received. The proposed signs are in contravention of Local Laws, but Council may grant a licence in respect to such signs provided the signs do not exceed 10% of the total area of the facade of the building. It is considered that the signs be approved.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 exercises its discretion under Clause 3.1.5 of Local Law S3: Signs Hoardings and Billposting and approves the application for a licence to erect horizontal signs at the Mindarie Commercial Development, Lot 9 (4) Bergen Way, Mindarie;**
- 2 advises the applicant that any future changes in turret signage are to be submitted to Council for assessment for re-licensing. CARRIED**

DP81-05/97

PROPOSED TWO-STOREY SERVICED APARTMENT BUILDINGS, BASEMENT CAR PARK, HEALTH CLUB AND TENNIS COURT ADDITIONS TO THE JOONDALUP HOTEL RESORT: LOT 535 (45) COUNTRY CLUB BOULEVARD, CONNOLLY - [30/4576]

An application has been received on behalf of Joondalup Hotel Investments Pty Ltd for two storey serviced apartment buildings, basement car park, health club and new tennis court addition at the Joondalup Resort Hotel Lot 535 (45) Country Club Boulevard, Connolly. The proposal will be mostly over two storeys in height and involves a reduction of the parking requirement by 76 bays. The proposal was advertised and no objection has been received to date. The proposal is considered generally acceptable and approval is recommended.

REPORT RECOMMENDATION THAT Council:

- 1 approves the application by James Christou and Partners Architects on behalf of Joondalup Hotel Investments Pty Ltd proposing two storey service apartment buildings, basement car park, health club and tennis court additions to the Joondalup Resort Hotel on Lot 535 (45) Country Club Boulevard, Connolly, subject to the following conditions:
 - (a) an additional 76 car bays to be provided should it be considered necessary in the future to the satisfaction of the City;
 - (b) the existing large Tuart tree on the northern boundary to be retained;
 - (c) the health club to be used only by guests of the resort hotel development;
 - (d) the “possible linkway bridge” not to form part of this development approval;
 - (e) standard and appropriate conditions as determined by the City Planner;
- 2 exercises its discretion under clause 9.1 (1) of Town Planning Scheme No 1 and reduces the car parking requirement from 495 car bays to 419 car bays;

COMMITTEE RECOMMENDATION: THAT Council:

- 1 approves the application by James Christou and Partners Architects on behalf of Joondalup Hotel Investments Pty Ltd proposing two storey service apartment buildings, basement car park, health club and tennis court additions to the Joondalup Resort Hotel on Lot 535 (45) Country Club Boulevard, Connolly, subject to the following conditions:
 - (a) an additional 76 car bays to be provided should it be considered necessary in the future to the satisfaction of the City;
 - (b) the existing large Tuart tree on the northern boundary to be retained;
 - (c) the health club to be used only by guests of the resort hotel development;
 - (d) the “possible linkway bridge” not to form part of this development approval;
 - (e) standard and appropriate conditions as determined by the City Planner;
- 2 exercises its discretion under clause 9.1 (1) of Town Planning Scheme No 1 and reduces the car parking requirement from 495 car bays to 419 car bays;
- 3 Cr Major and the Acting City Parks Manager to investigate the second Tuart tree on the subject land to ascertain its condition with a view to its possible retention, and submit information prior to the Council meeting on 28 May 1997.

ADDITIONAL INFORMATION

The Development and Planning Services Committee at its meeting held on 19 May 1997 considered Item DP81-05/97 regarding the above matter and recommended that Cr Major and the Acting City Parks Manager investigate the second Tuart tree on the subject land to ascertain its condition, with a view to its possible retention, and submit information prior to the Council meeting on 28 May 1997.

A site meeting to investigate the tree was held on 22 May 1997 and attended by Cr Major, the applicant (James Christou & Partners Architects) and City officers.

In relation to the southern Tuart tree, the Acting City Parks Manager advised as follows:

The existing Eucalyptus Gomphocephala (Tuart) is positioned 10 metres inside the southern boundary of the property, has an approximate height of 25 metres and an approximate spread of 25 metres. Its general appearance is healthy, with few dead branches. Alongside is a smaller Jarrah tree (approximately 6 metres in height) which has entwined and grafted itself on to the larger tree’s branches.

Retention of this tree would be very desirable and a feature could be achieved by designing to accommodate it (the building line would have to be maintained at a minimum distance of 15 metres from the trunk). Unfortunately, the possibility of the tree surviving more than 5 - 10 years is remote. Factors contributing to its demise would include:

- general disturbance from building activity close by;
- inevitable lopping or pruning of branches;
- removal of smaller adjacent tree;
- use of irrigation and fertilisers nearby being perhaps the most destructive elements, apart from direct root disturbance.

The applicants have advised that they are prepared to redesign the development (within reason) to accommodate the retention of this tree.

In light of the limited life of the tree, even with a significant building setback, it is recommended that this tree be removed and replaced with two semi-mature trees of a suitable species and location on the southern periphery of the site. The following condition should therefore be added to the recommendation:

“(vi) Prior to the development being first occupied two semi-mature trees of a suitable species to be planted on the southern periphery of the site to the satisfaction of the City.”

Alternatively, if Council wishes this tree to be retained, the following condition should be added:

“(vi) The large mature Tuart tree adjacent to the southern boundary to be retained and the design of the development to be modified to accommodate this tree. The revised plans to be submitted prior to the issue of a building licence for the development to the satisfaction of the City.”

The advertising period for the proposal closed on 21 May 1997. No submissions were received at the date of the City Planner's report being written and considered by the Committee. Two submissions (objections) have since been received. The objections mainly relate to the development being higher than the two storey limitation, and will reduce the aesthetic value and views of the area due to the loss of the existing flora and fauna. These issues do not affect the City Planner's report to Council and it is therefore recommended that the Council adopts Report DP81-05/97 as presented.

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

- 1 approves the application by James Christou and Partners Architects on behalf of Joondalup Hotel Investments Pty Ltd proposing two storey service apartment buildings, basement car park, health club and tennis court additions to the Joondalup Resort Hotel on Lot 535 (45) Country Club Boulevard, Connolly, subject to the following conditions:
- (a) an additional 76 car bays to be provided should it be considered necessary in the future to the satisfaction of the City;
 - (b) the existing large Tuart tree on the northern boundary to be retained;
 - (c) the health club to be used only by guests of the resort hotel development;
 - (d) the “possible linkway bridge” not to form part of this development approval;
 - (e) the large mature Tuart tree adjacent to the southern boundary to be retained and the design of the development to be modified to accommodate this tree. The revised plans to be submitted prior to the issue of a building licence for the development to the satisfaction of the City;
 - (f) standard and appropriate conditions as determined by the City Planner;
- 2 exercises its discretion under clause 9.1 (1) of Town Planning Scheme No 1 and reduces the car parking requirement from 495 car bays to 419 car bays.

CARRIED

MOVED Cr Magyar, SECONDED Cr O’Grady that Council requests Joondalup Hotel Investments Pty Ltd to give a written undertaking that the native vegetation buffer between the proposed development and the residential areas of Connolly will be maintained to act as a permanent visual buffer.

CARRIED

DP82-05/97

PROPOSED GUESTHOUSE : 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 guesthouse to accommodate a maximum of 8 guests. Surrounding neighbours were notified by means of a letter. A 27 signature petition and four separate submissions were received. Only one submission supported the proposal.

This proposal was considered at Council's April 1997 meeting where it was resolved to defer consideration of the application pending an investigation being conducted into the house plans.

The investigation is now complete and the proposal is supported subject to conditions.

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

- 1 the provision of six parking bays and associated manoeuvring space to the satisfaction of the City;
- 2 the maximum number of guests being limited to eight;
- 3 landscaped areas being designed and established in such a manner as to minimise the impact of the carparking area on the streetscape;
- 4 standard and appropriate conditions.

MOVED Cr Wight, SECONDED Cr Tippett that Council refuses the application submitted by Mr Burton-Wigley for a guesthouse on Lot 120 (24) Dorchester Avenue, Warwick as:

- 1 **the proposal is considered to be contrary to the interest of orderly and proper planning and would adversely affect the residential amenity of the locality;**
 - 2 **the proposal is considered contrary to the expectations of the local community.**
- CARRIED**

DP83-05/97

TELSTRA BUFFER ZONE, ALEXANDER DRIVE, LANDSDALE; APPLICATION FOR REZONING FOR URBAN/RESIDENTIAL PURPOSES - [290-7-2, 790-801]

At its meeting of 23 April 1997 (TP59-04/97), Council sought a report on a suggested strategy with regard to the future use of the land within the Telstra buffer zone situated to the west of Alexander Drive, Landsdale. An application has now also been received from the landowners in that area, seeking rezoning of this area for Urban/Residential purposes under the Metropolitan Region Scheme and City of Wanneroo Town Planning Scheme No 1. The need for resolution of the matter of future use of this area has been identified in the Preliminary Draft Local Rural Strategy. This will need to consider Telstra's concerns, as well as other issues affecting the land such as the likelihood of rezoning under the Metropolitan Region Scheme for Rural Groundwater CATCHMENT Zone (arising from the Gngangara Land Use and Groundwater Management Strategy), and consultant botanist Malcolm Trudgen's report regarding protection of remnant native vegetation and a Statement of Planning Policy on Industrial Buffers recently gazetted by the Western Australian Planning Commission. A Councillors' Workshop is to be held shortly with Council's consultant assisting in the

preparation of the Local Rural Strategy, Mr Tim Auret, and it is recommended that the matters of a strategy for the future use of the Telstra buffer area and the rezoning application be considered at that Workshop so that they may be considered in the context of all issues affecting this area.

REPORT RECOMMENDATION THAT Council:

- 1 further considers the matter of how to address the issues associated with the Telstra buffer zone at east Landsdale at the Councillors' Workshop on the Local Rural Strategy to be held with planning consultant, Mr Tim Auret;
- 2 defers consideration of the application submitted by Mr Graham Dunjey on behalf of the landowners in the Landsdale Telstra buffer area seeking rezoning of that area for Urban/Residential purposes, pending the Councillors' Workshop with Mr Tim Auret;
- 3 invites Telstra representatives to provide a brief explanation to Councillors at the Councillors' Workshop as to why the continued maintenance of the buffer zone is important to Telstra;
- 4 invites State and Federal Parliamentarians to the Workshop.

COMMITTEE RECOMMENDATION: THAT Council:

- 1 further considers the matter of how to address the issues associated with the Telstra buffer zone at east Landsdale at the Councillors' Workshop on the Local Rural Strategy to be held with planning consultant, Mr Tim Auret;
- 2 defers consideration of the application submitted by Mr Graham Dunjey on behalf of the landowners in the Landsdale Telstra buffer area seeking rezoning of that area for Urban/Residential purposes, pending the Councillors' Workshop with Mr Tim Auret;
- 3 invites Telstra representatives to provide an explanation and justification to Councillors at the Councillors' Workshop as to why the continued maintenance of the buffer zone is important to Telstra;
- 4 invites State and Federal Parliamentarians to the Workshop;
- 5 following the Workshop, arranges a second meeting with participants from the first meeting and invites two landowner representatives to attend.

ADDITIONAL INFORMATION

The Development and Planning Services Committee at its meeting held on 19 May 1997, considered a number of questions submitted by Mr Graham Dunjey on behalf of the landowners in the Telstra buffer zone. One of the questions included a request for the landowners to attend the Councillors' Workshop on the Local Rural Strategy, at least the part of the Workshop dealing with the Telstra buffer zone issue. The recommendation put to the Committee was that a separate meeting with all landowners be arranged, with Telstra representatives and State and Federal Members of Parliament also being invited to this second meeting. If all landowners were to be invited, a separate meeting was considered to be the only practical option.

The Committee's recommendation on the above matter is to arrange a second meeting (following the Councillors' Workshop) and to invite two landowner representatives to attend.

With only two landowner representatives to attend, it is considered that it would allow a far more effective use of everyone's time if instead of a separate meeting being arranged, the two landowner representatives were invited to attend the relevant part of the Councillors' Workshop. This would also alleviate a concern that some Members of Parliament and Councillors may be agreeable to attending the first meeting but may have difficulty in attending the second meeting.

This alternative has been discussed with Mr Dunjey who has advised that he would be agreeable to this approach.

To ensure that those people who will be participating in only the part of the Workshop dealing with the Telstra buffer zone issue will not be having to wait for an indefinite period for that item to be reached on the Workshop agenda, it would be proposed that a time be set for that item to be dealt with. Participants can then arrange to be present at that time.

Since the Development and Planning Services Committee meeting Mr George Gear, on behalf of the landowners within the Telstra buffer, has forwarded correspondence to the City for its consideration. This advice includes correspondence from Telstra Corporation and from Mr Gear to Telstra which would be of interest to Council to take into consideration during its debate at the Workshop - Appendix XXVII refers.

RECOMMENDATION:

THAT Council adopts the following amended item (5) (to replace item (5) of the Committee's recommendation):

- "(5) invites Mr Graham Dunjey and two other landowner representatives to be nominated by Mr Dunjey to participate in the part of the Workshop dealing with the Telstra buffer zone issue at approximately 7.30pm on Tuesday 17 June 1997."

MOVED Cr Wight, SECONDED Cr Taylor that Council:

- 1 further considers the matter of how to address the issues associated with the Telstra buffer zone at east Landsdale at the Councillors' Workshop on the Local Rural Strategy to be held with planning consultant, Mr Tim Auret;**
- 2 refers consideration to the June Council Meeting of the application submitted by Graham Dunjey on behalf of the landowners in the Landsdale Telstra buffer area seeking rezoning of that area from Rural to Urban/Residential, pending the Councillors' Workshop with Mr Tim Auret;**
- 3 invites Telstra representatives to provide an explanation and justification to Councillors at the Councillors' Workshop as to why the continued maintenance of the buffer zone is important to Telstra;**
- 4 invites State and Federal Parliamentarians to the Workshop;**
- 5 invites Mr Graham Dunjey and two other landowner representatives to be nominated by Mr Dunjey to participate in the part of the Workshop dealing**

with the Telstra buffer zone issue at approximately 7.30 pm on Tuesday, 17 June 1997. CARRIED

Appendix XXVII refers.

DP84-05/97 APPLICATION FOR SPECIAL RURAL ZONING : LOC 2316 NEAVES ROAD, MARIGINIUP - [790-795]

Planning consultant Peter D Webb and Associates, on behalf of the S J Boyanich Family Trust, requests Council to initiate an amendment to City of Wanneroo Town Planning Scheme No 1 to rezone Loc 2316 Neaves Road, Mariginiup from Rural to Special Rural to facilitate the subdivision of the land into 18 lots of minimum 2ha size.. It is recommended that this request not be supported due to conflict with current planning initiatives and that further consideration be given to a suitable zoning for the land once Council's Local Rural Strategy study and the Gngara Land Use and Water Management Strategy have been further progressed.

REPORT RECOMMENDATION THAT Council:

- 1 does not support the application submitted by Peter D Webb and Associates on behalf of the S J Boyanich Family Trust for the rezoning of Loc 2316 Neaves Road, Mariginiup to Special Rural because:
 - (a) the information used in the preparation of the Preliminary Draft Local Rural Strategy and the Lake Adams Structure Plan indicates that this land has a low capability and suitability for Special Rural use of the density proposed;
 - (b) the Gngara Land Use and Water Management Strategy is soon to result in the review of the Priority 1 and 2 Groundwater Source Protection Area boundaries and the initiation of an amendment to the Metropolitan Region Scheme to introduce new zones and reserves over these areas. It is considered appropriate to await the outcome of these initiatives before considering supporting rezoning of this land;
 - (c) the western portion of the subject land is affected by a System 6 wetland and the applicant has not addressed the implications of this;
- 2 gives further consideration to the matter of a suitable form of zoning, subdivision and land use for Loc 2316 once work on the preparation of the Local Rural Strategy and Gngara Land Use and Water Management Strategy has been further adequately progressed.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 does not support the application submitted by Peter D Webb and Associates on behalf of the S J Boyanich Family Trust for the rezoning of Loc 2316 Neaves Road, Mariginiup to Special Rural because:
- (a) the information used in the preparation of the Preliminary Draft Local Rural Strategy and the Lake Adams Structure Plan indicates that this land has a low capability and suitability for Special Rural use of the density proposed;
 - (b) the Gngangara Land Use and Water Management Strategy is soon to result in the review of the Priority 1 and 2 Groundwater Source Protection Area boundaries and the initiation of an amendment to the Metropolitan Region Scheme to introduce new zones and reserves over these areas. It is considered appropriate to await the outcome of these initiatives before considering supporting rezoning of this land;
 - (c) the western portion of the subject land is affected by a System 6 wetland and the applicant has not addressed the implications of this;
- 2 gives further consideration to the matter of a suitable form of zoning, subdivision and land use for Loc 2316 once work on the preparation of the Local Rural Strategy and Gngangara Land Use and Water Management Strategy has been further adequately progressed;
- 3 advises the applicant when the Local Rural Strategy will be completed.

CARRIED**DP85-05/97****PROPOSED BUILDING ENVELOPE RELOCATION, LOT 511
THE FAIRWAYS, GNANGARA - [4382/511/12]**

A letter dated 2 April 1997, has been received from Silkmode Pty Ltd, the owner of Lot 511 The Fairways, Gngangara, seeking to relocate the building envelope on that property. Silkmode is currently negotiating the sale of this property and the potential purchaser wishes to relocate the building envelope. This lot is within Special Rural Zone No 27 which makes provision for each lot to have a building envelope of up to 2,000 m². It is considered appropriate to support the building envelope relocation because it will provide greater privacy for the owners, encourage revegetation and not detrimentally affect any neighbours.

MOVED Cr Wight, SECONDED Cr Tippett that Council exercises its discretion under Part 1 of Schedule 4 of Town Planning Scheme No 1 and grants approval for the designated building envelope for Lot 511 The Fairways, Gngangara to be located 15 metres forward of the rear lot boundary.

CARRIED

RECOMMENDATION: That Council supports the application submitted by Taylor and Burrell Town Planning and Design on behalf of Landcorp for the subdivision of Pt Lot 4 (390) Joondalup Drive, Joondalup subject to:

- 1 the applicant modifying the Joondalup City Centre Development Plan and Manual to include District Guidelines for the Lakeside District to the satisfaction of the City of Wanneroo;
- 2 the applicant justifying the cul de sac access proposed to serve the four grouped housing sites to the satisfaction of the City of Wanneroo;
- 3 the small areas of Public Open Space for the retention of native bushland (as determined by tree survey) being incorporated into the adjoining lots and protected/maintained by way of covenant on title or included in the road reserve, to the satisfaction of the City of Wanneroo;
- 4 the road interface to the Yellagonga Regional Park being extended to the satisfaction of the City of Wanneroo;
- 5 other aspects of the proposed road layout being redesigned to the satisfaction of the City of Wanneroo;
- 6 standard and appropriate conditions as determined by the City Planner.

ADDITIONAL INFORMATION

At the May 1997 Development and Planning Services Committee meeting historical information was requested regarding public awareness of nuisance midges near wetlands, as a result of considering the proposed "Sanctuary" subdivision Pt Lot 4 (390) Joondalup Drive, Joondalup

A similar matter was raised in 1992, in relation to the Woodvale Waters subdivision in Woodvale (see Appendix XXVIII). As that subdivision was likely to be affected by nuisance midges, it was proposed that appropriate signs be placed adjacent to the subdivision advising potential lot purchasers of the issue. However, many of the lots in that subdivision had already been sold when Council considered the issue. As a result it was decided not to proceed with placing such signs adjacent to Woodvale Waters, but to consider the potential impacts from wetlands adjacent to residential development in future structure planning of such areas (see Appendix XXVIII).

The Joondalup City Centre Structure Plan was adopted in August 1990, which set aside the "Sanctuary" residential precinct.

A revised plan of subdivision for the "Sanctuary" was received from the applicant on 23 May 1997. That revised plan addresses the following requirements of the Development and Planning Services Committee's recommendation, to the City Planner's satisfaction. (See Attachments Nos 2 and 3).

- "2. *the applicant justifying the cul-de-sac access proposed to serve the four grouped housing sites to the satisfaction of the City of Wanneroo;*

3. *the small areas of Public Open Space for the retention of native bushland (as determined by tree survey) being incorporated into the adjoining lots and protected/maintained by way of covenant on title or included in the road reserve, to the satisfaction of the City of Wanneroo;*
4. *the road interface to the Yellagonga Regional Park being extended to the satisfaction of the City of Wanneroo;*

Cr Wight left the Chamber at this point, the time being 2057 hrs.

It is therefore no longer necessary to impose these conditions and it is recommended that Council resolves to endorse the revised plan and delete the abovementioned requirements from the Development and Planning Services Committee recommendation.

Cr Hollywood wished his objection to the development to be recorded.

MOVED Cr Magyar, SECONDED Cr O'Grady that:

- 1 **Council supports the application submitted by Taylor and Burrell Town Planning and Design on behalf of Landcorp for the subdivision of Pt Lot 4 (390) Joondalup Drive, Joondalup subject to:**

- (a) **the applicant modifying the Joondalup City Centre Development Plan and Manual to include District Guidelines for the Lakeside District to the satisfaction of the City of Wanneroo;**
- (b) **other aspects of the proposed road layout being redesigned to the satisfaction of the City of Wanneroo;**
- (c) **standard and appropriate conditions as determined by the City Planner.**

2 **steps be taken to have a memorandum placed on all titles to warn prospective purchasers of a possible midge problem;** **CARRIED**

Cr Hollywood dissented.

Appendix XXVIII refers.

DP88-05/97 **CLOSE OF ADVERTISING : AMENDMENT NO 781 TO TOWN PLANNING SCHEME NO 1 TO RECODE A PORTION OF PART LOT 158 (12) HEPBURN AVENUE, SORRENTO FROM RESIDENTIAL DEVELOPMENT R20 TO RESIDENTIAL DEVELOPMENT R30 AND R50 - [790-781]**

Amendment No 781 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 11 April 1997. This amendment seeks to recode a portion of Lot 158 (12) Hepburn Avenue, Sorrento from Residential Development R20 to Residential Development R30 and R50. As a result of advertising, two submissions in support of the proposal, and one submission in opposition to the proposal were received. The submissions have been considered and final adoption of Amendment No 781 is recommended.

Cr Wight entered the Chamber at this point, the time being 2100 hrs.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 **pursuant to Town Planning Regulation 17(2), adopts Amendment No 781 to Town Planning Scheme No 1 to recode a portion of Lot 158 (12) Hepburn Avenue, Sorrento from Residential Development R20 to Residential Development R30 and R50 without modification;**
- 2 **authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents.** **CARRIED**

Cr Bombak dissented.

DP89-05/97

PROPOSED AMENDMENT NO 797 TO TOWN PLANNING SCHEME NO 1 TO RECODE PORTION OF PART LOT M1722 (449) BURNS BEACH ROAD, ILUKA FROM RESIDENTIAL DEVELOPMENT R20 TO RESIDENTIAL DEVELOPMENT R40 - [790-797]

An application has been submitted by Feilman Planning Consultants Pty Ltd, on behalf of Beaumaris Land Sales, seeking to recode portion of Part Lot M1722 (449) Burns Beach Road, Iluka from Residential Development R20 to Residential Development R40.

The proposal would ensure a variety of housing types and densities within the Iluka area and is therefore in accordance with the Ministry for Planning's draft Residential Densities and Housing Mix Policy. The proposal would result in medium density housing being located close to existing shopping, transport and recreational facilities.

The proposal is, however, contingent upon the finalisation of Amendment No 641 to Town Planning Scheme No 1 which seeks to rezone the whole of Pt Lot M1722 (449) Burns Beach Road, Iluka from Rural to Residential Development R20 and R40 and Special Zone (Additional Use) Corner Store. Subject to the finalisation of this amendment it is considered appropriate to support the recoding of the subject portion of land.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 pursuant to Section 7 of the Town Planning and Development Act (1928) as amended, amends Town Planning Scheme No 1 by recoding a portion of Part Lot M1722 (449) Burns Beach Road, Iluka from R20 to R40;
- 2 withholds final approval of this amendment until the previous Amendment No 641 has been finalised. **CARRIED**

DP90-05/97

USE OF RESIDENTIAL PROPERTY AS A MOTOR REPAIR STATION, SMASH REPAIR STATION IN BREACH OF THE CITY'S TOWN PLANNING SCHEME NO 1 : LOT 402 (77) KOONDOOLA AVENUE, KOONDOOLA - [843/402/77]

Starting from 14 July 1995, the City has received complaints concerning panel beating and spraypainting of vehicles being carried out on Lot 402 (77) Koondoola Avenue, Koondoola by the owner, Mr Francszek Rusinek.

Each time the matter was investigated Mr Rusinek advised the investigating officers that he was repairing his own vehicle as a one off occasion, however in each instance he has disposed of the vehicle shortly after completion of repairs.

Repeated requests from the City to the owners of the property Mr F & Mrs S Rusinek to cease the use of the property as a motor repair station, smash repair station or for spraypainting has failed to resolve the situation.

REPORT RECOMMENDATION THAT Council:

- 1 advises the owners of Lot 402 (77) Koondoola Avenue, Koondoola that the use of the property as a motor repair station, smash repair station or for spraypainting is in breach of the City's Town Planning Scheme No 1;
- 2 advises the owners of Lot 402 that use of the property as a motor repair station or smash repair station is to cease within 14 days of notification by Council;
- 3 authorises the Chief Executive Officer to initiate legal action against the owners of Lot 402 (77) Koondoola Avenue, Koondoola should the advice and direction contained in 2 above not be satisfied within the time period required and thereafter at all times.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 **advises the owners of Lot 402 (77) Koondoola Avenue, Koondoola that the use of the property as a motor repair station, smash repair station or for spraypainting is in breach of the City's Town Planning Scheme No 1;**
- 2 **advises the owners of Lot 402 that use of the property as a motor repair station or smash repair station is to cease within 14 days of notification by Council;**
- 3 **authorises the Chief Executive Officer to initiate legal action against the owners of Lot 402 (77) Koondoola Avenue, Koondoola should the advice and direction contained in 2 above not be satisfied within the time period required and thereafter at all times;**
- 4 **authorises the Chief Executive Officer to take immediate legal action should the owners of Lot 402 (77) Koondoola Avenue, Koondoola at any time resume the use of the property as a motor repair station or smash repair station. CARRIED**

DP91-05/97

**UNAUTHORISED DEVELOPMENT - LANDFILL : LOT 218
(24) GRAHAM ROAD, QUINNS ROCKS - [421/218/24]**

At its meeting on 25 September 1996 (TP214-09/96), Council considered the unauthorised landfill deposited on Lot 218 (24) Graham Road, Quinns Rocks and resolved to consider a development application for the site on condition that the owners provided a suitably qualified civil/structural engineer's certificate stating that the site was suitable for unrestricted construction.

The owners of Lot 218 have not been able to provide the engineer's certificate as required. In fact, the engineer chosen by them has recommended the landfill be removed and screened before being replaced on the lot.

The owners of Lot 218 have been requested to resolve the matter concerning the unauthorised landfill on the property but have since chosen to take no further action. It is recommended, therefore, that legal action be initiated against the owners of the property regarding the landfill should it not be removed by them within 28 days.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

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

CARRIED

DP92-05/97 INDUSTRIAL SITES EVALUATION WORKING PARTY - [701-3]

To develop a more flexible and responsive decision making process it is recommended that working parties be made the responsibility of Standing Committees.

In the case of the Industrial Sites Evaluation Working Party it is suggested that it be created by and responsible to the Development and Planning Services Committee.

At the Development and Planning Services Committee Meeting, Cr Ewen-Chappell nominated Cr Zuvela for the position of member on the Industrial Sites Evaluation Working Party. Cr Zuvela accepted the nomination.

Cr Taylor requested to be a member of this Committee.

MOVED Cr Wight, SECONDED Cr Tippett that the Development and Planning Services Committee:

- 1 **forms the Industrial Sites Evaluation Working Party to improve the overall presentation of industrial areas in the City of Wanneroo by providing annual awards for the Best Maintained and Most Improved Business Premises;**
- 2 **appoints the following members to the Industrial Sites Evaluation Working Party;**

Cr M Zuvela

Cr A Taylor

Mr T Easterby, Planning Liaison Officer

Mr G Puccini, Administration Officer

Mr Ray Foster, Chamber of Commerce

Mr M Day, Wanneroo Times

Mr G Beard, Joondalup Community Newspaper
Mr R Poliwka, Joondalup Business Association

CARRIED

DP93-05/97

**REAPPOINTMENT OF SIGNS, HOARDINGS AND
BILLPOSTING REVIEW WORKING PARTY - [30/5296]**

The Signs, Hoardings and Billposting Review Working Party established in November 1996 requires authorisation from Council to continue to investigate and formulate a workable system to deal with Signs, Hoardings and Billposting.

At the Development and Planning Services Committee Meeting, Cr Tippet nominated Crs Taylor and Ewen-Chappell as members of the Signs, Hoardings and Billpostings Review Working Party. Cr Ewen-Chappell accepted the nomination. Cr Wight accepted the nomination on behalf of Cr Taylor.

MOVED Cr Wight, SECONDED Cr Tippet that the Development and Planning Services Committee:

- 1 forms the Signs, Hoardings and Billposting Review Working Party to investigate and formulate a workable system to deal with Signs, Hoardings and Billposting;**
- 2 nominates Crs Taylor and Ewen-Chappell to the Working Party;**
- 3 other members of the Working Party to be:**

D Butcher, Acting Manager Approval Services
R Scarce, Co-ordinator Building Approvals
B Beetham, Building Surveyor
R Fishwick, Senior Administration Officer (Technical Services).

CARRIED

DP94-05/97

**APPEAL ADVICE - NORTH WHITFORDS ESTATES STAGE 5
SUBDIVISION, CELL 5 LANDSDALE - [740-93627, 780-21]**

Correspondence has been received from the Hon. Minister for Planning regarding the subdivisional appeal in relation to the North Whitfords Estates Stage 5 subdivision in Landsdale. This advice stems from the appeal determination issued by the former Minister for Planning on this matter in December 1996.

Council was previously advised that this appeal determination raised a number of issues that required further clarification. Consequently, the Council wrote to the Minister seeking an explanation to those matters that were unclear.

Although the Minister's response has now clarified those issues that Council had previously raised, unfortunately, this advice does not provide any satisfaction in relation to the way in which the former Minister dealt with the appeal or the implications to this Council and the broader community.

RECOMMENDATION: That Council endorses the actions/advice contained in this report in respect to Items 1-8 to Report DP94-05/97 as follows:

1 Item 1

that Council accepts the Minister's advice concerning the availability of the reports prepared by the Minister's independent consultant and the Appeal Committee Member on this appeal and does not further pursue this matter;

2 Items 2,3 and 4

that Council acknowledges the Minister has accepted the estimated costs in respect to road construction, administration and the total land area for land acquisition for arterial roads in accordance with the City's original submission. No further action is required in this regard;

3 Item 5

that Council notes the former Minister has reduced the level of interest that Council can impute as an infrastructure contribution and that this matter will require further consideration once the East Wanneroo Consultancy has concluded;

4 Items 6, 7 and 8

that Council writes to the Minister for Planning in respect to alternative arrangements for infrastructure contributions for Cell 5 and that it also seeks a commitment in regard to the principles and infrastructure used to establish developer contributions for the other East Wanneroo Planning Cells.

MOVED Cr Wight, SECONDED Cr Popham that Council:

1 **endorses the actions/advice contained in this report in respect to Items 1-8 to Report DP94-05/97 as follows:**

(a) Item 1

continues its attempts to pursue reports from the Minister's determination under Freedom of Information;

(b) Items 2,3 and 4

that Council acknowledges the Minister has accepted the estimated costs in respect to road construction, administration and the total land area for land acquisition for arterial roads in accordance with the City's original submission. No further action is required in this regard;

(c) **Item 5**

that Council notes the former Minister has reduced the level of interest that Council can impute as an infrastructure contribution and that this matter will require further consideration once the East Wanneroo Consultancy has concluded;

(d) **Items 6, 7 and 8**

that Council writes to the Minister for Planning in respect to alternative arrangements for infrastructure contributions for Cell 5 and that it also seeks a commitment in regard to the principles and infrastructure used to establish developer contributions for the other East Wanneroo Planning Cells.

2 seeks a deputation with the Premier to discuss the question of East Wanneroo;

3 pursues the matter through WAMA so that all affected Councils are informed of the possible change of policy. CARRIED UNANIMOUSLY

Appendix X refers

Cr Ewen-Chappell requested that Item DP87-05/97 be raised again at this point.

DP87-05/97 **PROPOSED SUBDIVISION -PT LOT 4 (390) JOONDALUP DRIVE, JOONDALUP, "THE SANCTUARY" - [740-93718]**

Cr Ewen-Chappell requested that voting for this Item be recorded, with the following results:

FOR: Crs Freame, Major, Magyar, O'Grady, Healy, Zuvella, Bombak and Hollywood

AGAINST: Crs Cooper, Lynn, Ewen-Chappell, Taylor, Wight, Popham and Tippett

DP95-05/97 **CLARKSON/BUTLER DISTRICT DISTRIBUTOR ROAD FUNDING ARRANGEMENT - [780-20]**

There is an urgent need to finally determine a basis for calculating developer contributions for the provision of the district distributor road network for the Clarkson/Butler Planning District. Since mid-1996, City officers in conjunction with developers within the area and officers of the Ministry for Planning have held discussions aimed at determining an equitable funding arrangement for district distributor road construction. This has also included a framework for the management of funds and road construction based on the funding arrangement.

A Working Group made up of representative developers and City officers was set up to facilitate consideration of the matter. Four different options (Options A, B1, C1 and D) have been proposed by the Working Group which might form the basis for a funding arrangement. They are all 'area' based options where developer funding is based on the area which each landholding bears to a wider area (which differs depending on the option). Two of these options, Options A and D, appear to be the two most equitable options for all developers.

Council has two responsibilities on this matter, as a developer and as a local government authority with a role in the planning of the area. As a joint developer of Lot 17 Mindarie (with the Cities of Perth and Stirling), Council would expect to seek to limit its funding contribution. In this respect, Option A appears to be the most advantageous option for Council as it involves the least cost. The next most advantageous is Option D and then Option B1. Option C1 is the least advantageous.

As the responsible local planning authority, Council must seek to facilitate an agreement or determination on this matter whilst promoting what may be regarded as an equitable option as the basis for funding. While Option A may be Council's first preference in its developers' role, it may eventuate that the greatest degree of consensus amongst developers is achieved under Option D.

A meeting of all developers has been arranged for 11 June 1997 and the Working Group intends to encourage developers to adopt one of the above two options (A or D) as the basis for funding contributions. If developers cannot unanimously agree on an option, it is intended that the matter will be put to the Western Australian Planning Commission (WAPC) for a final determination on this matter.

For the purpose of having a Council endorsed position to be able to put to the forthcoming meeting of developers, it is recommended that Council supports Option A as its first preference, but, in the interests of achieving consensus amongst all developers and to facilitate the finalisation of a funding arrangement, advises that it is prepared to support Option D as its second preference with Option B1 as its third.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 in respect to the four options for apportioning of the cost of construction of the district distributor road network in the Clarkson/Butler area between developers in that area as described in Report DP95-05/97, supports Option A as its first preference. However, in the interests of achieving consensus amongst all developers in this area and to facilitate the prompt finalisation of a funding arrangement, Council is also prepared to support Option D as its second preference and Option B1 as its third preference. Option C1 is not supported;**
- 2 should unanimous agreement between the Clarkson/Butler developers not be able to be reached regarding selection of the option to pursue for the developer contributions arrangement for provision of the Clarkson/Butler district distributor road network, advises the Western Australian Planning Commission that it wishes the Commission to determine the matter as provided for under its policy on developer contributions to infrastructure,**

and in that regard, Council's recommendation is that the Commission adopts Option A as this is considered to be the option most likely to accord with the Commission's policy that the apportionment of cost be proportional to the share of the need (for the infrastructure concerned) created by the developers' subdivision. **CARRIED**

Appendix XI refers

DP96-05/97 **MINISTERIAL APPEAL DECISIONS - [319-7-2]**

Cr Major referred to problems associated with Ministerial appeal decisions and submitted a Motion for consideration.

ADDITIONAL INFORMATION

At the May meeting of the Development and Planning Services Committee it was recommended to Council that correspondence be forwarded to the Western Australian Municipal Association (WAMA) dealing with the unsatisfactory results on some Ministerial appeals determined in recent times.

Enclosed is a copy of a WAMA memorandum outlining discussions which have been held with the new Minister for Town Planning on the existing Appeals system - Appendix XXIX.

The advice indicates that the Minister is soon to appoint a consultant to review the Town Planning Appeals process in the State and therefore Council's comments on appeals procedures will not only be forwarded to WAMA but also the consultant when the appointment is known.

MOVED Cr Wight, SECONDED Cr Tippett that in view of the problems which arise periodically due to Ministerial appeal decisions, Council moves for support through WAMA for alternative, more rational, dispute resolution through other Town Planning Tribunal or other mechanisms which operate in other States. CARRIED

Appendix XXIX refers.

MIDGE PROBLEM - LAKE JOONDALUP - [856-5]

Cr Major referred to Item DP87-05/97 - Proposed Subdivision, Pt Lot 4 Joondalup Drive "The Sanctuary" and believed that since these residential lots are closer than any other lots to Lake Joondalup, all sales material should mention the potential for midge nuisance and any midge control measures which may be contemplated do not result in collateral environmental damage.

City Planner referred to information relating to the Woodvale Waters development which was relevant to this matter and advised he would circulate this information to all Councillors.

Cr O'Grady suggested that the Town Planning Department enquiry counter might be able to advise any person interested in the development at The Sanctuary of the possibility of midge problems.

PARKING PROBLEMS - ELLERSDALE AVENUE, WARWICK - [910-2, 510-129]

Cr Ewen-Chappell stated a parking problem existed at "Wiggles N Giggles" in Ellersdale Avenue, Warwick and asked that this matter be investigated.

STRATEGIC PLANNING - ALKIMOS/EGLINTON - [790-739]

Cr Healy stated he had spoken to Landcorp and the Ministry for Planning in relation to strategic planning around Alkimos/Eglinton and advised that the Ministry has suggested it would be prepared to carry out a briefing for Council regarding Local Rural Strategy and a number of other issues. Cr Healy believed the Department of Transport should also be involved.

City Planner was requested to pursue this offer with the Ministry for Planning.

CARPORT - DERICOTE WAY, GREENWOOD - [510-161, 161/ 64/43]

Cr Popham advised of correspondence received from residents who were concerned at the construction of a large carport in Dericote Way, Greenwood. Cr Popham submitted copy photographs of the carport and stated he had raised the matter with the Chief Executive Officer but had been advised no action could be taken. Cr Popham registered his concern that Council had no powers in this regard.

LAND DEVELOPMENT - [502-4]

Cr Hollywood raised his concern regarding undeveloped land on the north east corner of Whitfords Avenue and Hepburn Avenue, Hillarays (Pt 7) as shown on Attachment 1 to Report DP88-05/97. He stated that developed land would raise a higher rate and asked what action Council could take to expedite development.

City Planner stated that the owner is subdividing the land progressively and pointed out that Council cannot force an owner to subdivide.

Cr Hollywood felt it beneficial that Councillors hold an informal meeting. Cr Wight advised he would raise this issue with the Mayor.

DP97-05/97 PETITION OPPOSING PROPOSED POLICE STATION - HILLARAYS - [631-714-114, 790-784]

Cr Lynn submitted a copy of a 196-signature petition to State Parliament from residents of Hillarays in relation to the proposed location of a police station in Hillarays. The petitioners state that whilst they are keen to see the long overdue establishment of a police presence in the area, they feel the proposed location at Lot 714 Flinders Drive (cnr Waterford Drive) is not acceptable to the local community because:

- the rezoning of the site was carried out without sufficient consultation with the local community
- the disruption caused by police sirens and other activities, particularly at night, should not take place in the heart of a residential area

- the release of offenders from the police station following charging and other routine procedures in a residential area could lead to an increase in burglaries and motor vehicle thefts

The petitioners request the Parliament to review the location of the proposed station with a view to establishing it at a more appropriate place, possibly at the Hillarys Marina or the Whitford City Shopping Centre, both of which require a police presence, and would more adequately suit the needs of our community.

Cr Lynn requested that the concerns raised by the petitioners be recorded. These concerns are as follows:

- 1 Inappropriate access for Police, as the surrounding streets have been designed to slow local traffic. This is an issue which is ongoing with some residents petitioning for further traffic calming devices to be introduced. If successful would be counter productive to Police.
- 2 Lack of public transport in nearby streets especially at night, would make station difficult to access and for people to make way home at night.
- 3 No guarantees of improved Police response time as the single patrol car may be on another call or being used for transport.
- 4 Local Real Estate agents agree that properties in adjacent streets will drop in value and will have a smaller population group interested in them.
- 5 Disturbance to quiet neighbourhood by the use of lights and sirens and the presence of rowdy or undesirable persons requiring processing.
- 6 While juveniles must be accompanied from the station by a parent/guardian, adults not requiring lockup with make their own way home; this may be down our street or through our parks. Hillarys' residents have their fair share of undesirables walking the streets without importing more from trouble spots such as the Marina.
- 7 Possibility of vengeance - vandalism, ranging from damage to gardens, letterboxes to car theft or worse.
- 8 As the demand for more facilities and services increases, expansion will be limited at the proposed site. The use of an alternative site will enable further development without further disruption to local community.
- 9 Placing the station on an major arterial road would provide quicker access to all of south-west ward suburbs, not just Hillarys and Padbury.
- 10 Placing the Station on a major arterial road would provide increased visibility to public which would:
 - (a) act as a deterrent to criminals;
 - (b) be easier for persons to locate, especially in an emergency.

At the Development and Planning Services Committee, Cr Lynn requested the City Planner to give consideration to suitable alternative sites for the proposed police station and report to Councillors prior to the Council meeting of 28 May 1997.

ADDITIONAL INFORMATION

The Development and Planning Services Committee at its meeting held on 19 May 1997 (Item DP97-05/97 refers) resolved that a 196-signature petition to State Parliament from residents of Hillarys in relation to the proposed location of a police station in Hillarys be received and referred to the Town Planning Department for action.

In relation to the concerns raised in the petition, Councillors are be advised of the following comments:

- 1 Council at its meeting held on 26 February 1997 (Item TP12-02/97), resolved to initiate Amendment No. 784 to Town Planning Scheme No 1 to rezone Lot 714 (114) Flinders Avenue, Hillarys from Service Station to Commercial. The amendment is presently with the Ministry for Planning for permission to advertise for public comment. If the Western Australian Planning Commission grants permission to advertise the amendment, the community has the opportunity to comment on the amendment prior to its determination.
- 2 Prior to construction of the police station on site, Amendment No. 784 will need to be promulgated, and a development approval obtained from the City. The development application will need to be lodged with and determined by the Council under delegation from the Western Australian Planning Commission pursuant to the Metropolitan Region Scheme and not Town Planning Scheme No. 1 as the owner and the applicant will be the Crown (or an agency of the Crown).
- 3 The applicant has been liaising closely with the City on alternative sites for the police station, including at the Whitfords City Shopping Centre. The applicant selected Lot 714 (114) Flinders Avenue as their preference site. The preliminary sketch plan accompanying the rezoning request indicates a single storey police station and 16 car bays and two wash down bays on site. The station is intended to have a total staff of 21, with eight staff during the major shift operating on a 24 hour basis.

The subject land is currently zoned Service Station and the adjoining Lot 715 (110) Flinders Avenue zoned Commercial. The police station use was considered reasonable in terms of the amenity of the nearby residential area, especially as the police station will attract less vehicular traffic than a service station which is permitted under the current zoning, the greater police presence is expected to reduce rather than increase the criminal element in the area, the impact of the police station such as sirens is considered reasonable in comparison to the service station (potentially operating on a 24 hour basis) and other commercial uses that may be developed on the subject and adjoining Lot 715, and police activities will not be concentrated at this site but distributed amongst other police stations in nearby localities, including at Joondalup, Warwick, Wanneroo and Two Rocks.

Nevertheless, the Council can apply appropriate conditions on the development approval for the police station (if granted by Council) to address the amenity of the area.

MOVED Cr Wight, SECONDED Cr Tippett that the copy of a 196-signature petition to State Parliament from residents of Hillarys in relation to the proposed location of a police station in Hillarys be received and referred to Town Planning Department for action.

CARRIED

BOUNDARY RATIONALISATION - [801-5]

In relation to the boundary review, Cr Major requested at the Development and Planning Services Committee that a letter be written in response to advice received from the office of the Minister for Local Government as follows:

- 1 why have local area politicians asked the Minister to change the recommendations of the Local Government Advisory Committee thereby breaching their own legally binding terms of reference set for the process;
- 2 why did Cheryl Edwardes and George Cash advise the Mayor and Chief Executive Officer on 15 May 1997 that there was no political interference in the boundary review issue.

It was noted that Point 2 above was inaccurate. The Deputy Mayor (not the Chief Executive Officer) was present on 15 May 1997 and it was further pointed out that Mr George Cash was not presented and had tendered his apologies.

Cr Popham left the Chamber at this point, the time being 2115 hrs.

C165-05/97 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Tippett, **SECONDED** Cr Lynn that the Report of the Finance & Community Services Committee Meeting held on 21 May 1997, be received. **CARRIED**

ATTENDANCES

Councillors:	M E LYNN, JP - Chairman	South-West Ward
	P O HEALY	North Ward
	M J ZUVELA to 1846 hrs	Central Ward
	A G TAYLOR from 1816 hrs	South Ward
	D K TIPPETT, JP	South Ward
	F D FREAME	South-West Ward
	S P MAGYAR - Deputising for Cr Cooper	Central Ward
	L A EWEN-CHAPPELL - Observer; Deputising for	
	Cr Zuvella from 1846 hrs	Central Ward
	L O'GRADY - Observer	North Ward
	A W WIGHT - Observer; Deputising for Cr Taylor	
	to 1816 hrs	South Ward
	J HOLLYWOOD, JP - Observer	Central Ward
	T W POPHAM - Observer	South Ward
	G A MAJOR - Observer	South-West Ward
	J BOMBAK, JP - Observer	South-West Ward

Manager, Corporate Services:	R E DYMOCK
Acting City Treasurer:	T ORD
City Environmental Health Manager:	M AUSTIN
Acting City Recreation & Cultural Services	
Manager:	M STANTON
Acting Manager, Municipal Law & Fire Services:	K W SMITH
Manager Welfare Services:	P STUART
Acting City Parks Manager:	D CLUNING
Deputy City Engineer:	D BLAIR
Youth Services Co-ordinator:	J KALISA
City Librarian:	N CLIFFORD
Systems Librarian:	T LAWTON
Senior Land Officer:	T NEALE
Committee Clerk:	J AUSTIN

APOLOGIES

An apology for absence was tendered by Cr Cooper; Cr Magyar deputised.

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

PUBLIC/PRESS ATTENDANCE

There were 3 members of the Public in attendance.

ELECTION OF CHAIRMAN

Cr Lynn was elected Chairman.

PUBLIC QUESTION TIME

Nil

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 16 APRIL 1997

The Minutes of the Finance and Community Services Committee Meeting held on 16 April 1997, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES

Commenced: 1801 hrs

Closed: 2121 hrs

FINANCE & ADMINISTRATIVE SECTION**REPORT NO:****FA62-05/97 SYDNEY 2000 OLYMPIC FLAGS - [200-0]**

The Sydney Organising Committee for the Olympic Games (SOCOG) is offering Councils throughout Australia the opportunity to purchase Sydney 2000 Olympic flags, at a cost of \$100 per set. This report recommends the purchase of a set of flags, outlines the conditions of use established by SOCOG, and makes recommendations in respect of their use in the lead up to, and after, the Sydney 2000 Olympic Games.

Cr Popham entered the Chamber at this point, the time being 2117 hrs.

RECOMMENDATION That Council:

- 1 purchases one set of Sydney 2000 Olympic flags for display at the Joondalup Administration Centre at a cost of \$100, such expenditure being met from allocation 20052 - Members of Council - Presentation Items;
- 2 pursues appropriate initiatives with the Sydney Organising Committee for the Olympic Games for the subsequent display of autographed Sydney 2000 Olympic flags.

MOVED Cr Taylor, SECONDED Cr Hollywood that Council:

- 1 purchases two sets of Sydney 2000 Olympic flags for display at the Joondalup Administration Centre at a cost of \$200, such expenditure being met from allocation 20052 - Members of Council - Presentation Items;
- 2 pursues appropriate initiatives with the Sydney Organising Committee for the Olympic Games for the subsequent display of autographed Sydney 2000 Olympic flags. **CARRIED**

FA63-05/97 PAYMENT OF A MAYORAL ALLOWANCE AND MEETING FEES TO COUNCILLORS - [702-3]

Section 5.98 of the Local Government Act makes provision for the payment of meeting fees to Councillors. Payments can be on a per meeting basis or an annual meeting fee. In accordance with previous practice, the payment of an annual fee is considered appropriate.

Sub-section 5 of Section 5.98 makes provision for an annual entertainment allowance to Mayors. A payment in line with the previously adopted practice is suggested.

MOVED Cr Wight, SECONDED Cr Taylor that Council:

- 1 authorises, the payment of annual meeting fees of \$5,000 per annum to Councillors and \$10,000 per annum to the Mayor;
 - 2 determines that the payment of annual meeting fees to Councillors and the Mayor be made monthly in arrears;
 - 3 sets the Annual Entertainment Allowance for the Mayor at \$29,800 and provides a Fairlane Ghia for the use of the Mayor. The Mayoral Allowance to be paid quarterly in arrears.
- CARRIED BY AN
ABSOLUTE MAJORITY**

**FA64-05/97 BERKLEY ROAD LOCAL STRUCTURE PLAN AND EAST
WANNEROO CELL 5 - COMPENSATION FOR LAND
ACQUISITION - [790-98424]**

The owners of Lot 90 Goldsworthy Retreat, Alexander Heights, Loughridge Nominees Pty Ltd, are entitled to compensation amounting to \$252,707 for land provided for the purposes of road reserve and public open space within the Berkley Road Local Structure Plan Area and East Wanneroo Development Area Cell 5.

MOVED Cr Wight, SECONDED Cr Tippett that Council authorises, in accordance with Section 6.8 (1) of the Local Government Act 1995 payment of compensation for land acquisition from Lot 90 Goldsworthy Retreat, Alexander Heights to Loughridge Nominees Pty Ltd in the amount of \$252,707 drawn against the following accounts:

- 1 \$39,567 against Account No 63116 (Berkley Road Local Structure Plan Area - Land Acquisition Road Reserve);
 - 2 \$106,933 against Account No 63371 (East Wanneroo Development Area Cell 5 Land Acquisition Road Reserve);
 - 3 \$106,207 against Account No 63115 (Berkley Road Local Structure Plan Area Land Acquisition).
- CARRIED BY AN
ABSOLUTE MAJORITY**

**FA65-05/97 BERKLEY ROAD LOCAL STRUCTURE PLAN : PREFUNDING
ARRANGEMENT FOR CONSTRUCTION OF PART OF
MIRRABOOKA AVENUE - [780-22]**

The developers of the proposed Alexander Heights Shopping Centre have proposed a prefunding arrangement to Council for the early construction by them of a single carriageway for Mirrabooka Avenue between its present point of termination and Berkley Road to the north.

It is proposed that Council will repay the road construction costs at a future time from funds it will receive from subdividers in the Berkley Road Local Structure Plan Area.

MOVED Cr Wight, SECONDED Cr Healy that Council offers to enter into a prefunding arrangement with Erceg Management Pty Ltd for the construction of a single

carriageway of Mirrabooka Avenue between its present point of termination and Berkley Road on the following conditions:

- 1 approval from the owner of the land (Ministry for Planning) is obtained before construction commences;
- 2 approval from the City Engineer of the contract price for the construction prior to commencing works;
- 3 repayment for the works to occur at a time considered appropriate by the Council having regard for land acquisition and construction requirements of the Berkley Road Local Structure Plan;
- 4 the amount to be repaid by the Council is to be the actual cost of construction increased by the rate of movement in the Construction Price Index between the date of completion of construction and the date of repayment;
- 5 repayment by the Council is to be made from the Berkley Road Local Structure Plan road construction expenditure account;
- 6 construction of Mirrabooka Avenue shall be in accordance with the City's standards and specifications;
- 7 liaison with all relevant authorities in relation to the works to be carried out by and at the cost of Erceg Management Pty Ltd;
- 8 the dedication of the road as a public road. **CARRIED**

FA66-05/97 **BUSINESS PLAN FOR MAJOR LAND TRANSACTION -
BERKLEY ROAD LOCAL STRUCTURE PLAN AREA - [780-22]**

Council is required by Section 3.59 (2) of the Local Government Act 1995 to prepare a Business Plan in order to continue a land transaction that has become a major land transaction. The land acquisition requirements of the Berkley Road Local Structure Plan fall within the definition of a major land transaction.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 **approves Statewide public notification of the proposed Business Plan for the Berkley Road Local Structure Plan Major Land Transaction as shown as Attachment No 1 to Report No FA66-05/97;**
- 2 **sets a period of six weeks from the date that the Statewide notice is first given for the lodgement of submissions;**
- 3 **proceeds with the ongoing management of the subdivision and land acquisition requirements of the Berkley Road Local Structure Plan during the period the proposed Business Plan is open for submission. CARRIED**

Appendix XII refers

FA67-05/97 BUSINESS PLAN FOR MAJOR LAND TRANSACTION - NORTH WEST EXTENSION OF WANGARA INDUSTRIAL ESTATE - [780-23]

Council is required by Section 3.59(2) of the Local Government Act 1995 to prepare a Business Plan in order to continue a land transaction that has become a major land transaction. The expected proceeds from the sale of the 16 lots within the north west extension of the Wangara Industrial Estate places the transaction within the definition of a major land transaction.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 **approves statewide public notification of the proposed Business Plan for the Wangara North West Extension Major Land Transaction as shown as Attachment No 1 to Report No FA67-05/97;**
- 2 **sets a period of six weeks from the date that the statewide public notice is first given for the lodgement of submissions. CARRIED**

Appendix XIII refers

FA68-05/97 LEASE OF COUNCIL PROPERTY: LOT 905 (6) DUGDALE STREET, WARWICK - AQUIS PTY LTD - [0138/905/6]

The Council property at Lot 905 (6) Dugdale Street, Warwick is currently occupied by Aquis Pty Ltd as a child day care centre under a lease which runs until 1 September 2001. Aquis Pty Ltd has applied for an extension of the Lease term for a further period of five years up until 2006.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 **does not approve any extension of the Lease by which Aquis Pty Ltd currently occupies the property at Lot 905 (6) Dugdale Street, Warwick;**
- 2 **advises Aquis Pty Ltd that if the option term Lease document is not returned signed by them as required within 14 days of such advice Council will seek to**

enforce the default provisions of the original Lease to regain possession of the premises. **CARRIED**

FA69-05/97 **SUPPLY AND DELIVERY OF COUNCIL'S EXECUTIVE VEHICLES TENDER NUMBER 168-96/97 - [208-168-96/97]**

Tenders were advertised in April 1997 for the replacement of Council's executive vehicles over a period of two years with two options for replacement at 40,000 kms or 15,000 kms. This report evaluates the tender submissions and recommends Titan Ford for the replacement of Council's executive vehicles on a 6 months of age or 15,000 kms travelled changeover basis.

Cr Taylor declared an interest in this item as he had submitted a tender. Cr Taylor left the Chamber at this point, the time being 2117 hrs.

MOVED Cr Magyar, SECONDED Cr Popham that Council:

- 1** accepts Tender Number 168-96/97 Supply and Delivery of Council's Executive Vehicles Option B from Titan Ford for a two year period with an option for a further two years in accordance with the prices shown on Attachment 4 to Report No FA69-05/97;
- 2** accepts the submission from Mr A Taylor at Tender Number 168-96/97 of \$30,500 for the outright purchase of Fairlane Ghia Sedan Plant Number 99958. **CARRIED**

Appendix XIV refers

FA70-05/97 **EMPLOYMENT OF REGIONAL ECONOMIC DEVELOPMENT OFFICER - [404-0]**

Council's draft strategic plan proposes the appointment of a Regional Economic Development Officer to promote economic development opportunities in the region. It is considered opportune to proceed with the appointment.

At the Finance and Community Services Committee Meeting it was requested that information be obtained from other organisations which employ an Economic Development Officer and that a job description be made available for Councillors' consideration.

REPORT RECOMMENDATION THAT Council authorises the Chief Executive Officer to undertake appointment of an Economic Development Officer.

MOVED Cr Wight, SECONDED Cr Healy that consideration of employment of an Economic Development Officer be deferred pending further information and a report submitted to Finance and Community Services Committee in June 1997. **CARRIED**

FA71-05/97 **ANNUAL SUPPLY TENDERS - TENDER NUMBERS 002-97/98, 003-97/98, 004-97/98. - [208 002-97/98, 003-97/98, 004-97/98]**

This report provides details of Annual Tenders called, for the Supply and Delivery of Goods for the 1997/1998 financial year in relation to the following:-

- 002-97/98 Supply and Delivery of PVC Pipe and Fittings
 003-97/98 Supply and Delivery of Safety Footwear
 004-97/98 Supply and Delivery of Protective Clothing

MOVED Cr Wight, SECONDED Cr Healy that Council accepts for the 1997/98 financial year the following tenders for the supply of goods and services as outline in Attachments 'A', 'B' and 'C' to Report No FA71-05/97:

- 1 **Tender 002-97/98 Supply and Delivery of PVC Pipe and Fittings - Total Eden Watering Systems be awarded all items on Attachment 'A' to Report No FA71-05/97;**
- 2 **Tender 003-97/98 Supply and Delivery of Safety Footwear - Comfortwear Footwear (WA) Pty Ltd to be awarded all items on Attachment 'B' to Report No FA71-05/97;**
- 3 **Tender 004-97/98 Supply and Delivery of Protective Clothing - King Gee Clothing Company be awarded all items on Attachment 'C' to Report No FA71-05/97. **CARRIED****

Appendix XV refers

FA72-05/97 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 APRIL 1997 - [021-1]

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

At the Finance and Community Services Committee Meeting the Acting City Treasurer advised that dates shown within the Warrant of Payments were US version which gave the sequence as month/day/year.

MOVED Cr Wight, SECONDED Cr Healy that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 30 April 1997, certified by the Chairman and City Treasurer, and totalling \$17,030,788.59:

FUNDS	VOUCHERS	AMOUNT
		\$
Treasurer's Advance Account No 1	44401 - 45699	7,440,315.59
Municipal	000394 - 000409B	9,263,228.79
Trust	000044A	5,509.46
East Wanneroo Development Area Cell 1	000004 - 000004A	1,684.04
East Wanneroo Development Area Cell 2	000003 - 000003A	880.86
East Wanneroo Development Area Cell 3	0905721M	2,610.50
East Wanneroo Development Area Cell 4	0905719F	9,600.00

East Wanneroo Development Area Cell 5		
East Wanneroo Development Area Cell 6	000005 - 000005A	10,043.49
East Wanneroo Development Area Cell 7	000003 - 000003A	370.09
East Wanneroo Development Area Cell 8	000002 - 000002A	133.11
Town Planning Scheme 7A (2)	0905766J - 0905766K	4,344.97
Town Planning Scheme 7A (4)	0905761I	2,930.03
Town Planning Scheme 5	0905756H	314.73
Berkley Road Local Structure Plan	0905748C - 0905748D	12,804.70
Reserve Account	000004 - 000004B	276,018.23
	TOTAL	\$17,030,788.59

CARRIED

Appendix XVI refers

Cr Taylor entered the Chamber at this point, the time being 2119 hrs.

FA73-05/97 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 Wight, SECONDED Cr Tippett 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 - 21 May 1997.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA74-05/97 TRUST FUND BALANCES - [023-5]

Council's approval is sought to transfer amounts held in the Trust Fund for 10 years to the Municipal Fund.

MOVED Cr Wight, SECONDED Cr Healy that Council in accordance with the provisions of Section 6.9 (4) of the Local Government Act 1995 transfers to its Municipal Fund the following amounts held in Trust Fund for 10 years:

Date Received	Purpose	Trustor Name	Amount
26/08/86	Unclaimed Monies	A & A Yozzi	\$ 10.00
30/09/86	Unclaimed Monies	G Zeitling	8.00
30/09/86	Unclaimed Monies	City of Wanneroo	.08
29/04/87	Unclaimed Monies	City of Wanneroo	24,886.76
	Accrued Expenses Prior to 01/07/85		
12/06/87	Unclaimed Monies - Journal Adjustment	City of Wanneroo	4,302.65
14/10/85	Unclaimed Salaries/Wages	M Smith	31.05
07/08/86	Unclaimed Salaries/Wages	C Claythorn	67.70
10/04/87	Unclaimed Salaries/Wages	G Smith	60.90
12/06/87	Unclaimed Salaries/Wages	J D Holland	6.06
	TOTAL	\$	29,373.20

CARRIED

FA75-05/97 OUTSTANDING GENERAL DEBTORS - 30 APRIL 1997 - [020-0]

This report details the outstanding general debtors as at 30 April 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 \$310.00.

MOVED Cr Wight, SECONDED Cr Taylor that Council, writes out of its General Debtors Ledger an amount of \$310.00 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report No FA75-05/97.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XVII refers

FA76-05/97 APPOINTMENT OF AUDITOR - 1 JULY 1997 TO 30 JUNE 2000 - [002-1-1]

Council at its April 1997 Meeting appointed Messrs Graham McHarrie and Peter Messer from Deloitte Touche Tohmatsu as Auditors to the City for the triennium 1 July 1997 to 30 June 2000. Report FA47-04/97 refers.

On reflection, as the total audit contract exceeded the \$50,000 threshold below which Council is not required to call tenders for the service, it is required to rescind the previous resolution and call tenders for a recommended 3 year term.

MOVED Cr Taylor, SECONDED Cr Wight that Council:

1 in accordance with the provisions of Section 5.25 of the Local Government Act 1995 and Regulation 10 of the Local Government (Audit) Regulations 1996 rescinds resolution FA47-04/97 viz:

- (a) in accordance with the provisions of Section 7.3 of the Local Government Act 1995 appoints Mr Graham McHarrie and Mr Peter Messer of Deloitte Touche Tohmatsu as auditors to the City of Wanneroo for the triennium 1 July 1997 to 30 June 2000 at a commencing fee of \$29,500 with annual increments in line with annual movements in the consumer price index. Such appointments to be under the terms and conditions outlined in the Local Government (Audit) Regulations 1996 and Report FA47-04/97;
- (b) authorises the affixation of the common seal to and endorses the signing of the contract document;

2 invites public tenders for the supply of Council's audit services for the triennium 1 July 1997 to 30 June 2000. Such services to comply with the provisions of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA77-05/97 WRITE OFF RATES - [018-13]

Section 6.47 of the Local Government Act 1995 permits a local government, by absolute majority, to waive rates or service charges when the circumstances warrant such action.

This report seeks approval to waive 1996/97 rates totalling \$10,169.37.

MOVED Cr Wight, SECONDED Cr Tippett that Council, in accordance with the provisions of Section 6.47 of the Local Government Act 1995 waives the \$10,169.37 outstanding on rates accounts as detailed on Attachment 'A' to Report FA77-05/97 .

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XVIII refers

FA78-05/97 1997/98 PUBLIC LIABILITY AND PROFESSIONAL INDEMNITY INSURANCE RENEWAL - [013-6]

Council is in receipt of the 1997/98 Public Liability and Professional Indemnity Insurance renewal from Municipal Liability Scheme. While the renewal premium is approximately 13% higher than that charged in 1996/97 in view of the attractive premium and Council's overall commitment to the Scheme and the principle of Local Government self insurance, it is suggested Council renews its commitment to the scheme for the 1997/98 year.

At the Finance and Community Services Committee Meeting Cr Healy requested the breakdown figures for premium between Public Liability Insurance and Professional Indemnity

Insurance. Acting City Treasurer took this question on notice and will advise Cr Healy accordingly.

MOVED Cr Wight, SECONDED Cr Healy that Council advises the Municipal Liability Scheme that:

- 1 it wishes to renew its 1997/98 membership with the Scheme on the basis of a premium payment of \$292,930 with such premium to be paid as follows:

30% payable 15 July 1997 and 70% payable 31 August 1997;
- 2 the terms and conditions of membership are to be unaltered from those originally agreed in 1995. **CARRIED**

FA79-05/97 ANNUAL REVIEW - FEES AND CHARGES - [261-2-2]

In accordance with the provisions of the Local Government Act 1995 Council reviews annually its fees and charges. This allows for the implementation of any new or amended fee or charge to be effective, in the main, on 1 July and for its inclusion when structuring the new annual budget.

At the Finance and Community Services Committee Meeting Cr Freame tabled a letter to Council from Sorrento Bowling Club (Inc) dated 6 April 1997 suggesting that the Club is to be given a new lease at a peppercorn rental. Acting City Treasurer will investigate this matter and submit information prior to the Council meeting of 28 May 1997.

ADDITIONAL INFORMATION

The existing lease agreement with the Sorrento Bowling Club expires on 31 July 1997, the terms of which are currently under review.

The City's Land Officer confirms that a letter was received from the Club on 9 April 1997, however due to an oversight this was not acknowledged until yesterday, 22 May 1997.

The Club is proposing a minor change to the lease conditions to incorporate the use of croquet. It has also proposed that the lease fee be converted to a peppercorn basis.

There is a long history associated with the financial arrangements with the Sorrento Bowling Club (Inc). A report is being prepared for submission to the June meeting of Finance and Community Services Committee.

MOVED Cr Wight, SECONDED Cr Major that Council:

- 1 in accordance with the provisions of Section 6.16 (3) of the Local Government Act 1995 adopts, the 1997/98 Schedule of Fees and Charges as detailed in Attachment 'A' to Report FA79-05/97;
- 2 effects the implementation of the new fees and charges on 1 July 1997 with the following variances:
- regular Bookings Outdoor Facilities - Implementation 1 October 1997;
 - regular Bookings Indoor Facilities - Implementation 1 January 1998;
- 3 includes these fees and charges in the 1997/98 Draft Budget.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIX refers

**FA80-05/97 1997/98 MEMBERSHIP SUBSCRIPTION WESTERN
AUSTRALIAN MUNICIPAL ASSOCIATION - [312-2]**

The Western Australian Municipal Association has sought continued membership of the Association from the City of Wanneroo. The fee for 1997/98 is \$36,572. This report outlines the benefits of membership and recommends renewal for 1997/98.

At the Finance and Community Services Committee Meeting Cr Popham requested Council to investigate the feasibility of booking air travel and obtaining legal advice through WAMA, as this may enable savings to be made.

MOVED Cr Wight, SECONDED Cr Healy that Council advises the Western Australian Municipal Association that it will again renew its membership for the 1997/98 financial year of at annual fee of \$36,572. CARRIED

FA81-05/97 DONATIONS - [009-1]

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

1. for persons who have been selected to represent Western Australia in various categories of sport and business studies;
2. three charitable institution which assist residents living within the City of Wanneroo.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 donates \$50.00 (totalling \$550.00) to each of the following persons to assist with costs to participate in their respective sports:

Mr Ben Godridge - 6 Lytham Mews, Connolly 6027

Mr Aaron Corner	-	25 Millimumul Way, Mullaloo	6027
Mr Greg Dickerson	-	19 Buchan Place, Hillarys	6025
Miss Stephanie Nicholas	-	28A Mabena Place, Ocean Reef	6027
Miss Susan Demetri	-	21 Park Lane, Alexander Heights	6064
Mrs Amanda Demetri	-	21 Park Lane, Alexander Heights	6064
Mr Aaron Ritchie	-	99 Dorchester Avenue, Warwick	6024
Mr Dennis Watts	-	3 Bredgar Way, Marangaroo	6064
Miss Catherine Redwood	-	22 Wimbledon Drive, Kingsley	6026
Mr Jason Dignard	-	51 Thornhill Way, Greenwood	6024
Mr Brett Sydney-Smith	-	24 Legana Avenue, Kingsley	6026

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

2 donates \$50.00 (totalling \$150.00) to the following charitable institution:

Torchbearers for Legacy	-	P O Box 249, South Perth	6951
Red Shield Appeal	-	P O Box 8498 Perth Business Centre	
Perth			6849
Paraplegic - Quadriplegic	-	10 Selby Street, Shenton Park	6008
Association of WA (Inc)			

such donation to be from Budget Item number 26531 - Sundry Donations - Other Welfare Services. **CARRIED**

FA82-05/97 CASH ADVANCE - NEW YOUTH SERVICE - CLARKSON - [485-23]

This report outlines the necessity for a petty cash float for the new Youth Service in Clarkson. This service commenced on 1 April 1997 and the petty cash float is required for the day to day purchase of sundry items.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 authorises the advance of \$50.00 to the new Youth Services in Clarkson for a petty cash float;
- 2 ensures the petty cash float is operated in accordance with accepted accounting principles. **CARRIED**

FA83-05/97 DIFFERENTIAL RATING AND MINIMUM PAYMENTS - [018-4]

Since the change of the valuation base for rating from a single valuation system (Unimproved Values) to a dual valuation system (Unimproved/Gross Rental Values) in 1985 Council has applied differential rating. It was agreed at the time not to impose a greater rate burden on the various sectors which resulted in commercially-zoned properties having a significantly lesser rate-in-the-\$ than residentially-zoned properties.

Annually Council has reviewed the relativities between the rating sectors with the view to gradually moving the commercially-zoned properties to the full residential rate.

In 1990/91 Council introduced differing minimum payment for commercial and industrial zoned properties. For Council to maintain its differential rates and minimum payments it must advertise its intention to do so pursuant to the provisions of Section 6.36 of the Local Government Act 1995.

RECOMMENDATION That Council pursuant to the provisions of Section 6.36 of the Local Government Act 1995, advertises its intention of applying the following estimated differential rates in 1997/98:

General Rates	Relativities	Estimated Rate-In-The-\$ Gross Rental Values
Residential Zones	100%	7.2050 cents
Commercial Improved Zones	90%	6.4845 cents
Commercial Not Improved Zones	100%	7.2050 cents
Industrial Zones	100%	7.2050 cents
Rural Zones	100%	7.2050 cents

Minimum Rates	
Residential Zones	\$391
Commercial Zones	\$719
Industrial Zones	\$719
Rural Zones	\$391

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

- 1 amends its rating system in such a way that minimum rating not be imposed on improved land but an increased minimum be imposed on vacant land which is held for speculation, these changes offsetting each other to the extent that they are revenue neutral;
- 2 applies a separate rate for home occupation use.

Discussion ensued. In relation to home occupation use, it was felt appropriate that consideration should be given to applying a licence fee.

Subject to the issue of a licence fee being investigated, Cr Major, with the approval of Cr Ewen-Chappell agreed that **Point 2** to the above motion be **WITHDRAWN**.

Cr Ewen-Chappell advised she wished to **withdraw as Seconder to Point 1** of the above motion.

MOVED Cr Major, SECONDED Cr Zuvela that Council amends its rating system in such a way that minimum rating not be imposed on improved land but an increased minimum be imposed on vacant land which is held for speculation, these changes offsetting each other to the extent that they are revenue neutral.

Discussion ensued.

MOVED Cr O'Grady, SECONDED Cr Bombak that the Motion be put. LOST

Further discussion ensued.

MOVED Cr Major, SECONDED Cr Zuvela that Council amends its rating system in such a way that minimum rating not be imposed on improved land but an increased minimum be imposed on vacant land which is held for speculation, these changes offsetting each other to the extent that they are revenue neutral. **LOST**

MOVED Cr Wight, SECONDED Cr Taylor that Council pursuant to the provisions of Section 6.36 of the Local Government Act 1995, advertises its intention of applying the following estimated differential rates in 1997/98:

General Rates	Relativities	Estimated Rate-In-The-\$ Gross Rental Values
Residential Zones	100%	7.2050 cents
Commercial Improved Zones	90%	6.4845 cents
Commercial Not Improved Zones	100%	7.2050 cents
Industrial Zones	100%	7.2050 cents
Rural Zones	100%	7.2050 cents

Minimum Rates	
Residential Zones	\$391
Commercial Zones	\$719
Industrial Zones	\$719
Rural Zones	\$391

CARRIED

FA84-05/97 APPOINTMENT OF WORKING PARTIES - [702-0]

Division 2 of Part 5 of the associated Administration Regulations prescribes the requirements for establishing and operating committees of Council.

To develop a more flexible and responsive decision making process it is recommended that, where appropriate, working parties are created by and made responsible to Standing Committees.

1 ART COLLECTION WORKING PARTY - [429-1-13]
3 Councillors and 1 Deputy.

At the Finance and Community Services Committee Meeting Crs Ewen-Chappell, Freame and Major were nominated as delegates. Cr Healy was nominated as deputy.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

1 establishes the Art Collection Working Party to develop and review policies in regard to the purchase of art works, recommend art works for purchase by Council and manage art purchases budget;

2 appoints the following delegates to the Art Collection Working Party:

Cr L Ewen-Chappell as delegate

Cr F Freame as delegate

Cr G Major as delegate

Cr P Healy as deputy

Ms Rie Heymans, Art Consultant

Ms Liz Ledger, Cultural Development Officer

CARRIED

2 **BUCKINGHAM HOUSE MANAGEMENT WORKING PARTY - [051-2]**

1 Councillor and 1 Deputy

At the Finance and Community Services Committee Meeting Cr Ewen-Chappell was nominated as delegate. Cr Zuvela was nominated as deputy.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

1 establishes the Buckingham House Management Working Party to establish and maintain a heritage resource centre displaying the pioneer lifestyle of the Wanneroo area; provide educational programmes for students and make recommendations on routine management of the centre;

2 appoints the following members to the Buckingham House Management Working Party:

Cr L Ewen-Chappell as delegate

Cr M Zuvela as deputy

Mrs C Buchanan

Ms Julie MacKay, Heritage Officer

Miss M Cockman

Mr C Harrison

Mrs M Munro

CARRIED

3 **BUSH FIRES ADVISORY COMMITTEE - [702-3]**

1 Councillor and 1 Deputy

At the Finance and Community Services Committee Meeting Cr Wight was nominated as delegate. Cr Taylor was nominated as deputy.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Bush Fires Advisory Committee to advise Council on all matters relating to:
the preventing, controlling and extinguishing of bush fires;
the planning of the layout of firebreaks in the district;
the formation of bush fire brigades;
the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities;

- 2 appoints the following members to the Bush Fires Advisory Committee:

Cr A Wight as delegate

Cr A Taylor as deputy

Mr Kevin Smith - Chief Bush Fire Control Officer/Acting Manager

Municipal Law & Fire Services

Mr Michael Hayes Snr - Deputy Chief Bush Fire Control Officer (City of Wanneroo Volunteer Bush Fire Brigade)

Mr Arthur Hudson - Fire Control Officer (City of Wanneroo Volunteer Bush Fire Brigade)

Ms Kelly Edmonds - Administration Officer

Mr Ian Carne - Ministry for Planning

Bob Wigley - District Officer WA Fire & Rescue (Malaga)

Mr David Webster - Bush Fires Board (when available)

Mr John McKenzie - Dept of Conservation and Land Management

CARRIED

- 4 **CULTURAL DEVELOPMENT FUND PEER ASSESSMENT ADVISORY COMMITTEE - [429-1-18]**

Mayor, plus 2 Councillors as Trustees

At the Finance and Community Services Committee Meeting Crs Freame and Lynn were nominated as trustees.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Cultural Development Fund Peer Assessment Advisory Committee to receive and assess applications for the Cultural Development Fund grants and make recommendations in respect of grants;

- 2 appoints the following members to the Cultural Development Fund Peer Assessment Advisory Committee:

Mayor, Cr B Cooper

Cr F Freame as trustee

Cr M Lynn as trustee

Mrs J Abbott

Mrs D James

Mrs F Muir
 Mrs C Ellis
 Ms T Graham
 Mrs J McNae
 Mr T Rajkovich

CARRIED

- 5 **EMERGENCY MANAGEMENT PLAN ADVISORY COMMITTEE - [303-7]**
 1 Councillor

At the Finance and Community Services Committee Meeting Cr Wight was nominated as delegate.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Emergency Management Plan Advisory Committee to update contracts and procedures on the Emergency Management Plan;
- 2 appoints the following members to the Emergency Management Plan Advisory Committee:

Cr A Wight
 Superintendent Joondalup Police District
 Mr Kevin Smith -Chief Bush Fire Control Officer/Acting Manager-
 Municipal Law & Fire Services
 Ms Pauline Stuart - Manager Welfare Services
 Bob Wigley - District Officer WA Fire & Rescue (Malaga)
 Mr Owen Peters - Co-ordinator, Wanneroo Volunteer State Emergency
 Service
 Mr Jim Burnett - Regional Co-ordinator State Emergency Service
 Mr Rob deBurgh - Swan Regional Officer Bush Fires Board
 Mr Peter Bridges - St Johns Ambulance Service (Belmont)
 Mr John Provost - Metro Division, Family & Children's Service
 Mr Murray Brown - Metro Division, Family & Children's Service
 Ms Jennie Wilson - Medical Co-ordinator Wanneroo Hospital
 Mr Alan Briggs - District Manager Department of Conservation & Land
 Management

CARRIED

- 6 **LUISINI WINERY FEASIBILITY & MANAGEMENT STUDY WORKING PARTY - [050-15]**
 1 Councillor

At the Finance and Community Services Committee Meeting Cr Magyar was nominated as delegate

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Luisini Winery Feasibility and Management Study Working Party to progress the development of the former Luisini Winery;
- 2 appoints the following members to the Luisini Winery Feasibility and Management Study Working Party:

Cr S Magyar

Mr Jim Chesterman, Ministry for Planning

Ms Julie MacKay, Cultural Services

Ms Liz Ledger, Cultural Services

Mr Bill Marwick, President of Wanneroo and Districts Historical Society

Ms Glynis Monks, Community Representative

Ms Leonie Snape, Curator, Cockman House Museum

Ms Annie Greig, Dept of Conservation and Land Management

Mr Peter McKenzie, Kingsley Woodvale Recreation Association

Mr J Parin, Community Representative

Mr T Dawson, Planning Officer

Mr Ray Fischer, City Building Surveyor

Mr Craig Sterrett CGS Services Consultant.

CARRIED

- 7 SENIOR STAFF APPOINTMENT AND REVIEW COMMITTEE - [404-0]
Mayor, Deputy Mayor, 2 Councillors, Chief Executive Officer

At the Finance and Community Services Committee Meeting Crs Ewen-Chappell and Major were nominated as delegates.

MOVED Cr Wight, **SECONDED** Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Senior Staff Appointment and Review Committee to:
- (a) consider matters relating to the management structure of the City of Wanneroo;
- (b) determine applications, negotiate and present to Council for adoption, all contracts of employment for Directors and Business Unit Managers;
- 2 appoints the following members to the Senior Staff Appointment and Review Committee:

Mayor, Cr B Cooper

Deputy Mayor, Cr A Taylor

Cr L Ewen-Chappell

Cr G Major

Lindsay Delahaunty, Chief Executive Officer

CARRIED

- 8 PERRY'S PADDOCK PICNIC DAY ORGANISING WORKING PARTY - [702-1-12]

At the Finance and Community Services Committee Meeting membership on the Perry's Paddock Picnic Day Organising Working Party was amended to 4 Councillors.

Crs Freame, Hollywood, Ewen-Chappell and Taylor were nominated as delegates.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

1 establishes the Perry's Paddock Picnic Day Organising Working Party to coordinate and organise the activities for Perry's Paddock Picnic Day;

2 appoints the following members to the Perry's Paddock Picnic Day Organising Working Party:

Cr F Freame

Cr J Hollywood

Cr L Ewen-Chappell

Cr A Taylor

Mr S Ballem, Secretary

Ms B Boardman, Local Studies Librarian

Miss M Cockman

Mrs L Gibbs

Mr J Hill

Mrs R Lang

Mr P McKenzie, president, Kingsley Woodvale Community and Recreation Association Inc

Mrs C Barnes, Functions Coordinator

Ms K Lee, Publicity Officer

Mrs C Buchanan

Mr and Mrs N Cook

Mr T Davies, Wanneroo Electrics

Mrs L Funchess, Wanneroo Horse and Pony Club

Mrs E Grocke, Wanneroo Horse and Pony Club

Ms D Horsley

Mr W Marwick

Mr and Mrs E Monks

Mr J Parin

Mr D Sears

Mr and Mrs C and A Paley

Ms L Perry

Mrs L Snape

Mrs S Winnett

CARRIED

9 STRUCTURAL REFORM WORKING PARTY - [312-2]

At the Finance and Community Services Committee Meeting membership of the Structural Reform Working Party was amended to 8 Councillors.

Crs Hollywood, Tippett, Cooper, Taylor, Magyar, O'Grady, Major and Lynn were nominated as delegates.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

1 establishes the Structural Reform Working Party to consider all matters pertaining to the structural reform of local governments in Western Australia insofar as they impact upon the City of Wanneroo, recommend to Council any action deemed appropriate in response to, or in anticipation of, initiatives of the Local Government Advisory Board or the State Government relevant to that structural reform;

2 appoints the following members to the Structural Reform Working Party:

Cr J Hollywood
Cr D Tippett
Cr B Cooper
Cr A Taylor
Cr S Magyar
Cr L O'Grady
Cr G Major
Cr M Lynn

CARRIED

10 **UNIFORM PRICING POLICY FOR RECREATION FACILITIES WORKING PARTY - [260-0]**

At the Finance and Community Services Committee Meeting membership of the Uniform Pricing Policy for Recreation Facilities Working Party was amended to 6 Councillors.

Crs Wight, Ewen-Chappell, Lynn, Tippett Cooper and Healy were nominated as delegates.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

1 establishes the Uniform Pricing Policy for Recreation Facilities Working Party to formulate a uniform pricing policy for recreation facilities in the City of Wanneroo;

2 appoints the following Councillors as members on the Uniform Pricing Policy for Recreation Facilities Working Party:

Cr A Wight
Cr L Ewen-Chappell
Cr M Lynn
Cr D Tippett
Cr B Cooper
Cr P Healy.

CARRIED

11 **URBAN ANIMAL MANAGEMENT WORKING PARTY - [901-1]**
3 Councillors

At the Finance and Community Services Committee Meeting Crs Lynn, Popham and Magyar were nominated as delegates.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Urban Animal Management Working Party to draft an Urban Animal Management Control Policy for the City of Wanneroo;
 - 2 appoints the following members to the Urban Animal Management Working Party:
 - Cr M Lynn
 - Cr T Popham
 - Cr S Magyar
 - Mr Oscar Drescher, City Planner
 - Mr Kevin Smith, Acting Manager, Municipal Law and Fire Services
 - Mr Dennis Cluning, Acting City Parks Manager
 - Mr Martin Haddock, Senior Ranger.
- CARRIED**

- 12 WANNEROO BICENTENNIAL TRUST WORKING PARTY - [301-6-13]
1 Councillor and 1 Deputy

At the Finance and Community Services Committee Meeting Cr Freame was nominated as delegate. Cr Cooper was nominated as deputy.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

- 1 establishes the Wanneroo Bicentennial Trust Working Party to receive and assess applications for the Bicentennial Trust Grants and recommend to the Finance and Community Services Committee the selected recipients of the grants;
- 2 appoints the following members to the Wanneroo Bicentennial Trust Working Party:
 - Cr F Freame as delegate
 - Cr B Cooper as deputy
 - Mrs Ruth Reid, Trust Patron
 - Mr Paul Higgs, Executive Officer
 - Mr Robert Augustine
 - Mr Nick Trandos
 - Mr David Carvosso, District Superintendent of Education
 - Mr John Hammond, Edith Cowan University
 - Mr Bill Jeffrey, Community Representative
 - Ms Dawn Chivers, Community Representative
 - Ms Jean Powell, Community Representative
 - Rev John Gilks, Community Representative
 - Fr Patrick Boyle, Community Representative

Mr Joe Hawkins, Community Representative

Mr Bob Fawcett, Community Representative

CARRIED

13 WANNEROO EISTEDDFOD WORKING PARTY - [429-1-1]

At the Finance and Community Services Committee Meeting membership of the Wanneroo Eisteddfod Working Party was amended to 3 Councillors.

Crs Major, Hollywood and Lynn were nominated as delegates.

Cr Major advised that Mrs C Ellis had resigned and should be removed from the list of members.

MOVED Cr Wight, SECONDED Cr Healy that the Finance and Community Services Committee:

1 establishes the Wanneroo Eisteddfod Working Party to act as a consultative body to encourage and assist the development of the Eisteddfod; facilitate the day-to-day management and organisation of the Eisteddfod; promote artistic excellence and provide opportunities for public performance;

2 appoints the following members to the Wanneroo Eisteddfod Working Party:

Cr G Major

Cr J Hollywood

Cr M Lynn

Ms C Baltazar, Cultural Development Officer

Mrs M Erneste

Mrs A Major, Coordinator

Ms F Muir

Mrs L Nosow

Mr P Nosow

Mrs Povey

Mrs J Ruscoe

Mr A True

CARRIED

14 HOUSE WORKING PARTY - [200-0]

4 Councillors.

At the Finance and Community Services Committee Meeting Cr Freame referred to the current review of the catering contract and requested the House Working Party be established to deal with this and certain other issues.

Crs Freame, Lynn, Popham and Ewen-Chappell were nominated as delegates.

MOVED Cr Wight, SECONDED Cr Healy that:

1 the Finance and Community Services Committee:

- (a) **establishes the House Working Party to consider issues such as the catering contract, purchase of presentation items and general functioning of the Councillors' facilities and accommodation;**
- (b) **appoints the following members to the House Working Party:**
- Cr F Freame**
Cr M Lynn
Cr T Popham
Cr L Ewen-Chappell

2 a meeting of the House Working Party be arranged. CARRIED

FA85-05/97 ENTERPRISE BARGAINING AGREEMENT - ADDITIONAL INFORMATION - [404-23]

As advised by the Acting City Parks Manager at the Technical Services meeting dated 14 May 1997, the Australian Industrial Relations Commission was to hand down a decision regarding award allowances on Thursday, 15 May 1997. Due to other urgent industrial issues this decision was deferred until possibly Friday, 23 May 1997.

Information received from WAMA and CCI indicates that the Award Condition Clause 14, Industrial Allowance will increase from \$13.80 to \$14.90. This is an award variation authorised by the Commission and must be included in the basic calculation when annualising these items in the Enterprise Bargaining Agreement proposal.

Had the proposal been adopted prior to this date, this amount would have been carried forward to any subsequent agreement negotiations. Therefore, it is recommended that the Schedule of Annualised Salary, as shown on Appendix I hereto be adjusted to show the following:-

Industrial Allowance \$14.90 per week
 39 cents per hour.

Total hourly rate amounts to be adjusted upwards by 3 cents per hour, as shown in the attached revised schedule.

At the Finance and Community Services Committee Meeting the Acting City Parks Manager advised that following the Union Employees' meeting held on Tuesday 20 May 1997, the employees had requested a further consultant review the proposed agreement and recommended that Item TS164-05/97 be deferred.

MOVED Cr Wight, SECONDED Cr Healy that Council defers consideration of Item TS164-05/97 - Enterprise Bargaining Agreement. CARRIED

Appendix XX refers

FA86-05/97 JOONDALUP ADMINISTRATION CENTRE REFURBISHMENT - LOCATION OF DIRECTORATES - [605-2-1]

The planning for the office refurbishment is progressing. A key issue is the location of the office of the Chief Executive Officer.

Plans of Options A, B and C were submitted for Councillors' consideration - Appendix XXI refers.

REPORT RECOMMENDATION That Council agrees to the location of the Office of the Chief Executive Officer to be located in the Joondalup Administration Centre with a minimum of Council support staff being accommodated in the Chamber Building.

MOVED Cr Wight, SECONDED Cr Healy that the Office of the Chief Executive Officer and his support staff be located on the first floor of the Joondalup Administration Centre as shown on Option A of Appendix XXI hereto. CARRIED

Appendix XXI refers

FA87-05/97 ORDERS FOR GOODS AND SERVICES - APPROVING/REQUISITION OFFICERS - [010-0-1]

Council has an internal procedure that allows specific officers to approve the payment of goods and services. It is requested that two officers be added to this list as approving officers.

MOVED Cr Wight, SECONDED Cr Healy that Council authorises the following inclusions to the list of approving officers:

Position	Name	Approval Limit
Director, Community Services	Chris Hall	No Limit
Marketing Manager	Marcia Barclay	\$20 000

CARRIED

FA88-05/97 1997/98 INSURANCE RENEWAL - MOTOR VEHICLE PLANT AND INDUSTRIAL SPECIAL RISK - [013-5]

In previous years Council's insurance broker has negotiated the most favourable insurance portfolio with the insurance industry on behalf of Council. However, the Local Government (Financial and General) Regulations 1996 no longer exclude professional services from the requirements of tender provisions. Accordingly tenders were called on 3 May, 1997 for Industrial Special Risks and Motor Vehicle/Plant insurance cover for the financial period 1 July 1997 to 30 June 1998. The subsequent tenders have been evaluated and recommendations made accordingly.

MOVED Cr Wight, SECONDED Cr Healy that Council accepts the tenders by GIO Insurance Ltd for Industrial Special Risks Insurance at the annual premium of \$178,507 and AMP General Insurance for Motor Vehicle/Plant Insurance at the annual premium of \$168,750 for the period 1 July 1997 to 30 June 1998. CARRIED

FA89-05/97 PRODUCTION OF AN EXTRA EDITION OF NEWSEXTRA AND ADVERTISEMENT IN THE WANNEROO TIMES TO

PROMOTE THE OPENING OF THE JOONDALUP CIVIC AND CULTURAL CENTRE STAGE ONE - [730-8-8-1]

The City of Wanneroo currently produces a quarterly newsletter to all residents and businesses called "NewsExtra". This is one direct line of communication with the community which informs them of available services, future plans, upcoming events, profiles of Councillors and calls for comment where appropriate. The other expedient line of communication is via the Wanneroo Times.

It is proposed to produce an extra edition of NewsExtra and place a one-page advertisement in the Wanneroo Times to promote the official opening of Stage 1 of the Joondalup Civic and Cultural Centre. This report addresses the funding requirements.

MOVED Cr Wight, SECONDED Cr Tippett that Council authorises in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, the over-expenditure of \$13,724 from account No. 20044 - City newsletter and \$1,558 from Account No. 20055 - General advertising to facilitate the cost of printing and distribution on an extra addition of NewsExtra and a newspaper advertisement.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA90-05/97 RECONSIDERATION OF COMMITTEE STATUS - [702-0]

Cr Freame referred to those Committees which had been established at the Special Council Meeting held on 5 May 1997. She stated that, subsequent to that meeting, it had been considered that where appropriate, working parties should be created by and made responsible to Standing Committees. Cr Freame therefore requested that consideration be given to addressing the status of those Committees established on 5 May 1997.

MOVED Cr Wight, SECONDED Cr Healy that a report be submitted to Council addressing the status of Committees established at the Special Council Meeting on 5 May 1997, with further consideration being given to re-establishing those Committees which should appropriately be Working Groups formed by a Standing Committee.

CARRIED

FA91-05/97 USE OF FUNCTION AREA FOR OPENING OF CHILDREN'S BOOK WEEK - [218-1-4, 605-3]

Cr Freame requested Council approval for the use of the Administration Centre Function Area for the opening ceremony of Children's Book Week on Monday 18 August 1997, subject to availability.

MOVED Cr Wight, SECONDED Cr Healy that Council approves the use of the Administration Centre Function Area on Monday 18 August 1997 for the opening ceremony of Children's Book Week.

CARRIED

FA92-05/97 PROVISION OF SKATEBOARDING FACILITIES - [468-2]

Cr O'Grady requested information on Council's insurance liability relating to the provision of skateboarding facilities. Cr O'Grady asked that information be obtained from Melbourne City Council, which has experience in this regard, and also that other insurers be approached.

MOVED Cr Wight, SECONDED Cr Healy that a report be submitted to Finance and Community Services Committee on Council's insurance liability relating to the provision of skateboarding facilities. CARRIED

FA93-05/97 INSTALLATION OF VIDEO SURVEILLANCE EQUIPMENT - [905-1]

Cr Popham advised of discussions with the Mayor of the Town of Claremont regarding the installation of video surveillance equipment, and believed the City of Wanneroo should also give consideration to the installation of such equipment.

Cr Ewen-Chappell requested that information be obtained from the Mayor of Townsville.

Cr Popham referred to a recent ABC Radio programme which reported the Town of Claremont had approached local night clubs and taverns for contributions towards the installation of video surveillance equipment. Cr Popham considered night clubs and taverns within the City of Wanneroo should also be approached in this regard.

MOVED Cr Wight, SECONDED Cr Healy that a report be submitted to Finance and Community Services Committee on the feasibility of installation of video surveillance equipment within the City of Wanneroo. CARRIED

FA94-05/97 BEACH CLEANING EQUIPMENT - [765-1]

Cr Major requested a report on the current condition and usage of the beach cleaning equipment.

MOVED Cr Wight, SECONDED Cr Healy that a report be submitted to Technical Services Committee giving current condition and usage of the beach cleaning equipment. CARRIED

Council is advised of a residential premises on Pt Lot 24 (207) Wanneroo Road, Kingsley that is in need of substantial repairs.

This problem was initially brought to the City's attention via a complaint from the tenants who have since been evicted from the premises.

It is recommended that the house be declared unfit for human habitation under Section 135 of the Health Act 1911.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 declares by written notice that the house at Pt Lot 24 (207) Wanneroo Road, Kingsley be declared unfit for human habitation within twenty-four hours of the date of the Notice in accordance with Section 135 of the Health Act;**
- 2 initiates legal action against the owners of the property should they allow the premises to be occupied contrary to the above Notice, before its repair or removal. CARRIED**

CS62-05/97 DRILLCORP LTD - OIL CONTAMINATION OF STORMWATER DRAIN CNR BRADY ST & OCEAN REEF RD, WANGARA - [1275/138/41]

Council is advised of oil contamination of the stormwater drain at the corner of Brady Street and Ocean Reef Road by Drillcorp Ltd of 41 Buckingham Drive, Wangara on 20 February 1997. To deposit oil at other than an authorised disposal site is contrary to provisions of the Health Act 1911.

MOVED Cr Wight, SECONDED Cr Healy that Council authorises legal action against Drillcorp Ltd for a breach of Section 98 of the Health Act 1911 on 20 February 1997. CARRIED

CS63-05/97 REFUSE ADVERSELY AFFECTING PROPERTY - [1351/11465/6]

On 6 November 1996 a Notice pursuant to Local Laws Relating to Removal of Refuse, Rubbish or Disused Material under the Local Government Act 1995 was issued upon Mr George Watts Matthews of Location 11465 (6) Malloway Court, Burns Beach to remove all materials details from his property as resolved by Council on 16 October 1996 (CS165-10/96).

Although an initial effort saw removal of some items, Mr Matthews has not complied with the Notice due to personal medical reasons and since then further materials have been accumulated at his property.

Under the circumstances, Council is requested to consider a new Notice which upon default, can include Council exercising its authority under its Local Law to remove the materials at the expense of Mr Matthews.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 **forms the opinion that the materials listed on Attachment 2 to Report CS63-05/97 are likely to adversely affect the value of adjoining property or the health, comfort or convenience of the inhabitants thereof;**
- 2 **serves a Notice on the owner/occupier of Lot 11465 (6) Mulloway Court, Burns Beach, Mr George Watts Matthews, to remove all materials listed from the lot and dispose of them at an approved site within twenty-one (21) days, such Notice to include advice that should default occur, the Council will remove and dispose of the materials at Mr Matthew's expense. CARRIED**

Appendix XXII refers

CS64-05/97 MOSQUITO AND NON-BITING MIDGE CONTROL IN WETLAND AREAS - RESEARCH FUNDING - [8553-3, 009-1]

The Water Corporation has requested that Council provide financial support to the extent of \$10,000 for research into physical methods of aeration and irrigation to control midge and mosquito breeding in natural and artificial wetlands.

REPORT RECOMMENDATION THAT Council lists for consideration in the 1997/98 draft Budget a contribution of \$5,000 to the Water Corporation to be used in conjunction with research being conducted into the control of midge and mosquitoes in wetland areas using physical methods of aeration and/or irrigation systems.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 **lists for consideration in the 1997/98 draft Budget a contribution of \$5,000 to the Water Corporation to be used in conjunction with research being conducted into the control of midge and mosquitoes in wetland areas using physical methods of aeration and/or irrigation systems;**
- 2 **approaches LandCorp to also make a contribution of \$5,000. CARRIED**

CS65-05/97 WANGARA SUMP - [85-1]

At its February 1996 meeting Council resolved that it "...endorses the convening of a working group comprising representatives from Environmental Health, Town Planning and Engineering Departments to examine the alternatives to reducing the influx of hydrocarbon and other contaminants to the Wangara Sump". Following initial investigations and the reconstruction of the rear wall of the sump, including a pollution control baffle, the group reported to Council in May 1996. At that meeting the Council resolved a series of actions to control liquid waste producers within the Wangara Industrial Area and to prevent the discharge of pollutants to the Yellagonga Regional Park. It was also resolved, "that the working group reports to council again on its progress and the effect of the improvements undertaken in April/May 1997 via the Finance and Community Services Committee" and "that in 12 months time Council conducts tests on heavy metal contamination in the Wangara Sump and on the other side of the overflow and these tests to be compared with current tests undertaken by Council"

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 includes a monitoring programme for total petroleum hydrocarbons and heavy metals monthly over a six month period in the wetlands of the Yellagonga Regional Park as part of the development of a Management Strategy for the Park;
- 2 in relation to the first flush (GHD's Report Stage 3), endorses that no further action be taken until the results of a monitoring programme can be obtained;
- 3 endorses the dissolving of the existing Working Party with a requirement that the Environmental Health Department report annually in May with respect to its annual survey of premises, maintenance of the basin and any sampling and monitoring conducted in relation to the Wangara Sump.

CARRIED

CS66-05/97 PUBLIC SWIMMING POOL PROSECUTION SEACREST RETIREMENT VILLAGE - [30/0221]

Routine water sampling of the Seacrest Retirement Village swimming pool at Lot 17 (7) Harman Road, Sorrento, was conducted on 20 March 1997 and showed that the pool was not properly maintained due to insufficient chlorination. This is contrary to the Health Act (Swimming Pools) Regulations 1964.

MOVED Cr Wight, SECONDED Cr Healy that Council initiates legal action against "The Owners of Seacrest Retirement Village Strata Plan 17670", operating at Lot 17 (7) Harman Road, Sorrento, Western Australia, 6020 for a breach of Regulation 11(a) of the Health Act (Swimming Pools) Regulations 1964 on 20 March 1997. CARRIED

CS67-05/97 LIFECARE HYDROTHERAPY POOL, SANORI HOUSE, 126 GRAND BOULEVARD, JOONDALUP - INSUFFICIENT CHLORINE LEVEL OF SWIMMING POOL - [30/3906]

Council is advised that routine pool sampling at the Lifecare Hydrotherapy Pool on 17 April, 1997 indicated insufficient levels of free residual chlorine when compared with the minimum levels required under the Health Act (Swimming Pools) Regulations 1964.

At the Finance and Community Services Committee Meeting Cr Freamer submitted a copy of a letter from Lifecare - Appendix XXIII refers..

MOVED Cr Wight, SECONDED Cr Healy that Council authorises legal action against Lifecare Partnership Pty Ltd for failure to maintain the minimum free residual chlorine level as required under the Health (Swimming Pools) regulations 1964 on 17 April 1997.

CARRIED

Appendix XXIII refers.

CS68-05/97 YMCA MOBILE YOUTH CENTRE - [485-13]

Faced with increased costs and reduced income, the YMCA has identified that it is unable to continue subsidising the service offered to the City of Wanneroo through the Mobile Youth Service. Currently it is costing the YMCA \$16,400 per annum to operate in two locations a

week for 41 weeks. The City of Wanneroo is providing \$5,000 of that amount. A further proposal has been received from the YMCA for funding to continue operating in two locations per week for 41 weeks of the year providing Council meets the full cost.

REPORT RECOMMENDATION THAT Council lists for consideration in the 1997/98 draft budget the sum of \$16,400 for the purpose of contracting the YMCA to provide a Mobile Youth Service as detailed in the Conditions of Funding put forward in Report No CS68-05/97.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 lists for consideration in the 1997/98 draft budget the sum of \$16,400 for the purpose of contracting the YMCA to provide a Mobile Youth Service as detailed in the Conditions of Funding put forward in Report No CS68-05/97;
- 2 requests a copy of the Financial Plan from YMCA. **CARRIED**

Appendix XXIV refers

CS69-05/97 **TRANSPORT CONCESSION CARDS/SENIOR CITIZENS - [870-1]**

At the April 1997 Council meeting Cr Lynn requested that a letter of support be written to the State Government on behalf of senior citizens living in the City of Wanneroo who will no longer be able to use their transport concession cards prior to 9.00 am daily. (C108-04/97 refers.)

At the Finance and Community Services Committee Meeting Cr Taylor stated he believed this matter had been reviewed and concession cards could not be used between 7.15 am and 9.00 am.

REPORT RECOMMENDATION THAT Council:

- 1 approves the forwarding of a letter to the Minister for Transport expressing its concern that changes to the Concession Day Rider Ticket are adversely affecting seniors living in the City of Wanneroo;
- 2 requests that the policy prohibiting the use of transport concession cards before 9.00 am be reconsidered.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 approves the forwarding of a letter to the Minister for Transport expressing its concern that changes to the Concession Day Rider Ticket are adversely affecting seniors living in the City of Wanneroo;
- 2 requests that the policy prohibiting the use of transport concession cards between 7.15 am and 9.00 am be reconsidered. **CARRIED**

CS70-05/97 **FINANCING OF ACCESS PROJECT - HILLARYS BOAT HARBOUR - [880-8-10]**

The Disability Access Advisory Committee is seeking approval for the financing of an upgrade to the northern access ramp at Hillarys Boat Harbour to be funded by Council, through the Disability Access Project, at a cost of \$13,000.

REPORT RECOMMENDATION THAT Council:

- 1 approves a donation of \$13,000 to the Rotary Club of Sorrento & Northshore (Inc) for the purpose of upgrading the northern access ramp at the Hillarys Boat Harbour;
- 2 approves, BY AN ABSOLUTE MAJORITY, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds from Account 20169 to Account 26531 - Sundry Donations;
- 3 writes to the Department of Transport requesting that it incorporates funding in its 1997/98 budget for upgrading of the northern access ramp.

COMMITTEE RECOMMENDATION That Council:

- 1 approves a donation of up to \$13,000 to the Rotary Club of Sorrento & Northshore (Inc) for the purpose of upgrading the northern access ramp at the Hillarys Boat Harbour;
- 2 approves BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds from Account 20169 to Account 26531 - Sundry Donations;
- 3 writes to the Department of Transport requesting that it incorporates funding in its 1997/98 budget for upgrading of the southern access ramp.

MOVED Cr Taylor, SECONDED Cr Popham that consideration of the financing of access project at Hillarys Boat Harbour be deferred pending clarification of actual costs involved, and a further report submitted to Finance and Community Services Committee in June 1997.

LOST

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

- 1 approves a donation of up to \$13,000, based on actual costs, to the Rotary Club of Sorrento & Northshore (Inc) for the purpose of upgrading the northern access ramp at the Hillarys Boat Harbour;
- 2 approves, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds from Account 20169 to Account 26531 - Sundry Donations;
- 3 writes to the Department of Transport requesting that it incorporates funding in its 1997/98 budget for upgrading of the southern access ramp.

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS71-05/97 APPLICATION FOR FUNDING OF PLAYGROUND EQUIPMENT - BELDON EDUCATION SUPPORT CENTRE - [880-8-10]

The Beldon Parent Support Group is seeking a donation of up to \$1,000 from the City of Wanneroo to assist with the purchase of equipment to extend the playground area at the Beldon Education Support Centre. The area will be accessible to the general community.

REPORT RECOMMENDATION THAT Council:

- 1 approves a donation to the Beldon Education Support Centre for purchase of playground equipment;
- 2 approves, BY AN ABSOLUTE MAJORITY, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds from Account 20169 to Account 26531- Sundry Donations.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 **approves a donation of \$1,000 to the Beldon Education Support Centre for purchase of playground equipment;**
 - 2 **approves, in accordance with Section 6.8(1) of the Local Government Act 1995 a reallocation of funds from Account 20169 to Account 26531- Sundry Donations.**
- CARRIED BY AN
ABSOLUTE MAJORITY**

CS72-05/97 JOONDALUP LIBRARY SCHEDULE OF CHARGES - [240-2]

The Joondalup Library, as a regional facility, will provide services not currently available in other Council libraries. It is appropriate that in line with Council's User Pays policy charges apply to these services where appropriate

At the Finance and Community Services Committee Meeting, locker Hire fees were discussed. It was felt that many students may not make use of lockers and City Librarian was requested to give consideration to the allocation of storage area for students' bags.

MOVED Cr Ewen-Chappell, SECONDED Cr O'Grady that Council:

- 1 **adopts the following schedule of library charges:**

Photocopies	Each A3	\$0.25c	
	Each Colour A4	\$2.50	
	Each Colour A3	\$4.50	
Fax Service	Domestic	1st page	\$4.00
		Subsequent pages	\$1.00
	International	1st page	\$10.00
		Subsequent pages	\$4.00

Computer printing	Internet - per page	\$0.20c
	Microfilm/microfiche per page	\$0.20c
	Word processing over 10 pages	\$0.20c
Reference - Computer Study Room		\$5.00 per hour
		\$3.00 per hour (Seniors, unemployed)
		\$3.00 per hour (full-time students)
Meeting Room Hire (from August 1 1997)	Single	
	Casual usage per hour	\$12.00
	Commercial usage per hour	\$20.00
	Kitchen facilities (no consumables)	
	Hire	
	Whiteboard per hour	\$5.00
	Overhead projector	\$5.00
	Lectern	\$2.50
	Microphone	\$2.50
	Film projector	\$5.00
	VCR	\$5.00
	Stage	\$2.50
	Locker hire	2 hours

2 does not charge for general public Internet usage. CARRIED BY AN ABSOLUTE MAJORITY

CS73-05/97 OUTCOMES AND RECOMMENDATIONS OF THE RECREATION DEVELOPMENT FUND ASSESSMENT PANEL MEETING - [260-15]

The Recreation Development Fund Assessment Panel met on 22 April 1997 and selected those applicants considered worthy of support in the 1997/98 funding round.

REPORT RECOMMENDATION THAT Council:

- 1 endorses the grant allocations of \$6,120 as determined by the Recreation Development Fund Assessment Panel for the 1997/98 funding round;
- 2 authorises, BY AN ABSOLUTE MAJORITY, in accordance with the provisions of Section 6.8(1) of the Local Government Act (1995), the reallocation of \$20,000 from Account Number 31160 Recreation Development Fund to Account Number

20169 Disability Access Co-ordination for the Disability Access Advisory Committee to expend on recreational projects;

- 3 amends the Recreation Development Fund guidelines to request the return of funds from organisations which do not adhere to the conditions of the Fund.

MOVED Cr Wight, SECONDED Cr Freame that Council:

- 1 endorses the grant allocations of \$6,120 as determined by the Recreation Development Fund Assessment Panel for the 1997/98 funding round;
- 2 authorises, in accordance with the provisions of Section 6.8(1) of the Local Government Act (1995), the reallocation of \$20,000 from Account Number 31160 Recreation Development Fund to Account Number 20169 Disability Access Co-ordination;
- 3 amends the Recreation Development Fund guidelines to request the return of funds from organisations which do not adhere to the conditions of the Fund.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CS74-05/97 OUTCOMES AND RECOMMENDATIONS OF THE CULTURAL
DEVELOPMENT FUND APPLICATIONS - [429-1-16]**

The Cultural Development Fund Peer Assessment Panel met on 14 April 1997 and selected those applicants considered worthy of support in the 1997/98 funding round.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 endorses the grant allocations of \$25,000 as determined by the Cultural Development Fund Peer Assessment Panel for the 1997/98 funding round;
- 2 lists for consideration the sum of \$27,000 in the draft 1997/98 municipal budget for the Cultural Development Fund. **CARRIED**

**CS75-05/97 RE-NAMING OF THE OCEAN RIDGE COMMUNITY CENTRE,
HEATHRIDGE - [330-5-1 c330-5-2]**

Ocean Reef Residents Association has requested that Council considers changing the name of "Ocean Ridge Community Centre" to "Heathridge Community Centre" .

RECOMMENDATION that Council advises Ocean Reef Residents Association that it sees no reason to change the name of the "Ocean Ridge Community Centre".

MOVED Cr Magyar, SECONDED Cr Major that Council changes the name of "Ocean Ridge Community Centre" to "Ocean Reef Community Centre" LOST

MOVED Cr Taylor, SECONDED Cr Freame that Council advises Ocean Reef Residents Association that it sees no reason to change the name of the "Ocean Ridge Community Centre".
CARRIED

CS76-05/97 GROUP ENTRY FEES - GLOUCESTER LODGE MUSEUM - [307-1]

The Gloucester Lodge Museum Management Committee, at its April 1997 meeting, recommended that groups of 30 or more people visiting the museum be charged a reduced fee of \$1.00 per person instead of the standard \$1.50 per person.

MOVED Cr Tippet, SECONDED Cr Freame that Council, in accordance with the provisions of Section 6.16 (1)(3)(a)(b) of the Local Government Act 1995, charges an entrance fee of \$1.00 per person for groups of 30 or more people visiting the Gloucester Lodge Museum.
**CARRIED BY AN
ABSOLUTE MAJORITY**

CS77-05/97 REDUCTION OF HIRE FEES - TOP HAT AND TAILS - [635-11-2]

"Top Hat and Tails" dancing group has requested a reduction in hire fees for the use of Wanneroo Civic Community Hall.

The request relates to facility bookings for its special needs group's (The Sunshine Dancers) performance rehearsals from 15 October to 12 November 1997.

MOVED Cr Wight, SECONDED Cr Healy that Council makes a non-statutory donation to a maximum of \$311.25 to "Top Hat and Tails" from Account Number 26531 (Other Welfare Services - Sundry Donations).
CARRIED

CS78-05/97 METAL SHED FOR YOUTH ACTIVITIES - [485-13 c680-1]

Council at its December 1996 meeting deferred consideration of constructing a metal shed for youth activities at Craigie Leisure Centre pending the outcome of the monitoring of court four (Item CS199-12/96 refers). Rollerblading, under the current arrangements, has been monitored for four months. It is recommended that Council does not proceed with construction of the shed.

REPORT RECOMMENDATION THAT Council does not proceed with the construction of a metal shed for youth activities at Craigie Leisure Centre.

COMMITTEE RECOMMENDATION That Council proceeds with the construction of a metal shed for youth activities at Craigie Leisure Centre and lists for consideration in its 1997/98 draft Budget funds of \$306,000 for this project.

MOVED Cr Hollywood, SECONDED Cr Magyar that Council:

- 1 proceeds with the construction of a metal shed for youth activities at Craigie Leisure Centre and lists for consideration in its 1997/98 draft Budget funds of \$306,000 for this project;**

- 2 involves Junior Council in the layout and functionality of design of the shed.

CARRIED

CS79-05/97 ANNUAL REPORT COCKMAN HOUSE - [052-2]

Cockman House has been open for public inspection for eight years. The Curator has submitted an annual report which reviews the operation of the homestead and other factors such as public visitations during the period 1 May 1996 to 30 April 1997.

At the Finance and Community Services Committee Meeting a query was raised as to appreciation dinners also being held for volunteers of Buckingham House and Gloucester Lodge. Councillors were advised that the function for Cockman House also includes Buckingham House and Gloucester Lodge.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 receives the Cockman House 1996/97 Annual Report;
- 2 expresses its appreciation to the volunteers who have staffed the premises during those times it has been open for public inspection;
- 3 forwards a letter of appreciation to Mrs Snape for the fine contribution she has made to the success of Cockman House over the past twelve months, and to Mrs Leonie Taylor for her help with the school groups;
- 4 hosts an appreciation dinner for the volunteers of Cockman House.

CARRIED

CS80-05/97 NORTH METROPOLITAN REGION RECREATION ADVISORY COMMITTEE - [260-2]

The North Metropolitan Region Recreation Advisory Committee has recently been successful in its submission to the Ministry for Sport and Recreation for a WA Alive grant to prepare a regional sport and recreation facilities plan for the North East metropolitan region.

MOVED Cr Wight, SECONDED Cr Healy that Council agrees to the City of Stirling appointing the consultant to prepare a regional sport and recreation facilities plan for the North East Metropolitan Region.

CARRIED

CS81-05/97 SORRENTO DUNCRAIG RECREATION CENTRE KIOSK - [330-1-1]

In September 1996, Council received notification from the existing operator of the Sorrento-Duncraig Recreation Centre kiosk, Mrs Colleen Wood, of her intention to cease operation as of December 1996.

Expressions of Interest to undertake the kiosk operation were called, with the aim of securing a new operator prior to the start of Term One programmes 1997.

Selection of the new operator was handled administratively; however, it has since become apparent that this does not satisfy the requirements of Section 3.58(2)(b) of the Local Government Act 1995.

MOVED Cr Freame, SECONDED Cr Magyar that Council:

- 1 grants Mr and Mrs Clive B Seaton a lease to operate the kiosk at Sorrento-Duncraig Recreation Centre for a period of 12 months, with a 12 month option, for a fee of \$700 per annum;
 - 2 authorises, that a statewide public notice to this effect be issued, in accordance with the provisions of Section 3.58(3) of the Local Government Act 1995.
- CARRIED BY AN
ABSOLUTE MAJORITY**

CS82-05/97 ASHBY HOUSE - LOT 1 (1369) WANNEROO ROAD - [050-0]

At its meeting on 23 April 1997, the Historical Sites Advisory Committee considered a report on Ashby House - Lot 1 (1369) Wanneroo Road, Wanneroo. The committee recommended that Council seek assurances for the conservation of the building request the owner, Mr R Chappell, provide an outline of its intended future use and strategies planned for undertaking its restoration.

MOVED Cr Wight, SECONDED Cr Healy that Council requests details from Mr R Chappell on the future land use of Lot 1 (1369) Wanneroo Road, Wanneroo and an outline of his strategies for preservation of Ashby House. CARRIED

CS83-05/97 JOONDALUP FESTIVAL - [429-1-12]

The development and promotion of a Festival of Joondalup is listed in Council's draft Strategic Plan as a programme to assist in engendering a sense of belonging and community pride at the local level. A focus group meeting has been held and identified there is potential to hold a Festival of Joondalup in the summer of 1998/1999.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 lists the sum of \$12,500 in the 1997/98 draft budget subject to the funds being sourced from existing cultural projects currently listed for consideration;
- 2 seeks a commitment from LandCorp to contribute \$12,500 towards the initial planning for a Festival of Joondalup. CARRIED

**CS84-05/97 MUNICIPAL LAW & FIRE SERVICES DEPARTMENT -
ACTIVITIES FROM 1 JANUARY 1997 TO 31 MARCH 1997 -
[905-1]**

Municipal Law & Fire Services Department submits its activity report from 1 January 1997 to 31 March 1997.

MOVED Cr Wight, SECONDED Cr Healy that Council accepts the table outlining the Municipal Law and Fire Services Department's activities from 1 January 1997 to 31 March 1997. CARRIED

**CS85-05/97 APPOINTMENT OF HONORARY PARKING INSPECTORS -
HILLARYS BOAT HARBOUR, SORRENTO - [910-1]**

A letter dated 17 April 1997 was received from the Manager of the Hillarys Boat Harbour, Sorrento re-nominating five people as Honorary Parking Inspectors for the Hillarys Boat Harbour.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints James Alexander Scott, Andrew Philip Grafen, Paul Norman Laverock, Phillip Patrick Mulree and Nigel Colin Steven as Honorary Parking Inspectors for the Hillarys Boat Harbour, Sorrento for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902 authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Hillarys Boat Harbour, Sorrento as detailed hereunder:

- (a) Local Laws Relating to Parking Facilities;
- (b) Local Government (Parking for Disabled Persons) Regulations 1988. CARRIED

**CS86-05/97 DOG ACT APPEAL ADVICE - MS R RUCKBEIL, 4 BELLANA
PLACE, QUINNS ROCKS - [3575/7/4]**

On 5 March 1997 Council refused an application by Ms R Ruckbeil of 4 Bellana Place, Quinns Rocks to keep three dogs at her residence, based on one objection on the grounds of excessive barking and the residential nature of the location.

Ms Ruckbeil has since lodged an appeal with the Minister for Local Government under Section 26(5) of the Dog Act against Council's decision.

MOVED Cr Wight, SECONDED Cr Healy that Council advises the applicant and adjoining neighbours of the Minister's decision and of the conditions specified.

CARRIED

CS87-05/97 REMOVAL OF DOG EXCRETA BY OWNERS - [508-9]

Council at its meeting on 26 February 1997 requested that a report be submitted on the law in relation to the requirement for dog owners to remove their animal's excreta from public places and that consideration be given to advertising to inform the public of the requirements under Local Law 16 of the Local Laws Relating to Dogs.

At the Finance and Community Services Committee Meeting Cr Lynn advised the bins had been moved from their usual beach location and requested that the placement of the bins be reviewed to be located closer to the beach.

MOVED Cr Wight, SECONDED Cr Healy that Council:

- 1 agrees with an increased penalty to be set by a Council committee that is currently examining all Local Law penalties, which will be presented to Council in due course;**
- 2 authorises an education programme via local media and Council's Environmental Health Department outlining the dangers of dog excreta not being removed and the requirements of Local Law 16;**
- 3 considers the ratio between designated exercise areas and areas prohibited to dogs with a view to having reserves and parks in each suburb prohibited to dogs;**
- 4 requests the Urban Animal Advisory Committee to pursue the possibility of authorising members of the public to be honorary authorised persons under the Dog Act in their suburb to assist Council Rangers in policing the Dog Act.**

CARRIED

CS88-05/97 JOONDALUP LOTTERIES HOUSE - [890-18]

A response has been received from the Lotteries Commission to Council's application for funding the construction of a Lotteries House at Joondalup. The Lotteries Commission has agreed, in principle, to the concept of the project but is seeking a further cash contribution to the project of \$490,000.

REPORT RECOMMENDATION That Council:

- 1 informs the Lotteries Commission that it will not contribute additional funding over and above its previous commitment to the Joondalup Lotteries House;
- 2 seeks support from local politicians and relevant Ministers for the Joondalup Lotteries House.

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

- 1 **Council makes a joint approach with the Lotteries Commission to secure a contribution from LandCorp;**
- 2 **the Mayor and Chief Executive Officer make a direct approach to the Minister.** **CARRIED**

CS89-05/97 **FUNDING OF DISABILITY ACCESS PROJECTS - RECREATION DEVELOPMENT FUND - [880-8-10]**

In Report CS73-05/97 the Acting City Recreation and Cultural Services Manager has recommended the reallocation of unexpended funds of \$20,000 from the Recreation Development Fund to the Disability Access Advisory Committee to expend on recreational projects. The following projects have been put forward by the Advisory Committee for Council's consideration.

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

- 1 **approves expenditure of \$16,600 for access projects as detailed in Report CS89-05/97;;**
- 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	28484 Equipment Major	\$6,580
	28073 Equipment Major	\$8,080
	26531 Sundry Donations	\$2,000

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XXV refers

STAFF GOLF DAY - [404-0]

Cr Ewen-Chappell referred to the postponement of the Administration Staff Golf Day. She advised that another function was to be organised and requested information in this regard.

REQUEST FOR DONATION - [009-1]

Cr Magyar submitted a request for financial assistance for Matyas Balogh of 20 Harford Way, Girrawheen to compete in the National Karate Junior Championships in Melbourne during August 1997.

This requested will be referred to Treasury Department for action.

BURN-OFF PERMITS - [902-1]

Cr Major queried when the burn-off season commenced. Acting Manager, Municipal Law and Fire Services advised that permits were required to 1 April, but at the present time no permit was required.

HOUSES UNDER CONSTRUCTION - [510-1897]

Cr Major referred to a house in Lionel Court, Duncraig houses which had been under construction for several years and asked whether any action could be taken to encourage owners to finalise construction. He queried whether the fee for a building licence could be increased each time a renewal was requested, to encourage the completion of such houses.

PIANO - FUNCTION AREA, ADMINISTRATION BUILDING - [605-3]

Cr Major queried whether the piano, currently located in the Function Area of the Administration Centre, could be used for the Eisteddfod in August, and asked for an indication when the piano might be relocated to the new Civic and Cultural building.

Cr Major requested that information regarding the relocation of the piano be provided by Wednesday 4 June 1997.

C166-05/97 BUSINESS FOR INFORMATION

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that the Business for Information Reports be received. **CARRIED**

TECHNICAL SERVICES COMMITTEE**B52-05/97 ENGINEERING CURRENT WORKS - [220-0]**

The Engineering Department Current Works report is valid for works during the period ending 6 May 1997.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B52-05/97 be received. **CARRIED**

B53-05/97 MONTHLY REPORT APRIL 1997 - PARKS DEPARTMENT - [250-1]

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 April 1997 by the Parks Department.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B53-05/97 be received. **CARRIED**

B54-05/97 RAIPR NATIONAL CONFERENCE PERTH 2-7 NOVEMBER 1997 - [202-1]

The Royal Australian Institute of Parks and Recreation National Conference is to be held at the Burswood Casino from 2-7 November 1997.

At the Technical Services Committee Meeting Cr Hollywood suggested that Ms Phyllis Robinson of the Koondoola Bushland Group be invited to attend this Conference on behalf of Council. Acting City Parks Manager pointed out that Ms Robinson was not appointed to a Council committee.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B54-05/97 be received. **CARRIED**

TOWN PLANNING COMMITTEE**B55-05/97 DEVELOPMENT ENQUIRIES : APRIL 1997 - [290-0]**

The following schedule lists those enquiries received between December 1996 and January 1997 and where possible indicates the area suggested by the enquirer to be the preferred location for such development, together with a resumé of advice given by the department.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B55-05/97 be received. CARRIED

B56-05/97 **LOT 68 GRENVILLE AVENUE, SORRENTO - MINISTERIAL DETERMINATION OF AN APPEAL AGAINST STRATA SUBDIVISION CONDITIONS - [740-649-96]**

The Minister for Planning upheld an appeal of conditions against the Western Australian Planning Commission's approval of a strata subdivision application submitted by PR and DA Bruhn for Lot 68 Grenville Avenue, Sorrento. The Minister upheld the appeal of conditions 11, 12 and 14 in part in order to promote a more rational lot design as dictated by the physical constraints of the land, and to enable a reasonable time period for the applicant to proceed with the requirements of the development.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B56-05/97 be received. CARRIED

B57-05/97 **MINISTERIAL APPEAL DETERMINATION: PROPOSED ADDITIONAL GROUPED DWELLING: LOT 124 (3) MALAK COURT, WANNEROO - [30/5522]**

An application by Ms N Bahrainwala for an additional grouped dwelling on Lot 124 (3) Malak Court, Wanneroo was refused under Delegated Authority on 21 October 1996 as the property is undersized. The applicant subsequently lodged an appeal with the Hon. Minister for Planning. The appeal was upheld on 4 March 1997 as the Minister considered that the property was still large enough to accommodate an additional grouped dwelling.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B57-05/97 be received. CARRIED

B58-05/97 **LOT 416 (51) QUINNS ROAD, QUINNS ROCKS - MINISTERIAL DETERMINATION OF AN APPEAL AGAINST SUBDIVISION REFUSAL - [740-101077]**

Correspondence has been received from the Minister for Planning advising that he did not uphold an appeal against the Western Australian Planning Commission's (WAPC) refusal of an application submitted by J M Treasure for the subdivision of Lot 416 (51) Quinns Road, Quinns Rocks into two lots.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B58-05/97 be received. CARRIED

B59-05/97**LOT 9 (51) GRISKER ROAD, WANNEROO - MINISTERIAL DETERMINATION OF AN APPEAL AGAINST A SUBDIVISIONAL REFUSAL - [740-101095]**

The Minister for Planning did not uphold an appeal against the Western Australian Planning Commission's (WAPC) refusal of a subdivision application submitted by L and A Noris for Lot 9 Grisker Road, Wanneroo. The Minister, in not upholding the appeal, concluded that the WAPC's reasons for refusal were correct, ie the proposal being inconsistent with the Rural zoning of the land and not complying with the WAPC Rural Smallholdings Policy Study (1977) or Council's Rural Subdivision Policy (1978).

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B59-05/97 be received. CARRIED

B60-05/97**PEDESTRIAN ACCESSWAY CLOSURES - MONTHLY PROGRESS REPORT - [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 O'Grady, SECONDED Cr Ewen-Chappell that Report B60-05/97 be received. CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE**B61-05/97****PRINCIPAL ACTIVITIES PLAN - [280-0]**

A Local Government is required, pursuant to the provisions of Section 5.56 of the Local Government Act 1995, to prepare a plan of its Principal Activities for four or more financial years. This plan is to be available for community input for a period of 42 days from the publication of its availability. This report outlines the progress made to date and the details involved in compilation of this Plan.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B61-05/97 be received. CARRIED

B62-05/97 **FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 1997 - [002-3]**

With 10 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 including Salaries and Wages together with additional revenue from the General Purpose Grant (\$112,000) and interim rating (\$150,000) will offset these over-runs.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B62-05/97 be received. CARRIED

B63-05/97 **MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [006-1]**

A comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year is submitted for Council's information.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B63-05/97 be received. CARRIED

B64-05/97 **STAFF AND OUTSIDE WORKERS' OVERTIME - APRIL 1997 - [404-10]**

This report details the staff and outside workers' overtime for the month of April 1997.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B64-05/97 be received. CARRIED

B65-05/97 **DRAFT 1997/98 BUDGET AND FINANCIAL PLAN PROGRESS REPORT - [006-3]**

Compilation of the 1997/98 Draft Budget is close to completion. Departmental/Business Unit submissions are currently being consolidated into a first Draft Budget which will be returned next week for review by each Business Unit Manager. It is then proposed to undertake a "Corporate" review prior to incorporating the draft estimates in Council's Management Plan/Plan of Principal Activities.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B65-05/97 be received. CARRIED

B66-05/97 PROGRESS REPORT ON THE DISABILITY SERVICE PLAN - [880-8-11]

This report outlines progress since December 1996 on the implementation of the City of Wanneroo's Disability Service Plan and planned access strategies over the next three months.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Report B66-05/97 be received. CARRIED

B67-05/97 RECREATION AND CULTURAL SERVICES DEPARTMENT ACTIVITIES REPORT - [260-0]

This report provides information on activities undertaken during the quarter ending April 1997 and progress to date on forthcoming events co-ordinated by the Recreation and Cultural Services Department.

At the Finance and Community Services Committee Meeting Cr Major reported that the recently disbanded Sorrento Duncaig Recreation Association had funds of \$5,000 and requested this be used to resurface two netball courts, with Council funding the balance of approximately \$2,000 for this work. Cr Major requested this matter be given consideration.

Cr Major further requested that Council consider hosting a dinner for the Association, at which Mr Ron Mildenhall could be presented with a Life Membership of the Association. It was suggested that a suitable function could be arranged for all disbanded Recreation Associations.

RECOMMENDATION That Council arranges a dinner to honour disbanded Recreation Associations, with the presentation of Life Membership of the Sorrento Duncaig Recreation Association being made to Mr Ron Mildenhall at such function.

MOVED Cr O'Grady, SECONDED Cr Ewen-Chappell that Council arranges a dinner to honour both current and disbanded Recreation Associations, with the presentation of Life Membership of the Sorrento Duncaig Recreation Association being made to Mr Ron Mildenhall at such function. CARRIED

C167-05/97 CHIEF EXECUTIVE OFFICER'S REPORT

MOVED Cr Popham, SECONDED Cr Wight that the Chief Executive Officer's Report be received. **CARRIED**

C168-05/97 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]

Document: Notification Section 70A
 Parties: City of Wanneroo and Sorrento Clerical and Typing Service Pty Ltd
 and J A and M J Ridley
 Description: Lot 501 Baretta Road, Wangara
 Date: 28.4.97

Document: Withdrawal of Caveat
 Parties: City of Wanneroo and M A Lewis
 Description: Lots 668 and 669 Ash Grove, Duncraig
 Date: 29.4.97

Document: Lease
 Parties: City of Wanneroo and Minister for Education
 Description: Lot 1 Bower Grove, Two Rocks
 Date: 7.5.97

Document: Transfer of Land
 Parties: City of Wanneroo and C D Morgan
 Description: Lot 138 Nanovich Avenue, Girrawheen
 Date: 7.5.97

Document: Withdrawal of Caveats
 Parties: City of Wanneroo and Silkchime Pty Ltd
 Description: Lots 945 and 950 Dugdale Street, Warwick
 Date: 7.5.97

Document: Surrender of Easement
 Parties: City of Wanneroo and Tokyu Corporation
 Description: Lots 504 and 220, Two Rocks
 Date: 15.5.97

MOVED Cr Popham, SECONDED Cr Wight that the Schedule of Documents executed by means of Affixing the Common Seal be received. **CARRIED**

C169-05/97 LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]**SUMMARY**

In accordance with the provisions of clause 3.1 of Council's Policy A2-12 relating to legal representation, Council is advised that the following applications have been received:

DETAILS

Mr P Thompson - Town Planning Department

By Summons 609/97 dated 2 April 1997, Mr Thompson was required to appear before the Royal Commission on 10 April in respect to the Belridge Medical Centre line of inquiry.

On 7 April 1997, in accordance with Council's policy, interim assistance was granted.

Mr P Melling

Mr Melling a former employee of the Town Planning Department was summonsed to appear before the Royal Commission on 10 April 1997. Summons 611/97 which was served on Mr Melling related to the Belridge Medical Centre.

In accordance with Council's policy on legal representation legal assistance was granted to Mr Melling on 8 April 1997.

Councillor F Freame

Cr Freame sought legal representation for her appearance before the Royal Commission on 14 April, 1997. She was required to appear in respect to an application for a batching plant submitted by Mr Len Buckeridge.

Interim approval was granted on 14 April 1997.

Mr R Hope-Johnstone

Mr Hope-Johnstone, a former employee of the Town Planning Department, requested legal representation for his appearance before the Royal Commission on 21 April 1997. The summons he received related to the Belridge Medical Centre and the proposed development of Lot 1 Wanneroo Road Woodvale by Emu Resorts Pty Ltd.

Interim assistance was granted in accordance with Council's Policy on Legal Representation.

Mr O Drescher - City Planner

In a letter dated 22 April 1997, Mr Drescher was required to attend the Royal Commission later that day to give evidence in respect to the Padbury Shopping Centre line of inquiry.

Legal representation was approved in line with Council's policy.

Mr T Korovesi

The Royal Commission summonsed Mr Korovesi, a former employee of the Town Planning Department, to appear before it on Wednesday, 21 May 1997. The subject of the summons was the Padbury Shopping Centre line of inquiry.

Legal assistance was granted in accordance with Council's policy.

Mr L Delahaunty and Mr R Dymock

Through Councils Solicitors, the Chief Executive Officer and the Manager Corporate Services were summonsed to appear before the Royal Commission on 7 May 1997. The issue of concern to the Commission was the production of evidence by the City.

The total cost of legal presentation for Messrs Delahaunty and Dymock was \$699. The account did not apportion costs.

Mr C Edwardes (former Councillor)

In September 1996, Freehill Hollingdale and Page made application for Mr Edwardes to be granted legal representation when he appeared before the Royal Commission. It was suggested that Mr David Clyne of the Independent Bar would represent Mr Edwardes.

The application did not specify the terms of reference for which funds were sought, however it was suggested that there were at least two and the cost was likely to exceed the \$3,000 specified in Council's policy on legal representation.

Advice was sought from Council's solicitors who advised that they were aware that Mr Edwardes was required to provide evidence in respect to relationships with the Vietnamese Community in particular an allegation that Mr Edwardes had handed a wad of money to Dr Nguyen Van Phat. They advised Council that they were representing former Councillor Mr Peter Nosow and that he had made a statement which would conflict with evidence Mr Edwardes would be giving. As there would be a conflict they recommended that Council should approve of Mr Edwardes retaining independent counsel.

Although Clause 5 of Council's policy specifically excludes the use of a barrister from the Independent Bar, as Mr Edwardes had previously been represented by a solicitor in respect to issues before the Royal Commission Council's solicitors suggested it was appropriate that he be allowed to use those solicitors again.

As a result of the advice received, Council passed the following resolution at its meeting of 23 October 1997.

"MOVED Cr Freame, SECONDED Cr Duffy that the Council in accordance with Policy A2-12 grant special approval for former councillor Colin Edwardes to obtain legal representation of his choice, subject to the Policy limit of \$3,000. CARRIED "

Freehill Hollingdale and Page have rendered an account for \$4,135 in the name of Mr C G Edwardes. They have advised that in the absence of Mr Clyne they represented Mr Edwardes in respect to the allegation that he had handed a wad of money to Dr Nguyen Van Phat. In addition, they have advised that the 13.55 hours involved related to briefing or representation.

David Clyne has submitted an account for \$20,860. The account covers representation for Mr Edwardes in respect to five lines of inquiry and maintaining a watching brief for Mr Edwardes on other lines of inquiry at a cost of \$8,750.

Mr Clyne's account is for legal representation in respect to the following issues:

- 1 a wad of money being passed to Dr Nguyen Van Phat by Mr Edwardes
- 2 The Chichester Oval controversy
- 3 the Mosey Street Lunch Bar
- 4 The Parin Panel Works redevelopment
- 5 An allegation of a donation to Gastevich (Kingsley Tavern)

These issues all arise and are in some way directly linked to the fact that Mr Edwardes was a Councillor of the City of Wanneroo. Therefore they are issues which Council could consider under its legal representation policy.

In nearly all cases in which Council has had to consider the granting of legal assistance, the request has been limited to costs associated with giving evidence. In respect to this request the costs also relate to the cross examination of other witnesses.

With the exception of the Mosey Street lunch bar, the allegations made directly implied impropriety on the part of Mr Edwardes. In such a situation, it is appropriate that Mr Edwardes be able to protect himself by cross examination of his accusers.

At a cost of \$8,750 Mr Clyne maintained a watching brief on behalf of Mr Edwardes. This involved the scanning of transcripts of all other lines of inquiry before the Royal Commission. No other person has claimed or received financial support for maintaining a watching brief. There is no reason why Mr Edwardes could not have achieved the same end by scanning the transcripts himself.

Mr Clyne was requested to provide more detailed information in respect to costs, but to date has not provided the information.

The summing up of the five issues which are the subject of Mr Clynes account has been completed and there is no indication that there will be a finding of impropriety against Mr Edwardes.

Since Mr Clynes account was rendered there have been other issues before the Commission which involve Mr Edwardes. Therefore it is likely that further accounts will be submitted in the near future.

FINANCIAL INTEREST DECLARATION

In accordance with the requirements of Section 5.70 of the Local Government Act, the Manager of Corporate Services, Mr R Dymock declared as the writer of this report that he has a financial interest in the report as it involves the payment of legal expenses incurred through his appearance before the Royal Commission.

Cr Freame declared an interest in this item as it involves the payment of legal expenses incurred through her appearance before the Royal Commission.

Cr Freame and Manager, Corporate Services left the Chamber at this point, the time being 2207 hrs.

RECOMMENDATION 1 that Council endorses the Chief Executive Officers decision to grant interim assistance to:

Mr P Thompson
Mr P Melling
Mr R Hope-Johnstone
Mr T Koroveshi
Mr O Drescher

RECOMMENDATION 2 that Council endorses the Chief Executive Officers decision to grant interim assistance to Councillor F Freame

RECOMMENDATION 3 that Council agrees to fund legal cost of \$699 relating to the appearance of Messrs Delahaunty and Dymock before the Royal Commission

RECOMMENDATION 4 that Council:

- 1 agrees to fund costs amounting to \$16,245 incurred by Mr Edwardes which relate to his giving evidence or the cross examination of persons who gave evidence to his detriment
- 2 agrees not to fund the costs associated with maintaining a watching brief on other issues before the Royal Commission.

MOVED Cr Popham, SECONDED Cr Bombak that Recommendations 1 - 4 be referred to Policy Committee for further consideration.

Cr Popham, with the approval of Cr Bombak, advised he wished the Motion to be **WITHDRAWN**

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

- 1 **endorses the Chief Executive Officers decision to grant interim assistance to:**

Mr P Thompson
Mr P Melling
Mr R Hope-Johnstone
Mr T Koroveshi
Mr O Drescher

- 2 **endorses the Chief Executive Officers decision to grant interim assistance to Councillor F Freame;**
- 3 **agrees to fund legal cost of \$699 relating to the appearance of Messrs Delahaunty and Dymock before the Royal Commission. CARRIED**

MOVED Cr Popham, SECONDED Cr Ewen-Chappell that consideration of costs incurred by Mr C Edwardes be deferred and debated further at the June 1997 meeting of Policy Committee. **CARRIED**

C170-05/97 LOCAL GOVERNMENT STATUTORY COMPLIANCE ASSESSMENT RETURN - [312-1]

In accordance with past practices Council agreed to undertake the voluntary statutory compliance assessment for the period 1 July 1996 to 31 March 1997.

As a result of an investigation carried out in respect to an amendment to the previous Town Clerk's contract, the Minister requested that a full compliance audit be undertaken in respect to the creation and operation of all Council Committees.

Given the resources required to undertake these compliance assessments, the Department of Local Government was requested to provide assistance. In a letter dated 21 April, the Department advised that "work commitments are such that the Department does not have an officer available to assist with the task".

Subsequently, an approach was made to Mr Gary Martin who, as a consultant for the Local Government Department, compiled the original compliance assessment return. Although he initially indicated that he would be available, his contract with the Royal Commission was extended and he was not able to undertake the work.

The return which was due to be forwarded to the Local Government Department by 31 May has been completed. However, explanatory notes have not been prepared.

It is proposed that a full report on both compliance assessments will be submitted to the Policy Committee meeting schedule for 9 June 1997.

MOVED Cr Popham, SECONDED Cr Wight that the information relating to the Local Government Statutory Compliance Assessment Return be received. CARRIED

Cr Freame and Manager, Corporate Services entered the Chamber at this point, the time being 2225 hrs.

C171-05/97 USE OF EQUIPMENT BY COMMUNITY GROUPS - [004-2]**SUMMARY**

A number of requests are being received from community groups for the loan of Council equipment to be used for public meetings and functions. The increased demand for this service is placing a strain on resources, as well as additional wear and tear on equipment. A policy is required to define the eligibility, duration of usage and accountability/reimbursement, in the event of damage or loss of equipment.

BACKGROUND

Council has maintained a policy of assisting Community Groups, where possible, with the loan of equipment free of charge. This decision was fostered with the knowledge that a large number of groups have no income and therefore little chance of acquiring equipment by other means.

Equipment loaned is the P.A. system, lectern, unveiling device, chairs, flags, bunting and display boards. Borrowers are required to collect and return the equipment, with an undertaking to safeguard the equipment and return it in the same condition as it was received. Council employees are not permitted to deliver or erect any equipment loaned.

DETAILS

With the continued expansion of the City and the subsequent increase in community based groups, requests for the loan of equipment are increasing. The majority of groups require equipment for 'one off' annual events, which is workable in terms of staff organising time and equipment being available for unscheduled Council functions.

A letter has been received from the Spiritual Assembly of the Baha'is of Wanneroo, advising that Council's Multicultural Advisory Committee has offered the use of the P.A. system (if not already being used) for their Holy Day meetings, which are held monthly. This is the first request of this kind where equipment will be required on a regular basis, pre-booked for a number of months in advance.

The envisaged difficulty in pre-booking equipment for ongoing functions for one particular group is the precedent being set, which will have to be extended to all community groups if requested.

It is not possible for staff to unpack and checked equipment each time it is returned due to time constraints. This situation can lead to equipment failing to meet Council's requirements if damage has been sustained and not reported. Council does have unscheduled meetings where the equipment is needed at short notice, in this instance despite the group having prebooked equipment it would become necessary to cancel their booking.

Wear and tear of equipment and the avenue to seek compensation from groups who are not financial, should the equipment be damaged, are issues which need to be addressed.

COMMENT/FUNDING

Council has recently acquired a new lectern, which will be utilised for Council functions only, this will ensure availability and the ability to maintain this equipment in a pristine condition.

The current P.A. system (Adasound PEM-3A and accessories) was purchased in October 1989 at a cost of \$1716.00, a comparable new system will cost \$2365.00. Council should give consideration for the purchase of a new P.A. system, which would restore quality of a now ageing system and enable the old unit to be available for loan.

Bunting 10 metre lengths (\$20.00) has a limited life due to damage by the elements. Australian Flags are distributed to Council by our local Federal Politicians, with Wanneroo Flags purchased by Council at a cost of \$100.00 per flag.

Display boards and chairs are borrowed from Departments or Recreation Centres when available.

Council's unveiling device has recently had the hanging face refurbished, however the deterioration of the curtains and support stands are a consequence of age and use.

In the implementation of cost effective business units, staff will be required to allocate their time to revenue earning activities, this would necessitate the introduction of hire charges for services and equipment. It could be argued by private hire companies that Council is inadvertently affecting potential trade.

MOVED Cr Popham, SECONDED Cr Wight that Council:

- 1 restricts usage of the P.A. system, lectern, unveiling device, chairs, flags, bunting and display boards on loan to community groups for annual functions only or one-off events;**
- 2 imposes a bond of \$50.00 (refundable) to cover loss or damage to equipment;**
- 3 makes provision in the 1998/99 budget for the purchase of a new P.A. system, for Council use, not to be utilised as loan equipment;**
- 4 reviews the policy regarding loan of equipment to community groups within 12 months.**

CARRIED

C172-05/97 YELLAGONGA ENVIRONMENT CENTRE INC - NOMINATION - [061-408-1]

The Yellagonga Environment Centre Inc. is a non profit association which is proposing the establishment of an environmental centre within the Yellagonga Regional Park. The objective of the Centre is to regenerate the site and to provide hands on environmental education for the community.

DETAILS

The Environment Centre Inc. is comprised of representatives from State and Federal Parliament, TAFE, Edith Cowan University, businesses and individuals in the region. It has

developed a broad concept for the site and is now consulting the community. The Environment Centre group meets once a month in the RED Group building, Boas Avenue, Joondalup. The group is now seeking a Councillor representation and has requested that Council nominate a councillor to serve on the Committee.

Cr O'Grady nominated Cr Magyar.

Cr Ewen-Chappell nominated Cr Hollywood.

Cr Hollywood stated that in the event of only one Council delegate being permitted on the committee of Yellagonga Environment Centre Inc, he was prepared to take the position of deputy to Cr Magyar.

MOVED Cr Popham, SECONDED Cr Wight that Council nominates Cr Magyar as representative and Cr Hollywood as representative or deputy to the Yellagonga Environment Centre Inc. CARRIED

C173-05/97 APPOINTMENT OF DEPUTIES - FINANCE AND COMMUNITY SERVICES COMMITTEE - [702-0]

At the Special Council Meeting held on 5 May 1997, delegates and deputies were appointed to Standing Committees. Central Ward delegates for the Finance and Community Services were appointed as follows:

<u>Delegates</u>	<u>Deputies</u>
Cr Cooper	Cr Magyar, Cr Ewen-Chappell
Cr Zuvela	Cr Ewen-Chappell, Cr Magyar

A request has now been received from Central Ward Councillors that the order of Central Ward Deputies be altered.

MOVED Cr Wight, SECONDED Cr Tippett that Council appoints Central Ward deputies to the Finance and Community Services as follows:

<u>Delegates</u>	<u>Deputies</u>
Cr Cooper	Cr Ewen-Chappell, Cr Magyar
Cr Zuvela	Cr Magyar, Cr Ewen-Chappell

**CARRIED BY AN
ABSOLUTE MAJORITY**

APPOINTMENT OF COUNCIL REPRESENTATIVES TO EXTERNAL ORGANISATIONS - [702-0]

It is necessary to appoint Councillors as representatives to the following external organisations:

C174-05/97 AGRICULTURAL PROTECTION BOARD REGIONAL ADVISORY COMMITTEE - [301-1]

1 Councillor and Deputy

Cr Major was nominated as representative and Cr Magyar as deputy.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Major as representative and Cr Magyar as deputy to the Agricultural Protection Board Regional Advisory Committee. CARRIED

C175-05/97 COASTAL MANAGEMENT ADVISORY GROUP - [303-8]

Representation was increased to 1 Councillor and deputy.

Cr Healy was nominated as representative and Cr O'Grady as deputy.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Healy as representative and Cr O'Grady as deputy to the Coastal Management Advisory Group. CARRIED

C176-05/97 GNANGARA MOUND COMMUNITY CONSULTATIVE COMMITTEE - [332-18-1]

1 Councillor

Cr Magyar was nominated as representative.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Magyar as representative to the Gngangara Mound Community Consultative Committee. CARRIED

C177-05/97 NORTH WEST DISTRICT PLANNING COMMITTEE - [314-2]

Representation was increased to Chairman of Development and Planning Services Committee and a deputy.

The Chairman of Development and Planning Services Committee is Cr Wight. Cr Cooper was nominated as deputy.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Wight, Chairman of Development and Planning Services Committee as representative and Cr Cooper as deputy to the North West District Planning Committee. CARRIED

C178-05/97 REGIONAL ECONOMIC DEVELOPMENT ORGANISATION (NORTH) - [312-2]

1 Councillor

Cr Zuvela was nominated as delegate.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Zuvela as representative to the Regional Economic Development Organisation (North).CARRIED

C179-05/97 STABLE FLY MANAGEMENT STEERING GROUP - [855-3]

1 Councillor

Cr Healy was nominated as representative .

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Healy as representative to the Stable Fly Management Steering Group. CARRIED

C180-05/97 ST JOHN AMBULANCE BRIGADE - [319-6]

1 Councillor

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council does not nominate a Councillor as representative to the St John Ambulance Brigade. CARRIED

C181-05/97 WANNEROO CHAMBER OF COMMERCE - [303-6]

1 Councillor and Deputy

Cr Zuvela was nominated as representative and Cr Ewen-Chappell as deputy.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Zuvela as representative and Cr Ewen-Chappell as deputy to the Wanneroo Chamber of Commerce. CARRIED

C182-05/97 NORTHERN SUBURBS SENIOR CITIZENS ASSOCIATION (FORMERLY WANNEROO SENIOR CITIZENS ASSOCIATION (INC))- [340-6]

Cr O'Grady reported that the Senior Citizens Associations had amalgamated to form the Northern Suburbs Senior Citizens Association.

Representation was amended to 1 Councillor.

Cr O'Grady was nominated as representative.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr O'Grady as representative to the Northern Suburbs Senior Citizens Association. CARRIED

C183-05/97 WANNEROO EMPLOYMENT AND SKILLS TRAINING (FORMERLY WANNEROO SOCIAL PLANNING INC) - [321-0]

Representation was amended to 2 Councillors.

Crs Freame and Hollywood were nominated as representatives.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Crs Freame and Hollywood as representatives to the Wanneroo Social Planning Inc. CARRIED

C184-05/97 WARWICK LEISURE CENTRE & CHURCHES OF CHRIST MANAGEMENT COMMITTEE - [702-3]

1 Councillor and Deputy

Cr Popham was nominated as representative and Cr Tippet as deputy.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Popham as representative and Cr Tippet as deputy to the Warwick Leisure Centre and Churches of Christ Management Committee. CARRIED

C185-05/97 WARWICK SPORTSMANS CLUB - [745-3-5]
South Ward Councillors

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates South Ward Councillors as representatives to the Warwick Sportsmans Club. CARRIED

C186-05/97 WHITFORD CITY WANNEROO HOSPITAL FOUNDATION - [30/300]

Representation was amended to 1 Councillor.

Cr Major was nominated as representative.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Major representative to the Whitford City Wanneroo Hospital Foundation. CARRIED

C187-05/97 YANCHEP NATIONAL PARK ADVISORY COMMITTEE - [727-8-1]

Representation was amended to 2 Councillors.

Crs Healy and O'Grady were nominated as representatives.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Crs Healy and O'Grady as representatives to the Yanchep National Park Advisory Committee. CARRIED

C188-05/97 YANCHEP TWO ROCKS RESIDENTS ASSOCIATION INC - RETIREMENT SUB-COMMITTEE - [330-9]
2 Councillors

Crs Healy and O'Grady were nominated as representatives.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Crs Healy and O'Grady as representatives to the Yanchep Two Rocks Residents Association Inc - Retirement Sub-Committee. CARRIED

C189-05/97 YELLAGONGA REGIONAL PARK COMMUNITY ADVISORY COMMITTEE - [061-408-1]
1 Councillor

Cr Magyar was nominated as representative.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council nominates Cr Magyar as representative to the Yellagonga National Park Community Advisory Committee.
CARRIED

C190-05/97 COASTAL LIMESTONE FORMATIONS - FENCING AND SIGNAGE - [765-1]

SUMMARY

Preliminary inspections of the coastal limestone formations along the City of Wanneroo coast have highlighted numerous locations with overhanging limestone cliffs. For public safety reasons, it is necessary to erect warning signs and protective fencing at critical sites.

BACKGROUND

The site inspections highlighted the need for protective fencing at the following locations:

1. Reserve 20561, Mullaloo and Kallaroo

Western side of path linking Ocean Reef Boat Harbour southern groyne and the southern end of the limestone outcrop at Mullaloo Beach.

2. Reserve 20561 Foreshore, Burns

Western side of dual use path to the south of Ocean Parade, Burns Beach to the foreshore car park at Iluka.

Approval to commence developments at these two sites was granted by the Western Australian Planning Commission in late January 1997. Applications for Coastwest/Coastcare grants were submitted to the Ministry of Planning in December 1996 for funding of these projects on the basis of \$2 grant to \$1 Council. Initially, it was indicated that the successful projects would be announced by the Minister for Planning in April 1997.

In addition, an application was submitted for the funding of a consultant to investigate the present stability of the limestone cliff faces and 'man made' structures and to recommend an action plan to ensure the public's safety.

COMMENT/FUNDING

The approval of the Coastwest/Coastcare Grants are not likely to be announced until June and there has been no indication that these projects will be approved. Allowance has been made in the draft 1997/98 Budget for these projects, however, the earliest start date on the works would be August 1997. There is, however, the issue of public safety and the earlier erection of signs and fencing is recommended.

Signage, in accordance with Australian Standard AS2416 - Design and Application of Water Safety Signs and Conservation and Land Management - Rockfall Risk Area details, have been manufactured. Erection of these signs is programmed to commence on 29 May 1997.

The estimated cost of the fencing works at the Ocean Reef and Burns Beach sites is \$31,000. Funding has not been allocated in the Budget for these works, however, there have been savings on the following budget items which could be reallocated to this project:

ACCOUNT NUMBER	DESCRIPTION	FUND \$
27689	Beach Access Upgrade Programme	21,545
28463	Sand Levelling on Beaches	4,400
28461	Beach and Foreshore Cleaning	3,000
28567	Ocean Reef Boat Harbour - General	2,055
	Site Maintenance	31,000

MOVED Cr Wight, SECONDED Cr Popham that Council:

1. erects fencing at an estimated cost of \$31,000 in Reserve 20561 at the following two locations:
 - (a) western side of the path linking Ocean Reef Boat Harbour southern groyne and the southern end of the limestone outcrop at Mullaloo Beach;
 - (b) western side of the dual use path to the south of Ocean Parade, Burns Beach to the foreshore car park at Iluka;
2. authorises in accordance with the provisions of section 6.8 (1) of the Local Government Act 1995 the unbudgeted expenditure of \$31,000 for the erection of fencing in Reserve 20561 at Ocean Reef and Burns Beach;
3. recognises the funding of this project is by savings generated on the following item:

ACCOUNT NUMBER	DESCRIPTION	FUND \$
27689	Beach Access Upgrade Programme	21,545
28463	Sand Levelling on Beaches	4,400
28461	Beach and Foreshore Cleaning	3,000
28567	Ocean Reef Boat Harbour - General	2,055
	Site Maintenance	31,000

**CARRIED BY AN
ABSOLUTE MAJORITY**

C191-05/97 ANNUAL STUDENT SCHOLARSHIP AWARD - [701-1]

SUMMARY

The City of Wanneroo Student Scholarship Award program was established in 1981 to recognise the academic achievement and community contribution of students residing in the City of Wanneroo. Scholarships totalling \$26,000 are made available by the Council and are awarded upon the recommendation of the Annual Scholarship Award Panel. This report presents the recommendations of the Panel for the awarding of the 1997 Student Scholarships.

BACKGROUND

The City of Wanneroo Student Scholarship Award program was established in 1981 to recognise the academic achievement and community contribution of students residing in the City of Wanneroo. By resolution C239-05/96, Council extended the number of scholarships to be made available, recognising the tremendous growth in the student population since the program commenced. The Council now offers 10 full scholarships of \$2,000 and 6 half scholarships of \$1,000.

DETAILS

Seventy eight (78) scholarship applications were received this year and after review of academic standings, a total of twenty one (21) students were shortlisted for interview by the Award Panel. Interviews were conducted on Saturday 24 May 1997 and the following students have been selected by the Panel as worthy recipients of the 1997 City of Wanneroo Student Scholarship Award:

Full Scholarship (\$2,000 over 2 years)

Nicole Hall	Olga Klimczak
Ayesha Marshall	Kelly Kranz
Felicity Hawkins	Claire Whinnen
Christine Scrutton	Chai Yap
Kylie Jasper	Thi Tran

Half Scholarships (\$1,000 over 2 years)

Danielle Smith
 Pearlin Lee
 Karina Congdon
 Bree-Anne Stephenson
 Emma Dove
 Kerry Daubermann

COMMENT/FUNDING

Funds have been allocated in the 1996/97 Budget to fund the scholarships as recommended; the total value of scholarships recommended for award amounting to \$26,000.

MOVED Cr Freame, SECONDED Cr Taylor that Council endorses the following City of Wanneroo Scholarship Awards for 1997:

Full Scholarship (\$2,000 over 2 years)

Nicole Hall	Olga Klimczak
Ayesha Marshall	Kelly Kranz
Felicity Hawkins	Claire Whinnen
Christine Scrutton	Chai Yap
Kylie Jasper	Thi Tran

Half Scholarships (\$1,000 over 2 years)

Danielle Smith
 Pearlin Lee
 Karina Congdon
 Bree-Anne Stephenson
 Emma Dove
 Kerry Daubermann

CARRIED

C192-05/97 INVESTIGATION INTO THE AMENDMENT OF THE TOWN CLERK'S CONTRACT - [702-3]**SUMMARY**

As a result of a Council request, the Minister for Local Government commissioned an investigation into the amendment of the previous Town Clerk's employment contract.

The investigation report which was critical of the decision making process was forwarded to the Crown Solicitors office for advice. Having received the Crown Solicitors' advice, the Minister has advised that no further action will be taken.

BACKGROUND

At its meeting of 23 October 1997, Council considered a report from the Chief Executive Officer in respect to the amendment of the previous Town Clerk's contract. His report advised that there had been procedural defects in the decision making process. Council resolved the Minister for Local Government to commission an investigation into the matter.

The investigation report which was completed in January 1997 was critical of the decision making process.

In particular, the report observed that :

- 1 The original appointment of the Committee was questionable
- 2 There was no valid decision made regarding the Town Clerk's contract because there had not been a legal meeting convened
- 3 There is no proper committee record of the decision to amend the contract

The report recommended that :

- 1 No further action was warranted on the actual payout to the Town Clerk
- 2 Advice be sought from the Crown Solicitor's office
- 3 Council be required to undertake an independent statutory compliance audit and to explain what procedures are in place to ensure that there is not a reoccurrence.

Having received the Crown Solicitor's advice, the Minister has written to the Chief Executive Officer in the following terms :

“ *I refer to the Department of Local Government's advice of 8 January 1997 relating to the completion of an investigation into an amendment to the then Town Clerk Mr Ron Coffey's contract with the City.*

The report on the investigation recommended that advice be sought from the Crown Solicitor's Office on the legality of decisions made at Council or Committee meetings that are not properly convened or conducted as required by the Local Government Act. The report noted that the advice would need to reflect section 57(c) of the Interpretation Act.

Section 57(c) of the Interpretation Act states:

57 Where a board, Tribunal, commission, committee, council or other similar body, whether corporate or unincorporate, is established under a written law, the powers of such a body shall not be affected by -

- (a)...*
- (b)...*
- (c) a minor irregularity in the convening or conduct of a meeting of the body; or*
- (d)...*

The CSO advice makes it very clear we are not dealing with a "minor irregularity".

In a particular reference to the approval by the Mayor of an amendment to Mr Coffey's contract on 1 March 1996 on the basis of a general consensus gained by individual contact with committee members, the advice received highlights that any pretence to a decision of the committee cannot be made as no meeting was actually convened.

Advice also confirmed that the Local Government Act 1960 contemplated the holding of meetings with persons actually present. There was no provision for round robin resolutions or for holding telephone or video conferences. The Local Government Act 1995 has the same requirements.

It is clear that the amendment of Mr Coffey's employment contract agreed to by the Mayor is ineffective as:

- 1 (a) The appointment by Council at its 31 May 1995 meeting of the committee portrayed as having the responsibility of reviewing Mr Coffey's contract of employment, did not comply with the requirements of the 1960 Act and therefore any decisions of the committee would be ineffective.*
- (b) The general consensus obtained by the Mayor from members of that committee could not be considered as a decision of the committee, as there was no meeting of the committee at which a decision could be made.*
- (c) The committee, had it been properly constituted and met as required by the Act, because of doubts over its terms of delegation was not authorised to agree to the amendment of the contract.*

- (d) *The amendment to the contract was not affected in accordance with the provisions of the contract itself which required an amendment to be in writing and signed by the parties to the contract (the City of Wanneroo and Mr Coffey).*

I confirm that no specific action will be taken in relation to the payout to Mr Coffey as indicated in the investigation report. Nevertheless, I am exasperated that a local government with the status of the City of Wanneroo would make such fundamental errors in its procedures. I am aware that you are undertaking a compliance audit of your operations and I expect to receive a report on that audit as soon as it is complete. But, in reference to this matter I would like immediate advice on what procedures have been put in place to ensure that such disregard for the requirements of the Local Government Act does not happen again. “

COMMENTS

Council has agreed to undertake a Compliance Audit. Due to a resource problems, an approach was made to the Local Government Department, however it was unable to assist. More recently, an approach was made to Mr Gary Martin, however the extension of his contract with the Royal Commission precluded him from undertaking the work. Even though Council was unable to gain assistance, the standard compliance audit will be completed within a week.

In addition to the standard compliance audit, an audit of Council's 44 committees is also being undertaken. This audit is also nearing completion.

Procedures are in place to ensure that the decision making process conforms to legislative requirements and this will be monitored.

The practice highlighted in the report is not condoned and has not been allowed to happen since.

MOVED Cr Magyar, SECONDED Cr Wight that Council advises the Minister that :

- 1 procedures are in place that will ensure the adherence to legislative requirements;**
 - 2 the practice highlighted in the report is not condoned by Council and has not been allowed to happen since;**
 - 3 a compliance audit is being undertaken and he will be advised of the result as quickly as possible.**
- CARRIED**

C193-05/97 REQUEST FOR REPORT INTO FORMER TOWN CLERK'S CONTRACT - WANNEROO TIMES - [200-0]

Chief Executive Officer referred to the previous request by Wanneroo Times for a copy of the report "Investigation of the Amendment to the Town Clerk's Contract of Employment City of Wanneroo". Consideration of the provision of this report had been deferred subject to the Department of Local Government ruling on the Crown Solicitor's advice which they have received on the matter. Chief Executive Officer believed it now appropriate for Council to consider this request.

MOVED Cr Wight, SECONDED Cr Taylor that a copy of the Department of Local Government report into the changes made to the former Town Clerk's contract be released to the Wanneroo Times.

Discussion ensued on the above motion. Cr Popham requested that consideration of this item be held later in the meeting behind closed doors.

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

C194-05/97 NEERABUP NATIONAL PARK - [727-8-2]

MOVED Cr Healy, SECONDED Cr O'Grady that Council recognises the significant environmental values of Neerabup National Park and:

- 1 seeks urgent discussion with the Department of Conservation and Land Management to restrict further access to Neerabup National Park by public utilities, and to define the park boundaries;
- 2 briefs the Ministry of Planning of its concern for the future of Neerabup National Park and requests that the Ministry in conjunction with the Department of Conservation and Land Management and the City of Wanneroo develop guidelines for the extension, preservation and protection of the Park in accordance with, and in addition to, its existing boundaries.

CARRIED

INSTALLATION OF ROUNDABOUTS - [512-0]

Cr Ewen-Chappell stated she had received a number of telephone calls in response to an article appearing in the recent issue of NewsExtra in relation to roundabouts.

She advised the main concern of residents is the vegetation in the centre of the roundabouts which restricts vision and queried whether this vegetation could be replaced with groundcover plants.

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

BURNS BEACH RESIDENTS ASSOCIATION - [325-30]

Cr Hollywood queried the possibility of supplying a Council Agenda to the Burns Beach Residents Association on a monthly basis.

The Mayor advised that Cr Hollywood could collect one from the public allocation at the rear of the Council Chamber.

PARKING - DAVALLIA PRIMARY SCHOOL - [692/31791/6]

Cr Major referred to a recent meeting he attended with Cr Bombak in relation to parking problems at Davallia Primary School and requested the sum of \$60,000 be listed for consideration in the draft Budget as a contribution towards parking at this school.

GLENGARRY PRIMARY SCHOOL - [961/34505/25, 510-1770]

Cr Major requested that the sum of \$5,000 be listed for consideration in the draft Budget for the provision of an entrance way to Glengarry Primary School from Alfreton Way.

He stated the HOPE Group do not use the current entrance as it is in a bad state of disrepair, but that it was used by many school children on a daily basis.

C195-05/97**MONITORING OF BORE RESULTS -MINDARIE REGIONAL COUNCIL OPERATION, TAMALA PARK - [508-5-5, 508-5-3]**

Cr Bombak requested a report be submitted to the June Technical Services Committee on test results of bores which were monitored from the Mindarie Regional Council operation at Tamala Park, in particular the results of any tests carried out over the past 12 months.

The City Engineer stated that CSIRO provides these reports and regular information is received by Council through the Mindarie Regional Council.

RESOLVED that a report be submitted to the June Technical Services Committee meeting outlining the test results of bores which were monitored from the Mindarie Regional Council operation at Tamala Park, in particular the results of any tests carried out over the past 12 months.

RETICULATION TO ENTRY STATEMENT - TRAPPERS DRIVE/WHITFORDS AVENUE - [510-1729, 510-1287]

Cr Taylor stated he had been advised that the reticulation to the entry statement to Trappers Drive and Whitfords Avenue had been turned off and sought clarification on this.

The Mayor understood that while investigative measures were being undertaken in relation to parks and verges, no additional bores would be turned off until such time as investigations had been completed.

The Acting City Parks Manager advised that the area in question was run from Mains pressure and had been disconnected by the developer, with the water meter being removed by the Water Authority.

Cr Taylor requested the Acting City Parks Manager to investigate whether the reticulation system in question was in fact connected to Mains pressure, as there is significant staining on footpath and kerb areas which would suggest that this is connected to a bore.

Cr Cooper took his leave to return to Queensland on business and advised Cr Taylor would chair the remainder of the meeting.

He thanked Councillors for the professional manner in which the meeting had been conducted and also thanked the public for their attendance.

Cr Cooper left the Chamber at this point, the time being 2250 hrs, Cr Taylor assumed the Chair.

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-minutes period of question time, during which questions may be put by the public on business discussed during the course of the meeting.

Cr Magyar entered the Chamber at this point, the time being

Mr Vic Harman, Ocean Reef Residents Association

CS75-05/97 - Mr Harman requested that the Ocean Reef Residents Association be provided with a costing for the replacement of the letters "O", "C" and "N" with the letters "H", "T" and "H" on the Ocean Ridge Recreation Committee wall.

In addition to this, costs were requested for the replacement of the Civic Centre sign on Heathridge Park and the removal of the word "Beaumaris" from the Community Centre in Ocean Reef.

Response by Acting Mayor:

The Acting Mayor advised these questions would be taken on Notice.

Ms Jill Brown, Merriwa

- Q1 Ms Brown queried whether test results of bores which were monitored from the Mindarie Regional Council operation at Tamala Park as raised by Cr Bombak could also be made available to members of the public.

Response by Chief Executive Officer:

- A1 The Chief Executive Officer advised that the results of these tests were public documents and as such were available for viewing by contacting the General Manager of Mindarie Regional Council, Mr Ralph Fardon.

- Q2 Ms Brown referred to 1991 and the Waste Management Committee of City of Wanneroo, of which she was a member, and the several recommendations made by way of a report on recycling.

She queried why in the intervening six years there had been no positive outcome.

- A2 The City Engineer advised that Council was in the last stages of a 12 month study in relation to waste and recycling. As a result of this study, a public participation process would occur, in addition to a report being submitted to the Technical Services Committee which would progress this matter through to a conclusion.

Mr Ron Chamberlain of Connolly

FA76-05/97, Page 81

How can the appointment of Auditors be passed, when tenders have been called for the position of Auditors for the coming three years?

Response by Chief Executive Officer

The Chief Executive Officer advised that an earlier Motion had been passed to appoint Auditors for a period of 3 years, but that this time frame would have exceeded the limit set under the Tender Regulations of \$50,000.

In view of this, the previous Motion was required to be rescinded and tenders called for the appointment of Auditors.

Mrs A Hine, Dundobar Road, Wanneroo

- Q1 Mrs Hine referred to questions in relation to the Catholic Archbishop she had submitted during the first section of Public Question Time at the beginning of the meeting and advised these related to Item 8 listed under the Delegated Authority Unit.

She referred to an article in the Wanneroo Times last year where it was stated that the area of land in question was unsuitable for housing and queried what has changed since then, that now makes it suitable?

Response by City Planner:

A1 The City Planner stated he was unaware of the land not being capable for housing, and advised all land could be used for housing. He advised he would investigate these comments.

Q2 Policy Committee, Page 6 - Issues that Council may consider behind closed doors.

Mrs Hine queried whether members of the public would be advised what matters were to be considered behind closed doors, or would there be blank pages in the Agenda?

Response by Chief Executive Officer

The Chief Executive Officer advised that the Local Government Act and Regulations laid down specific categories of issues to be heard behind closed doors.

The Deputy Mayor advised this Item referred to a report from the Policy Committee meeting, not a report submitted at tonight's meeting.

Mrs Hine referred to the fact that it was appropriately noted when an Item was Confidential and to be discussed behind closed doors and queried why this was no longer advised.

Response by Acting Mayor:

The Acting Mayor advised the meeting would go behind closed doors to discuss an Item and members of the public would be advised to wait in the foyer area. When the Motion(s) had been finalised, members of the public would be invited back into the Chamber to hear the Motion(s) that had been passed.

Q3 Code of Conduct, Page 45

New Councillors are required to sign a Declaration of Code of Conduct? Does this also apply to the remaining Councillors?

Response by Acting Mayor:

The Acting Mayor advised that this was applicable to all Councillors. The 8 Councillors sworn in at the Swearing-In Ceremony signed the declaration at that time. All other sitting Councillors have been requested to sign the declaration and my understanding of the situation is that as of Tuesday, 27 May three more declarations have been received, leaving two declarations outstanding.

Q4 Is this requirement something new?

Response by Acting Mayor:

Yes. A Code of Conduct has been adopted by Council, and all Councillors would sign and agree to abide by such a Code.

Q5 Technical Services Committee, Page 35 - Enterprise Bargaining

Is it \$1.10 per hour, or \$1.10 per week that will be payable to employees?

A5 ***Response by Acting City Parks Manager***

This is an Award increase that has been handed down by the Industrial Commission and that the payment was an allowance of \$1.10 per week.

Q6 Who was the consulting law firm who drew up the policy in regard to the scheduled fees for the Royal Commission?

A6 ***Response by Chief Executive Officer:***

The Chief Executive Officer advised the law firm in question was Kott, Gunning. The policy is not only for legal representation for the Royal Commission, but for legal representation right across the board.

Q7 Mrs Hine queried the current position in regard to Council's solicitors?

A7 ***Response by Acting Mayor:***

The Acting Mayor advised that Council has currently advertised for expressions of interest from all law firms within the State to tender for Council's legal representation.

Mr B Higgins of Carabooda

Mr Higgins referred to an earlier which he had placed On Notice in relation to a young persons' summit and queried whether Council would give urgent consideration to convening a young persons' summit?

Response by Acting Mayor:

The Acting Mayor advised that several Councillors would be interested in pursuing this matter.

MOVED Cr Popham, SECONDED Cr Magyar that be meeting be held behind closed doors to discuss a legal matter, the time being 2307 hrs. CARRIED

Members of the public and press left the Chamber at this point.

CONFIDENTIAL BUSINESS

C193-05/97 REQUEST FOR REPORT INTO FORMER TOWN CLERK'S CONTRACT - WANNEROO TIMES - [200-0]

Discussion ensued.

Cr Taylor believed it would be inappropriate to remain as seconder to this Motion, as he was now chairing the meeting.

MOVED Cr Wight, SECONDED Cr Healy that a copy of the Department of Local Government report into the changes made to the former Town Clerk's contract be released to the Wanneroo Times. LOST

MOVED Cr Magyar, SECONDED Cr Healy that the meeting be held with the doors open, the time being 2325 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 and press of the item considered behind closed doors and read the above Motion.

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for 7.30 pm on **WEDNESDAY 25 JUNE 1997**

CLOSE OF BUSINESS

There being no further business, the Acting Mayor declared the Meeting closed at 2307 hrs, the following Councillors being present at that time:

COUNCILLORS: TAYLOR
FREAME
LYNN
EWEN-CHAPPELL
MAGYAR
ZUVELA
O'GRADY
WIGHT
MAJOR
BOMBAK
HEALY
POPHAM
TIPPETT
HOLLYWOOD

