



CITY OF WANNEROO

**MINUTES OF COUNCIL MEETING HELD ON
23 JULY 1997**

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DATE OF NEXT MEETING

131

CLOSE OF BUSINESS

CITY OF WANNEROO

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER,
JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON
WEDNESDAY, 23 JULY 1997

ATTENDANCES AND APOLOGIES

Councillors:	B A COOPER, Mayor	Central Ward
	A G TAYLOR, Deputy Mayor	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
	M E LYNN, JP	South-West Ward
	J BOMBAK, JP	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Strategic Planning:	R FISCHER
Director, Resource Management:	J B TURKINGTON
Director, Technical Services:	R McNALLY
Director, Development Services:	O G DRESCHER
Director, Community Services:	C HALL
Manager, Council Support Services:	M SMITH
Publicity Officer:	K LEE
Committee Clerk: J AUSTIN	
Minute Clerk:	L TAYLOR

There were 156 members of the Public and 2 members of the Press in attendance.

Prior to the opening of the Council meeting, Mr Leo Arrigo of the Town of Sinagra presented gifts to Council.

The Mayor declared the meeting open at 1946 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mr G Pimblett, the builder of the shed on Lot 467 (44) Scaphella Avenue, Mullaloo, were taken on notice at the Council meeting held on 25 June 1997:

- Q1 Why was the building licence for the garage at Lot 467 (44) Scaphella Avenue, Mullaloo processed and issued before Town Planning approval of this project was given?
- A1 (Answered at the meeting by the Director of Development Services). Ideally planning approval should be granted first but there is no restriction or legislation in this regard. However, the building licence is subject to the planning approval.
- Q2 Why was the building licence issued to the owner, Mr Duffield, without authorisation of the builder (myself)?
- A2 It is Council's understanding verbal authorisation was given by yourself to Mr Duffield to collect the building licence. Part XV of the Local Government (Miscellaneous Provisions) Act does not require a building licence to be collected by a register builder or anyone authorised by the builder. The Builders Registration Act 1939-1980 does have that requirement but this particular garage is not considered under that Act due to its use and value (under \$10,000).

The following questions were submitted by Mr Vic Harman:

Item - P56-07/97 - Further to Council's Policy of allowing Councillors to retain ownership of certain items of equipment on relinquishing office:

- Q1 What is the retail value and cost to Council of each of the following items?
- mobile telephone
 - mobile telephone hands free kit installed in vehicle
 - plain paper facsimile/answering machine
 - personal computer
 - laptop computer
 - printer
 - filing cabinet
 - computer desk
- A1 The approximate costs to Council of the following items are:
- | | |
|-------------------------|---------|
| • mobile phone | \$ 318 |
| • hands free car kits | \$ 238 |
| • fax/answering machine | \$ 750 |
| • personal computer | \$1,500 |
| • printer | \$ 770 |
| • filing cabinet | \$ 178 |

No purchase of laptops for elected members has been made to date, therefore no cost can be supplied. Computer desks have not been purchased for sometime; a current price cannot be supplied.

Q2 What annual depreciation is applied?

A2 Computer equipment is depreciated at a rate of 33.34% and is written off after three years. Other furniture and equipment is depreciated at a rate of 10% and is written off over ten years.

Any items that are purchased for less than \$500 after 1 July 1997, are not capitalised as an asset and would be written off as an operating expense of Council.

Q3 Do these constitute a "fringe benefit" and are liable for taxation purposes?

A3 No

Q4 If so, will they be a charge to the Councillor or to ratepayers?

A4 Not applicable.

Q5 As equipment requires updating, because of technical advances, why cannot Councillors have the loan of these items during their term of office and the items then be put to tender so that interested community groups have the opportunity to apply for them?

A5 Upon purchase of new technology, Council may give consideration to leasing this style of equipment rather than the outright purchase. It needs to be noted that elected members are not issued with new equipment every two years. The policy clearly states if a person ceases to be a Councillor after serving not less than two years, is entitled to retain all the equipment with the exception of a computer that is less than two years old.

It is envisaged that a Councillor re-elected for a term of office (now 4 years under the Local Government Act 1995) may choose to have certain items reissued to them. Those items that are required to be exchanged would be returned to the 'Administration' for appropriate use or disposal.

Q6 What proposals does Council have for further "fringe benefits" such as the leasing of cars or providing electronic note pads like "Pilot"?

A6 Council has no intention to supply this equipment at this stage.

The following questions were submitted by Mrs A Hine: (It is assumed the questions relate to Lot 560 Manakoora Rise rather than Nanakoora Rise)

Q1 Can Council explain how substantial discrepancies were found to have occurred by your "R" Code expert who was called upon for advice in relation to the house at Nanakoora Rise, Lot 560?

- A1 The interpretation of the R Codes is open to substantial variations which have become evident in the Local Government industry after receiving a number of so-called expert interpretations.
- Q2 When was the full Council informed of the full facts of the K.A. Adam & Associates report (date please)?
- A2 A report was submitted to the full Council meeting held on 23 October 1996.
- Q3 Did Council ever consult with the adjoining neighbours in a proper fashion or according to policy?
- A3 Yes - letters were sent to all affected neighbours.
- Q4 Would Council admit, there has been a procedural error and whether it was outside the discretion of Council under planning regulations? (the DAU)
- A4 No - Council is not in a position to make any admission in this area.
- Q5 As the R Codes are gazetted under the provisions of the Town Planning and Development Act, have any of the provisions, laws, acts been broken? Has the report to Council by your expert (Mr Adam & Associates) been found to be correct? It appears it could be a case of wrong doing within the Council.
- A5 No - there is no evidence that suggests any provisions, laws, or acts have been broken by the Council. These matters are currently subject to investigation.
- Q6 Is it correct that an application only went before the Councillors in March 1995 for a retaining wall of 2.5 metres in height? Was this attended to at Technical Services Committee in March 1995? At what stage did the 2.5 metre retaining wall become part of the structure of the house? (not just a simple retaining wall)
- A6 The information referred to was dealt with at the Council's April 1995 meeting after being dealt with by Council's Technical Services Committee. The retaining wall and the structure it supported was shown on the attachment to the report submitted to the April 1995 Technical Services Committee and on the Approval in Principle Application.
- Q7 Now that the western wall is three stories high (not just a retaining wall 2.5 metres) did this whole item go before the Town Planning Committee? What date? If so, what was the recommendation at that meeting? Was this passed at full Council? and what date?
- A7 The application was not presented to the Council's Town Planning Committee as no planning approval is required by law for single residential development.
- Q8 Was the application ever properly assessed in relating to the "R" Code under the provision of the Town Planning and Development Act?
- A8 The answer to this question is a repeat of that provided to Question 7.

- Q9 Has there been a decision as to the outcome of:
- (a) Municipal Liability Scheme
 - (b) Department of Local Government
 - (c) Anti Corruption Commission
- A9 Assuming this question refers to investigations being carried out by the Municipal Liability Scheme and the Department of Local Government, the answer is that neither investigation has been completed at this stage. Council is unaware of any investigation by the Anti-Corruption Commission.
- Q10 Does Council still believe all correct processes were following in the approval of the development application for the construction of the house on Lot 560, Nanakoora Rise, Sorrento?
- A10 Yes - one must accept that under current provisions, the R Codes are enforceable under the Town Planning and Development Act. The fact that single residential development does not require planning approval has a limiting factor on the enforcement of the R Codes.

The following question was submitted by Jenny Dean of 8 Hydrangea Place, Alexander Heights:

- Q1 The RSPCA has recently launched an Australia wide campaign against the use of performing animals in circuses. The RSPCA encourages concerned people to contact local Council in an effort to have the obvious abuse of animals stopped. Over the past six months, Wanneroo Council has been presented with petitions signed by well over 500 residents, asking that Council adopt a policy banning circuses with performing animals.

Why does Council refuse to act on the wishes of the residents? When will Council adopt this much awaited policy?

The following question was submitted by Karen Boothey of 20 Gilmerton Way, Greenwood:

- Q1 How many letters has Council received in favour of circuses with performing animals and how many against?

The following question was submitted by Paula McManus of 51 Aberdare Way, Warwick:

- Q1 Does Council recognise the RSPCA as Australia's pre-eminent animal welfare body? If so, why does it continue to disregard the RSPCA's Policy in relation to circuses which states: "RSPCA Australia is totally opposed to the use and exhibition of performing animals in travelling zoos and menageries."

The following question was submitted by Ruth Dawson of 51 Aberdare Road, Warwick:

- Q1 Is Council aware that in England 300 Councils (representing half) have banned circuses with performing animals because of the animal welfare issue?

The following question was submitted by Kathy Poynter of 24 Sixth Avenue, Maylands:

- Q1 Council's policy in relation to circuses states: "Circuses affiliated with the Circus Federation and non-traditional circuses be permitted to use Council facilities at Ariti Reserve and Liddell Reserve South." The Circus Federation is made up of 13 Australian circuses, who together, have an appalling track record of deaths, accidents and convictions of cruelty and mistreatment. As far as I know, there have been 17 attacks on humans, 5 deaths, 11 animal deaths, numerous cases of animals being injured, 7 escapes and 3 convictions - not bad, considering the RSPCA's limited authority.

Bearing this in mind, and in light of the recent attack on a Girrawheen man by a tiger belonging to Lennon Brothers Circus, will Council now adopt a policy prohibiting the use of Council land by circuses with performing animals?

The following question was submitted by Yvette Watt of 42 Kingsway, Nedlands:

- Q1 In Bathurst (NSW) in May this year, a lion belonging to Burton's Circus (members of Circus Federation) escaped and was later captured and sedated in a nearby backyard. In April, in Girrawheen, a man was attacked by a tiger from Lennon Bros. Circus (also members of Circus Federation). In light of these incidents, will Council consider not only the health and well being of performing animals, but also the health and safety of residents and visitors in the Wanneroo district?

The Mayor advised these questions relating to circuses would be taken on notice, with a written response being forwarded to the appropriate people.

The following questions were submitted by Mr Bernard Eastman, 31 Pandora Drive, City Beach:

I have been informed by the City of Wanneroo that applications for substantial development proposed within one kilometre of Telstra Telecommunication Centre would normally be referred to Telstra for its comments prior to the City determining the application.

I am also informed that the authority for Council referring such applications to Telstra is largely on the basis that Telstra is an authority.

I am informed by Telstra that they are no longer an authority but in fact an Australian company known as Telstra Corporation Limited ACN 051 775 556.

If Telstra's information is correct:

- Q1 Under what authority does Council refer planning applications to Telstra?
- Q2 Is Telstra obliged to apply to the City of Wanneroo for development projects on its land;

- Q3 If so, why are submissions from surrounding residents not sought in terms of Clause 7.4(f) of the City's Town Planning Scheme No 1?

The Mayor advised these questions would be taken on notice,

The following questions were submitted by Mr Behnam Bordbar, Director of BSD Consultants:

Re: Subdivision Application in relation to Lots 1, 2 and 3 Wanneroo Road and Lot 33 Lancaster Road, Wangara:

- Q1 Will the Director of Development Services here tonight please confirm or otherwise whether the proposed subdivision of Lots 1, 2 and 3 Wanneroo Road and Lot 33 Lancaster Road, Wangara complies with the current approved local structure plan for the South Wangara region.
- Q2 Will the Director of Development Services here tonight please confirm or otherwise whether the proposed subdivision complies in terms of road hierarchy and vehicle access on to Wanneroo Road with the findings and recommendations of the East Wanneroo Structure Plan Study recently prepared on behalf of the Council by BSD Consultants in close liaison with Council officers, officers from Ministry for Planning and officers from Main Roads WA.
- Q3 Does the Mayor believe that the proposed subdivision and subsequent changes required to the structure plan set a precedent for other landowners to change the structure plan for commercial reasons?
- Q4 Will the Director of Development Services here tonight please confirm or otherwise whether the proposed subdivision complies with Amendment No 657 to the City of Wanneroo Town Planning Scheme No 1 that is - the establishment of a 10m wide parks and recreation reserve along Wanneroo Road to provide a continuous landscaped buffer strip to restrict access on to Wanneroo Road.
- Q5 Given the fact that any condition imposed by Council and agreed to by the applicants can be appealed to the Minister, can the Director of Development Services guarantee that construction of the north side extension of Berriman Drive through Lots 1 and 2 and the permanent closure of the existing accessway from Wanneroo Road - Lot 1 including the rights of carriage way on to Lots 262, 263, 264 and 2 would occur under the subdivisional process.

The Mayor responded to Question 3 which was directed to himself with the answer - No.

Director, Development Services advised he would take these questions on notice and advise BSD Consultants accordingly.

The following question was submitted by Ms Jill Brown, of Merriwa:

Ms Brown asked that Council provide a drop-in centre in the Merriwa/Quinns area, with such a facility being dedicated to the memory of the late Councillor Fleur Freame.

The following question was submitted by Mr Lance Wilson:

(Mr Wilson is involved with the northern suburbs youth development association. A new group has now been formed consisting of representatives from the Police Department, a number of politicians with the aim of putting together a new project called "HELP". This stands for Health and Eco Lighthouse Project. This is a full rehabilitation drug facility with crisis care capability, and workshops involving the Department of Education, TAFE, and accredited courses for rehabilitation.)

Q1 Would this Council hear a delegation from HELP in the situation of partial funding from this Council to help the farm facility become up and running and possibly partial on-going funding for this facility?

The HELP group will be approaching all Councils in the metropolitan area with exactly the same question for exactly the same facility.

A1 *Response by the Mayor:* The Chairman of Finance and Community Services Committee was present this evening and would take this question on board.

The following question was submitted by Mr Barry Higgins of Carabooda:

Q1 Has Council submitted any projects to the Federal Government Scheme for "Work for the Dole" for funding under that scheme?

A1 *Chief Executive Officer's response:* We have received some preliminary information on this, however there has been no formal documentation received to date. Certainly the Director, Community Services has already read considerable documentation to date and currently there are people working on likely projects at this time.

Q2 (Mr Higgins referred to comments made by the Federal Minister that an excessive amount of applications with projects had been received and that the offer would be closed on 16 August 1997) Can Council expedite this matter as no late applications would be accepted after that date.

Q3 P56-07/97 - Council issued property to Councillors.

It stated in the June Agenda that bar keys were not a returnable item? I am concerned at the amount of bar keys circulating in the community.

A3 *Mayor's response:* The Mayor advised that the locks had been changed.

PASSING OF COUNCILLOR FLEUR FREAME

Councillor Fleur Freame passed away on 2 July, aged 61.

Undoubtedly one of the City's most popular and hard-working representatives, Cr Freame died after unsuccessfully undergoing a triple heart bypass at Sir Charles Gairdner Hospital.

Cr Freame was elected to the position of Councillor at the City in May 1987. During her time she served twice as Deputy Mayor.

The Mayor paid tribute to her passion about issues affecting children and women, community and cultural art programs and the history of the City. As a result, Cr Freame was involved in many committees, organisations and clubs.

PUBLIC MEETING TO DISCUSS CITY'S ENVIRONMENTAL OPTIONS PAPER - TUESDAY, 15 JULY

Representatives from the City's Environmental Waste Services unit gave a public presentation on the Options Paper published recently in the Wanneroo Times.

The presentation offered an in-depth discussion on the City's environmental public consultation process, environmental options being considered by the City and the importance of looking at the "big environmental picture".

The meeting encouraged local residents to put forward their opinions and their queries were answered by the specialist staff.

POLICE ACADEMY

On behalf of the Council, the Mayor recently endorsed a submission supporting a bid to attract the Police Academy to Joondalup.

The Mayor believed the location of the Police Academy in Joondalup will be a boon for the burgeoning City.

The land being offered for the Academy is owned either by LandCorp, Edith Cowan University or Joondalup TAFE, as one of the conditions for the location of the Academy is that it be collocated with a tertiary institution.

MEETING WITH LOCAL GOVERNMENT ADVISORY BOARD

A meeting was held on Monday, 7 July with representatives of the Local Government Advisory Board regarding the Local Government Minister's proposal to split the City.

The Board has advised that the public consultation period will start on 1 August and close mid-September, with the Board's report being presented to the Minister in October.

The Board has sought the Council's assistance to convene public meetings throughout the City.

The Chief Executive Officer has arranged for John Woodhouse, a solicitor who advised the City of Perth during its restructure, to provide information on proposed steps and options available under the Local Government Act.

Mr Woodhouse will prepare a presentation for the council in the near future.

Bruce Perryman, a consultant who assisted with the financial modelling for the Advisory Board, has been engaged by the City to build a complete financial model on the Minister's proposal.

This will provide the Council with information on the viability and appropriateness of the proposed boundaries.

The Minister has been asked to provide more detailed information to the Council on what he proposes to do with items under Schedule 2.1, Clause 11 of the Local Government Act, which lists factors including property issues, existing contracts, the future of the Mayor and Councillors, the rights and entitlements of existing staff and asset distribution.

CONNOLLY RESIDENTS ASSOCIATION

LandCorp representatives and the Mayor met recently with the Connolly Residents Association to discuss arrangements for road verge treatment and a proposed community facility.

The State Government has made available \$300,000 for road verge treatment in Connolly and \$250,000 for a community facility in Glenelg Place, Connolly.

JOONDALUP BUSINESS REPRESENTATIVES

The Chairman of the LandCorp Board, respective Chief Executive Officers and the Mayor met recently with Joondalup business representatives to discuss issues and initiatives for the future development of the Joondalup City Centre.

The Mayor has undertaken to meet with this group regularly in order to improve communication between the City of Wanneroo and the business sector.

Issues discussed at the meeting were the right-hand vehicle turn into Reid Promenade from Grand Boulevard, the introduction of night markets, differential rating concessions for commercial zones, the freeway extension timetable, the marketing of an events strategy for the City Centre and employment of an economic development officer.

EVENTS ATTENDED BY COUNCILLORS SINCE COUNCIL MEETING OF 25 JUNE 1997

The Mayor advised of the following events attended by Councillors:

- Wednesday, 9 July BBQ to thank the many people involved in the design and construction of the new buildings
- Thursday, 10 July Whitford Lions Club Neighbour of the Year Award presentation
- Wednesday, 16 July Local boy, Shaun Robinson, who is in remission from leukaemia, and his family were given a special tour of the new buildings as part of his 12th birthday celebrations. Shaun enjoyed sitting in the Mayor's chair and surfing the Internet in the Library. Organised by Deputy Mayor, Cr Taylor.

FIRST CITIZENSHIP CEREMONY

The first Citizenship Ceremony was held in the new Chamber last evening, Tuesday 22 July.

DEPUTISING FOR THE MAYOR

The Mayor thanked the following Councillors for deputising on his behalf:

CR O'GRADY

Thursday, 26 June International Day of Action Against Drug Abuse breakfast. This event launched the WA Drug Strategy Action Plan 1997-99

CR HOLLYWOOD

Friday, 4 July Main Roads WA breakfast seminar - "WA Road Needs"

Friday, 11 July Australians for an Ecologically Sustainable Population's public meeting and presentation of prizes for a school poster competition

CR TAYLOR

Sunday, 6 July WA Sporting Car Club luncheon at Barbagallo Raceway

CR EWEN-CHAPPELL

Tuesday, 15 July 50th wedding anniversary presentation to local residents, Mr and Mrs Lever

CR HEALY

Saturday, 19 July CALM's re-opening of Yanchep Inn, followed by an inspection of the upgrading work

PETITIONS, MEMORIALS AND DEPUTATIONS**C227-07/97 PETITION REQUESTING THE INSTALLATION OF CENTRE ISLAND, CORNER MARYBROOK ROAD AND CONIDAE DRIVE SOUTH, HEATHRIDGE - [510-1984, 510-2001]**

A 9-signature petition has been received from Heathridge residents requesting the installation of a centre island on the corner of Marybrook Road and Conidae Drive South, Heathridge.

The petitioners state the area in question is particularly hazardous, not only from the high volume of traffic, but also the speeds at which motorists travel; thereby creating safety risks to members of the public.

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

MOVED Cr O'Grady, SECONDED Cr Wight that the 9-signature petition from Heathridge residents requesting the installation of a centre island on the corner of Marybrook Road and Conidae Drive South, Heathridge be received and referred to Technical Services for a report to Technical Services Committee. CARRIED

C228-07/97 PETITION IN SUPPORT OF PROPOSED PHYSIOTHERAPY CONSULTING ROOMS, LOT 535 (20) BURRAGAH WAY, DUNCRAIG - [30/5640]

Cr Wight submitted a copy of a 47-signature petition in support of the proposed physiotherapy development at Burrarah Way, Duncraig.

This copy petition will be considered in conjunction with Item DP126-07/97.

MOVED Cr O'Grady, SECONDED Cr Wight that the 47-signature copy petition in support of the proposed physiotherapy development at Burrarah Way, Duncraig be received and considered in conjunction with Item DP126-07/97. CARRIED

C229-07/97 PETITION OPPOSING THE USE OF PERFORMING ANIMALS IN CIRCUSES - [260-8]

Cr Magyar submitted a copy of a 48-signature petition opposing the use of performing animals in circuses.

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

MOVED Cr O'Grady, SECONDED Cr Wight that the 48-signature copy petition opposing the use of performing animals in circuses be received and referred to Recreation and Cultural Services for action.

CARRIED

C230-07/97 REQUEST FOR FINANCIAL ASSISTANCE - [003-1]

Cr Lynn submitted a letter from Sorrento Soccer, Sports and Social Club (Inc) requesting financial assistance for three junior soccer players to represent Western Australia.

This request will be referred to Recreation and Cultural Services for a report to Finance and Community Services Committee.

MOVED Cr O'Grady, SECONDED Cr Wight that the letter from Sorrento Soccer, Sports and Social Club (Inc) requesting financial assistance for three junior soccer players to represent Western Australia be received and referred to Recreation and Cultural Services for a report to Finance and Community Services Committee.

CARRIED

C231-07/97 LETTER IN SUPPORT OF HOME OCCUPATION - ANGOVE DRIVE, HILLARYS - [1039/28/11]

Cr Lynn submitted a letter from a resident of the RSL Village, Hillarys in support of the home occupation (hairdressing salon) operating in Angove Drive, Hillarys.

This letter will be referred to Development Services for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the letter from a resident of the RSL Village, Hillarys in support of the home occupation (hairdressing salon) operating in Angove Drive, Hillarys be received and referred to Development Services for action.

CARRIED

C232-07/97 LETTER REGARDING NAMING OF MCDONALD RESERVE PAVILION - [061-231-4]

Cr Lynn submitted a letter from Whitfords Recreation Association requesting that the new pavilion at McDonald Reserve in Padbury be named the "Fleur Freame Pavilion" as a lasting memorial to such a fine lady and servant of the City of Wanneroo.

This letter will be referred to Strategic Planning for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the letter from Whitfords Recreation Association requesting that the new pavilion at McDonald Reserve in Padbury be named the "Fleur Freame Pavilion" be received and referred to Strategic Planning for action.

CARRIED

C233-07/97 VARIOUS CORRESPONDENCE RECEIVED - FOR ACTION - [702-0]

Cr Bombak submitted the following documentation for referral to the appropriate Business Units:

- letter from John and Maureen Monkhouse and William and Lorna Cabbage, objecting to the proposed Physiotherapy rooms at 20 Burragah Way, Duncraig - to be referred to Development Services
- letter from F and H Gow of Walter Padbury Boulevard, Padbury regarding the Shiloh Development at Reserve 44415 Chadlington Drive, Padbury - to be referred to Development Services
- letter from G &S Industries regarding the Telstra Buffer Zone - to be referred to Development Services
- letter from Whitfords Recreation Association requesting that the new pavilion at McDonald Reserve in Padbury be named the "Fleur Freame Pavilion" - to be referred to Strategic Planning
- letter from Iain MacLean MLA regarding the Rural lots west of Alexander Drive, Landsdale - to be referred to Development Services
- letter from Phoenix Holden of Wanneroo regarding the proposed subdivision of Lots 1,2 and 3 Wanneroo Road and 33 Lancaster Road, Wangara - to be referred to Development Services
- letter from Hillarys Yacht Club (Inc) regarding a proposed dinghy launching facility - to be referred to Development Services
- letter from The Planning Group regarding the proposed subdivision of Lots 1,2 and 3 Wanneroo Road and 33 Lancaster Road, Wangara - to be referred to Development Services
- letter from Jill Brown regarding the holding of a Youth Summit - to be referred to Welfare Services
- letter from Mrs P Taylor and Mr M Howarth regarding the use of Lot 50 Alexander Road, Padbury as a dance studio - to be referred to Development Services
- letter from Whitford City Shopping Centre regarding hosting of the annual "Community Day" - to be noted.
- letter from Colin Langer regarding South Wangara Structure Plan - to be referred to Development Services
- letter from The Planning Group regarding the Wangara South Structure Plan - to be referred to Development Services
- letter from Mr F Johnson requesting footpath to Fernwood Park - to be referred to Technical Services

MOVED Cr O'Grady, SECONDED Cr Wight that the letters submitted by Cr Bombak on various issues be received and referred to the appropriate business units for action.

CARRIED

C234-07/97 PETITION REQUESTING THE INSTALLATION OF LIGHTING AT TOM WALKER PARK, SORRENTO - [1843/521/11, 061-346]

A 159-signature petition has been received from residents of the City of Wanneroo requesting the installation of lighting at Tom Walker Park, Sorrento.

The petitioners state illuminating the park would go some way to preventing the continual attacks by youths who menace the area at weekends; in particular vandalising vehicles, throwing bottles at homes, destroying private gardens.

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

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from residents of the City of Wanneroo requesting the installation of lighting at Tom Walker Park, Sorrento be received and referred to Parks Landscaping Services for a report to Technical Services Committee. CARRIED

C235-07/97 PETITION OBJECTING TO DOG BEHAVIOUR - McINNESS COURT, GREENWOOD - [1069/179/1]

A 12-signature petition has been received from Greenwood residents in relation to their concern regarding a dog on a property in McInness Court, Greenwood.

The petitioners state the dog in question not only continually barks throughout the day or night, but is of an aggressive nature, thereby causing a potential threat to members of the public.

This petition will be referred to Compliance Services for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from Greenwood residents in relation to their concern regarding a dog on a property in McInness Court, Greenwood be received and referred to Compliance Services for action. CARRIED

C236-07/97 PETITION OBJECTING TO DOG BEHAVIOUR - JUNIPER WAY, DUNCRAIG - [0692/116/32]

A 13-signature petition has been received from Duncraig residents in relation to their concern regarding two dogs on a property in Juniper Way, Duncraig.

The petitioners state the dogs in question not only continually bark throughout the day or night, but are of an aggressive nature, thereby causing a potential threat to members of the public.

This petition will be referred to Compliance Services for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from Duncraig residents in relation to their concern regarding two dogs on a property in Juniper Way, Duncraig be received and referred to Compliance Services for action. CARRIED

C237-07/97 PETITION OBJECTING TO PROPOSED STORMWATER DRAINAGE IMPROVEMENTS AT CHURTON RESERVE, WARWICK - [061-428, 510-0138, 510-0140]

An 11-signature petition has been received from Warwick residents strongly objecting to the proposed stormwater drainage improvements to be carried out at Churton Reserve, Warwick.

The petitioners state other options should be addressed for the disposing of excess stormwater, other than those proposed.

This petition will be referred to Technical Services for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from Warwick residents strongly objecting to the proposed stormwater drainage improvements to be carried out at Churton Reserve, Warwick be received and referred to Technical Services for action.

CARRIED

C238-07/97 PETITION REQUESTING THE RELOCATION OF SCHOOL BUS SHED - LEICHHARDT DRIVE, TWO ROCKS - [510-0546]

A 7-signature petition has been received from Two Rocks residents requesting the relocation of the school bus shed from its present location to a more suitable location, preferably opposite the end of Leichhardt Drive in Blaxland Avenue, Two Rocks.

The petitioners state the residents living opposite and alongside the bus shed are subjected to continual anti-social behaviour from school children waiting to use the bus and the relocation of the bus shed to the area opposite the end of Leichhardt Drive in Blaxland Avenue is more appropriate for the siting of the bus shed, as it is removed from the vicinity of immediate residences

This petition will be referred to Technical Services for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from Two Rocks residents requesting the relocation of the school bus shed from its present location to a more suitable location, preferably opposite the end of Leichhardt Drive in Blaxland Avenue, Two Rocks be received and referred to Technical Services for action. CARRIED

C239-07/97 PETITION OBJECTING TO ZONING OF LOTS 356, 357 AND 358 AINSBURY PARADE, CLARKSON FOR A CHURCH HALL - [3725/358/3, 30/5639]

A 107-signature petition has been received from residents of the City of Wanneroo objecting to the zoning of Lots 356, 357 and 358 Ainsbury Parade, Clarkson for a church hall.

The petitioners state the proposed hall is to be large, accommodating up to 200 people with car parking available for up to 50 vehicles. They feel that as a result of this development, problems will occur in the form of traffic congestion and noise, thereby detracting from the residential amenity of the area.

This petition will be referred to Development Services for a report to Development and Planning Services Committee.

MOVED Cr O'Grady, SECONDED Cr Wight that the petition received from residents of the City of Wanneroo objecting to the zoning of Lots 356, 357 and 358 Ainsbury

Parade, Clarkson for a church hall be received and referred to Development Services for a report to Development and Planning Services Committee. CARRIED

C240-07/97 PETITION OBJECTING TO NOISE EMANATING FROM HUNGRY JACKS RESTAURANT, WHITFORD CITY SHOPPING CENTRE, WHITFORDS AVENUE, HILLARYS - [30/0300]

A 17-signature petition has been received from Kallaroo residents objecting to the unacceptable noise levels emanating from Hungry Jacks Restaurant, Whitford City Shopping Centre, Whitfords Avenue, Hillarys.

The petitioners state the regular noise disturbances brought about by children's birthday parties and from the outdoor play equipment area has a detrimental effect on the petitioners quality of life.

This petition will be referred to Health Services for action.

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from Kallaroo residents objecting to the unacceptable noise levels emanating from Hungry Jacks Restaurant, Whitford City Shopping Centre, Whitfords Avenue, Hillarys be received and referred to Health Services for action. CARRIED

C241-07/97 PETITION OBJECTING TO THE PROPOSED DEVELOPMENT OF LUISINI WINERY - [050-15]

An 8-signature petition has been received from Kingsley residents objecting to the proposed development of the Luisini Winery complex.

The petitioners state the proposed development of the winery site would create numerous problems as listed:

- carparking
- endangering wildlife
- traffic
- noise
- commercialism

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

MOVED Cr O'Grady, SECONDED Cr Wight that the petition from Kingsley residents objecting to the proposed development of the Luisini Winery complex be received and referred to Recreation and Cultural Services for action. CARRIED

DECLARATIONS OF FINANCIAL INTEREST

Cr Zuvela declared an interest in Item DP145-07/97 as she owns a similar business.

Cr Cooper declared an interest in Item CS239-07/97 as his nephew is a recipient of a suggested donation - This was resolved to be a trivial interest.

Cr Wight declared an interest in Item FA130-07/97 as he had been nominated to attend the 9th National Local Government Engineering Conference.

The Manager Engineering Construction and Maintenance Services declared an interest in Item FA130-07/97 as he had been nominated to attend the 9th National Local Government Engineering Conference.

Cr Hollywood declared an interest in Item FA134-07/97 as he had been nominated to attend Best Practice and Beyond Seminar.

The Director Resource Management declared an interest in Item FA131-07/97 as he was the author of this report and had been nominated for appointment to a Board of Management for the Municipal Workcare Scheme.

Cr Popham declared an interest in Item C251-07/97 as he had nominated himself to attend the Elected Members Course No 48.

Cr Bombak declared an interest in Item C252-07/97 as he had been nominated for consideration of appointment as WAMA Member, Coastal Zone Council.

BUSINESS REQUIRING ACTION

C242-07/97 POLICY COMMITTEE

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

CARRIED**ATTENDANCES**

Councillors:	B A COOPER, Mayor, Chairman <i>from 1802 hrs</i>	Central Ward
	P O HEALY	North Ward
	L A EWEN-CHAPPELL	Central Ward
	A W WIGHT <i>from 1804 hrs to 1945 hrs, and then from 1946 hrs</i>	South Ward
	T W POPHAM <i>to 1945 hrs and then from 1948 hrs</i>	South Ward
	G A MAJOR	South-West Ward
	M E LYNN, JP - Deputy	South-West Ward
	L O'GRADY - Observer	North Ward
	S P MAGYAR - Observer <i>to 1922 hrs and then from 1924 hrs</i>	Central Ward
	A G TAYLOR - Observer <i>to 1910 hrs; from 1915 hrs to 2000 hrs, and then from 2006 hrs. (Deputising for Cr Wight to 1804 hrs and from 1945 hrs to 1946 hrs)</i>	South Ward
	D K TIPPETT, JP - Observer <i>from 1824 hrs</i>	South Ward
	J HOLLYWOOD, JP - Observer, <i>Deputising for Cr Popham from 1945 hrs to 1948 hrs</i>	South Ward
	J BOMBAK, JP - Observer <i>to 1955 hrs and then from 1958 hrs</i>	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMCK
Director, Strategic Planning:	R FISCHER
Director, Community Services:	C HALL
Acting Manager, Recreation & Cultural Services:	M STANTON
Marketing Manager:	M BARCLAY
Manager, Council Support Services:	M SMITH
Committee Clerk:	J AUSTIN

APOLOGIES

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

An apology for absence was tendered by Cr Zuvela.

APPOINTMENT OF CHAIRMAN

Cr Cooper was appointed Chairman.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

MINUTES OF POLICY COMMITTEE MEETING - 9 JUNE 1997

The Minutes of Policy Committee Meeting held on 9 June 1997 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

MEETING TIMES

Commenced: 1800 hrs
Closed: 2032 hrs

REPORT NO:**P59-07/97 POLICY MANUAL REVIEW - [200-0]**

Council is currently reviewing its policy manual. Recreation has completed the review of their policies and the proposed amendments are submitted for consideration.

Discussion ensued at the Policy Committee meeting, with the following comments and amendments being made:

- Policy R1 - Point 2.0: Fees and Charges: Include the following: "This should not preclude bookings being made in less than 28 days, but where this may happen, the hire fee and bond must be paid at the time of booking".
- Policy R.1 - Point 4.0: Casual Bookings: Include the following: "Bookings will be accepted up to 12 months in advance."
- Policy R1 - Point 6.0 Wanneroo Showgrounds: A query was raised as to whether reference to the date for the Wanneroo Show should read "the last Saturday in November" Manager, Recreation and Cultural Services was requested to obtain this information.
- It was requested that future Policy Manual Reviews provide a précis outlining where changes have been made.
- Policy R1 and R2 - Discussion ensued regarding exemptions for juniors
- Policy R1 - Point 2.1. Exemptions: Include the following "Except where otherwise specified".
- Policy R3 - Discussion ensued regarding scout and guide facilities.
- Policy R9 - Point 4.0 Rotation and Eventual Placement of Art Works. A query was raised regarding the eventual placement of art works within the proposed Joondalup Public Art Gallery. Councillors were advised that such placement was proposed in order to avoid deterioration of art works; however prints will be provided for display within other facilities.

REPORT RECOMMENDATION That Council:

- 1 repeal policies H1-01, H1-02, H2-01, H3-01, H5-01, H5-02, H5-03, H5-04, H5-06, H5-07, H5-08, H5-09, H5-10, H5-11, H5-12, H5-13, H5-14, H5-15, H7-01, H7-02, H9-01, B5-07, F2-02;
- 2 adopt the policies R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, and R12 as documented in the Attachments to Report P59-07/97.

COMMITTEE RECOMMENDATION That Council:

- 1 repeals policies H1-01, H1-02, H2-01, H3-01, H5-01, H5-02, H5-03, H5-04, H5-06, H5-07, H5-08, H5-09, H5-10, H5-11, H5-12, H5-13, H5-14, H5-15, H7-01, H7-02, H9-01, B5-07, F2-02;
- 2 adopts the policies R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, and R12 as documented in the Attachments to Report P59-07/97, subject to the following amendments:
 - Policy R1 - Point 2.0: Fees and Charges: Include the following: "This should not preclude bookings being made in less than 28 days, but where this may happen, the hire fee and bond must be paid at the time of booking".
 - Policy R.1 - Point 4.0: Casual Bookings: Include the following: "Bookings will be accepted up to 12 months in advance."
 - Policy R1 - Point 2.1. Exemptions: Include the following "Except where otherwise specified"

ADDITIONAL INFORMATION

Following a request from the Policy Committee, at its meeting on 7 July 1997, it has been confirmed by the Wanneroo Agricultural Society that the Wanneroo Show is held annually on the last Saturday in November. It is necessary, therefore, to amend Policy R1, Statement 6.0 to reflect this.

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

- 1 repeals policies H1-01, H1-02, H2-01, H3-01, H5-01, H5-02, H5-03, H5-04, H5-06, H5-07, H5-08, H5-09, H5-10, H5-11, H5-12, H5-13, H5-14, H5-15, H7-01, H7-02, H9-01, B5-07, F2-02;
- 2 adopts the policies R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, and R12 as documented in the Attachments to Report P59-07/97, subject to the following amendments:
 - Policy R1 - Point 2.0: Fees and Charges: Include the following: "This should not preclude bookings being made in less than 28 days, but where this may happen, the hire fee and bond must be paid at the time of booking".
 - Policy R.1 - Point 4.0: Casual Bookings: Include the following: "Bookings will be accepted up to 12 months in advance."
 - Policy R1 - Point 2.1. Exemptions: Include the following "Except where otherwise specified"

- **Policy R1, Point 6.0: Wanneroo Showgrounds, be amended to read as follows:**

“6.0 - Wanneroo Showgrounds

Wanneroo Showgrounds shall be regarded as a multipurpose venue catering for active sport and special events such as the Wanneroo Show, fairs and fetes. Events of a similar nature to the Wanneroo Show shall not be permitted at this venue within the three months preceding the last Saturday in November each year.”

CARRIED

Appendix I refers

P60-07/97 LEGAL REPRESENTATION - [702-8]

A number of reports have been submitted to Council in respect to applications submitted by Mr C Edwardes and Ms A Davidson for funding of legal costs.

At its meeting of 25 June, Council resolved to refer the matter to the Policy Committee.

REPORT RECOMMENDATION That Council determines the applications submitted by Ms A Davidson and Mr C Edwardes for legal assistance.

COMMITTEE RECOMMENDATION 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.

ADDITIONAL INFORMATION

SUMMARY

To 25 February 1997, Mr Colin Edwardes had been represented at the Royal Commission by Mr David Clyne and Freehill Hollingdale & Page. The latter represented Mr Edwardes on 17 and 18 October 1996 when Mr Clyne was not available.

Although the time spent representing Mr Edwardes was detailed in the accounts, the costs were not allocated to the various lines of inquiry. At the Policy Committee meeting concern was expressed that the costs of each line of inquiry was not provided.

DETAILS

Freehill Hollingdale & Page have advised that they represented Mr Edwardes on the 17 and 18 October in respect to the Nguyen Van Phat allegation. The account for this service amounted to \$4,135. Subsequent information provided in respect of this account revealed that 1.05 hours related to the protection of Mrs Edwardes interest, therefore the account should have amounted to \$3,820.

Mr David Clyne has provided a breakdown of costs into the various lines of inquiry as follows :

Nguyen Van Phat allegation	7,060
Chichester Oval issue	3,050
Mosey Street Lunch Bar	750
Gastevich inquiry	500
Parin Panel Works	750

Based on an amended account for Freehill Hollingdale & page and excluding the \$8,750 relating to the watching brief maintained by David Clyne, the cost for legal representation is as follows :

Nguyen Van Phat allegation	10,880
Chichester Oval issue	3,050
Mosey Street Lunch Bar	750
Gastevich Inquiry	500
Parin Panel Works	750

\$15,930

At its meeting of 23 October 1996, Council approved of Mr Edwardes obtaining legal representation of his choice subject to the policy limit of \$3,000. As there is more than one solicitor involved and Mr Edwardes has not indicated how the \$3,000 should be dispensed, no payment has been made.

To enable Council to appreciate what further claims may be made in respect to Mr Edwardes, Mr Clyne was requested to provide an account to 30 June 1997. At the time of writing this report that account has not been received.

The Council agenda for the meeting of 23 July 1997 includes a recommendation from the Policy Committee (Item P60-07/97 refers) that Council agrees to fund Mr Edwardes legal costs amounting to \$16,245. To reflect the correction to the account submitted by Freehill Hollingdale & Page, that amount should be \$15,930.

RECOMMENDATION

That Council:

- 1 agrees to fund costs amounting to \$15,930 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.

Discussion ensued.

MOVED Cr Healy, SECONDED Cr Bombak that Council:

- 1 agrees to fund costs amounting to \$5,050 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.

There being a tied vote, the Mayor declared the Motion

LOST

It was requested that voting be recorded, with the following result:

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

AGAINST: Crs Tippet, Magyar, Ewen-Chappell, Lynn, Wight, Taylor and Cooper.

MOVED Cr Popham, SECONDED Cr Healy that consideration of payment of costs incurred by Mr Edwardes which relate to his giving evidence or the cross examination of persons who gave evidence to his detriment be deferred and referred to the next meeting of the Policy Committee. **CARRIED**

Cr Bombak left the Chamber at this point, the time being 2055 hrs.

P61-07/97 **OBLIGATION OF COUNCILLORS TO DECLARE A FINANCIAL INTEREST IN RESPECT TO POSITIONS ON OUTSIDE BOARDS AND COMMITTEES - [702-3]**

At the Council meeting of 23 April 1997 (P34-04/97) Council requested clarification on the obligation to declare a financial interest when matters arise in respect to outside Boards and Committees on which a Councillor serves as a Council representative. The advice provided indicates that other than at the time of appointment, if a sitting fee is involved, Councillors are not required to declare a financial interest as they are not deemed by section 5.62(d)(i) of the Local Government Act to be closely associated.

MOVED Cr Bombak, SECONDED Cr Lynn that Council notes the legal advice which indicates that Councillors are not obliged to declare a financial interest in regard to positions on outside Boards and Committees. The only exception being the actual appointment to a Committee if a sitting fee is involved. **CARRIED**

MOVED Cr Bombak, SECONDED Cr Lynn that:

- 1 **the information detailed in the report dated 7 July 1997 relating to the after hours hotline service, be received;**
- 2 **Council endorse the use of the Telstra Callex System at an estimated cost of \$4,000, in order to deal with after hours public enquiries, with a further report to be presented to the Council assessing its effectiveness. CARRIED**

P65-07/97 CIRCUSES - [260-8]

At its meeting on 9 June 1997 the Policy Committee received report P51-06/97 and referred consideration of a motion proposed by Cr Magyar to the next Policy Committee meeting.

Discussion ensued at the Policy Committee meeting; however no motion was carried.

MOVED Cr Magyar, SECONDED Cr O'Grady that:

- 1 Council amends its policy in regard to circuses as follows:

"The City of Wanneroo precludes the use of Council reserves for circuses which include the use of non-conventional domesticated animals (being lions, tigers, elephants and other animals not normally found in Australian homes or farms). Applications from non traditional circuses (circuses including conventional domesticated animals, being horses, dogs, sheep, cattle and other animals normally found in Australian homes or farms) shall be restricted to Ariti Avenue Park, Wanneroo, Liddell Park, Girrawheen. These reserves shall not be used to accommodate a circus more than once in a twelve month period"
- 2 a further report be submitted on the suitability of the use of Central Park adjacent to the railway station, Joondalup as a venue for acceptable circuses. **LOST**

Cr Bombak entered the Chamber at this point, the time being 2058 hrs.

P66-07/97 ESTABLISHMENT OF COMMITTEES - LOCAL GOVERNMENT ACT 1995 - [702-3]

Part 5 of the Local Government Act 1995 has placed new statutory requirements on local governments when establishing committees.

The City of Wanneroo has some 45 Committees, and with the changes in the legislation it is necessary to define how the Committees will be established

MOVED Cr Bombak, SECONDED Cr Lynn that:

- 1 **the information detailed in the report pertaining to the establishment of committees in accordance with the Local Government Act 1995, be noted;**
- 2 **when establishing groups of people to carry out various functions of the City of Wanneroo, Council recognises the following terminology:**

- **Standing Committee - Council members only appointed by the Council;**
- **Sub-Committee, working group, advisory committee, task force. Appropriate titles given to committees or groups appointed by standing committees**

3 a further report be presented to the Policy Committee reviewing all the City of Wanneroo committees. CARRIED

PROPOSED BOUNDARY RATIONALISATION - [702-0]

Cr Cooper advised of a meeting held this day with Mr Rob Rowell of the Local Government Advisory Board. Cr Cooper stated that the Board appeared to have less information than the Council on implementation plans. The Board advised that it anticipated calling for submissions on the proposal in early August closing in mid-September. The Council would have the opportunity to make a submission providing details on viability and timetable of the proposed division.

The Chief Executive Officer advised of discussions held with Mr John Woodhouse, Solicitor, who had been involved in the restructure of the City of Perth and suggested it may be appropriate for Mr Woodhouse to make a presentation to Council. Cr Cooper believed this action was most appropriate.

The Chief Executive Officer also advised that Mr Bruce Perryman had been appointed to re-examine the Council's computer model to produce more accurate allocations of operating expenditure for the proposed Shire of Wanneroo. Mr Perryman had previously done the financial modelling of the various options under consideration by the Board.

NOTICE OF MEETINGS - [702-0]

Cr Popham referred to the short notice given for a recent meeting regarding night security patrols and requested more notice be provided in future.

JOONDALUP CIVIC CENTRE ACCESS - [730-8-8-1]

Cr Popham raised the issue of Councillors' access to areas within the new Civic Chamber, as full access did not currently appear to be provided.

The Chief Executive Officer advised this issue would be addressed.

STRUCTURAL REFORM WORKING PARTY - [312-2]

Cr Hollywood queried the function and meeting times of the Structural Reform Working Party.

The Chief Executive Officer advised this Committee had been formed to prepare a submission to the Local Government Advisory Board in relation to the proposed boundary rationalisation. It is anticipated a meeting will be held once an announcement is made by the Minister.

REQUEST FOR WAIVER OF HIRE FEE - ADDISON PARK HALL - [061-444-1]

Cr O'Grady submitted a letter from The Scout Association of Australia requesting waiver of hire fees for Addison Park Hall for use by the 1st Quinns Scout Group.

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

C243-07/97

TECHNICAL SERVICES COMMITTEE

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

ATTENDANCES

Councillors:	L A EWEN-CHAPPELL - Chairman	Central Ward
	L O'GRADY - from 1805 hrs	North Ward
	S P MAGYAR - from 1815 hrs	Central Ward
	A G TAYLOR - from 1817 hrs	South Ward
	T W POPHAM	South Ward
	J BOMBAK, JP - from 1806 hrs to 1848 hrs, and then from 1852 hrs	South-West Ward
	M E LYNN, JP	South-West Ward
	M J ZUVELA - Observer, deputising for Cr Magyar to 1815 hrs	Central Ward
	P O HEALY - Observer, deputising for Cr O'Grady to 1805 hrs	North Ward
	G A MAJOR - Observer from 1806 hrs, deputising for Cr Bombak from 1848 hrs to 1852 hrs	South-West Ward
	B A COOPER - Mayor - Observer - from 1827 hrs	Central Ward
	J HOLLYWOOD, JP - Observer - from 1821 hrs	South Ward
	A W WIGHT - Observer from 1808 hrs, deputising for Cr Taylor to 1817 hrs	South Ward

Chief Executive Officer:	L O DELAHAUNTY - from 1820 hrs
Director, Corporate Services:	R E DYMOCK
Director, Technical Services:	R McNALLY
Director, Strategic Planning:	R G FISCHER - from 1826 hrs
Manager, Infrastructure Design Services:	PETER PIKOR
Manager, Parks Landscaping Services:	D H CLUNING
Manager, Council Support Services:	M SMITH
Minute Clerk:	S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Tippet.

PUBLIC/PRESS ATTENDANCE

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

DECLARATIONS OF FINANCIAL INTEREST

Nil

PUBLIC QUESTION TIME

The following questions, submitted by Mr V Harman were taken on notice at the Technical Services Committee Meeting held on 11 June 1997:

- Q1. At the last Committee meeting I enquired about the lights outside the Community Centre in Ocean Reef being made operative. I noticed the reply in the agenda was that Council would be getting in touch with the developers. Is there any further information on whether contact has been made? The lights were not working last night.
- A1. An investigation by Council Officers confirmed that the security lighting at the Beaumaris Community Centre was not operational on the 10 June 1997. Council's contractor has attended the Centre as a matter of priority to rectify the faulty lighting and reported that several globes, which are part of the security lighting both within and external to the building required replacement. This work was undertaken and the circuit tested to ensure all lights are now working correctly.
- Q2. I had a conversation with Vodafone about the light on their telecommunication tower at Trigg Point Park. I have been informed by Vodafone that the actual hours of lighting was in the province of Council. They have asked if the hours can be extended as at the moment the light goes off at 9.30 pm. Can the light be on from dusk to dawn?
- A2. Following the above request of Mr Vic Harman, the floodlight operation times have been adjusted for dusk to dawn operation.

The following question, submitted by Mrs A Hine was taken on notice at the Technical Services Committee Meeting held on 11 June 1997:

- Q1. Is Griffiths Road going to be upgraded? It is a new housing estate. There is something wrong with the road and is Council going to make that road into a proper road?
- A1. The State Planning Commission has imposed a condition on the subdivider that arrangements be made with the City for the upgrading of Griffiths Road where it abuts the subdivision. This work will be undertaken as the subdivision of the adjacent lots occur along Griffiths Road.

Mr V Harman:

Q1. Is Council or Main Roads WA responsible for the 40 kph signage by schools? Coming to Council tonight I noticed that the signs on Ventura Drive have been uprooted. If Council or Main Roads is responsible would they be advised of the situation?

A1. Director Technical Service's response: Main Roads is responsible. The City will advise them of the situation.

CONFIRMATION OF MINUTES**MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 11 JUNE 1997**

The Minutes of the Technical Services Committee Meeting held on 11 June 1997, as amended, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES:

Commenced: 1800 hrs

Closed: 1854 hrs

REPORT NO:**TS212-07/97** **OCEAN REEF BOAT HARBOUR SOUTHERN GROYNE - MAINTENANCE REQUIREMENT - [765-11, 615-0-3]**

The Water Corporation has decided not to continue maintaining the Ocean Reef Boat Harbour southern groyne to a safe standard and intends to fence off the groyne to the public unless the Department of Transport and the City of Wanneroo provide ongoing funding for the long term maintenance of the groyne.

This report addresses the issues and recommends a submission for a 1:3 cost sharing arrangement with the Department of Transport to carry out remedial works on the Ocean Reef Boat Harbour southern groyne.

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

- 1 **submits an application to the Department of Transport for a 75% funding contribution towards the remedial works on the Ocean Reef Boat Harbour southern groyne at an estimated cost of \$25,000;**
- 2 **lists for consideration in the 1997/98 draft budget the provision of \$6,250 for Council's contribution towards the remedial works on the Ocean Reef Boat Harbour southern groyne;**
- 3 **advises the Water Corporation of Council's proposal to seek a 1:3 cost sharing arrangement with the Department of Transport for the remedial works on the Ocean Reef Boat Harbour southern groyne. CARRIED**

TS213-07/97 **SUBDIVISIONAL RETAINING WALLS OVER 2.0 METRES IN HEIGHT - KINROSS STAGE 17 - [740-99529]**

Halpern Glick Maunsell Consulting Engineers, on behalf of Burns Beach Property Trust, proposes to construct retaining walls which are over 2.0 metres in height and, in some instances, up to 4.2 metres in Stage 17 of Lot 2 Burns Beach Road, Kinross. The land form and subdivision design suggests that retaining walls over 2.0 metres in height is warranted in this instance. However, the walls should be limited to a maximum height of 3.0 metres. Council's approval of retaining walls to a maximum of 3.0 metres in height is, therefore, recommended.

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

- 1 **approves the continuation of retaining walls to a maximum of 3.0 metres in height in Stage 17 in the subdivision of Burns Beach Property Trust's land holding in Kinross subject to the retaining walls being structurally sound;**
- 2 **advises the applicant to redesign the proposed 4.2 metre high section of retaining wall to a maximum height of 3.0 metres. CARRIED**

- 2 approves the installation of 'NO STANDING 8:15-9:15AM, 2:30-3:30PM, MONDAY-FRIDAY' signs on the residential (north) side of Keatley Crescent from the eastern boundary of Lot 509 to the western boundary of Lot 505 as shown on Attachment 3 to Report No TS216-07/97;
- 3 approves the installation of 'NO STANDING 8:15-9:15AM, 2:30-3:30PM, MONDAY-FRIDAY' signs on the residential (north) side of Keatley Crescent from the eastern boundary of Lot 503 to 9 metres west of the island at the junction of Keatley Crescent and Timberlane Drive as shown on Attachment 3 to Report No TS216-07/97;
- 4 advises the residents accordingly;
- 5 advises Woodvale Primary School P&C Association of the need for parent motorists to drop their children on the school side of Keatley Crescent and to make full use of the roundabout at Timberland Drive. **CARRIED**

Appendix II refers

TS217-07/97 PETITION KEEP LEFT SIGN - TYSON PLACE, QUINNS ROCKS - [510-423]

An 11-signature petition has been received from residents in Tyson Place, Quinns Rocks in relation to the placement of a "KEEP LEFT" sign at the start of a narrow circular road pavement around a small central landscaped park. Following liaison with Main Roads WA, the sign has been removed to permit two way traffic flow. To accommodate this traffic movement, consideration of the widening of the pavement to a standard residential width is required in the Capital Works Programme.

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

- 1 lists in the Capital Works Forward Plan as a low priority, the upgrading of Tyson Place, Quinns Rocks to a standard residential pavement;
- 2 advises the petitioners accordingly. **CARRIED**

TS218-07/97 PETITION REQUESTING THE LAYING OF ROAD BASE ON THE EAST BOUND SIDE OF GNANGARA ROAD, LANDSDALE - [510-4, C160-05/97]

Council has received a letter from the owner of MT Tummies Lunch Bar together with a customers' petition requesting a parking lay-by area for passing trade and trucks on Gnangara Road, Landsdale. Due to the volume and speed of vehicles on this road a formal embayment is not supported. To minimise the deterioration of the existing pavement, a stabilised verge is proposed to protect Council's asset.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that:

- 1 Council does not provide a formal parking lay-by area in Gngangara Road for MT Tummies Lunch Bar;
- 2 Council provides a compacted limestone stabilised verge to protect the pavement of Gngangara Road from further edge wear deterioration at an estimated cost of \$2,000;
- 3 the expenditure in (2) above be funded from Account No 71021 Road Maintenance Control Account;
- 4 Council advises the owner of MT Tummies Lunch Bar and its petitioners accordingly. **CARRIED**

TS219-07/97 LETTER REQUESTING GRADING OF WARBROOK ROAD, JANDABUP - [C151-05/97, 510-215]

Council has received a letter from the Secretary of the Whiteman Park International Pistol Club, requesting the grading of Warbrook Road, Jandabup.

Warbrook Road is a limestone road leading to the Club and has become corrugated and requires grading. As this road is located entirely within State Forest, it comes under the care and control of the Department of Conservation and Land Management and this works request needs to be referred to that Authority.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that Council refers this request from the Whiteman Park International Pistol Club, and future requests for grading of Warbrook Road, to the Department of Conservation and Land Management. CARRIED

TS220-07/97 PETITION IN RELATION TO ROAD NOISE POLLUTION EMANATING FROM HODGES DRIVE, CONNOLLY - [C155-05/97, 510-1700]

A petition has been received from the Fairways Retirement Village, Connolly regarding the increased level of traffic noise from Hodges Drive.

Hodges Drive will be upgraded to a dual carriageway from Marmion Avenue to Joondalup Drive during the 1997/98 financial year. This work, funded through the Main Roads WA Metropolitan Funding Program, will include the resurfacing of the existing stone chip seal which will assist to reduce traffic noise to an acceptable level.

REPORT RECOMMENDATION: THAT Council advises the petition co-ordinator that the existing carriageway of Hodges Drive will be resurfaced as part of the project listed for upgrading of Hodges Drive to dual carriageway standard in the draft 1997/98 Budget.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that Council advises the petition co-ordinator that the existing carriageway of Hodges Drive will be resurfaced as part of the project listed for upgrading of Hodges Drive to dual carriageway standard in the draft 1997/98 Budget with the costs of the works funded from the 1997/98 Road Surface Programme.

CARRIED

TS221-07/97

PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESS BETWEEN GAZELLE PLACE AND MARANGAROO DRIVE, MARANGAROO - [510-3275, 510-1403]

A 17-signature petition has been received from Marangaroo residents requesting the closure of a pedestrian access by fencing off the interface between Gazelle Place and Marangaroo Drive, Marangaroo. Following review of the proposal it is recommended that the request not be supported as it is contrary to Council's Uniform Fencing Policy.

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

- 1 does not permit the erection of any solid fencing at the interface of Gazelle Place and Marangaroo Drive, Marangaroo as this would be contrary to its Uniform Fencing Policy;**
- 2 advises the petitioners accordingly.**

CARRIED

TS222-07/97

HIRE OF BANNER MASTS - WANNEROO ROAD - [509-3]

An application to use the banner masts in Wanneroo Road for a three week period from Sunday 24 August through to Sunday 14 September 1997 has been submitted by the Motor Cycle Racing Club of WA Inc.

The Club is promoting the National Championship round of the Australian Road Racing Championships to be held at the Wanneroo Raceway on the 12, 13, and 14 of September 1997.

It is therefore recommended that as the application from the Motor Cycle Club of WA Inc. complies with Council policy K1-05 approval should be given for the Club to display its banners from the masts in Wanneroo Road.

At the Technical Services Committee Meeting, following a query from Cr Bombak in relation to the cost of hiring the banner masts, the Director Technical Services gave an assurance that additional information would be provided to all Councillors prior to the next meeting of Council to be held on 23 July 1997 regarding the hire provisions.

ADDITIONAL INFORMATION

The Technical Services Committee as its meeting held on 9 July 1997 when considering an application from the Motor Cycle Racing Club of WA Inc to use the banner masts in Wanneroo Road for a three week period from Sunday 24 August through to Sunday 14 September 1997 requested further clarification of the term "hire".

The title of the relevant policy is "BANNER MASTS - HIRE OF - K1-05 and the appropriate section of the policy entitled "Cost of Hire" states that:

"The banner mast hire costs will be determined by the City Engineer on the basis of covering the cost of erection and dismantling".

Taking cognisance of the above, the costs to hire the banner masts for the Motor Cycle Racing Club of WA Inc will be approximately \$480.00 if 16 banners are displayed. This cost is based on the hire of a cherry picker and labour to erect and dismantle the banners.

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

- 1 approves the application and banner design, as shown on Attachment 1 to Report No TS222-07/97, submitted by the Motor Cycle Club of WA Inc. to hire either 4 or 8 banner masts in Wanneroo Road from Sunday 24 August through to Sunday 14 September 1997 to promote the Australian Road Racing Championships to be held at the Wanneroo Raceway on the 12, 13, and 14 of September 1997;
- 2 advises the Motor Cycle Club of WA Inc. that in accordance with Council Policy K1-05, the erection and dismantling of the banners is undertaken by Council with the costs being met by the applicant. **CARRIED**

Appendix III refers

TS223-07/97 LANDFILL LEVY - [508-5, 508-5-5]

The State Government has announced the introduction of a urban landfill levy commencing 1 July 1998. This will affect the rubbish Council sends to Tamala Park as well as any material used to finish rehabilitation of the Badgerup Road tip site. The cost to Council will be about \$310,000 per year. The levy is expected to raise a total of \$4m per year to the State Government. If the levy does proceed, it is appropriate for Local Government to have an effective say in how the money is spent.

It is recommended that the Minister for the Environment be requested to include a 5 year sunset clause in the proposed legislation and when allocating funds, give due regard to the significant funds already being expended on recycling by many metropolitan Councils.

REPORT RECOMMENDATION: THAT Council:

- 1 writes to the Minister for the Environment requesting that:
 - (a) a five year sunset clause be applied to the levy;
 - (b) an undertaking be given that the levy will not end up as another State Government Tax;
 - (c) due regard be given to significant funds expended on recycling by many metropolitan Councils;

- 2 requests a report on the draft State Waste Reduction and Recycling Policy when it is released.

COMMITTEE RECOMMENDATION: THAT Council:

- 1 writes to the Minister for the Environment in the strongest possible terms requesting that:
- (a) a five year sunset clause be applied to the levy;
 - (b) an undertaking be given that the levy will not end up as another State Government Tax;
 - (c) due regard be given to significant funds expended on recycling by many metropolitan Councils;
- 2 requests a report on the draft State Waste Reduction and Recycling Policy when it is released;
- 3 advises the Minister for the Environment that it supports the levy being used for the sole purpose of recycling, with the money to be held and distributed by a totally independent body.

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

- 1 writes to the Minister for the Environment in the strongest possible terms requesting that:
- (a) a five year sunset clause be applied to the levy;
 - (b) an undertaking be given that the levy will not end up as another State Government Tax;
 - (c) due regard be given to significant funds expended on recycling by many metropolitan Councils;
- 2 requests a report on the draft State Waste Reduction and Recycling Policy when it is released;
- 3 advises the Minister for Environment that Council is disappointed in the State Governments' lack of initiative and problem solving abilities in regard to waste management issues for the following reasons:
- (a) the levy is at the end of the waste creation process not at the beginning of the production process, therefore it will not stimulate the private sector to develop less wasteful production techniques;

- (b) the State Government has been reluctant to use its powers to pass laws and introduce reforms that encourage producers and consumers to seek less wasteful products;
- (c) the State Government has been unwilling to take a “whole of society” approach to solving waste management problems.

There being a tied vote, the Mayor declared the Motion

LOST

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

- 1 **writes to the Minister for the Environment in the strongest possible terms requesting that:**
 - (a) **a five year sunset clause be applied to the levy;**
 - (b) **an undertaking be given that the levy will not end up as another State Government Tax;**
 - (c) **due regard be given to significant funds expended on recycling by many metropolitan Councils;**
- 2 **requests a report on the draft State Waste Reduction and Recycling Policy when it is released;**
- 3 **advises the Minister for the Environment that it supports the levy being used for the sole purpose of recycling, with the money to be held and distributed by a totally independent body.**

CARRIED

TS224-07/97

TAMALA PARK MONITORING BORE RESULTS - [508-5-5, 508-5-3]

The Mindarie Regional Council has been using the Commonwealth Scientific and Industrial Research Organisation to supervise the groundwater monitoring at Tamala Park. The leachate plume is developing as expected.

At the Technical Services Committee Meeting, following a query from Cr Hollywood in relation to viewing the results of the monitoring system employed at Tamala Park, the Director Technical Services advised that a copy of the documents was presently held by the Library Department and would be obtained for Cr Hollywood’s perusal.

MOVED Cr Ewen-Chappell, SECONDED Cr O’Grady that Council expresses satisfaction with the monitoring procedures currently in place at Tamala Park.

CARRIED

Cr Bombak requested that his name be recorded as having voted against the recommendation.

TS225-07/97 **ROLLOVER OF PARKS LANDSCAPING SERVICES**
ANNUAL TENDERS - [208-8]

Two annual tenders are due for extension for a further 12 month period to 30 August 1998, subject to the agreement of both Council and supplier.

Both companies have responded that they are willing to continue for a further 12 months.

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

- 1** **authorises the 12 month extension to Tender No 41-96/97 Removal of Assorted Stumps from Council Controlled Land, awarded to Woodies Stump Removals Pty Ltd;**
 - 2** **authorises the 12 month extension to Tender No 42-96/97 - Woodchipping of Tree Pruning Material, awarded to Soiland Garden Suppliers Pty Ltd.**
- CARRIED**

TS226-07/97 **LEHMANN PARK KINGSLEY - PETITION REQUESTING**
BOLLARDS TO PUBLIC OPEN SPACE - [061-216]

A petition has been received from residents in Kingsley requesting the provision of bollards around Lehmann Park to restrict vehicle access at night. Bollards will be installed by the Corrective Service Work Group during July 1997.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that Council authorises the installation of bollards at Lehmann Park in Kingsley. **CARRIED**

TS227-07/97 **TENDER NO 22-97/98 - INSTALLATION OF CONCRETE**
CRICKET MATCH, PRACTICE WICKETS AND BASES TO
VARIOUS PARKS - [208-22-97/98]

Tenders were advertised during May 1997 for the Installation of Concrete Cricket Match, Practice Wickets and Bases to Various Parks.

Two tenders were received from Decorative Patterned Concrete and Transfield Maintenance.

Due to an error in the Schedule and Specifications, concrete calculations were incorrect. It is therefore recommended that tenders be recalled during July 1997 for the Installation of Concrete Cricket Match, Practice Wickets and Bases to Various Parks.

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

- 1** **not accept any of the tenders submitted by Decorative Patterned Concrete and Transfield Maintenance for Tender No 22-97/98 Installation of Concrete Cricket Match, Practice Wickets and Bases to Various Parks due to an error in the tender specifications;**

- 2 recalls tenders for the Installation of Concrete Cricket Match, Practice Wickets and Bases to Various Parks with a revised Tender document.

CARRIED

TS228-07/97 **SUPPLY AND MAINTENANCE OF BORE HOLE PUMPING UNITS - [208-24-97/98]**

Tenders were advertised during May 1997 for the Supply and Maintenance of Bore Hole Pumping Units.

Five tenders were received and the approval of Council is sought for the engagement of the selected tenderer to undertake the works.

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

- 1 accepts the tender submitted by Turbomaster Pumps for Tender No 024-97/98 for Supply and Maintenance of Bore Hole Pumping Units;
- 2 endorses the signing of tender documents;
- 3 authorises the extension of the initial contract, to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further period of 12 months, up to a maximum of two 12 month periods. **CARRIED**

TS229-07/97 **FLINDERS PARK COMMUNITY CENTRE, HILLARYS - ADDITIONS TO HILLARYS PRE-SCHOOL CENTRE. - [895-11]**

The President of the Hillarys Pre-School has lodged plans for the construction of additional undercover child play area and Council's approval is now sought for this work to be under taken by this group.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that Council advises the Hillarys Pre-School it agrees to roof extensions over the proposed playground subject to the Pre-School:

- 1 accepting full responsibility for funding the works;
- 2 submitting applications for development and building approval;
- 3 the works being to the satisfaction of Council's Property Manager.

CARRIED

TS230-07/97 **OCEAN RIDGE COMMUNITY CENTRE, HEATHRIDGE - SIGNAGE COSTING - [CS75-05/97, 635-16]**

Information is provided in response to a request for the costs associated with the supply and installation of a change to the signage and letters attached to the Ocean Ridge and the Beaumaris Community Centres.

REPORT RECOMMENDATION: THAT Council advises the Ocean Reef Residents' Association that changes to signage as requested is estimated to cost \$700.00.

MOVED Cr Magyar that Council changes the name of the Ocean Ridge Community Centre to the Heathridge Community Centre and the Beaumaris Community Centre to the Ocean Reef Community Centre.

Cr Taylor believed this Motion could not be accepted as a similar Motion had been put within the previous three months.

The Chief Executive Officer stated he did not have sufficient information to hand to rule on this matter.

The Motion

LAPSED

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council advises the Ocean Reef Residents' Association that changes to signage as requested is estimated to cost \$700.00. **CARRIED**

TS231-07/97

**REQUEST TO REMOVE PARKING PROHIBITIONS -
EDDINGTON ROAD, WARWICK - [510-0150]**

Cr Magyar referred to the parking prohibitions presently in place near the Warwick Police Centre on Eddington Road, Warwick and advised that due to the closure of the primary school on Eddington Road, prohibitions were no longer required.

He requested that a report be submitted on the feasibility of removing the parking prohibitions to allow street parking on Eddington Road, Warwick.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that a report be submitted to the Technical Services Committee on the feasibility of the removal of the parking prohibitions on Eddington Road, Warwick near the Warwick Police Centre to allow street parking. **CARRIED**

TS232-07/97

**REQUEST TO RELOCATE BUS SHELTER - LEICHHARDT
DRIVE NORTH, TWO ROCKS - [503-3, 510-546]**

Cr O'Grady submitted a letter from residents of Leichhardt Drive, Two Rocks requesting the relocation of a school bus shelter in Leichhardt Drive due to concerns with anti social behaviour.

This letter will be referred to Technical Services for action.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that the letter from residents of Leichhardt Drive, Two Rocks requesting the relocation of a school bus shelter in Leichhardt Drive be received and referred to Technical Services for action. **CARRIED**

TS233-07/97

INSTALLATION OF PAYPHONE - CLARKSON - [010-5]

Cr O'Grady submitted a letter from Telstra in relation to the installation of a payphone facility on Renshaw Boulevard, Clarkson and requested that brick paving be installed as soon as possible to allow this facility to go ahead.

This letter will be referred to Technical Services for action.

MOVED Cr Ewen-Chappell, SECONDED Cr Bombak that the letter from Telstra in relation to the installation of a payphone facility on Renshaw Boulevard, Clarkson be received and referred to Technical Services for action. CARRIED

JOONDALUP CITY STREET LIGHTING - [221-2]

Cr Major referred to a recent article in the Wanneroo Times expressing concern at the wasteful and excessive nature of the Joondalup street lights.

Following discussion on the effectiveness of the lights, the Director Technical Services advised that the lights had been installed by LandCorp as an integral part of the strategy for Joondalup.

He stated that the lights were to be the responsibility of Council and met Australian standards for highway lighting.

SEMINAR - ERIC CHARLTON - [702-3]

Cr Hollywood provided information on a recent seminar he had attended, with Eric Charlton being the guest speaker.

ILLEGAL LANDFILL - LOT 189 BANFIELD GROVE, CLARKSON - [015-3449]

Cr Magyar referred to a recent complaint he had received from a resident who expressed concern at possible illegal landfill occurring at Lot 189 Banfield Grove, Clarkson.

This matter will be referred to Development Services for investigation.

LIGHTING - OCEAN RIDGE LADIES TENNIS CLUB - [221-2]

Cr Ewen-Chappell referred to concerns she had received from members of the Ocean Ridge Ladies Tennis Club in relation to the poor standard of lighting on the tennis courts and requested that this matter be investigated.

This matter will be referred to Technical Services for action.

C244-07/97 DEVELOPMENT AND PLANNING SERVICES COMMITTEE

MOVED Cr Bombak, SECONDED Cr Tippett that the Report of the Development and Planning Services Committee Meeting, held on 14 July 1997 be received. **CARRIED**

ATTENDANCES AND APOLOGIES

Councillors:	A W WIGHT - Chairman	South Ward
	L O'GRADY	North Ward
	B A COOPER, Mayor	Central Ward
	S P MAGYAR <i>from 1810 hrs</i>	Central Ward
	D K TIPPETT, JP	South Ward
	G A MAJOR	South-West Ward
	J BOMBAK, JP <i>from 1803 hrs to 1919 hrs</i> <i>and then from 1920 hrs</i>	South-West Ward
	P O HEALY - Observer	North Ward
	L A EWEN-CHAPPELL - Observer <i>from 1810 hrs to 1912 hrs;</i> <i>from 1920 hrs to 2003 hrs; and then from 2004 hrs</i>	Central Ward
	M J ZUVELA - Observer <i>to 2001 hrs and then from 2005 hrs;</i> <i>(Deputising for Cr Magyar to 1810 hrs)</i>	Central Ward
	A G TAYLOR - Observer <i>from 1802 hrs to 1932 hrs</i> <i>and then from 1950 hrs</i>	South Ward
	T POPHAM - Observer	South Ward
	J HOLLYWOOD, JP - Observer	South Ward

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Strategic Planning:	R G FISCHER
Manager, Urban Design Services:	D BUTCHER
Manager, Council Support Services:	M SMITH
Manager, Structure Planning:	P THOMPSON
Manager, Development Management Services:	R ZAGWOCKI
Manager, Approval Services:	K WEYMES
Committee Clerk:	J AUSTIN

APOLOGIES

An apology for absence was tendered by Cr Lynn.

PUBLIC/PRESS ATTENDANCE

There were 42 members of the Public in attendance.

PUBLIC QUESTION TIME**Mr Bernard Eastman of Pandora Drive, City Beach:**

- Q1 Is it true that all applications to use rural land within the Telstra “buffer zone” for rural purposes or for a building licence to build a rural building on such rural land are referred to Telstra for its advice, formally or informally, as to possible impacts on its operations?
- Q2 If so, under what authority does the Council do this?
- Q3 If as a result of Telstra’s advice, the Council refuses or delays dealing with these applications or imposes otherwise unnecessary conditions, will the Council pay compensation for resulting losses suffered by the owners of the rural land?

These questions were taken on notice.

Mr Graham Dunjey:

- Q1 At the Council workshop held on 17 June 1997, Cr Major queried the size of the buffer zone for two similar satellite stations in Europe and Canada and also Cr Popham requested advice on ownership of the land within the buffers for these stations. Mr Dunjey stated that these questions had been taken on notice at this time and queried whether a response had been received.
- A1 *Response by Acting Director, Development Services:* No response has yet been received but this matter will be followed up.

Mr Mike Howarth, 14 Fenton Way, Hillarys:

- Q1 In relation to the two petitions received by Council which referred to other public amusements being conducted from Lot 50 (10) Alexander Drive, Padbury, is Council aware that it required the applicants (himself and Mrs P Taylor) to place this information on the advertising signs and that the application is for use as a dancing studio only?
- Q2 Is Council aware that the petition was from another church group which has a vested interest as it has previously attempted to purchase the property.
- A1/2 *Response by Chief Executive Officer:* Yes, Council is aware of both points raised.

DECLARATIONS OF FINANCIAL INTEREST

Cr Zuvela declared an interest in Item DP145-07/97 as she owns a similar business.

CONFIRMATION OF MINUTES

MINUTES OF DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING HELD ON 16 JUNE 1997

The Minutes of the Development and Planning Services Committee Meeting held on 16 June 1997, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - PROPOSED SUBDIVISION OF LOTS 1, 2 AND 3 WANNEROO ROAD AND 33 LANCASTER ROAD, WANGARA - [740-104002, 702-0]

Mr Peter Webb of Peter D Webb & Associates, Planning Consultant for the land owners, and Mr John Hughes addressed the Committee in relation to the proposed subdivision of Lots 1, 2 and 3 Wanneroo Road and 33 Lancaster Road, Wangara - Item DP119-07/97 refers.

Mr Webb raised the following points in support of the proposal:

- the East Wanneroo Structure Plan, currently being reviewed by BSD Consultants, was capable of being modified if Councillors had certain concerns;
- three lots currently front and have access to Wanneroo Road;
- the proposal generally conforms with the principles of the structure plan;
- road planning was undertaken following consultation with Mr Fred Uloth, traffic consultant, and a report has been provided to Council;
- no serious objection has been received;
- all technical issues have been assessed;
- Lots 1, 2 and 3 enjoy access to Wanneroo Road and Lot 1 has rights of carriageway to Lots 262, 263 and 264;
- it is proposed to close all accessways and the crossover;
- access to Berriman Drive and Wanneroo Road will be "left-in, left-out" access only;
- all proposals are fully supported by Council's report DP119-07/97.

Mr John Hughes then addressed the Committee. Mr Hughes believed that objections to this proposal would be based on the following issues:

- this proposal is not in the structure plan;
- previous application has been rejected by both Council and the Minister;
- proposal is not fair for existing motor dealers;
- Council has given a commitment that no more entry points will be permitted to Wanneroo Road.

Mr Hughes commented on the above points and stated that:

- no lots will have direct access to Wanneroo Road;
- the tavern, which is an "eye sore" will be closed;
- the break in the median strip will be closed and will remain closed;
- the two driveways will be sealed;

- existing approval for an entry road would be cancelled;
- smaller lots will be created, which will create more business and increase employment;
- traffic congestion in the area will be reduced.

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

DEPUTATION - PROPOSED SUBDIVISION OF LOTS 1, 2 AND 3 WANNEROO ROAD AND 33 LANCASTER ROAD, WANGARA - [740-104002, 702-0]

Mr Tony Paduano of The Planning Group Pty Ltd and Mr Dan Sullivan, Traffic Engineer, of BSD Consultants addressed the Committee in relation to the proposed subdivision of Lots 1, 2 and 3 Wanneroo Road and 33 Lancaster Road, Wangara - Item DP119-07/97 refers.

Mr Paduano advised that the Planning Group represented several landowners in the Wangara Service Trade area. He raised the following comments:

- his clients have given a great deal of support to Council over the past years and supported the subdivision proposals of the South Wangara Structure Plan;
- subdivision proposal was submitted to provide direct access to Wanneroo Road
- nothing had changed since the previous application, yet Council is now being asked to approve an application which is contrary to the structure plan;
- the access road is in contravention to the structure plan;
- proposed road will not act as a distributor road;
- three additional intersections will be approved;
- the proposal increases the number of conflict points;
- his clients have invested a great deal of money and do not want an access road.

In conclusion, Mr Paduano requested that Council does not amend the structure plan as proposed.

Mr Dan Sullivan then addressed the Committee. He advised of discussions with Main Roads WA regarding the proposal and raised the following concerns:

- the road structure proposed in the structure plan is sufficient to cater for traffic;
- the proposal will create a four way intersection, which will be hazardous;
- the road does not meet minimum clearance requirements between intersection;
- there is no need for an additional road to Wanneroo Road, and will cause traffic hazards within the estate;
- Main Roads WA does not support the proposal for a new road.

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

MEETING TIMES:

Commenced: 1800 hrs

Closed: 2009 hrs

REPORTS:

DP119-07/97

PROPOSED SUBDIVISION OF LOTS 1, 2 AND 3 WANNEROO ROAD AND 33 LANCASTER ROAD, WANGARA - [740-104002]

An application has been received by the City of Wanneroo for the subdivision of Lots 1, 2 and 3 Wanneroo Road and Lot 33 Lancaster Road, Wangara into 13 Mixed Business lots of various sizes. The proposal is in accordance with the current zoning of the land and is generally considered to reflect the overall, longer term development objectives for this locality.

The subdivision proposal complies with the standard requirements of the City's Engineering Department and Main Roads Western Australia. Consequently it is recommended that the application be supported by Council.

REPORT RECOMMENDATION THAT Council supports the application submitted by Peter D Webb and Associates on behalf of Automotive Holdings Pty Ltd, Gilpin Park Pty Ltd and Modular Metals, for the proposed subdivision of Lots 1, 2 and 3 Wanneroo Road and Lot 33 Lancaster Road, Wangara, subject to the following:

- 1 the proposed intersection of the proposed East-West road and Wanneroo Road being designed and constructed to the satisfaction of the Director, Technical Services and Main Roads WA;
- 2 the applicant closing all existing lot access points and median strip openings to the satisfaction of the Director, Technical Services and Main Roads WA;
- 3 the provision of a ten metre wide landscape buffer strip along the boundary of the application where it abuts Wanneroo Road;
- 4 the provision of a 0.1 metre pedestrian accessway along the boundary of lots abutting Wanneroo Road and for a minimum distance of 30 metres along the East-West subdivisional road, to the satisfaction of the Director, Technical Services;
- 5 final ground levels are to be co-ordinated with those of the abutting section of Wanneroo Road;
- 6 satisfactory detailed engineering design of the new access roads, including a maximum 6% grade;
- 7 standard and appropriate conditions.

COMMITTEE RECOMMENDATION that Council supports the application submitted by Peter D Webb and Associates on behalf of Automotive Holdings Pty Ltd, Gilpin Park Pty Ltd and Modular Metals, for the proposed subdivision of Lots 1, 2 and 3 Wanneroo Road and Lot 33 Lancaster Road, Wangara, subject to the following:

- 1 the proposed intersection of the proposed East-West road and Wanneroo Road being approved, designed and constructed to the satisfaction of the Director, Technical Services and Main Roads WA;
- 2 the applicant closing all existing lot access points and median strip openings to the satisfaction of the Director, Technical Services and Main Roads WA;
- 3 the provision of a ten metre wide landscape buffer strip along the boundary of the application where it abuts Wanneroo Road;
- 4 the provision of a 0.1 metre pedestrian accessway along the boundary of lots abutting Wanneroo Road and for a minimum distance of 30 metres along the East-West subdivisional road, to the satisfaction of the Director, Technical Services;
- 5 final ground levels are to be co-ordinated with those of the abutting section of Wanneroo Road;
- 6 satisfactory detailed engineering design of the new access roads, including a maximum 6% grade;
- 7 the permanent closure of the median break on Wanneroo Road, adjacent to the proposed access to the subject site;
- 8 standard and appropriate conditions.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that Council does not support the application submitted by Peter D Webb and Associates on behalf of Automotive Holdings Pty Ltd, Gilpin Park Pty Ltd and Modular Metals, for the proposed subdivision of Lots 1, 2 and 3 Wanneroo Road and Lot 33 Lancaster Road, Wangara.

CARRIED

DP120-07/97

**USE APPROVAL FOR BALLROOM DANCING STUDIO AND
OTHER PUBLIC AMUSEMENT USES: LOT 50 (10)
ALEXANDER ROAD, PADBURY - [30/874]**

An application has been received from Mrs P Taylor and Mr M Howarth for permission to use the existing church building at Lot 50 (10) Alexander Drive, Padbury primarily for a ballroom dancing studio. Outside of the hours of operation of the dance studio, the applicants also intend to let the facility to other activity groups that are currently already using the premises with the permission of the church.

The application was advertised on site, and 16 submissions were received, of which 15 submissions opposed the proposal. Two of these objections are in the form of petitions with 15 signatures each.

REPORT RECOMMENDATION THAT Council approves the application submitted by Mrs P. Taylor and Mr M Howarth to use Lot 50 (10) Alexander Road, Padbury for a dance studio and other public amusement subject to the following conditions:

- 1 a maximum of 108 persons be permitted at the premises at any one time;
- 2 operating times be restricted to between 8am - 10pm on Sundays and weekdays and from 8am - 12pm on Fridays and Saturdays;
- 3 the hall only being used for activities which are classified as being "Public Amusement" under Town Planning Scheme No. 1;
- 4 no amusement machines whatsoever are permitted at the premises;
- 5 Standard and appropriate conditions.

MOVED Cr Bombak, SECONDED Cr Tippett that Council approves the application submitted by Mrs P. Taylor and Mr M Howarth to use Lot 50 (10) Alexander Road, Padbury for a dance studio and other public amusement subject to the following conditions:

- 1 a maximum of 108 persons be permitted at the premises at any one time;
- 2 operating times be restricted to between 8am - 10pm on Sundays and weekdays and from 8am - 12pm on Fridays and Saturdays;
- 3 the hall only being used for activities which are classified as being "Public Amusement" under Town Planning Scheme No. 1;
- 4 no amusement machines whatsoever are permitted at the premises;
- 5 any application for expansion to be referred to Council for consideration;
- 6 standard and appropriate conditions. **CARRIED**

DP121-07/97

**DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE 29 MAY 1997 TO 26 JUNE 1997 -
[290-1]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 29 May to 26 June 1997.

MOVED Cr Bombak, SECONDED Cr Tippett that Council notes the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report DP121-07/97. **CARRIED**

Appendix IV refers

DP122-07/97 **SUBDIVISION CONTROL UNIT - 29 MAY TO 26 JUNE 1997 - [290-1]**

This report provides a resumé of the subdivision Applications processed by the Subdivision Control Unit 29 May to 26 June 1997 is attached. All applications were dealt with in terms of Council's delegation of subdivision control powers to the Chief Executive Officer at its April 1997 meeting. The Chief Executive Officer subsequently delegated to the Director, Development Services, the authority to deal with these applications.

MOVED Cr Bombak, SECONDED Cr Tippett that Council notes the action taken by the Subdivision Control Unit in relation to the applications described in Report DP122-07/97. CARRIED

Appendix V refers

DP123-07/97 **JOONDALUP CITY CENTRE APPROVALS PROCESS - [730-8-1]**

Council previously resolved that the question of responsibility for LandCorp approval of development and building plans in the Joondalup City Centre be referred to its solicitors for advice prior to further consideration. Advice has been received but it is recommended that LandCorp continue to perform its approval role.

MOVED Cr Bombak, SECONDED Cr Tippett that Council advises LandCorp :

- 1** **arrangements between LandCorp and land purchasers may be able to be modified so as to provide for the granting of development approval under Town Planning Scheme No 1 and the issue of a building licence by the City to satisfy the requirements of the contracts for LandCorp's approval;**
- 2** **Council has not made provision for additional staff to maintain the standard of development and therefore would prefer LandCorp to continue to execute its approval function. CARRIED**

DP124-07/97 **PROPOSED VETERINARY ESTABLISHMENT, LOT 20 CNR LENORE (146) MARY STREET, PEARSALL - [30/5626 (6242)]**

An application has been received from Design and Construct Associates on behalf of F & F Condo for a veterinary establishment on Lot 20 corner Lenore (146) Mary Street, Pearsall. The proposal is to operate with one practitioner most of the time, with a second practitioner in attendance when surgical procedures make this necessary. The application has been advertised on site in accordance with Town Planning Scheme No. 1, requirements. As objections to the proposal have been lodged and in accordance with Council's notice of delegation the application is required to be determined by Council. The application is recommended for approval.

MOVED Cr Bombak, SECONDED Cr Tippett that Council approves the application submitted by Design and Construct Associates on behalf of F & F Condo for a veterinary establishment on Lot 20 corner Lenore (146) Mary Street, Pearsall, subject to the:

- 1 applicant making arrangements satisfactory to the City of Wanneroo for the provision of arterial roads and associated facilities (including reasonable administration costs) to service the East Wanneroo Infrastructure Contribution Cell No 4, prior to the issue of a building licence;**
- 2 submission of amended plans which comply with scheme requirements, indicating the proposed facility in the south-eastern part of the lot, with access from Mary Street, and a three metre landscaped strip to the north, east, and west of the proposal as a buffer to future residential development;**
- 3 standard and appropriate conditions. CARRIED**

DP125-07/97 PRESERVATION OF ST ANTHONY'S CHURCH, WANNEROO ROAD, WANNEROO - ESTIMATED RELOCATION COST - [30/2280, 290-15]

Council received a 434 signature petition in regard to St Anthony's Church, Wanneroo as a submission to the draft Wanneroo Town Centre Structure Plan. The petition, requesting the City to preserve St Anthony's Church at its present site, was tabled at the Council meeting of 26 March 1997 and it was resolved that a report be submitted to the Town Planning Committee on costs associated with the dismantling and relocation of St Anthony's Church (Item C99-03/97 refers).

RECOMMENDATION that Council defers any consideration of the petition on St Anthony's Church until the time of considering all the submissions received on the Wanneroo Town Centre Structure Plan.

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

- 1 considers the petition to save St Anthony's Church when it considers all the submissions received on the Wanneroo Town Centre Structure Plan;**
- 2 obtains a report from the Historical Sites Advisory Committee on the heritage values of St Anthony's Church prior to the consideration of the Wanneroo Town Centre Structure Plan. CARRIED**

DP126-07/97 PROPOSED PHYSIOTHERAPY CONSULTING ROOMS, LOT 535 (20) BURRAGAH WAY, DUNCRAIG - [30/5640]

An application has been received from G Duffy for a physiotherapy consulting room at Lot 535 (20) Burragah Way, Duncraig. The application largely complies with the intent and provisions of the Consulting Rooms Policy. The application has been advertised on site and a number of submissions have been received objecting to the proposal.

RECOMMENDATION that Council exercises discretion under Clause 5.9 of Town Planning Scheme No.1 to modify requirements relating to minimum lot size, set backs and landscaping and approves the application submitted by G Duffy for a physiotherapy consulting rooms on Lot 535 (20) Burragah Way, Duncraig subject to :

- 1 arrangements being made to ensure that patients, staff or visitors to the premises do not park on street verges;
- 2 adjacent street verges being reticulated and lawns maintained thereon to the satisfaction of the Council;
- 3 applications for signs being in accordance with Council's Consulting Rooms Policy;
- 4 other standard and appropriate conditions.

ADDITIONAL INFORMATION

Since the writing of Report DP126-06/97, five additional objections have been received. The content of these objections can be summarised as follows :

1. One objector believes that this application is just a "gimmick" to sell the house. He has seen houses turn from physiotherapists to massage parlours (brothels) overnight and believes it will not be in the best interest of the Council to allow this to happen.
2. Concern is raised regarding increased traffic, increasing the size of the adjacent commercial area and disruption of the peace resulting from this development.
3. Approval of this proposal will create a precedent which will lead to further eroding of the residential properties to commercial use.
4. There is already a physiotherapist in the shopping centre opposite. Another one is not required.
5. One objection is from a physiotherapist who recently developed a property for consulting rooms elsewhere within the City of Wanneroo. He states that he went to considerable cost to meet all the development requirements, (landscaping, carparking, setbacks), and believes that to approve this application would be inconsistent and inequitable on Council's part. He is concerned that the proposed business has limited capacity to make a profit and the proprietor will be forced to sublet or take another physiotherapist on, thereby making the car park inadequate to meet the needs of the centre.

If this application is approved he asks if Council will reimburse to him the expenses he incurred in complying with all requirements.

6. An objection from the owner of the property at the rear raises concerns with regard to the car parking at the rear of the property. He is concerned with the safety of his children playing in the garden, should any cars collide with the fence.

The following comments are made in regard to the additional submissions.

- 1 The traffic issues have already been discussed in the report.
- 2 Each development application has to be considered individually on its merits and with regard to the locality and site constraints. Council has been made aware of which aspects of the policy and Scheme requirements this proposal complies with and the implications of relaxing these requirements. It is not considered appropriate to compare one development with another, given that the circumstances for each proposal will be different.
- 3 The applicant is aware of the objection relating to the potential danger with cars at the rear of the property and has already offered to erect a safety barrier along the rear of the site in the area where cars reverse.
- 4 In view of the additional objections received the following additional condition should be added to the recommendation :

"5. *The provision of a safety barrier to the reversing area at the rear of the property to the satisfaction of the City.*"

MOVED Cr Major, SECONDED Cr Wight that Council exercises discretion under Clause 5.9 of Town Planning Scheme No.1 to modify requirements relating to minimum lot size, set backs and landscaping and approves the application submitted by G Duffy for a physiotherapy consulting rooms on Lot 535 (20) Burregah Way, Duncraig subject to :

- 1 arrangements being made to ensure that patients, staff or visitors to the premises do not park on street verges;
- 2 adjacent street verges being reticulated and lawns maintained thereon to the satisfaction of the Council;
- 3 applications for signs being in accordance with Council's Consulting Rooms Policy;
- 4 hours of operation being 7.00 am to 7.30 pm Monday to Friday, and no trading permitted on weekends or public holidays;
- 5 other standard and appropriate conditions. **LOST**

Cr Tippett left the Chamber at 2126 hrs and returned at 2128 hrs.

MOVED Cr Bombak, SECONDED Cr Lynn that Council refuses the application submitted by G Duffy for a physiotherapy consulting rooms on Lot 535 (20) Burregah Way, Duncraig on the grounds that:

- 1 **the application will adversely affect the surrounding properties;**
- 2 **the proposal would have an undesirable impact on the functioning of the adjacent roundabout.** **CARRIED**

An application has been received for a cultural/community centre on the community use land located at the rear of Hepburn Heights. The development is proposed to be staged, and Stage one includes a function hall, associated wet areas, carparking, vehicular and pedestrian access ways. The application has been advertised and objections received, therefore in accordance with the notice of delegation the application is referred to Council for determination.

RECOMMENDATION that Council approves the application submitted by Masterplan on behalf of the Anglo Indian Association for a community/cultural centre on Reserve 43417 (32) Fernwood Square, Padbury subject to:

- 1 the provision of 38 parking bays on site to the satisfaction of the City;
- 2 no verge parking being permitted;
- 3 the proposed eastern access point being relocated to a shared situation with 26 Fernwood Square to the satisfaction of the City;
- 4 the proposed construction fence on the perimeter of the subject site being erected in accordance with the City's Fencing By - Laws and being removed at the completion of Stage 1;
- 5 applicant is to retain and fence during the construction phase the undeveloped areas of natural bush, these are to be maintained until further stages are developed;
- 6 standard and appropriate conditions as considered applicable by the Director Development Services.

Cr Wight left the Chamber at 2135 hrs and returned at 2136 hrs.

MOVED Cr Bombak, SECONDED Cr Hollywood that that Council approves the application submitted by Masterplan on behalf of the Anglo Indian Association for a community/cultural centre on Reserve 43417 (32) Fernwood Square, Padbury subject to:

- 1 the provision of 38 parking bays on site to the satisfaction of the City;
- 2 no verge parking being permitted;
- 3 the proposed eastern access point being relocated to a shared situation with 26 Fernwood Square to the satisfaction of the City;
- 4 the proposed construction fence on the perimeter of the subject site being erected in accordance with the City's Fencing By - Laws and being removed at the completion of Stage 1;

- 5 applicant is to retain and fence during the construction phase the undeveloped areas of natural bush, these are to be maintained until further stages are developed;
- 6 hours of operation being restricted to:
- Sunday to Friday inclusive: 8.00 am to 10.00 pm
Friday and Saturday: 8.00 am to 12.00 midnight;
- 7 standard and appropriate conditions as considered applicable by the Director Development Services. **CARRIED**

DP128-07/97 PROPOSED GARDEN WEDDINGS : LOT 4 (159) BADGERUP ROAD, WANNEROO - [30/3165]

This application submitted by Rex Hatton is for the use of the garden for wedding photos and wedding ceremonies on Lot 4 (159) Badgerup Road, Wanneroo. The application was advertised for comment and a 12-signature petition was received opposing the development. The petitioners have misunderstood the nature of the proposal and their objections are not entirely relevant to the actual proposed use. The Water and Rivers Commission and the Department of Environmental Protection have no objections to the proposal, however they are concerned about the preservation of the remnant vegetation on the site. The proposal is compatible with the recommendations contained in the City's Draft Preliminary Local Rural Strategy. The application is recommended for conditional approval.

MOVED Cr Bombak, SECONDED Cr Tippett that Council exercises its discretion under clause 5.10 of Town Planning Scheme No 1 and imposes a car parking requirement for the first stage of 6 bays and the overall development of 46 bays and approves the application submitted by Rex Hatton for Garden Weddings (excluding wedding receptions) and Photography at Lot 4 (159) Badgerup Road, Wanneroo subject to:

- 1 the development of the lot for Garden Weddings and Photography being restricted to that portion of the lot which is already cleared or developed;
- 2 a minimum four metre wide densely landscaped buffer being provided along the southern boundary of Lot 4;
- 3 the submission of detailed plans of the proposed development (including structures) and approval by the City prior to the commencement of any works;
- 4 the preparation and implementation of an environmental management plan prior to the commencement of any works, to the satisfaction of the City following consultation with the Department of Environmental Protection which include:
- (a) restricting the clearing of remnant vegetation

- (b) restricting irrigation of remnant vegetation;
- (c) managing the growth of weeds;
- (d) restricting the use of non-indigenous plants on the eastern side of the land to a minimum by careful management;
- (e) restricting use of fertilisers on the eastern side of the site and applying it to low water/nutrient requirement type lawns only;
- (f) adequately managing disposal of effluent by compliance with requirements of the City of Wanneroo;

5 the provision of a minimum of 6 on-site car bays for the first stage and 46 on-site car bays for the overall development to the satisfaction of the City;

6 standard and appropriate conditions of development. CARRIED

DP129-07/97 PROPOSED THREE STOREY DWELLING AT LOT 372 (9) GLEBE CLOSE, MINDARIE - [3987/372/9]

A building licence application has been received from M Smoothy for a three storey dwelling on Lot 372 (9) Glebe Close, Mindarie. As the proposal was three storeys high the affected neighbours were consulted in accordance with Council policy. One objection has been received which relates to a perceived reduction in privacy and property value. The dwelling is also proposed to be setback from the western side boundary one metre less than that required under the Residential Planning Codes. The proposal is however considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on privacy, amenity and the streetscape of the area. An approval is therefore recommended.

MOVED Cr Bombak, SECONDED Cr Tippett that Council exercises its discretion under Clause 1.5.7 of the Residential Planning Codes and reduces the setback requirement to the western side boundary of Lot 372 from 5.5 metres to 4.6 metres in this instance and approves the proposal by M Smoothy for a three storey dwelling on Lot 372 (9) Glebe Close, Mindarie, subject to:

- 1 a minimum setback of 4.6 metres to the western side boundary of Lot 392;
- 2 the proposed driveway and crossover being redesigned to the satisfaction of the City to achieve adequate sight lines. CARRIED

DP130-07/97 PROPOSED DWELLING, LOT 7 (37) CLARECASTLE RETREAT, MINDARIE - [2955/37]

A building licence application has been received from Rapley Wilkinson Pty Ltd on behalf of J and M Bissett for a partial three storey dwelling on Lot 7 (37) Clarecastle Retreat, Mindarie. The proposal requires the exercise of discretion to relax the setback requirements to the southern side boundary. The proposed lesser setbacks are considered acceptable and approval is recommended.

MOVED Cr Bombak, SECONDED Cr Tippett that Council exercises its discretion under Clause 1.5.7 of the Residential Planning Codes and approves the relaxation of the side setback requirements for level 2 (main floor) to 1.137m to the southern side boundary in relation to the building licence application received 6 March 1997 by J & M Bissett for a partial three storey dwelling on Lot 7 (37) Clarecastle Retreat, Mindarie.

CARRIED

DP131-07/97

PROPOSED GARAGE ADDITION TO EXISTING DWELLING, LOT 105 (10) BRECHIN COURT, DUNCRAIG - [993/105/10]

A building licence application has been received from G and D Hatch for a garage addition to the existing dwelling on Lot 105 (10) Brechin Court, Duncraig. The proposal requires the exercise of discretion to relax the front setback requirement from the standard minimum of 3.0m to 2.0m to the Brechin Court boundary. The proposed lesser setback is considered acceptable and approval is recommended.

MOVED Cr Bombak, SECONDED Cr Tippett that Council exercises its discretion under Clause 1.5.7 of the Residential Planning Codes and approves the relaxation of the minimum front setback requirement from 3.0m to 2.0m to the Brechin Court boundary in relation to the building licence application received 28 April 1997 from G and D Hatch for a garage addition to the existing dwelling on Lot 105 (10) Brechin Court, Duncraig. CARRIED

DP132-07/97

BUILDING PAD - LOT 101 SYDNEY ROAD, GNANGARA - [215/101/348]

Lot 101 is part of Special Rural Zone No 25 and, in accordance with the Special Provisions applying to the zone, contains a building pad constructed to a reduced level of 48.0 metres above Australian Height Datum (48.0m AHD). The owner of Lot 101 is seeking a reduction in the building pad level. Council can accede to this request provided it is satisfied that no adverse consequences will arise. The circumstances relating to the building pad on Lot 101 have been reviewed and a reduction in the pad height (from 48.0m AHD to 46.7m AHD) is regarded as acceptable.

MOVED Cr Bombak, SECONDED Cr Tippett that Council, pursuant to Schedule 4 Part 1 Clause (1) of Town Planning Scheme No 1, authorises a reduction in the height of the building pad for Lot 101 Sydney Road, Gngangara from a Reduced Level of 48.0 metres above Australian Height Datum to a Reduced Level of 46.7 metres above Australian Height Datum conditional upon the owner of Lot 101 (Mr S Delcaro) providing the City with written certification from a licensed surveyor that the finished level of the pad conforms with the required Reduced Level of 46.7 metres above Australian Height Datum.

CARRIED

DP133-07/97

**FURTHER CONSIDERATION OF DESIGN GUIDELINES
FOR STAGE 8C LOT M1722 DELAMERE AVENUE,
CURRAMBINE - [740-96519]**

The draft modified design guidelines for Stage 8C Currumbine were advertised for comment until 26 June 1997. The only submission received was from the applicant, Feilman Planning Consultants, requesting modifications to the draft policy. The request to allow a lesser roof pitch for the standard lots is reasonable, however the minimum pitch should be 20⁰ to provide a compatible streetscape. The other requested modifications relate mainly to fencing and are considered acceptable. It is recommended that the policy be modified accordingly and finally adopted.

MOVED Cr Bombak, SECONDED Cr Tippett that Council:

- 1 finally adopts the planning policy for the area bordered by Delamere Avenue, Oakland Hills Boulevard, Aberfoyle Heights and Cyane Way, Currumbine, as shown in Attachment 1 to Report DP133-07/97, subject to the policy first being modified in the following manner:
 - (a) F. Roof Pitch, by adding at the end of the first sentence "...for dwellings on the cottage lots and no less than 20⁰ for dwellings on the standard lots".
 - (b) H. Fencing, by replacing in the front fencing description for Lots 924, 894 to 904, "0.7m" with "1.2m"; and the description for Lots 916 to 923, "masonry wall with an open picket fence above this wall" with "limestone wall with a 0.75m powder coated metal balustrade fence and limestone piers above this wall".
 - (c) H. Fencing, by replacing in the last sentence "with the exception of" with "in addition to".
 - (d) Appendix 2B, by including a modified fencing sketch (for Lots 924, 894 to 904) to reflect the intended height of the fence above the retaining wall as 1.2m not 0.7m.
- 2 following the modifications outlined in Point 1. above, publish notification of the final adoption of the planning policy in accordance with Clause 5.11 (b) (iii) of Town Planning Scheme No 1. **CARRIED**

Appendix VI refers

DP134-07/97

**PROPOSED RECODING OF PORTION OF LOT 132 (977)
WANNEROO ROAD (CORNER CHURCH STREET),
WANNEROO FROM RESIDENTIAL DEVELOPMENT R20
TO RESIDENTIAL DEVELOPMENT R40 - [790-803]**

An application has been submitted by Chappell and Lambert on behalf of Pointside Pty Ltd seeking to recode portion of Lot 132 (977) Wanneroo Road, Wanneroo from Residential Development R20 to Residential Development R40. The subject land is within the area covered by the Wanneroo Town Centre Study and the draft Wanneroo Town Centre Structure Plan. It is considered inappropriate to support this proposal as it does not adequately address site constraints. As such, it is recommended that the proposal not be supported.

MOVED Cr Bombak, SECONDED Cr Tippett that Council advises Messrs Chappell and Lambert that it is not prepared to initiate an amendment to recode the subject site as the proposal is not considered suitable for the site and is not supported by the Wanneroo Town Centre Study and the draft Wanneroo Town Centre Structure Plan. However, that it would be prepared to recode the whole site to Residential Development R40. CARRIED

DP135-07/97

**CLOSE OF ADVERTISING: AMENDMENT NO 783 TO
TOWN PLANNING SCHEME NO 1 TO RECODE LOT 841 (38)
GLENDEVON TURN, KINROSS FROM RESIDENTIAL
DEVELOPMENT R25 TO RESIDENTIAL DEVELOPMENT
R40 - [790-783]**

Amendment No 783 to Town Planning Scheme No 1 was advertised for a 28 day period which closed on 22 May 1997. The amendment seeks to recode Lot 841 (38) Glendevon Turn, Kinross from Residential Development R25 to Residential Development R40. As a result of the advertising, a total of eight submissions were received, of which two raised concerns with the proposal and two objected. These submissions have been considered and it is recommended that the amendment be adopted for final approval without modification.

MOVED Cr Bombak, SECONDED Cr Tippett that Council:

- 1** pursuant to Town Planning Regulation 17(2), adopts Amendment No 783 to Town Planning Scheme No 1 to recode Lot 841 (38) Glendevon Turn, Kinross from Residential Development R25 to Residential Development R40;
- 2** following advice that the Minister for Planning is prepared to finally approve the amendment, authorises the affixation of the common seal to, and endorses the signing of, the amendment documents. **CARRIED**

DP136-07/97

CLOSE OF ADVERTISING: AMENDMENT NO 758 TO TOWN PLANNING SCHEME NO 1 TO REZONE PORTION OF LOT 1 (39) COUNTRY CLUB BOULEVARD, CONNOLLY FROM SPECIAL ZONE (RESTRICTED USE) GOLF COURSE TO RESIDENTIAL DEVELOPMENT R40 - [790-758]

Amendment No 758 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 30 May 1997. The amendment seeks to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40. Assuming the rezoning gains approval, the land at the southern end of Pine Valley Pass is to be subdivided to create three additional lots. As a result of the advertising, a total of four submissions were received, one of which objected to the proposal. These submissions have been considered and it is recommended that the amendment be adopted for final approval without modification.

REPORT RECOMMENDATION THAT Council:

- 1 pursuant to Town Planning Regulation 17(2), adopts Amendment No 758 to Town Planning Scheme No 1 to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40 without modification;
- 2 following advice that the Minister for Planning is prepared to finally approve the amendment, authorises the affixation of the common seal to, and endorses the signing of, the amendment documents;
- 3 advises the Commission that a public open space contribution has not been provided for the subject land, and this would be further considered at the subdivision stage.

COMMITTEE RECOMMENDATION that Council, in accordance with Regulation 17(2) of the Town Planning Regulations, as a result of submissions received, does not proceed with proposed Amendment No 758 to Town Planning Scheme No 1 as the proposal would further reduce open space provision in the locality of Connolly and is not satisfactory from a safety point of view, and advises the Western Australian Planning Commission and the applicant accordingly.

ADDITIONAL INFORMATION

In response to the resolution of the Development and Planning Services Committee at its meeting of 14 July 1997, Development Planning Strategies Pty Ltd acting on behalf of Joondalup Country Club Holdings have submitted a request for deferral of this item at the Council meeting. This would provide an opportunity for the consultants to address the various issues raised by the Committee.

MOVED Cr Taylor, SECONDED Cr Ewen-Chappell that consideration of Amendment No 758 to Town Planning Scheme No 1 to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40 be deferred.

DP137-07/97

**AMENDMENT NO 756 TO TOWN PLANNING SCHEME NO 1
REZONE LOT 3 ROMEO ROAD, ALKIMOS FROM 'RURAL'
TO 'RESIDENTIAL DEVELOPMENT ZONE R20' - (790-756)**

Amendment No. 756 to Town Planning Scheme No. 1 proposes to rezone Lot 3, Alkimos to 'Residential Development R20' from 'Rural'. The amendment was initiated in March 1996, advertised for public submissions and is now requiring endorsement from Council. When Council considered the submissions at the December 1996 meeting it resolved to support the amendment subject to several conditions. Most of these conditions relate to the Local Structure Plan and a legal agreement requirement. The majority of the requirements referred to in this resolution have now been addressed. It is recommended that Council resolves to endorse the amendment, make minor modifications to the legal agreement and endorse the Local Structure Plan subject to a number of minor modifications and subject to some concerns regarding school sites being addressed at the detailed subdivision stage.

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

- 1 modifies Amendment No. 756 to Town Planning Scheme No. 1 by deleting the land within Lot 3 required for the railway reservation as shown on Attachment 2 to Report DP137-07/97 from the proposed 'Residential Development R20' zone;
- 2 finally adopts Amendment No. 756 to Town Planning Scheme No. 1 in a modified form as per 1 above;
- 3 authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;
- 4 rescinds point 1.(c)(i) of Council's resolution of 18 December 1996 (Item TP307-12/96):

"cede free of cost to Council the land required for Romeo Road, Connolly Drive and Marmion Avenue";
- 5 requires that the legal agreement with the landowner requires that the landowner, if required by Council and when requested to do so, to cede free of cost to Council the land required for Romeo Road, Connolly Drive and Marmion Avenue;
- 6 for the purposes of the required legal agreement, acknowledges and modifies the landowners correct name of 'Northern Corridor Developments Limited' and not 'Northern Corridor Holdings' as quoted in the resolution of 18 December 1996 (Item 307-12/96);
- 7 endorses the Local Structure Plan (LSP) subject to the modifications referred to in (a), (b), (c) and (d) below being made to the LSP, and to the matter referred to in (e) below being addressed at the detailed subdivision stage:
 - (a) improvement of the pedestrian/cycle access as shown on Attachment 3 to Report DP137-07/97;

- (b) provision of an additional underpass along Connolly Drive;
- (c) modification to the Public Open Space contribution to total the 19.04 hectares as required;
- (d) completion of the supporting report to the Local Structure Plan, with particular reference to the areas subject to further detailed design.
- (e) confirmation from the Education Department regarding:
 - (i) the use of part of the primary school site for a suitably sized oval;
 - (ii) the location of the drainage site within the high school site.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VII refers

DP138-07/97

**PROPOSED AMENDMENT NO 796 TO TOWN PLANNING
SCHEME NO 1 TO REZONE LOT 337 (9) PARRI ROAD,
WANGARA FROM RURAL TO LIGHT INDUSTRY - [790-796]**

Canning Unit Trust has submitted an application for rezoning of Lot 337 (9) Parri Road, Wangara from Rural to Light Industry to enable its development for light industrial uses. The proposal is consistent with both the Metropolitan Region Scheme and the South Wangara Structure Plan, and on this basis the proposal is supported.

MOVED Cr Bombak, SECONDED Cr Tippett that Council, in accordance with Section 7 of the Town Planning and Development Act, initiates Amendment No 796 to Town Planning Scheme No 1 to rezone Lot 337 (9) Parri Road, Wangara from Rural to Light Industry.

CARRIED

DP139-07/97

**CANCELLATION OF PROPOSED AMENDMENT NO 789 TO
TOWN PLANNING SCHEME NO 1 TO REZONE LOT 63 (37)
ANNA PLACE, WANNEROO FROM RURAL TO
RESIDENTIAL DEVELOPMENT R20 - [790-789]**

Amendment No 789 to Town Planning Scheme No 1 proposes to rezone Lot 63 (37) Anna Place, Wanneroo from Rural to Residential Development R20. The applicants have submitted a request for cancellation of the proposal. In addition, the advertising procedure for the proposed amendment was not properly undertaken. Given these circumstances, it is recommended that the Council accedes to the request for cancellation of Amendment No 789.

At the Development and Planning Services Committee meeting, Cr Healy advised of a request from the applicant that this matter be deferred for a period of one month.

REPORT RECOMMENDATION THAT Council:

- 1 in accordance with Regulation 17(2) of the Town Planning Regulations, does not proceed with proposed Amendment No 789 to Town Planning Scheme No 1 and advises the Western Australian Planning Commission and the applicants accordingly;
- 2 further advises the applicants that it should be noted that the land has an Urban zoning under the Metropolitan Region Scheme and will be the subject of further consideration under structure planning and subsequent future rezoning of the East Wanneroo area.

MOVED Cr Bombak, SECONDED Cr Tippett that consideration of Amendment No 789 to Town Planning Scheme No 1 be deferred for one month. CARRIED

DP140-07/97

PETITION REQUESTING PROVISION OF DUAL PURPOSE TRACK - LAKE JOONDALUP - [750-12]

In August 1996 a petition was lodged with the City requesting the provision of a dual purpose bicycle and walk track around the borders of Lake Joondalup which would link walk trails on the western side of Lake Joondalup to the eastern side of the lake. There are several issues relating to land ownership, the preparation of a management plan and co-ordination of the project that are currently being addressed. It is recommended that Council reaffirms its support for the proposed dual use path around Lake Joondalup and informs the primary petitioner of the current status of the project.

At the Development and Planning Services Committee meeting, the Acting Director, Development Services was requested to provide an amended recommendation to ensure that dual use paths are used as a buffer between natural and artificial development of areas.

REPORT RECOMMENDATION THAT Council:

- 1 affirms its support for a Dual Use Path to link the eastern side of Lake Joondalup with the existing walk trails on the western side of Lake Joondalup, with the detailed alignment of the dual use path to be determined as part of the preparation of the Management Plan for the Yellagonga Regional Park;
- 2 advises the primary petitioner accordingly.

COMMITTEE RECOMMENDATION that:

1 Council:

- (a) affirms its support for a Dual Use Path to link the eastern side of Lake Joondalup with the existing walk trails on the western side of Lake Joondalup, with the detailed alignment of the dual use path to be determined as part of the preparation of the Management Plan for the Yellagonga Regional Park;
- (b) advises the primary petitioner accordingly;

- 2 an additional recommendation be submitted to the Council meeting to be held on 23 July 1997 which allows for dual use paths to be used as a buffer between natural and artificial development of areas.

ADDITIONAL INFORMATION

At its meeting of 14 July 1997, the Development and Planning Services Committee considered Report No DP140-07/97, which dealt with the proposed Dual Use Path (d.u.p.) link from the eastern side of Lake Joondalup to the existing trails on the western side of the lake.

The Committee noted that d.u.p. can perform an important function in providing an effective management boundary between areas which are to be used for different purposes, eg the boundary between grassed picnic areas and conservation areas. The Committee requested that an amended recommendation be provided, making appropriate reference to this matter. The following amended recommendation is, therefore, submitted for Council's consideration.

MOVED Cr Taylor, SECONDED Cr Magyar that Council:

1. **affirms its support for a Dual Use Path to link the eastern side of Lake Joondalup with the existing walk trails on the western side of Lake Joondalup, with the detailed alignment of the dual use path to be determined as part of the preparation by the Department of Conservation and Land Management of the Management Plan for the Yellagonga Regional Park;**
2. **advises the primary petitioner of 1 above.**
3. **advises the Department of Conservation and Land Management that when that department prepares the Yellagonga Regional Park Management Plan, it wishes that, in the alignment of the dual use path, careful consideration is given to the important function such paths can perform in providing an effective management boundary between areas which have different purposes, eg the boundary between a grassed picnic area and a conservation area.**

CARRIED

DP141-07/97

**APPLICATION FOR REZONING FOR
URBAN/RESIDENTIAL PURPOSES: RURAL LOTS WEST OF
ALEXANDER DRIVE, LANDSDALE - [290-7-2, 790-801]**

At its May and June Meetings of this year, Council resolved to refer an application seeking rezoning of the 'Telstra Buffer Area' at East Landsdale for urban/residential purposes to the July round of meetings for consideration. It is recommended that Council not support this application. It is also recommended that Council awaits the outcome of a forthcoming proposed amendment to the Metropolitan Region Scheme which will affect this area, and also advises the Member for Wanneroo, Mr. Iain MacLean, that should the State Government wish to promote the urban zoning of this area, it is in a position to do so of its own accord.

REPORT RECOMMENDATION THAT Council:

- 1 does not support the application for rezoning for urban/residential purposes submitted by Mr Graham Dunjey in respect to the lots currently zoned Rural on the Metropolitan Region Scheme within the area bounded by Alexander Drive, Gngangara Road, Hepburn Avenue alignment and the eastern boundary of the Urban zoned land at Landsdale, for the following reasons:
 - (a) Council is required to have due regard for the provisions of Western Australian Planning Commission Statement of Planning Policy No 4: State Industrial Buffer Policy, and in this regard, rezoning of this area for urban/residential purposes is not considered appropriate;
 - (b) the area concerned is within the Priority 2 Groundwater Source Protection Area, which is likely to be proposed by the Western Australian Planning Commission for rezoning for Rural Water Protection purposes under the Metropolitan Region Scheme in the near future;
- 2 awaits the outcome of the forthcoming major amendment to the Metropolitan Region Scheme referred to in 1. (b) above prior to considering further the future use of the area concerned;
- 3 advises the Member for Wanneroo, Mr Ian MacLean, that it acknowledges his advice that the State Government supports the rezoning of the area concerned for Urban purposes and that this being the case, the State Government should be in a position of its own accord to promote an amendment to the Metropolitan Region Scheme to rezone the area concerned for Urban purposes, noting that should this occur, the Council will be required to amend its Town Planning Scheme to make it conform with the Metropolitan Region Scheme;
- 4 advises the State Government, through the Minister for Planning, that it wishes the State Government to address the Telstra Buffer issue as provided for under section 6.3 of Western Australian Planning Commission Statement of Planning Policy No 4: State Industrial Buffer Policy.

ADDITIONAL INFORMATION

The Member for Wanneroo, Mr Iain MacLean MLA, has viewed Report DP141-07/97 and advised the Acting Director Development Services that he considers that the report misrepresents him and misleads Council.

Point 3 of the report's recommendation states that Mr MacLean has advised that the State Government supports the rezoning of the area concerned. Mr MacLean advises that his advice to the Councillors at the first session of the Local Rural Strategy Workshop was that he supported the rezoning, and that he did not purport to be presenting the State Government position on the matter

At the second session of the Local Rural Strategy Workshop, those Councillors present may recall that in considering this Strategy Area, the view was taken that Mr MacLean's advice to the previous session was presumably representing the State Government's position on the matter. Mr MacLean's recent advice indicates that this presumption may not have been correct and the following modified point 3 of the report recommendation is therefore submitted for Council's consideration:

"3. Advises the Member of Wanneroo, Mr Iain MacLean, that it acknowledges his advice that he supports the rezoning of the area concerned for Urban purposes and that considering that the State Government is in a position of its own accord to promote an amendment to the Metropolitan Region Scheme to rezone the area concerned for Urban purposes should it so wish, and noting that should this occur, the Council will be required to amend its Town Planning Scheme to make it conform with the Metropolitan Region Scheme, he should endeavour to convince the State Government to promote such an amendment to the Metropolitan Region Scheme".

COMMITTEE RECOMMENDATION that:

- 1 consideration of this item be deferred;
- 2 the Mayor prepares a draft letter to Mr Iain MacLean, MLA, outlining the concerns of Council, copies of which will be circulated to Councillors for comment.

ADDITIONAL INFORMATION

The Mayor submitted a draft letter addressed to Mr Ian MacLean MLA - Appendix XVI refers

MOVED Cr Hollywood, SECONDED Cr Popham that Council:

- 1 requests that the Western Australian Planning Commission initiates an amendment to the Metropolitan Region Scheme pursuant to Section 33 of the Metropolitan Region Town Planning Scheme Act to rezone Lots 48, 49, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 152, 153, 154, 155, 156, 127, 128, 129, 130, 146, 147, 148, 149, 150, 151, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172 and 9627/Reserve 34683 from Rural to Urban;
- 2 pursuant to Section 7 of the Town Planning and Development Act, initiates Amendment No 801 to Town Planning Scheme No 1 to rezone Lot 57 from Special Zone (Restricted Use) Retail Nursery to Urban Development Zone and Lots 48, 49, 50, 51, 52, 53, 54, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 152, 153, 154, 155, 156, 127, 128, 129, 130, 146, 147, 148, 149, 150, 151, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172 and 9627/Reserve 34683 from Rural to Urban Development Zone (Parks and Recreation).

LOST

Discussion ensued.

It was requested that voting be recorded, with the following result:

FOR: Crs Healy, Hollywood, Popham, Lynn, Bombak and Zuvela.

AGAINST: Crs Taylor, Cooper, Wight, Major, Ewen-Chappell, Magyar, Tippett and O'Grady

MOVED Cr Taylor, SECONDED Cr Ewen-Chappell that:

- 1 consideration of this item be deferred;**
- 2 Council forwards the letter prepared by the Mayor (forming Appendix XVI hereto) to Mr Iain MacLean MLA.**

CARRIED

Appendix XVI refers.

DP142-07/97 **PROPOSED THREE GROUPED DWELLINGS: LOT 126 (19) ROSSLARE PROMENADE, MINDARIE - [30/4639]**

An application has been received from Danmar Homes on behalf of Trishore Pty Ltd for three grouped dwellings on Lot 126 (19) Rosslare Promenade, Mindarie. The proposed development is over two storeys in height and has been advertised to the affected adjoining owners for comment in accordance with the "Height of Buildings in Residential Neighbourhoods" policy. The proposal also requires Council's discretion to approve an increased plot ratio and various setbacks. The proposal is considered to meet the objectives of the Residential Planning Codes and is therefore recommended for approval.

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

- 1 exercises discretion under Clause 5.9 of Town Planning Scheme No 1 to:**
 - (a) reduce the front setback from 6 metres minimum to 3 metres minimum with an average of 6 metres;**
 - (b) increase the plot ratio from 0.5 to 0.7;**
- 2 approves the application submitted by Danmar Homes on behalf of Trishore Pty Ltd for three grouped dwellings on Lot 126 (19) Rosslare Promenade, Mindarie subject to:**
 - (a) the deletion of the first floor south facing lounge windows and the second floor south facing void windows;**
 - (b) a rear setback of 4.5 metres to the second floor balcony to bedroom one;**
 - (c) a setback of 7.3 metres to the eastern boundary;**

- (d) the reduction of all east facing meals room windows to a maximum of 1.5m² each and the northwards extension of the meals room to unit 1 by 2 metres;
- (e) a side setback of 4.2 metres to the west facing second floor balconies and the distance between unit 1 and 2 balconies to be increased to 5 metres;
- (f) the second floor west facing balcony to unit 1 being separated from the adjacent unit 2 balcony by a minimum distance of 5 metres;
- (g) standard and appropriate conditions.

3 investigates the formation of a policy to remove floor space that is located in the roof space from plot ratio calculations and to consider the application of plot ratio requirements consistently to all forms of dwellings. **CARRIED**

Cr Bombak requested that his name be recorded as having voted against the recommendation.

DP143-07/97

APPEAL AGAINST COUNCIL'S REFUSAL OF PROPOSED HOME OCCUPATION FOR BATTERY RECONDITIONING BUSINESS, LOT 148 (57) WINDLASS AVENUE, OCEAN REEF - [1744/148/57]

Ronald Edmonds has lodged an appeal to the Town Planning Appeal Tribunal against Council's refusal of the application for a home occupation for a battery reconditioning business on Lot 148 (57) Windlass Avenue, Ocean Reef. It is recommended that Council contest this appeal, and requires the preparation of a policy regarding the contesting of Tribunal appeals generally up to the first sitting and mediation stage.

MOVED Cr Bombak, SECONDED Cr Tippett that Council:

- 1 contests the Tribunal appeal by Ronald Edmonds against its decision to refuse the application for a home occupation for battery reconditioning business on Lot 148 (57) Windlass Avenue, Ocean Reef;
- 2 engages legal representation to assist officers in the first sitting and the mediation;
- 3 requires a further report detailing the outcome of the mediation and likely costs associated with continuing with the appeal;
- 4 requires the preparation of a policy regarding the contesting of Tribunal appeals generally up to the first sitting and mediation stage. **CARRIED**

DP144-07/97

CLOSE OF ADVERTISING: AMENDMENT NO 736 TO TOWN PLANNING SCHEME NO 1 TO MODIFY CLAUSE 2 OF THE SPECIAL PROVISIONS OF SPECIAL RURAL ZONE NO 15 (MEADOWLANDS) NEAVES ROAD, MARIGINIUP - [790-736]

Amendment No 736 to Town Planning Scheme No 1 was advertised for a 45 day period which closed on 28 April 1997. The amendment seeks to introduce revised special provisions regarding separation requirements for effluent disposal systems to new dwellings and the estimated maximum water table level at the Meadowlands Special Rural Estate, Neaves Road, Mariginiup. The requirement for revised special provisions resulted from updated information on water table levels provided by the then Water Authority of Western Australia. As a result of the advertising, a total of four submissions were received. The Water Corporation submission suggests the special provisions be slightly modified to improve their clarity. The submissions have been considered and it is recommended that the amendment be adopted for final approval with modification.

MOVED Cr Bombak, SECONDED Cr Tippett that Council:

- 1 pursuant to Town Planning Regulation 17(2), adopts Amendment No 736 to Town Planning Scheme No 1 to modify Clause 2 of the Special Provisions of Special Rural Zone No 15 (Meadowlands) Neaves Road, Mariginiup, subject to the following modifications:
 - (a) modifying the primary sentence to Clause 2 by replacing the words "the land is subject to periodic flooding" with the words "parts of the land are subject to periodic inundation";
 - (b) Clause 2(i) be modified by replacing the words "flood prone" with the words "subject to periodic inundation" in both parts A and B;
- 2 following advice that the Minister for Planning is prepared to finally approve the amendment, authorises the affixation of the common seal to, and endorses the signing of, the amendment documents. **CARRIED**

DP145-07/97

PROPOSED HOME OCCUPATION: OFFICE FOR MOBILE HAIRDRESSING BUSINESS - LOT 512 (9) PIRIANDA CLOSE, CLARKSON - [3905/512/9]

A home occupation application has been received from L M Haigh for a home office associated with a mobile hairdressing business at Lot 512 (9) Pirianda Close, Clarkson.

Council has not approved mobile hairdressing since it resolved in May 1991 to advise the Western Australian Municipal Association of its support for mobile hairdressers to be provided for by professional established salons.

The Health (Hairdressing Establishment) Regulations do provide for hairdressing at private residences and the proposal is acceptable in terms of residential amenity, Town Planning Scheme No 1 and Council's Policy. Approval is therefore recommended.

Cr Zuvela declared an interest in this item as she owns a similar business.

Cr Zuvela left the Chamber at this point, the time being 2231 hrs.

MOVED Cr Ewen-Chappell, SECONDED Cr Magyar that Council approves the home occupation application submitted by L M Haigh for an office associated with a mobile hairdressing business on Lot 512 (9) Pirianda Close, Clarkson subject to:

- 1 compliance with the Health (Hairdressing Establishment) Regulations 1972 as amended;**
 - 2 standard and appropriate conditions as considered necessary by the Director, Development Services including a requirement that no clients be permitted to visit the premises.**
- CARRIED**

LETTER RELATING TO LEVEL OF FACILITIES - GNANGARA - [510-3174]

At the Development and Planning Services Committee meeting, Cr Tippett submitted a letter from Dr John Wincott of Sydney Road, Gnangara expressing concern at the level of facilities offered to ratepayers in the Sydney Road and surrounding area.

This letter will be referred to Technical Services for action.

DEVELOPMENT IN SOUTHERN CROSS CIRCLE, OCEAN REEF - [510-2245]

Cr Magyar requested information regarding Council's approval of a development in Southern Cross Circle, Ocean Reef which includes a large workshop with parapet wall adjoining the neighbouring property.

LOCAL RURAL STRATEGY - [290-7-2, 790-801]

Cr Healy queried the current position in relation to the Local Rural Strategy, and was advised that a report would be submitted to the Development and Planning Services Committee meeting to be held in August 1997.

PETITION EXPRESSING CONCERN - LUISINI WINERY PROJECT - [050-15]

At the Development and Planning Services Committee meeting, Cr Tippett submitted copy of an 8-signature petition from residents of Kingsley expressing concern at the concept of the development of the Luisini Winery project.

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

**PETITION IN RELATION TO NOISE LEVELS - HUNGRY JACKS RESTAURANT,
HILLARYS - [30/0300]**

At the Development and Planning Services Committee meeting, Cr Tippett submitted a copy of a 17-signature petition from residents of Kallaroo in relation to the level of noise emanating from the Hungry Jacks Restaurant at Whitford City Shopping Centre, Hillarys.

This copy petition will be referred to Health Services for action.

Cr Zuvela entered the Chamber at this point, the time being 2233 hrs.

C245-07/97

FINANCE & COMMUNITY SERVICES COMMITTEE

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

ATTENDANCES

Councillors:	M E LYNN, JP - Chairman	South-West Ward
	P O HEALY	North Ward
	B C COOPER - Mayor	Central Ward
	M J ZUVELA - <i>to 1850 hrs; from 1853 to 1936 hrs; then from 1940 hrs</i>	Central Ward
	A G TAYLOR - <i>to 1958 hrs; from 1959 hrs to 2012 hrs; then from 2014 hrs</i>	South Ward
	D K TIPPETT, JP - <i>from 1806 hrs</i>	South Ward
	G A MAJOR - <i>deputy</i>	South-West Ward
	T W POPHAM - <i>Observer to 1933 hrs; then from 1934 hrs; (deputising for Cr Tippett to 1806 hrs)</i>	South Ward
	A W WIGHT - <i>Observer to 1941 hrs; then from 1945 hrs; (deputising for Cr Taylor from 1958 hrs to 1959 hrs; then from 2012 hrs to 2014 hrs)</i>	South Ward
	S P MAGYAR - <i>Observer to 1941 hrs; then from 1947 hrs; (deputising for Cr Zuvella from 1850 hrs to 1853 hrs; then from 1936 hrs to 1940 hrs)</i>	Central Ward
	L A EWEN-CHAPPELL - <i>Observer to 1910 hrs</i>	Central Ward
	J HOLLYWOOD, JP - <i>Observer</i>	Central Ward
	J BOMBAK, JP - <i>Observer from 1822 hrs to 1904 hrs; from 1913 hrs to 2014 hrs; then from 2028 hrs</i>	South-West Ward

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Resource Management:	J TURKINGTON
Director, Community Services:	C HALL
Director, Strategic Planning:	R G FISCHER
Manager, Health Services:	M AUSTIN
Manager, Recreation & Cultural Services (Acting):	M STANTON
Manager, Welfare Services:	P STUART
Manager, Library Services:	N CLIFFORD
Manager, Council Support Services:	M SMITH
Manager, Engineering Construction and Maintenance Services:	D BLAIR
Project Services Manager:	J SOBON
Minute Clerk:	S BRUYN

APOLOGIES

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

PUBLIC/PRESS ATTENDANCE

There were 6 members of the Public in attendance.

PUBLIC QUESTION TIME**Mr V Harman:**

Q1 In relation to the public address system, I had a look in the Chamber Offices and it looked as though all that has been done is transfer the old public address system to the new chambers. Is this so? It was very difficult to hear the contribution from Councillors and I would like this taken on notice to be investigated.

A1 *Director Strategic Planning's response:* The public address system from the old Council Chambers has been relocated and has also been upgraded.

Mrs A Hine:

Q1 In relation to spraying of the lake with pellets. Could someone tell me how poisonous they are to the bird life on fresh water lakes.

A1 *Manager Health Service's response:* The proposed product required to be used is called Altosid, which is an insect growth regulator targeted specifically for mosquitoes. The World Health Organisation use this product to control mosquitoes in potable drinking water. There should be no effects whatsoever to any bird life in the lakes.

Q3 Referring to the proposed consultation period on the splitting of the City of Wanneroo, has anything come out yet about that?

A3 *Chief Executive Officer's response:* A media statement has been made by the Minister on the announcement of his proposal. The Minister has referred that to the Local Government Advisory Board to conduct a minimum six week public consultation period, which is proposed to commence in August, allowing residents the opportunity to make submissions and comments.

DECLARATIONS OF FINANCIAL INTEREST

Cr Cooper declared an interest in Item CS239-07/97 as his nephew is a recipient of a suggested donation - the Finance and Community Services Committee resolved this to be a trivial interest.

The Director Resource Management declared an interest in Item FA131-07/97 as he was the author of this report and had been nominated for appointment to a Board of Management for the Municipal Workcare Scheme.

The Manager Engineering Construction and Maintenance Services declared an interest in Item FA130-07/97 as he was the author of this report and was nominated to attend the conference.

CONFIRMATION OF MINUTES

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

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

PETITIONS AND DEPUTATIONS

Nil

CONFIDENTIAL BUSINESS

Nil

MEETING TIMES

Commenced: 1805 hrs

Closed: 2053 hrs

FINANCE & ADMINISTRATIVE SECTION**REPORT NO:****FA125-07/97 PUBLICATION OF STRATEGIC PLAN - [702-9]**

At its meeting on 25 June 1997, the Council adopted the City of Wanneroo Strategic Plan for 1997/98-2001/02. A further report was requested to address the number and type of distribution required for the Strategic Plan.

REPORT RECOMMENDATION: THAT Council:

- 1 engages Howard Jones Design and Print Pty Ltd to produce and print the Strategic Plan in the following formats:
 - corporate style, high quality promotional copies (approx. \$17,597)
 - brochure style working copies (approx. \$13,130)
 - D/L leaflet style for letterbox delivery (approx. \$7,500).at a total cost of approximately \$38,227;
- 2 lists for consideration an amount of \$40,000 in the draft 1997/98 budget against allocation 20042 - Members: Printing - Strategic Plan, to facilitate production and printing.

ADDITIONAL INFORMATION (1)

Due to an error in the tables provided in Report FA125-07/97, a revised report was submitted with the following recommendation:.

RECOMMENDATION THAT Council:

- 1 engage Howard Jones Design and Print Pty Ltd to produce and print the Strategic Plan in the following formats:
 - corporate style, high quality promotional copies (approx \$18,500)
 - brochure style working copies (approx \$13,130)
 - D/L leaflet style for letterbox delivery (approx \$7,500)at a total cost of approximately \$39,130;
- 2 lists for consideration an amount of \$40,000 in the draft 1997/98 budget against allocation 20042 - Members: Printing - Strategic Plan, to facilitate production and printing.

COMMITTEE RECOMMENDATION: THAT Council:

- 1 engages Howard Jones Design and Print Pty Ltd to produce and submit to the Finance and Community Services Committee a draft copy of the printed Strategic Plan in the following formats:

- corporate style, high quality promotional copies
- brochure style working copies - to include printing of 300 covers only, with the contents being dealt with 'in house'.

at a total cost of approximately \$20,896;

- 2 includes an appropriate article in an edition of 'News Extra' publication detailing the City's Strategic Plan;
- 3 seeks a report to be submitted to the Council meeting on 23 July 1997 clarifying whether the corporate style and brochure style documents contain full text and if so the savings by changing the print to one style of document only;
- 4 lists for consideration an amount of \$25,000 in the draft 1997/98 budget against allocation 20042 - Members: Printing - Strategic Plan, to facilitate production and printing.

ADDITIONAL INFORMATION (2)

SUMMARY

Council's Finance and Community Services Committee considered the publication of the City's Strategic Plan at its meeting on 16 July 1997 (Item FA125-07/97 refers). Additional information was requested by the Committee and this report provides information to assist in the further consideration of this matter.

BACKGROUND

At its meeting on 16 July 1997, Council's Finance and Community Services Committee resolved to recommend that Council:

- a) engages Howard Jones Design and Print Pty Ltd to produce and submit to the Finance and Community Services Committee a draft copy of the printed Strategic Plan in the following formats:
 - corporate style, high quality promotional copies
 - brochure style working copies - to include printing of 300 covers only, with the contents being dealt with 'in-house',

at a total cost of approximately \$20,896;

- b) includes an appropriate article in an edition of 'News Extra' publication detailing the City's Strategic Plan;
- c) seeks a report to be submitted to the Council meeting on 23 July 1997 clarifying whether the corporate style and brochure style documents contain full text and if so the savings by changing the print to one style of document only; and
- d) lists for consideration an amount of \$25,000 in the draft 1997/98 budget against allocation 20042 - Members: Printing - Strategic Plan, to facilitate production

and printing.”

DETAILS

In response to part c) of the recommendation, it is advised that both the corporate and the brochure style documents were to be printed with full text of the adopted Strategic Plan. The corporate version would also contain additional information relating to the organisational structure, a description of the context of the document in relation to the Principal Activities Plan, the Budget and the Business Plans, and an overview of the City’s statistical profile. Photographs would not be included in the brochure version, although some artwork would run throughout the document.

It is noted the suggestion has been made that consideration be given to not producing the brochure style working copies and selecting one of two alternative options:

- 1 producing covers only and printing the working copies ‘in-house’, or
- 2 increasing the print run of the corporate copies to 1,000.

Option 2 represents the most cost effective solution. Increasing the print run of the corporate style document by 500 copies will incur an additional expenditure of \$1,075. The cost of producing 500 covers for use on in-house copied brochure versions will be in the order of \$2,495. In effect, producing only 1000 corporate style documents and no other, will reduce the overall project cost from \$39,065 to \$19,577.

COMMENT/FUNDING

Part a) of the Committee recommendation calls for the presentation of a draft copy of the printed Strategic Plan to the Finance and Community Services Committee in the two formats. A quote has been obtained from Howard Jones Design and Print for the production of a mock up of the complete document. It is estimated that a full mock up, without photographs, will cost in the order of \$2,330. It should be noted that this will require the setting of type, and the production and layout of artwork.

It is not considered appropriate to take up the time of the Finance and Community Services Committee with deliberation over the visual concept or layout of the document itself. It is perhaps more appropriate for the Chief Executive Officer and Marketing Manager to liaise with Howard Jones Design and Print to achieve production of the Council’s adopted Strategic Plan.

MOVED Cr Taylor, SECONDED Cr Healy that Council:

- 1 **engages Howard Jones Design and Print Pty Ltd to produce 1,000 copies of a high quality, corporate style version of the City’s Strategic Plan, at a cost of approximately \$19,600;**
- 2 **includes an appropriate article in an edition of ‘News Extra’ publication detailing the City’s Strategic Plan;**

- 3 lists for consideration an amount of \$20,000 in the draft 1997/98 budget against allocation 20042 - Members: Printing - Strategic Plan, to facilitate production and printing.” **CARRIED**

FA126-07/97 **JOONDALUP** **ADMINISTRATION** **CENTRE**
REFURBISHMENT - [605-2-1, 208-173-96/97]

Approval is sought for the budget and scope of refurbishment work for the Joondalup Administration Centre as presented by Marshall Kusinski Design Consultants in their report attachments and sketch plans. The scope of the work includes fitout, building refurbishment and technology upgrade. Marshall Kusinski Design Consultants have short listed contractors for tendering purposes.

At the Finance and Community Services Committee Meeting Mr Craig Disney of Norman Disney and Young provided information on the proposed refurbishment of the Joondalup Administration Centre.

REPORT RECOMMENDATION: THAT Council:

- 1 accepts the design in principle and approves the allocation of the estimated budget of \$3.015m for the refurbishment and fit out work to be undertaken at the Joondalup Administration Centre as presented by the consultants Marshall Kusinski Design Consultants;
- 2 authorises the documentation and calling of tenders for the Joondalup Administration Centre refurbishment and fit out work;
- 3 accepts the tabled list of recommended contractors for the following categories of work:

Contract number 173-96/97 (1) - Fit Out Head Contractor
 Bishop Projects Pty Ltd
 Bridan Projects
 Link Interiors
 National Interiors

Contract number 173-96/97 (2) - Screen and Workstation Suppliers
 Teknic Australia
 Contract Office Interiors
 Innerspace Commercial Interiors
 Datafurn Office Interiors
 Schiavello Commercial Interiors
 Halworthy and Associates

Contract number 173-96/97 (3) - Mechanical Contractors
 Matthew Hall
 Mechanical Project Management
 Envar Engineers and Contractors
 Designair Engineering Services

Contract number 173-96/97 (4) - Electrical, data and Communications Contractors
Ralph M Lee
AMEC Australia Pty Ltd
Electec Pty Ltd
Williams Electrical

Contract number 173-96/97 (5) - Fire Services Contractors
No selection made

Contract number 173-96/97 (6) - Security services Contractors
No selection made

- 4 BY AN ABSOLUTE MAJORITY, delegates authority to the Technical Services Committee to award the tenders conditional on the acceptable tender price received for the project being within the estimated project budget;
- 5 seeks a report on the appointment of a suitable real estate agency firm to pursue for evaluation purposes the options of rental or sale of Kingsley Community Centre.

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

- 1 **accepts the design in principle and lists for consideration in the draft 1997/98 budget an amount of \$3.015m for the refurbishment and fit out work to be undertaken at the Joondalup Administration Centre as presented by the consultants Marshall Kusinski Design Consultants;**
- 2 **authorises the documentation and calling of tenders for the Joondalup Administration Centre refurbishment and fit out work;**
- 3 **accepts the tabled list of recommended contractors for the following categories of work:**

Contract number 173-96/97 (1) - Fit Out Head Contractor
Bishop Projects Pty Ltd
Bridan Projects
Link Interiors
National Interiors

Contract number 173-96/97 (2) - Screen and Workstation Suppliers
Teknic Australia
Contract Office Interiors
Innerspace Commercial Interiors
Datafurn Office Interiors
Schiavello Commercial Interiors
Halworthy and Associates

Contract number 173-96/97 (3) - Mechanical Contractors
Matthew Hall
Mechanical Project Management
Envar Engineers and Contractors
Designair Engineering Services

Contract number 173-96/97 (4) - Electrical, data and Communications Contractors
Ralph M Lee
AMEC Australia Pty Ltd
Electec Pty Ltd
Williams Electrical

Contract number 173-96/97 (5) - Fire Services Contractors
No selection made

Contract number 173-96/97 (6) - Security services Contractors
No selection made

4 delegates authority to the Technical Services Committee to award the tenders conditional on the acceptable tender price received for the project being within the estimated project budget;

5 seeks a report on the appointment of a suitable real estate agency firm to pursue for evaluation purposes the options of rental or sale of Kingsley Community Centre.
**CARRIED BY AN
 ABSOLUTE MAJORITY**

FA127-07/97 EMPLOYMENT OF REGIONAL ECONOMIC
DEVELOPMENT OFFICER - [404-0]

Council has adopted its Strategic Plan that provides for Council to be involved in regional economic development. It is proposed that in the selection and appointment of the Manager, Development Planning, the Manager has qualifications that allows for providing advice to Council and promotion of regional development.

REPORT RECOMMENDATION: THAT Council:

- 1 notes it has a role in promoting economic development;
- 2 endorses the appointment of the Manager, Development Planning with qualifications relating to economic development.

COMMITTEE RECOMMENDATION: THAT Council delegates authority to the Senior Staff Appointment and Review Committee, together with two additional delegates to be nominated by the Mayor, to undertake appointment of an Economic Development Officer.

At the Finance and Community Services Committee Meeting Cr Lynn requested the Manager Engineering Construction and Maintenance Services to provide further information on work undertaken by Bio Medical Engineering at Sir Charles Gairdner Hospital.

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

1 rescinds Part 1 of its Resolution TS162-05/97 that it:

“accepts the offer from Prestige Property Services to increase by \$816.00 the contract sum of \$31,041.00’ 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 (12) month period to 30 June 1998”;

2 accepts the tender of \$105,199.00 from Office Cleaning Experts for ‘The Supply of Cleaning Services to the Joondalup Civic and Cultural Centre’ Tender Ref: 169-96/97 for the period from 1 July 1997 (or such commencement date that is practical upon completion of the buildings) to 30 June 1998;

3 advises the tenderers of Council’s resolution;

4 agrees to the signing of the contract documents.

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA130-07/97

**9TH NATIONAL LOCAL GOVERNMENT ENGINEERING
CONFERENCE - [220-0]**

The 9th National Local Government Engineering Conference is to be held in Melbourne between 24 and 29 August 1997.

This report recommends the attendance of the Manager (Engineering Construction and Maintenance Services) and a Councillor at this conference.

The Manager Engineering Construction and Maintenance Services declared an interest in this item as he was the author of this report and was nominated to attend the conference. He left the Room at this point, the time being 1940 hrs.

REPORT RECOMMENDATION: THAT Council:

1 approves the attendance of the Manager - Engineering Construction and Maintenance Services (Dennis Blair) at the 9th National Local Government Engineering Conference to be held at the Carlton Crest Hotel, Melbourne from 24 August to 29 August 1997, with the estimated cost of \$2,785 allocated to draft Budget Item No 46006 - Conference Expenses;

2 nominates a Councillor to attend the 9th National Local Government Engineering Conference to be held at the Carlton Crest Hotel, Melbourne from 24 August to 29 August 1997;

- 3 authorises the payment of the conference registration fee, accommodation and air fares from draft Budget Item No 20006 - Member's Conference Expenses.

Cr Ewen-Chappell nominated Cr Wight.

Cr Wight declared an interest in this Item as he had been nominated to attend this Conference.

Cr Wight left the Chamber at this point, the time being 2238 hrs.

Cr Hollywood declared an interest in this Item as he had been nominated to attend this Conference.

Cr Hollywood left the Chamber at this point, the time being 2239 hrs.

MOVED Cr Bombak SECONDED Cr Zuvella that Cr Hollywood also be nominated to attend the 9th National Local Government Engineering Conference to be held at the Carlton Crest Hotel, Melbourne. **LOST**

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

- 1 **approves the attendance of the Manager - Engineering Construction and Maintenance Services (Dennis Blair) at the 9th National Local Government Engineering Conference to be held at the Carlton Crest Hotel, Melbourne from 24 August to 29 August 1997, with the estimated cost of \$2,785 allocated to draft Budget Item No 46006 - Conference Expenses;**
- 2 **nominates Councillor Wight to attend the 9th National Local Government Engineering Conference to be held at the Carlton Crest Hotel, Melbourne from 24 August to 29 August 1997;**
- 3 **authorises the payment of the conference registration fee, accommodation and air fares from draft Budget Item No 20006 - Member's Conference Expenses.**
CARRIED BY AN ABSOLUTE MAJORITY

Crs Wight and Hollywood entered the Chamber at this point, the time being 2240 hrs.

FA131-07/97 MUNICIPAL WORKCARE SCHEME - BOARD MEMBERSHIP - [01306]

Two years ago Council gave its approval for the Director Resource Management, Mr J Turkington to serve on the inaugural Board of Management of Local Government self insurance Workers Compensation Scheme - Workcare - for a two year period. The term of appointment expired on 30 June 1997. The Western Australian Municipal Association Executive has now offered Mr Turkington a further two year term expiring on 30 June 1999. Mr Turkington is prepared to offer his services for a further term of two years.

His annual Board sitting fee of \$4,000 is paid direct to the City of Wanneroo.

The Director Resource Management declared an interest in this item as he was the author of the report and had been nominated for appointment to a Board of Management for the Municipal Workcare Scheme.

MOVED Cr Bombak, SECONDED Cr Lynn that Council approves the appointment of the Director Resource Management, Mr John Turkington to the Board of Management for the Municipal Workcare Scheme for a two year term expiring on 30 June 1999.

CARRIED

FA132-07/97

LOT 4 (380) MARANGAROO DRIVE, KOONDOOLA - WRITE OFF RATES - [1403/4/380]

Since 1953 the then State Housing Commission (now Homeswest) has owned freehold Lot 4 (380) Marangaroo Drive, Koondoola (Koondoola Regional Open Space).

In 1995 Council rated this land as it was considered rateable land. Back rates (to 1989/90) were also levied.

Homeswest has advised that Lot 4 (380) Marangaroo Drive, Koondoola was land set aside for Parks and Recreation under the Metropolitan Region Scheme and therefore was non rateable.

This report seeks approval pursuant to Section 6.47 of the Local Government Act 1995 for Council, BY AN ABSOLUTE MAJORITY, to waive the rates and penalties levied totalling \$118,469.26.

MOVED Cr Taylor, SECONDED Cr Popham that Council in accordance with the provisions of Section 6.47 of the Local Government Act 1995 waives the \$118,469.26 rates and penalties outstanding on rate assessment 3/23140004/2, Lot 4 (380) Marangaroo Drive, Koondoola.

CARRIED BY AN ABSOLUTE MAJORITY

FA133-07/97

MINUTES OF VARIOUS COMMITTEES - [702-0]

This report submits minutes of various Committees for adoption by Council.

MOVED Cr Bombak, SECONDED Cr Lynn that the Minutes of the following Committees and the recommendations contained therein, be noted:

- 1 **Lotteries House Steering Committee meeting held on 14 May 1997;**
- 2 **Junior Council meeting held on 10 June 1997;**
- 3 **Disability Access Advisory Committee meeting held on 11 June 1997;**
- 4 **Art Collection Working Party meeting held on 12 June 1997. CARRIED**

Appendix VIII refers

FA134-07/97

BEST PRACTICE AND BEYOND SEMINAR - [202-1-2]

The Western Australian Municipal Association is sponsoring a seminar entitled 'How to Implement Effective Benchmarking' for senior local government officers and Councillors.

The Western Australian Municipal Association is sponsoring a seminar entitled 'How to Implement Effective Benchmarking' on Thursday 7 August 1997 at the Burswood Convention Centre.

The seminar is designed to assist senior local government officers and Councillors understand the processes involved in implementing effective benchmarking and how they relate to best practice standards of performance. Three Council officers will be attending the seminar.

The registration fee for the seminar is \$270 per delegate and includes a benchmarking manual and lunch. Should a Councillor/s be interested in attending this seminar, it will need to be listed for consideration in the draft 1997/98 budget against Item No 20006 - Members Conferences.

Cr O'Grady nominated Cr Hollywood.

Cr Hollywood declared an interest in this Item as he had been nominated to attend this Seminar.

MOVED Cr O'Grady, SECONDED Cr Popham that Cr Hollywood be nominated to attend the seminar entitled 'How to Implement Effective Benchmarking' for senior local government officers and Councillors to be held on 7 August 1997 at Burswood Convention Centre. CARRIED

Appendix IX refers

FA135-07/97

APPOINTMENT OF MEMBERS - VARIOUS COMMITTEES - [702-0]

With the recent passing of Cr Fleur Freame, consideration is required to be given to filling vacancies which exist on various Committees formed by the Finance and Community Services Committee.

Appendix X provides a complete list of members of committees which require nomination of members.

REPORT RECOMMENDATION: THAT Council defers consideration of filling vacancies which exist on various Committees formed by the Finance and Community Services Committee due to the recent passing of Cr Fleur Freame to the next meeting of Council to be held on 23 July, 1997.

MOVED Cr Bombak, SECONDED Cr Lynn that consideration of filling vacancies which exist on various Committees formed by the Finance and Community Services Committee due to the recent passing of Cr Fleur Freame be deferred to the August Finance and Community Services Committee meeting. CARRIED

Appendix X refers

FA136-07/97

SENIOR STAFF APPOINTMENT AND REVIEW COMMITTEE - [404-0]

Section 5.37(1) of the Local Government Act 1995 allows for the Council to designate which persons are senior employees.

On 24 April 1996 the Council resolved to appoint the City Engineer, City Planner, City Treasurer, Deputy Town Clerk and City Building Surveyor as senior employees of the City of Wanneroo. As a result of the organisational review, these titles no longer exist and now appear as the Directors of Strategic Planning, Corporate Services, Resource Management, Development Services, Technical Services and Community Services. The Council adopted the directorate structure at its meeting held on 25 September 1996.

At the ordinary meeting of the Council held on 28 May 1997, it was resolved that the Finance and Community Services Committee establish a 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.

It is recommended that the Council reaffirms the intent of its 24 April 1996 meeting being that the Directors are designated senior employees of the City. It will therefore be necessary to delete the reference to 'Business Unit Managers' within the role of the Senior Staff Appointment and Review Committee.

REPORT RECOMMENDATION: THAT:

- 1 the Council, BY AN ABSOLUTE MAJORITY, rescinds its decision of 28 May 1997, being:

“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
 Chief Executive Officer”.

- 2 for the purposes of Section 5.37(1) of the Local Government Act 1995, the Council determines the following positions as senior employees:

Director Corporate Services
 Director Strategic Planning
 Director Resource Management
 Director Community Services
 Director Technical Services
 Director Development Services

- 3 in accordance with Sections 5.9 and 5.10 of the Local Government Act 1995, the Council, BY AN ABSOLUTE MAJORITY, establishes a Senior Staff Appointment and Review Committee subject to:

- Role: (a) consider matters relating to the management structure of the City of Wanneroo;
- (b) determine applications, negotiate and present to the Council for consideration, all contracts of employment of senior employees.

Membership: Cr B Cooper
 Cr A Taylor
 Cr L Ewen-Chappell
 Cr G Major
 Cr M Lynn
 Mr L Delahaunty - Chief Executive Officer

Quorum: Three members.

ADDITIONAL INFORMATION

The Director, Corporate Services advised that following consideration of Item FA136-07/97 - Senior Staff Appointment and Review Committee, at the Finance and Community Services Committee meeting held on 16 July 1997, an error has been noted in the wording of the Recommendation.

It is therefore requested that on Page 66 of the Council agenda, Point 3 (c) be amended to read:

“endorses the recommendations of the Senior Staff in relation to the employment of Business Unit Managers”.

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

1 rescinds its decision of 28 May 1997, being:

“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
Chief Executive Officer”.**

2 for the purposes of Section 5.37(1) of the Local Government Act 1995, the Council determines the following positions as senior employees:

**Director Corporate Services
Director Strategic Planning
Director Resource Management
Director Community Services
Director Technical Services
Director Development Services**

3 in accordance with Sections 5.9 and 5.10 of the Local Government Act 1995, Council establishes a Senior Staff Appointment and Review Committee to:

- Role:**
- (a) consider matters relating to the management structure of the City of Wanneroo;**
 - (b) determine applications, negotiate and present to the Council for consideration, all contracts of employment of senior employees;**
 - (c) endorses the recommendations of the Senior Staff in relation to the employment of Business Unit Managers.**

Membership: Cr B Cooper
Cr A Taylor
Cr L Ewen-Chappell
Cr G Major
Cr M Lynn
Mr L Delahaunty - Chief Executive Officer

Quorum: Three members.

**CARRIED BY AN
ABSOLUTE MAJORITY**

COMMUNITY SERVICES SECTION**CS226-07/97 SERVICE OF HEALTH ACT 1911 NOTICE - [30/212-8]**

Council is advised of a Health Act Notice served upon the proprietors of Buffalo Bill's Carvery located at Shop 8 Warwick Entertainment Centre, Beach Road, Warwick on 25 June 1997 to rectify practices contrary to the Health (Food Hygiene) Regulations 1993. The practices involve a requirement to maintain potentially hazardous food at a safe temperature.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 endorses the Notice served upon the owner, Mrs Annette Ward of the business Buffalo Bill's located at Shop 8 Warwick Entertainment Centre, Beach Road, Warwick dated 25 June 1997;**
- 2 in accordance with the provision of the Health Act 1911 authorises legal action against the proprietor, Mrs Annette Ward of the business Buffalo Bill's located at Shop 8, Warwick Entertainment Centre, Beach Road, Warwick in the event of failure to comply with this Notice. CARRIED**

CS227-07/97 BREACH OF HEALTH ACT 1911 - [30/3426-6]

Council is advised of a continuing breach of the Health Act 1911 by Mr Hung Choung Huynh, the proprietor of the Dong Hiep Trading Company, 6 Marangaroo Drive, Girrawheen. Despite a previous prosecution for a similar offence, Mr Huynh continues to sell inadequately labelled packaged foods contrary to the Australian Food Standards Code 1992.

MOVED Cr Bombak, SECONDED Cr Lynn that Council in accordance with the provisions of the Health Act 1911 instigates legal action against Mr Hung Choung Huynh proprietor of the Dong Hiep Trading Company, Shop 6 Marangaroo Shopping Centre for each of the three breaches of Section 246 U(1) of the Health Act 1911 viz the sale of food not complying with the prescribed standard on 28 June 1997. CARRIED

CS228-07/97 NOISE - STEREO MUSIC FROM 7 ATWICK WAY CRAIGIE - [1860/717/7]

Council is advised of the issuing of a Pollution Abatement Notice upon the occupiers of 7 Atwick Way, Craigie for noise, being stereo music, emanating from their premises. Formal endorsement of the Notice and Council's support to initiate legal action upon default is sought.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 **endorses the service of the Pollution Abatement Notice of 30 May 1997 against the occupiers of 7 Atwick Way, Craigie, Mr Justin Lance Arnold, Mr Bradley Myles Arnold and Ms Chantel Reynolds.**
- 2 **authorises the instigation of legal proceedings against Mr Justin Lance Arnold, Mr Bradley Myles Arnold and Ms Chantel Reynolds should default occur against the Pollution Notice.** **CARRIED**

CS229-07/97 **DEPUTATION TO THE MINISTER FOR THE ARTS - [212-7]**

Council is advised of a meeting with the Chief Executive Officer of the Library and Information Service of Western Australia regarding development planning.

MOVED Cr Bombak, SECONDED Cr Lynn that Council does not seek a deputation to Minister for the Arts, the Honourable P G Foss MLC. **CARRIED**

CS230-07/97 **JOONDALUP LOTTERIES HOUSE - [890-18]**

Council at its June 1997 meeting was informed of a formal offer of \$2,000,000 from the Lotteries Commission for the purpose of constructing a Lotteries House at Joondalup. The total project cost is estimated at \$3,555,000 (this includes \$300,000 value of land). Council has previously committed \$70,000 in landscaping and \$520,000 in deferred parking and podium costs. The contribution of \$2,000,000 by the Lotteries has left a shortfall of \$665,000. The Chief Executive Officer has been negotiating with the Lotteries Commission to secure the shortfall in funding. Further to these negotiations a proposal is being put to Council to contribute a further \$332,500 to the project, based on a dollar for dollar basis with the Lotteries Commission.

REPORT RECOMMENDATION: THAT

1 Council:

- (a) makes a formal approach to the Lotteries Commission to negotiate a dollar for dollar contribution to meet the shortfall in funds required to construct the Joondalup Lotteries House;
- (b) indicates to Lotteries Commission that it is prepared to list for consideration an allocation of \$332,500 in the 1997/98 draft budget for the purpose of a final contribution towards the construction of the Joondalup Lotteries House;

2 the Finance and Community Services Committee seeks an urgent commitment from Lotteries Commission prior to the next Council meeting.

Cr O'Grady advised she had attended a meeting with Manager, Welfare Services prior to this evening's Council Meeting and asked that Director, Community Services advise the outcome of a telephone call received from Lotteries Commission.

Director, Community Services advised that whilst the Lotteries Commission appreciated the offer made by Council, it wished to keep its contribution to \$2,000,000. However, the Lotteries Commission was prepared to negotiate with State Government Contracts and Management Services with a view to looking at options to reduce the cost structure of the project.

Cr Wight left the Chamber at this point, the time being 2249 hrs.

MOVED Cr O'Grady, **SECONDED** Cr Popham that Council indicates to Lotteries Commission that it is prepared to list for consideration an allocation of \$332,500 in the 1997/98 draft budget for the purpose of a final contribution towards the construction of the Joondalup Lotteries House. **CARRIED**

CS231-07/97 **AMENDMENT TO LOCAL LAW RELATING TO COUNCIL SWIMMING POOLS - [680-1]**

Summary of Purpose and Effect (as read aloud at Council by the Mayor)

There has been a change in usage patterns at Craigie Leisure Centre and Aquamotion with young children being left unattended in the pools by parents or guardians.

The existing Local Law relating to swimming pools was adopted in 1987 for the opening of Wanneroo Water World. A review is necessary to ensure Council adequately discharges its duty of care to aquatic patrons. This can be achieved by:

- a) increasing the age of a child required to be accompanied by a responsible person from six to ten years;
- b) redefining a responsible person as a person over the age of eighteen years; and
- c) prescribing that a child under the age of four years be supervised in the water by a responsible person.

Cr Popham left the Chamber at 2253 hrs.

Cr Wight entered the Chamber at 2255 hrs.

MOVED Cr Magyar, **SECONDED** Cr Hollywood that Council, in accordance with the provisions of Section 3.12 of the Local Government Act 1995, amends its Local Laws Relating to Swimming Pools as described in Attachment 1 to Report No. CS231-07/97. **CARRIED**

Appendix XI refers

CS232-07/97 **WARWICK RECREATION ASSOCIATION - [439-2 c745-3]**

The Warwick Recreation Association (comprising Greenwood Tennis Club, Perth Outlaws Softball Club and Warwick Bowling Club) has submitted a proposal requesting a peppercorn lease and financial assistance from Council for the first two years of operation for the Warwick Open Space Clubrooms and its proposed extensions.

It is recommended that in view of the considerable cost savings estimated at \$377,140 over 12 years, Council grants a 12 year lease for the building with a peppercorn rental for the first five years, subject to approval from the Western Australian Planning Commission. The lease fee will be reviewed prior to the start of the sixth year.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 **advises the Warwick Recreation Association (Inc) that a sum of \$400,000 is listed for consideration in the 1997/98 Draft Budget to fund the proposed extensions of which Council's contribution is \$330,000;**
- 2 **subject to approval from the Western Australian Planning Commission it will grant the Warwick Recreation Association a twelve (12) year sub-lease for the Warwick Open Space Clubrooms subject to:**
 - (a) **a peppercorn rental for the first five (5) years;**
 - (b) **a review of the lease fees prior to the commencement of the sixth (6th) year of operation;**
 - (c) **the Association being liable for all costs and charges associated with the preparation of the sub-lease;**
- 3 **advises the Warwick Recreation Association that no direct financial support can be given to assist with operational costs;**
- 4 **requests the Warwick Recreation Association to remove Section 13(b) from its Constitution. CARRIED**

CS233-07/97

LICENCE TO OCCUPY- KINGSWAY BASEBALL CLUBROOMS - [061-198-1]

Wanneroo Baseball Club has requested a waiver of the Licence to Occupy fee for the use of the Baseball Clubrooms, Kingsway Sporting Complex, for two seasons because it believes it has been overcharged.

Investigations have revealed overcharging has occurred as a result of calculating the Licence to Occupy fee on 52 weeks per year rather than 24 weeks per year. It is recommended Council refunds Wanneroo Baseball Club the sum of \$2,186.60, amends the agreement to reflect actual hours used and issues an amended invoice of \$688.08 for the 1996/97 season.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 **refunds the amount of \$2186.60, being amount overcharged for the hire of Baseball Clubrooms, Kingsway, for 1991/92 through 1995/96 from Account Number 31151105 - Hire Charges Refunded;**
- 2 **amends Wanneroo Baseball Club's Licence to Occupy agreement, to reflect the hours of use, once actual requirements are confirmed;**
- 3 **issues the Wanneroo Baseball Club with an amended invoice for the amount \$688.08, being the Licence fee for 1996/97. CARRIED**

CS234-07/97 **JOONDALUP GIANTS RUGBY LEAGUE CLUB - ADMIRAL PARK - [061-2]**

A submission has been received from Joondalup Giants Rugby League Club in regard to its continued use of Admiral Park, Heathridge.

The club has addressed several issues, including construction of clubrooms, fencing of the playing fields and leasing the reserve. It has also requested assistance, either monetary or in-kind, for the provision of additional floodlights on the reserve.

MOVED Cr Bombak, SECONDED Cr Lynn that Council advises Joondalup Giants Rugby League Club that:

- 1** it is unable to lease Admiral Park under the Vesting Order by which it holds the reserve;
- 2** due to the degree of community use of Admiral Park, permission is not granted to fence the park;
- 3** it does not support the construction of clubrooms at Admiral Park as the Club has access to Clubrooms and a fenced park at the Kingsway Sporting Complex;
- 4** it should continue discussions to be part of the Kingsway Sports Association;
- 5** Admiral Park has the maximum number of floodlights provided and maintained under Policy Number H4-08 Floodlights, but the Club can install additional lighting at its expense subject to approval from the Manager Parks Landscaping Services. **CARRIED**

CS235-07/97 **SPORTS COMPETITIONS - CRAIGIE LEISURE CENTRE - [680-1]**

In order to develop a competitive advantage for Craigie Leisure Centre sports competitions, it is proposed to provide incentives or inducements for new teams to join and retain existing teams in Council's sports competitions.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1** endorses the offer of a free swim or sauna, after a game, to members of existing and new sporting teams participating in sports programmes at Craigie Leisure Centre;
- 2** offers inducements to new teams to assist in developing new sports competitions conducted by Council at Craigie Leisure Centre;
- 3** limits the inducements to issuing books of fifty tickets to the Fitness Centre, Aerobics programme, or similar, at the discretion of the Recreation Facilities Manager - Craigie Leisure Centre. **CARRIED**

CS236-07/97

JOONDALUP FESTIVAL - ESTABLISHMENT OF
COMMITTEE - [429-1-12]

At its meeting on 28 May 1997, Council considered the development of a Festival of Joondalup and resolved to seek funding assistance from LandCorp to progress planning of the project. LandCorp has subsequently agreed to allocate \$12,500 towards planning the proposed Festival (Item CS83-05/97 refers).

To progress the Festival, a committee now needs to be formed with representatives from a broad cross section of the community to engender commitment to the project.

At the Finance and Community Services Committee Meeting, Cr Ewen-Chappell was nominated in her absence by Cr Taylor to be a member of the committee. Crs Healy and Zuvela also expressed interest in being appointed to the committee. Formal nominations will be taken at the next Council meeting to be held on 23 July 1997.

Due to a recommended change in the number of Councillor representatives to the Joondalup Festival Committee, the Terms of Reference for this committee will need to be amended accordingly.

REPORT RECOMMENDATION: THAT Finance and Community Services Committee:

- 1 establishes the Joondalup Festival Committee to advise the Finance and Community Services Committee on the development and co-ordination of the Festival of Joondalup;
- 2 nominates a Councillor as a representative to the Joondalup Festival Committee;
- 3 appoints the following members to the Joondalup Festival Committee:
 - City of Wanneroo - Councillor
 - Marcia Barclay - Manager Marketing
 - Carmelita Baltazar - Cultural Development Officer
 - Chris Hall - Director Community Services
 - Joondalup Business Association representative
 - Joondalup Community Foundation representative
 - LandCorp representative
 - Cultural Development Advisory Committee representative
- 4 endorses the Terms of Reference for Joondalup Festival Committee.

MOVED Cr Bombak, SECONDED Cr Lynn that Finance and Community Services Committee:

- 1 **establishes the Joondalup Festival Committee to advise the Finance and Community Services Committee on the development and co-ordination of the Festival of Joondalup;**
- 2 **nominates Crs Ewen-Chappell, Healy and Zuvela as representatives to the Joondalup Festival Committee, with the terms of Reference being amended accordingly;**

3 appoints the following members to the Joondalup Festival Committee:

- . City of Wanneroo - Councillor
- . Marcia Barclay - Manager Marketing
- . Liz Ledger - Cultural Development Officer
- . Chris Hall - Director Community Services or nominee
- . Joondalup Business Association representative
- . Joondalup Community Foundation representative
- . LandCorp representative
- . Cultural Development Advisory Committee representative

4 endorses the Terms of Reference for Joondalup Festival Committee.**CARRIED**

Appendix XII refers

CS237-07/97 WAIVER OF HIRE FEES - MACDONALD PAVILION - [909-1]

A request has been received from the Committee for the Prevention of Child Abuse in the City of Wanneroo for the waiver of hire fees for its use of MacDonald Pavilion.

MOVED Cr Bombak, SECONDED Cr Lynn that Council makes a non statutory donation of \$126.75 to the Committee for the Prevention of Child Abuse in the City of Wanneroo from Account 26531 (Other Welfare Services - Sundry Donations) CARRIED

CS238-07/97 POPULAR CULTURE CENTRE - [429-1-12]

Community Arts Network has approached Council seeking a contribution of between \$2,000 - \$5,000 towards a feasibility study into the establishment of a Popular Culture Centre in metropolitan Perth.

Cr Popham entered the Chamber at this point, the time being 2256 hrs.

Cr Hollywood requested a one month deferral of this Item so that he could research the issue. Cr Cooper indicated he had received various papers in relation to this and would make these available for Cr Hollywood's perusal.

MOVED Cr Bombak, SECONDED Cr Lynn that Council advises Community Arts Network (WA) that it does not wish to contribute funding towards a Feasibility Study into the establishment of a Popular Culture Centre. CARRIED

CS239-07/97 DONATIONS - [009-1]

Requests for financial assistance have been received from young sports persons who have been selected to represent Western Australia in their chosen sport.

Cr Cooper declared an interest in this item as his nephew is a recipient of a suggested donation. The Finance and Community Services Committee resolved this to be a trivial interest.

MOVED Cr Taylor, SECONDED Cr Tippett that Cr Cooper's declaration of interest in this Item be considered a trivial matter. **CARRIED**

Cr Cooper remained in the Chamber.

REPORT RECOMMENDATION: THAT Council donates \$50.00, totalling \$1,450.00, to each of the following persons to assist with costs of representing Western Australia in their chosen sports:

Bart Pigram	15 Drakeswood Road, Warwick WA 6024
David Southern	47 Wisteria Parade, Edgewater WA 6027
James Isaia	71 Hawker Avenue, Warwick WA 6024
Wanneroo Wolves	Under 14's Basketball Team c/o Mr J Mills, 54 The Crest, Woodvale WA 6026
Elise Bogle	27 Kirkdale Turn, Kinross WA 6028
Kellie Mathers	20 Colonial Circle, Gnangara WA 6065
Louise Taylor	3 Matipo Close, Duncraig WA 6023
Elysia Taylor	3 Matipo Close, Duncraig WA 6023
Debbie Shanley	23 Transom Way, Ocean Reef WA 6027
Amy Shanley	23 Transom Way, Ocean Reef WA 6027
Kristy Davies	44 Illawong Way, Kingsley WA 6026
Amy Hardy	27 Protea Street, Greenwood WA 6024
Dean Thompson	17 Sherington Road, Greenwood WA 6024
Jarrad Dekuyer	73 Glengarry Drive, Duncraig WA 6023
Adam Bunney	24 Greenlaw Street, Duncraig WA 6023
Andrew Hardie	4 McKinlay Avenue, Padbury WA 6025
Lee Elliott	43 Barclay Avenue, Padbury WA 6025
Nicola Williams	32 Contour Drive, Mullaloo WA 6027
Amanda Tana	31 Manakoora Rise, Sorrento WA 6020
Richard Marian	17 Grevillea Court, Wanneroo WA 6065
Paul Noiszewski	17 Cossack Court, Kingsley WA 6026
Ross Gallagher	10 Cantara Rise, Ocean Reef WA 6027
Jamie Coyne	16 Matisse Way, Kingsley WA 6026
Jonathon Doherty	7 Arkaba Mews, Ocean Reef WA 6027
Grant Dick	28 Mewcross Road, Kingsley WA 6026
David Annall	8 Luna Crescent, Mullaloo WA 6067
Robert Burnett	2 Dunmore Circuit, Merriwa WA 6030
Rochelle Morris	25 Walter Padbury Blvd, Padbury WA 6025
Luke Oliver	70 Cook Avenue, Hillarys WA 6025

such donation to be from budget item number 29470 - Sundry Donations - Recreation and Sport Other.

ADDITIONAL INFORMATION

Subsequent to preparation of Report CS239-07/97 for the Finance and Community Services Committee on 16 July 1997, a number of additional donation applications have been received including one application where the State sports event will have concluded before Council meets in August 1997. Donations totalling \$1,200 are recommended for participants representing Western Australia.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 donates \$50.00, totalling \$2650.00, to each of the following persons to assist with costs of representing Western Australia in their chosen sports:

Bart Pigram	15 Drakeswood Road, Warwick WA 6024	
David Southern	47 Wisteria Parade, Edgewater WA 6027	
James Isaia	71 Hawker Avenue, Warwick WA 6024	
Wanneroo Wolves	Under 14's Basketball Team	
	c/o Mr J Mills, 54 The Crest, Woodvale WA	6026
Elise Bogle	27 Kirkdale Turn, Kinross WA 6028	
Kellie Mathers	20 Colonial Circle, Gnangara WA 6065	
Louise Taylor	3 Matipo Close, Duncraig WA 6023	
Elysia Taylor	3 Matipo Close, Duncraig WA 6023	
Debbie Shanley	23 Transom Way, Ocean Reef WA 6027	
Amy Shanley	23 Transom Way, Ocean Reef WA 6027	
Kristy Davies	44 Illawong Way, Kingsley WA 6026	
Amy Hardy	27 Protea Street, Greenwood WA 6024	
Dean Thompson	17 Sherington Road, Greenwood WA 6024	
Jarrad Dekuyer	73 Glengarry Drive, Duncraig WA 6023	
Adam Bunney	24 Greenlaw Street, Duncraig WA 6023	
Andrew Hardie	4 McKinlay Avenue, Padbury WA 6025	
Lee Elliott	43 Baclay Avenue, Padbury WA 6025	
Nicola Williams	32 Contour Drive, Mullaloo WA 6027	
Amanda Tana	31 Manakoora Rise, Sorrento WA 6020	
Richard Marian	17 Grevillea Court, Wanneroo WA 6065	
Paul Noiszewski	17 Cossack Court, Kingsley WA 6026	
Ross Gallagher	10 Cantara Rise, Ocean Reef WA 6027	
Jamie Coyne	16 Matisse Way, Kingsley WA 6026	
Jonathon Doherty	7 Arkaba Mews, Ocean Reef WA 6027	
Grant Dick	28 Mewcross Road, Kingsley WA 6026	
David Annall	8 Luna Crescent, Mullaloo WA 6067	
Robert Burnett	2 Dunmore Circuit, Merriwa WA 6030	
Rochelle Morris	25 Walter Padbury Blvd, Padbury WA 6025	
Luke Oliver	70 Cook Avenue, Hillarys WA 6025	
Darryl Bell	50 Farnley Way, Duncraig WA 6023	
Jeanette Bell	50 Farnley Way, Duncraig WA 6023	
Jenny Turner	26 Dawson Road, Beldon WA 6027	
Claire Whitehead	11 The Lodge, Mullaloo WA 6027	
Tasha Nykyforak	13 Robin Ave, Sorrento WA 6020	
Ryan Temaari	60 Posiedon Road, Heathridge WA 6027	
Casey Pedersen	14 Squire Ave, Heathridge WA 6027	
Renae Smith	15 Korel Place, Sorrento WA 6020	
Gagan Singh	86 Lilburn Road, Duncraig WA 6023	
Jugreet Singh	86 Lilburne Road, Duncraig WA 6023	
David Southern	47 Wisteria Pde, Edgewater WA 6027	
Jessica Henriques	74 Seacrest Drive, Sorrento WA 6020	
Adam Groom	16 Bateson Heights, Clarkson WA 6030	
Kym Hennessey	7 Creswell St, Quinns Rocks WA 6030	
Luke Ryan	9 Galant Close, Kallaroo WA 6025	

Lance Toutountzis	6 Tristania Rise, Duncraig WA 6023
Shaun Toutountzis	4 Nerida Place, Sorrento WA 6020
Brooke Niven	50 Porteous Road, Sorrento WA 6023
Lynsey Gee	68 Hilarion Road, Duncraig WA 6023
Daniel Niederberger	6 Ballantrae Court, Kingsley WA 6026
Kimberley Clemesha	7 Paveta Cr, Greenwood WA 6024
Rebecca Supiex	2 Hanwell Crt, Kingsley WA 6026
Nadine Chandler	71 Ripley Way, Duncraig WA 6023
Gareth Phillips	42 Carberry Square, Clarkson WA 6030

such donation to be drawn from budget item number 29470 - Sundry Donations - Recreation and Sport Other. **CARRIED**

CS240-07/97 **APPOINTMENT OF HONORARY PARKING INSPECTORS FOR WHITFORD CITY SHOPPING CENTRE, HILLARYS - [910-1]**

Council has been advised from the Manager of Centre Security at the Whitford City Shopping Centre, Hillarys that it would like to re-nominate seven people as Honorary Parking Inspectors for the Shopping Centre.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoints Sean Whiteside, Graeme Brook Boyd, Mark Andrew O'Donnell, Eric Patterson, Kim Martanovic, Simon Joseph Carroll and Anthony Peter Fisk as Honorary Parking Inspectors for the Whitford City Shopping Centre, Hillarys;
- 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 Whitford City Shopping Centre, Hillarys as detailed hereunder:
 - (a) Local Laws Relating to Parking Facilities;
 - (b) Local Government (Parking for Disabled Persons) Regulations 1988.

CARRIED

CS241-07/97 **DONATION - TOYBOX PRODUCTIONS - [880-1]**

A request has been received from Toybox Productions for a donation from Council towards two fundraising concerts for the Marangaroo Family Centre. This report is recommending that a donation of \$200 be approved.

At the Finance and Community Services Committee Meeting the Director Community Services referred to a request he had received from Toybox Productions for the City of Wanneroo logo to be inserted on its advertising brochures. He was advised to inform Toybox Productions that it could insert 'Council sponsored' on their leaflets.

REPORT RECOMMENDATION: THAT Council approves a donation of \$200 to Toybox Productions towards the cost of fundraising concerts for the Marangaroo Family Centre. The donation will be drawn from Allocation Number 26531 - Sundry Donations.

MOVED Cr Bombak, SECONDED Cr Lynn that Council:

- 1 approves a donation of \$200 to Toybox Productions towards the cost of fundraising concerts for the Marangaroo Family Centre;
- 2 donates \$2000 to the Marangaroo Family Centre to assist in the replacement of appropriate furniture and equipment;
- 3 the donations in (a) and (b) above be drawn from Allocation Number 26531 - Sundry Donations. **CARRIED**

CS242-07/97 **CITY OF WANNEROO - MOBILE SECURITY PATROL SERVICES - [905-1]**

The Night Security Patrol Committee, in accordance with Council's resolution at its meeting held 25 June 1997, conducted a meeting to discuss the progress of the registration of interest process for the implementation of security patrols and associated community security issues.

It was agreed that the time frame for an immediate introduction of security patrols was not sufficient to enable the due processes to be undertaken thoroughly and the community benefits to be assessed.

The Committee recommended that an amount of \$600,000 be listed on the 1997/98 budget to enable seven months security coverage to be achieved in the current financial year.

REPORT RECOMMENDATION: THAT Council lists for consideration in the draft 1997/98 Budget an amount of \$600,000 for the purpose of Community Security and Safety.

MOVED Cr Magyar, SECONDED Cr Healy that Council:

- 1 requests a dollar for dollar contribution from the State Government towards the provision of the security service;
- 2 requests the State Government to amend such laws as appropriate to give the Security Services powers to enable it to provide an effective service to the community;
- 3 requests the State Government to arrange effective communication and response agreements between the proposed security service and the West Australian Police Service. **LOST**

MOVED Cr Taylor, SECONDED Cr Ewen-Chappell that Council lists for consideration in the draft 1997/98 Budget an amount of \$600,000 for the purpose of Community Security and Safety. **CARRIED**

CS243-07/97

**MEMBERSHIP COMPOSITION - GLOUCESTER LODGE
MUSEUM MANAGEMENT COMMITTEE AND PERRY'S
PADDOCK PICNIC DAY WORKING PARTY - [703-1-12
c307-1]**

Gloucester Lodge Museum Management Committee and Perry's Paddock Picnic Day Working Party have recently changed their membership composition. This report details new members and outgoing members from the respective committees.

REPORT RECOMMENDATION: THAT Finance and Community Services Committee:

- 1 accepts the resignation of:
 - (a) Mr G Wallace, Western Australian Museum;
 - (b) Mr E Gibbs, Community Representative;
 - (c) Mr A Briggs, Department of Conservation and Land Management;
 from the Gloucester Lodge Museum Management Committee;

- 2 approves the appointment of Mr K Austin, Principal, Yanchep District High School to the Gloucester Lodge Museum Management Committee;

- 3 revokes the appointments of the following members of the Perry's Paddock Picnic Day Working Party:

Mr and Mrs N Cook- Wanneroo Agricultural Society
 Mr S Ballem- West Perth Football Club
 Mr J Hill - Chair, Gloucester Lodge Museum
 Mrs C Barnes - Functions Co-ordinator
 Mrs C Buchanan- Chair, Buckingham House Museum
 Mr T Davies - Wangara Rotary Club
 Ms D Horsley
 Ms L Perry- Children's Advisory Committee
 Mrs S Winnet

- 4 approves the appointments of:

Mr T Martin- Wanneroo and Districts Historical Society
 Mr T Grocke- Wanneroo Horse and Pony Club
 Mr A Dammers
 Mrs J Dammers
 Mr B Duffy
 Mrs L Duffy
 Ms J MacKay- Heritage Officer, City of Wanneroo

 to the Perry's Paddock Picnic Day Working Party.

MOVED Cr Bombak, SECONDED Cr Lynn:**1 that Finance and Community Services Committee:****(a) accepts the resignation of:**

- (i) Mr G Wallace, Western Australian Museum;**
- (ii) Mr E Gibbs, Community Representative;**
- (iii) Mr A Briggs, Department of Conservation and Land Management;**

from the Gloucester Lodge Museum Management Committee;

2 approves the appointment of Mr K Austin, Principal, Yanchep District High School to the Gloucester Lodge Museum Management Committee;**3 revokes the appointments of the following members of the Perry's Paddock Picnic Day Working Party:**

**Mr and Mrs N Cook- Wanneroo Agricultural Society
Mr S Ballem- West Perth Football Club
Mr J Hill - Chair, Gloucester Lodge Museum
Mrs C Barnes - Functions Co-ordinator
Mrs C Buchanan- Chair, Buckingham House Museum
Mr T Davies - Wangara Rotary Club
Ms D Horsley
Ms L Perry- Children's Advisory Committee
Mrs S Winnet**

4 approves the appointments of:

**Mr T Martin- Wanneroo and Districts Historical Society
Mr T Grocke- Wanneroo Horse and Pony Club
Mr A Dammers
Mrs J Dammers
Mr B Duffy
Mrs L Duffy
Ms J MacKay- Heritage Officer, City of Wanneroo
Mrs P Draper - Council Steward**

to the Perry's Paddock Picnic Day Working Party.

CARRIED

PUBLIC ADDRESS SYSTEM - CONFERENCE ROOM NO 1 - [702-3]

Cr Cooper requested the feasibility of installing a public address system in Conference Room No 1 be investigated as he was concerned with difficulties experienced with the acoustics of the room.

This matter will be referred to Strategic Planning for action.

PUBLIC ADDRESS SYSTEM - YANCHEP/TWO ROCKS RECREATION ASSOCIATION - [330-9]

Cr Healy referred to a previous request from the Yanchep/Two Rocks Recreation Association for Council to donate funds for provision of a public address system and queried the position in relation to this request.

Cr Ewen-Chappell advised she had spoken to Acting Manager, Recreation and Cultural Services in relation to the suitability of an existing public address system at the Wanneroo Recreation Association

Director, Community Services advised the system in question had been looked at, but is not suitable.

This matter will be referred to Resource Management for action.

YANCHEP/TWO ROCKS RECREATION ASSOCIATION - BLESSING OF THE FLEET - [330-9]

Cr Healy referred to the forthcoming Blessing of the Fleet at Two Rocks, scheduled to mark the opening of the crayfish season, and requested consideration be given to Council involvement in this event, including the provision of a sound system.

This matter will be referred to Marketing for action.

SEATING ARRANGEMENTS - COUNCIL CHAMBER - [702-3]

Cr Taylor referred to the proposed seating arrangements for the Press in the new Council Chamber and requested this be investigated.

This matter will be referred to Corporate Services for action.

MURAL ART PROGRAMME - COUNCIL BINS - [429-1-21]

Cr Tippett queried the present position in relation to a request he had made at the June Technical Services Committee meeting for a report on the feasibility of implementing a mural art programme on Council's bulk bins.

This matter will be referred to Technical Services for action.

GREENWOOD SENIOR HIGH SCHOOL - REMOVAL OF RUBBLE - [920-34]

Cr Tippett expressed concern at building rubble being left following construction of a drop-off lane at Greenwood Senior High School and requested this matter be investigated.

This matter will be referred to Technical Services for action.

REFRESHMENT FOLLOWING COUNCIL MEETINGS - [703-1-9]

Cr Major expressed concern at residents being excluded from the supper room, pending the arrival of Councillors from proceedings held 'behind closed doors' following a Council meeting and sought clarification on the correct procedure to be followed.

This matter will be referred to Marketing for action.

OPERATIONAL HOURS FOR CLEANING SERVICE - [702-3]

Cr Hollywood expressed concern at possible disruptions caused by vacuum cleaners being used during working hours and queried the operational hours for this type of cleaning.

The Director Strategic Planning advised that cleaning services are normally carried out early in the morning.

REQUEST FOR CHANGE OF NAME - GIRRAWHEEN/KOONDOOLA RATEPAYERS ASSOCIATION - [325-0]

Cr Hollywood referred to discussions held regarding a possible name change at a recent meeting of the Girrawheen/Koondoola Ratepayers Association and queried whether Council would be conducting a referendum on this issue.

Cr Taylor advised that a recent Council report on this matter, recommending that no further action be taken and any initiatives to come from the community, had been sent to the President of the Association and commented that he would ensure a copy was sent to Cr Hollywood for his information.

CHAMBER SEATING ARRANGEMENTS - [702-3]

Cr Magyar referred to the memorandum distributed by the Manager Council Support Services which proposed various options for seating arrangements in the Council Chamber and queried Councillors' opinion on these options.

Following discussion, Councillors submitted their preferred option, being Option 1.

RESTRUCTURING - COMPLIANCE SERVICES - [201-1]

The Chief Executive Officer provided information on present restructuring and review being undertaken in Compliance Services.

ACCESS PROBLEMS - COUNCIL BUILDING - [605-9]

The Director Strategic Planning referred to recent access problems experienced in the new Council building due to an electrical fault and advised that these problems had now been resolved.

C246-07/97 BUSINESS FOR INFORMATION

MOVED Cr Ewen-Chappell, **SECONDED** Cr Healy that the Business for Information Reports be received. **CARRIED**

TECHNICAL SERVICES COMMITTEE**B83-07/97 TECHNICAL SERVICES DIRECTORATE CURRENT WORKS - [220-0]**

The Technical Services Directorate Current Works report is valid for works during the period ending June 1997.

In relation to Item 5.2 on page 51 of Report B83-07/97, Cr Magyar referred to concern expressed by patrons of Granny Spiers Community House with regard to inadequate visibility in the car park.

He was advised that this matter had been referred to the Director Technical Services, who was attending to the matter.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Healy that **REPORT B83-07/97** be received. **CARRIED**

B84-07/97 BEACH CLEANING EQUIPMENT - [508-1, 765-1]

In October 1996 Council approved the purchase of two beach cleaning units, the Barber 600HD Surf Rake and the Sisis 540HT. The Barber 600HD Surf Rake was commissioned in December 1996 and has performed well. The Sisis 540HT unit has not yet been accepted by Council due to the need to fit additional equipment, which is being shipped from England to meet the specification.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Healy that **REPORT B84-07/97** be received. **CARRIED**

B85-07/97 MONTHLY REPORT - JUNE 1997 - [250-0]

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 June 1997.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Healy that **REPORT B85-07/97** be received. **CARRIED**

TOWN PLANNING COMMITTEE**B86-07/97 DEVELOPMENT ENQUIRIES : JUNE 1997 - [290-0]**

This report lists those enquiries received in June 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 Ewen-Chappell, SECONDED Cr Healy that REPORT B86-07/97 be received. CARRIED

B87-07/97 PEDESTRIAN ACCESSWAY CLOSURES MONTHLY PROGRESS REPORT - [520-2]

Council, at its meeting on 26 February 1997 (Item No TP22-02/97) resolved to include a report each month on the progress of pedestrian accessway closures.

This report provides a detailed summary of the current situation regarding every pedestrian accessway closure application the City is processing.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that REPORT B87-07/97 be received. CARRIED

B88-07/97 STATE INDUSTRIAL BUFFER POLICY - [319-7]

A State Industrial Buffer Policy took effect on 22 April 1997. The policy relates to buffer area requirements for industrial uses, major infrastructure such as ports and power stations, and 'special uses' such as motor sports areas and major sports stadia. The policy has statutory effect and due regard is required to be paid to it by the Western Australian Planning Commission, local governments (in preparing Schemes and Scheme amendments) and all courts and jurisdictions. This report provides Council with a brief outline of the implications this policy is anticipated to have for this City. More detailed assessments of the effects of the policy will be undertaken at the time that particular scheme amendments/reviews (which will be affected by the policy) are presented to Council.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that REPORT B88-07/97 be received. CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B89-07/97 DIFFERENTIAL RATING AND MINIMUM PAYMENTS - [018-4]

In 1985, Council introduced differential rating for commercial and industrial zoned properties.

Since that time Council has each year reviewed the various relativities between the rating sectors with a gradual increase in the amount contributed in particular by the commercial sector.

For Council to maintain its differential rates it must advertise its intention to do so pursuant to the provisions of Section 6.36 of the Local Government Act 1995.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that REPORT B89-07/97 be received. CARRIED

B90-07/97 STAFF AND OUTSIDE WORKERS' OVERTIME - JUNE 1997 - [404-10]

This report details the outside and staff workers' overtime for the month of June 1997.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that REPORT B90-07/97 be received. CARRIED

C247-07/97 CHIEF EXECUTIVE OFFICER'S REPORT

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that Chief Executive Officer's Report be received. **CARRIED**

C248-07/97 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]

Document: Deed of Agreement
Parties: City of Wanneroo and Tokyu Corporation
Description: Construction of part of Marmion Avenue, Yanchep
Date: 18.6.97

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: Town Planning Scheme No 1 - Amendment No 781
Date: 26.6.97

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: Town Planning Scheme No 1 - Amendment No 776
Date: 26.6.97

Document: Deed of Compromise and Release
Parties: City of Wanneroo and A Vosnacos and Others
Description: Town Planning Scheme No 1 - Part A, Stage 2, Marangaroo
Date: 27.6.97

Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: Town Planning Scheme No 1 - Amendment No 592
Date: (Previously Sealed)

Document: Withdrawal of Caveat
Parties: City of Wanneroo and Kabane Pty Ltd
Description: Lot 240 Curtin Road, Marangaroo
Date: 10.7.97

Document: Deed
Parties: City of Wanneroo and Silkchime Pty Ltd and Indietro Pty Ltd
Description: Lot 945 (12) Dugdale Street, Warwick
Date: 10.7.97

Document: Funding Agreement
Parties: City of Wanneroo and Minister for Health and Family Services
Description: Community Visitors Scheme
Date: 15.7.97

Document: Withdrawal of Caveats (2)
Parties: City of Wanneroo and Yatala Nominees Pty Ltd
Description: Portion of Swan Loc 2579, Carramar
Date: 15.7.97

Document: Deed
Parties: City of Wanneroo and Mrs Carmela Tuccio
Description: Copyright Agreement
Date: 14.7.97

Document: Deed
Parties: City of Wanneroo and Catherine May Okely
Description: Copyright Agreement
Date: 14.7.97

Document: Deed
Parties: City of Wanneroo and Cona and Leone Faranda
Description: Copyright Agreement
Date: 14.7.97

Document: Deed
Parties: City of Wanneroo and John Sumter Gilks
Description: Copyright Agreement
Date: 14.7.97

Document: Deed
Parties: City of Wanneroo and Raymond Dixie Krakouer
Description: Copyright Agreement
Date: 14.7.97

Document: Deed
Parties: City of Wanneroo and Pat Davies
Description: Copyright Agreement
Date: 14.7.97

Document: Deed
Parties: City of Wanneroo and Lloyd Harris
Description: Copyright Agreement
Date: 14.7.97

MOVED Cr Ewen-Chappell, **SECONDED** Cr Healy that the schedule of documents executed by means of Affixing the Common Seal be received. **CARRIED**

C249-07/97

EXTRAORDINARY ELECTION - SOUTH-WEST WARD - [801-1-97A]**SUMMARY**

With the recent passing of Cr Freame, the Local Government Act 1995 requires the Council to fill the vacancy by extraordinary election. It is suggested that the Council nominate Saturday, 4 October 1997 as the election day, this will allow for all necessary procedures to be completed in accordance with the Act.

BACKGROUND

With the recent passing of Cr Freame, the Council needs to give consideration to the date of an extraordinary election. Cr Freame's term of office was due to expire in May 1999.

Section 4.8(1) of the Local Government Act 1995 states that if the office of a Councillor becomes vacant under Section 2.32 or 2.33, an election is to be held to fill the vacancy. Section 2.32 details the ways in which an office of a Councillor may become vacant.

DETAILS

The date of an extraordinary election is to be set by either the Mayor (in writing) or by the Council, within one month of the vacancy occurring. The date for the extraordinary election is set to allow enough time for the electoral process to be completed, however it must be within four months of the vacancy occurring.

There is a number of statutory procedures required to be completed for an election under the Local Government Act 1995. The following is a proposed outline of the dates and actions required.

Date	Action	Section of Act
Fri 1 August	Advise Electoral Commissioner of need to prepare a residents roll for the election	4.40(1)
Sat 2 August	Statewide public notice - Enrolling to Vote	4.39(2)
Tue 5 August	Enrolling to vote notice in Wanneroo Times	-
Tue 12 August	Calling for nominations notice in Wanneroo Times	-
Fri 15 August	Close of enrolments at 6 pm	4.39(1)
Sat 16 August	Statewide public notice - Calling for Nominations	4.47
Tue 19 August	Calling for Nominations notice in Wanneroo Times	-
Thu 21 August	Nominations open	4.49
Fri 29 August	Latest date for preparation/certification of owners & occupiers roll	4.41

Thu 4 Sept	Nominations close at 4pm	4.49
Sat 6 Sept	Statewide public notice - Election Notice	4.64
Fri 12 Sept	Latest date for preparing consolidated roll	4.43
Tue 16 Sept	Election Notice in Wanneroo Times	-
Tue 23 Sept	Election Notice in Wanneroo Times	-
Tue 30 Sept	Election Notice in Wanneroo Times	-
Sat 4 Oct	Extraordinary Election Day	4.9

In order to conduct an in person extraordinary election to fill the vacancy, approximate costs would be:

Salaries	\$6,686
Electoral Rolls	\$2,000
Election Expenses	<u>\$5,248</u>
Total	<u>\$13,934</u>

The Local Government Act 1995 also allows for the option for a local government to conduct an election by postal election. A few local governments recently conducted their May 1997 election by post, and indicative figures for those elections were between \$2.50 and \$3.00 per elector. The WA Electoral Commission have indicated that for it to conduct a postal election for the South-West Ward only, the cost per elector would be greater than those indicated for the May 1997 elections.

No. of electors (37,873) x \$3.00 per elector = \$113,619

If the Council agrees to conduct the election by postal vote, Section 4.20(4) of the Local Government Act 1995, requires that it must resolve to by a special majority (75% majority of the Council).

Provision will be made in the draft 1997/98 budget for the conducting of an extraordinary election.

COMMENT

The Minister for Local Government has recently given a directive to the Local Government Advisory Board to investigate a proposed split of the City of Wanneroo. As elected members would be aware, it is proposed that their terms of office expire in 1999, and the Commissioners would be appointed.

If this was to occur, and the City was to complete the processes involved in filling this vacancy by an extraordinary election, then that member would serve only 18 months.

The Local Government Act 1995 is quite clear that if a vacancy occurs, the local government is required to fill it by way of an extraordinary election. In regard to the current situation, the Council should not try to pre-empt the outcome of the decision by the Local Government Advisory Board.

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

- 1 sets Saturday, 4 October 1997 as the election day for an in person extraordinary election to fill the vacancy in the South-West Ward, with the term of office expiring in May 1999;**
- 2 lists an amount of \$15,000 for consideration in the 1997/98 draft budget for the conducting of the extraordinary election. **CARRIED****

APPOINTMENT OF MEMBERS - VARIOUS COMMITTEES - [702-0]

SUMMARY

With the recent passing of Cr Fleur Freame, consideration is required to be given to filling vacancies which exist on various Committees.

BACKGROUND

Council at its meetings held on 5 May 1997 and 28 May 1997, appointed Cr Freame to the following Committees:

- Policy Committee - Member
- Technical Services Committee - 1st Deputy to Cr Lynn; 2nd Deputy to Cr Bombak
- Development and Planning Services Committee - 1st Deputy to Cr Major; 2nd Deputy to Cr Bombak
- Finance and Community Services Committee - Member
- Annual Scholarship Award Panel - Member
- Children's Book Week - Member
- Cultural Development Advisory Committee - Member
- Environmental Advisory Committee - Member
- Historical Sites Advisory Committee - Member

External Committees

- Local Government Association of WA North Metropolitan Zone - Delegate
- North Metropolitan Region Recreation Advisory Committee - Deputy
- Wanneroo Employment and Skills Training - Delegate
- Whitford Recreation Association - Delegate

Appendix III provides a complete list of members on these Committees.

Consideration is required to be given to filling these vacancies.

Council may wish to appoint existing members to fill these positions. Alternatively positions may remain vacant until such time as a new Councillor is elected to the South West Ward.

No nomination was made.

Appendix XV refers

C250-07/97

ELECTED MEMBERS COURSE NO 48 - [702-3]**SUMMARY**

The Australian Centre for Regional and Local Government Studies is conducting the Elected Members Course No. 48. Councillor Popham has requested permission to attend this course.

DETAILS

The Australian Centre for Regional and Local Government Studies is conducting the Elected Members Course No. 48. in Canberra from 7-12 September 1997. Councillor Popham has requested permission to attend this course.

The course aims to improve Councillor effectiveness and offers sessions on media skills, negotiation techniques, intergovernmental relations, financial management, program evaluation and performance indicators.

COMMENT/FUNDING

The registration fee for the course is \$2,100 and includes tuition, course materials, accommodation, all breakfasts and lunches.

The estimated cost of attending the conference is:

Airfares:	\$1,660
Registration:	\$2,100
Allowances:	\$ 300

There is a limited number of places on the course thereby requiring early registration for the course. Council approval is sought for Councillor Popham to attend this course.

RECOMMENDATION That Council:

- 1 authorises the attendance of Crs Popham, Hollywood and Zuvela at the Elected Members Course No. 48, Australian Centre for Regional and Local Government Studies, 7-12 September 1997 in Canberra, with the estimated cost of \$4,060 each;
- 2 lists for consideration in the draft 1997/98 budget the amount of \$4,060 against Item No 20006 - Members Conferences.

Cr Popham declared an interest in this item as he had nominated himself for attendance at the Elected Members Course. Cr Popham left the Chamber at this point, the time being 2312 hrs.

Cr Lynn nominated Cr Hollywood.

Cr Ewen-Chappell nominated Cr Zuvela; Cr Magyar seconded the nomination.

The Chief Executive Officer advised that Crs Hollywood and Zuvela were not required to declare an interest in this item as they had been nominated by other Councillors.

MOVED Cr Wight, SECONDED Cr Tippett that Council:

- 1 **authorises the attendance of Crs Popham, Hollywood and Zuvela at the Elected Members Course No. 48, Australian Centre for Regional and Local Government Studies, 7-12 September 1997 in Canberra, with the estimated cost of \$4,060 each;**
- 2 **lists for consideration in the draft 1997/98 budget the amount of \$12,180 against Item No 20006 - Members Conferences. CARRIED**

Cr Popham entered the Chamber at this point, the time being 2315 hrs.

C251-07/97 **VACANCY - WAMA MEMBER - COASTAL ZONE COUNCIL - [312-2]**

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Coastal Zone Council. The Council is involved in coastal zone management in Western Australia.

BACKGROUND

Due to the resignation of a Council member, the Western Australian Municipal Association has invited member Councils to submit nominations for appointment to the Coastal Zone Council.

DETAILS

The Council provides advice to the Minister for Planning through the Western Australian Planning Commission on the co-ordination and planning of the State's coastal zone management activities.

The Council assists in the development and review of Government policies and priorities for coastal zone management; promotes standards and guidelines for coastal management; monitors the implementation of the current coastal zone management programs; assists with coastal zone funding and promotes community involvement, information exchange and education on coastal zone management issues.

Nominees must have a interest in coastal management. Representatives on the Coastal Zone Council become members of the Coastal Management Advisory Group.

The term of the appointment is yet to be determined. Meetings are held quarterly at the Ministry for Planning in Albert Facey House, Perth. A \$73 meeting fee is paid.

A ballot will be held at the Western Australian Municipal Association Executive Committee following close of nominations.

Cr Popham nominated Cr Healy. Cr Healy declined the nomination.

Cr Lynn nominated Cr Bombak.

Cr Bombak declared an interest in this item as he had been nominated for consideration of appointment as WAMA Member, Coastal Zone Council.

Cr Bombak left the Chamber at this point, the time being 2316 hrs.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that Cr Bombak be nominated for consideration of appointment as WAMA Member, Coastal Zone Council. CARRIED

Cr Bombak entered the Chamber at this point, the time being 2317 hrs.

VACANCY - WAMA MEMBER - SCHOOL BUS SAFETY COMMITTEE - [312-2]

SUMMARY

The Western Australian Municipal Association has invited Member Councils to submit nominations to the School Bus Safety Committee. The Committee is involved in monitoring and improving the safety of school bus vehicles in Western Australia.

BACKGROUND

Due to the resignation of a Committee member, the Western Australian Municipal Association has invited Member Councils to submit nominations for appointment to the School Bus Safety Committee.

DETAILS

The Committee keeps stakeholders apprised of proposals and changes to vehicle standards, codes and guidelines which affect school bus vehicles. The Committee also liaises with road safety bodies and recommends amendments to Road Traffic (Vehicle Standards) Regulations, the Road Traffic Code 1975 and other codes and guidelines which affect school bus vehicles.

The term of appointment is not fixed. The Committee meets quarterly on Friday mornings at 22 Mount Street, Perth. There is no meeting or annual fee associated with this position.

A ballot will be held at the Western Australian Municipal Association Executive Committee following close of nominations.

No nomination was received.

C252-07/97

**VACANCY - LOCAL GOVERNMENT ASSOCIATION OF WA
(INC) DEPUTY MEMBER - KEEP AUSTRALIA BEAUTIFUL
COUNCIL (WA) - [312-2]**

SUMMARY

The Local Government Association of Western Australia (Inc) has invited member Councils to submit nominations to the Keep Australia Beautiful Council (WA). The Council is involved in eliminating the litter problem in Western Australia.

BACKGROUND

Due to the resignation of a Council member, the Local Government Association of Western Australia (Inc) has invited member Councils to submit nominations to the Keep Australia Beautiful Council (WA).

DETAILS

The Keep Australia Beautiful Council (WA) requires a Local Government Association of Western Australia (Inc) deputy member.

The Council is involved in developing community pride, educating the public to reduce litter and promoting litter law enforcement.

The term of the appointment is until 8 November 1998. Meetings are held on the third Tuesday of every month at 4.00pm in Mount Lawley. There is no annual or meeting fee associated with this position.

A ballot will be held at the Western Australian Municipal Association Executive Committee following close of nominations.

Cr Hollywood nominated for this vacancy.

MOVED Cr Ewen-Chappell, SECONDED Cr Healy that Cr Hollywood be nominated for consideration of appointment as Deputy Member - The Keep Australia Beautiful Council (WA). CARRIED

**WAMA MEMBER - BOARD OF MANAGEMENT - RESEARCH INSTITUTE FOR
CULTURAL HERITAGE, CURTIN UNIVERSITY OF TECHNOLOGY - [312-2]**

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations for the Board of Management, Research Institute for Cultural Heritage, Curtin University of Technology. The Board determines the strategic directions of the Research Institute.

BACKGROUND

Due to the resignation of a Board member, the Western Australian Municipal Association has invited member Councils to submit nominations for appointment to the Board of Management, Research Institute for Cultural Heritage, Curtin University of Technology.

DETAILS

The Board determines the strategic directions of the Research Institutes activities, facilitating co-ordination between areas involved in the work of the Research Institute, and regularly reviewing the effectiveness of the Research Institutes operations.

Nominees must have knowledge of Local Government heritage issues. The term of appointment is for three years. The Board meets yearly at Curtin University of Technology. There is no meeting or annual fee associated with this position.

A ballot will be held at the Western Australian Municipal Association Executive Committee following close of nominations.

No nomination was received.

C253-07/97

VACANCY - WAMA MEMBER - VOLUNTEER
CONSULTATIVE COMMITTEE OF THE WESTERN
AUSTRALIAN STATE EMERGENCY SERVICE (WASES) -
[312-2]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Volunteer Consultative Committee of the Western Australian State Emergency Service.

DETAILS

The Western Australian Municipal Association has invited member Councils to submit nominations to the newly created Volunteer Consultative Committee of the Western Australian State Emergency Service.

The successful nominee will be required to represent the broad interest of Local Government in fostering the local State Emergency Service volunteer units.

The Committee is to advise and consult with the Hon Minister for Emergency Services and the Chief Executive Officer in regards that may affect the volunteer members of the Western Australian State Emergency Service.

The Committee is required to research, implement and evaluate special projects, policies, resources, functions, training and other issues of importance to State Emergency Service units throughout Western Australia.

The term of appointment is for two years. A minimum of three meetings are held annually at the State Emergency Service, Belmont. Meetings are held over a full weekend. There is no annual or meeting fee associated with this position.

A ballot will be held at the Western Australian Municipal Executive Committee following close of nominations.

Cr Ewen-Chappell nominated Cr Wight.

MOVED Cr Ewen-Chappell, SECONDED Cr Popham that Cr Wight be nominated for consideration of appointment as WAMA Member - Volunteer Consultative Committee of the Western Australian State Emergency Services (WASES). CARRIED

C254-07/97

VACANCY - WAMA MEMBER - DANGEROUS GOODS LIAISON COMMITTEE - [312-2]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Dangerous Goods Liaison Committee. The Committee is involved in providing advice in relation to dangerous goods.

BACKGROUND

Due to the resignation of two Committee members, the Western Australian Municipal Association has invited member Councils to submit nominations to the Dangerous Goods Liaison Committee.

DETAILS

The Dangerous Goods Liaison Committee currently has two vacancies which need to be filled. Nominees must have an interest in issues relating to dangerous goods. The Committee provides advice to the Minister for Mines in relation to Dangerous Goods Legislation relating to public safety.

The Committee also provides advice to the Department for Mines on the directions and strategies of the Explosives and Dangerous Goods Division and the effectiveness of these strategies.

The Committee meets bi-annually at Mineral House, Perth. There is no annual or meeting fee associated with these positions.

A ballot will be held at the Western Australian Municipal Association Executive Committee following close of nominations.

Cr Magyar nominated Cr Major.

MOVED Cr Magyar, SECONDED Cr Popham that Cr Major be nominated for consideration of appointment as WAMA Member - Dangerous Goods Liaison Committee. CARRIED

C255-07/97

FUNCTION REQUEST - INTAMEL CONFERENCE - [240-2]**SUMMARY**

The Intamel Conference is being held in Perth in September 1997. As part of the conference itinerary, the Library and Information Service of Western Australia has requested that Council host a function for conference delegates in the Civic Building and Joondalup Library.

DETAILS

The Intamel Conference is an international conference for public metropolitan librarians and is being held in Perth in September 1997. As part of the conference itinerary, the Library and Information Service of Western Australia has requested that Council host a function for conference delegates on Monday 22 September 1997.

The conference organisers have requested that a light lunch be provided by Council. It is anticipated that the Hon. Paul Omedei, Minister for Local Government will be in attendance and will address the conference delegates following the luncheon. Due to the size of the delegation, it is requested that permission be given for the luncheon to be held in the Councillor lounge area and that the Minister's address be given in the Committee room.

Following the light luncheon and address by the Minister, the Manager of Library Services will take the conference delegates on a tour of the Joondalup Library.

COMMENT/FUNDING

There will be approximately 50 delegates in attendance at a cost of \$6 per head.

MOVED Cr Popham, SECONDED Cr Hollywood that Council provides a light luncheon in the Councillor lounge area for the Intamel Conference delegates on Monday 22 September 1997 (Civic Functions Account 20023). **CARRIED**

C256-07/97

WANNEROO BICENTENNIAL TRUST - [301-6-13]**SUMMARY**

The Wanneroo Bicentennial Trust is a fund established by Council to assist and encourage residents of our community who have demonstrated potential or achievement in their chosen field of endeavour, but face financial restraints to their further development. This report presents the recommendations of the Bicentennial Trust Working Party for the future of the Trust. In addition, the extension of a grant acquittal period is requested on behalf of one of the 1996 grant recipients.

BACKGROUND

The Wanneroo Bicentennial Trust is a fund established by Council to assist and encourage residents of our community who have demonstrated potential or achievement in their chosen field of endeavour, but face financial restraints to their further development.

Based to a large extent on the Queen Elizabeth II Silver Jubilee Trust, the Wanneroo Bicentennial Trust aims to assist people in realising their goals and developing their talents to the benefit of the community.

Each year, applications are invited from candidates in the fields of Community Services, Sport and Recreation, Arts, Humanities, Business and Commerce, and Science and Technology. Grant monies of up to \$10,000 are awarded by Council, upon recommendation of the Wanneroo Bicentennial Trust Working Party (formerly Board).

Membership of the Working Party has been structured to ensure representation that affords some affinity with or expertise in the award categories. Current membership of the Board is:

Mayor B A Cooper JP
Mrs R Reid - Trust Patron
Mr R Augustine - Chairman
Mr N Trandos - Freeman
Mr D Carosso - District Superintendent of Education
Mr J Hammond - Edith Cowan University
Mr B Jeffrey - Community Representative
Ms D Chivers - Community Representative
Ms J Powell - Community Representative
Rev J Gilks - Community Representative
Fr P Boyle - Community Representative
Mr J Hawkins - Community Representative
Mr B Fawcett - Community Representative
Mr P Higgs - Executive Officer

DETAILS

The Wanneroo Bicentennial Trust was established by Council resolution in 1988, following the allocation of a \$40,000 grant from the former Australian Bicentennial Authority and a matching allocation by the Council. The Trust was established to operate from the Bicentennial year to the year of the Centenary of Federation and, since its inception, has allocated some \$74,500 to deserving community groups and individuals across the range of award categories. The balance of the Trust fund as at 30 June 1997 was \$73,805.36.

By agreement with the former Australian Bicentennial Authority, the Trust Board is to make recommendations to the Council in relation to the future of the fund.

On Thursday 18 July 1997, the Wanneroo Bicentennial Trust Working Party met to consider the future of the Trust program as it approaches the end of its intended life. The Working Party recommends:

“That Council:

1. increases the annual allocation of grant monies available for distribution to \$20,000, with a view to allocating all monies prior to the expiration of the Trust in the year 2001;
2. amends the funding guidelines to provide for the funding of projects which extend beyond the twelve month period presently prescribed for acquittal;

3. allocates the centre pages of the September edition of 'News Extra' to an article detailing grant allocations by the Council through the Trust since its inception, and inviting applications for the 1997 grant program; and
4. undertakes a direct mail out to representative groups throughout the City of Wanneroo inviting applications."

In addition to the foregoing matters, the Working Party considered a request from Ms Linda Rapson-Coe to extend the period of grant acquittance by twelve months. Ms Rapson-Coe was allocated \$2,200 in 1996 to conduct a two day Performing Arts Festival for schools within the Northern Districts. Due to a number of factors, including the industrial climate within the education system, the response from schools to participate in the festival was less than that experienced in 1995 and accordingly, the program was reduced to a one day festival. Ms Rapson-Coe has advised that \$1,100 of the grant monies remain in a bank account and seeks to repeat the festival later this year using those funds.

The General Conditions of the Trust program require that Council must authorise any departure from the approved project. Accordingly, the Working Party has recommended:

"That Council agrees to the extension of the project period for the Northern Districts Performing Arts Festival to facilitate the conduct of a one day festival in 1997, utilising the remainder of those funds allocated by the Council in 1996."

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

- 1 **increases the annual allocation of grant monies available for distribution to \$20,000, with a view to allocating all monies prior to the expiration of the Trust in the year 2001;**
- 2 **amends the funding guidelines to provide for the funding of projects which extend beyond the twelve month period presently prescribed for acquittal;**
- 3 **allocates the centre pages of the September edition of 'News Extra' to an article detailing grant allocations by the Council through the Trust since its inception, and inviting applications for the 1997 grant program;**
- 4 **undertakes a direct mail out to representative groups throughout the City of Wanneroo inviting applications;**
- 5 **agrees to the extension of the project period for the Northern Districts Performing Arts Festival to facilitate the conduct of a one day festival in 1997, utilising the remainder of those funds allocated by the Council in 1996.CARRIED**

C257-07/97

LEGAL REPRESENTATION - ROYAL COMMISSION - [702-8]

SUMMARY

During the past month, Mr A Dammers and Mr J Turkington have requested legal representation to appear before the Royal Commission.

In accordance with the provisions of Clause 3.1 of Council Policy A2-12 relating to legal representation, interim approval has been granted.

BACKGROUND**MR ARNOLD DAMMERS**

On 30 June 1997, the Royal Commission served a notice requiring Mr Arnold Dammers to appear before it, on Friday 4 July 1997 to give evidence on several issues including the ICL Tour and the Quito Pty Ltd Benara Nurseries lines of enquiry.

Mr Dammers application was received on 2 July and interim approval was granted the same day.

MR JOHN TURKINGTON

By summons 661/97 dated 11 July 1997, Mr John Turkington was required to appear before the Royal Commission on 22 July 1997 to give evidence in relation to the practices of the City of Wanneroo for incurring and accounting for expenses of Councillors.

Mr Turkington's application for legal assistance was received and approved on 14 July 1997.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that Council endorses the Chief Executive Officer's decision to grant interim assistance to Messrs Dammers and Turkington. CARRIED

C258-07/97

TENDER 172-96/97 - STORMWATER DRAINAGE IMPROVEMENTS FOR CATCHMENT ADJACENT TO THE WARWICK COMMERCIAL PARK IN DUGDALE STREET AND ELLERSDALE AVENUE, WARWICK - [510-138]

SUMMARY

Tenders have been received for stormwater drainage improvements for the catchment adjacent to the Warwick Commercial Park in Dugdale Street and Ellersdale Avenue, Warwick. It was recommended to the July 1997 Technical Services Committee that Direct Drainage (WA) Pty Ltd be awarded the contract.

Advice was given to Council at its 25 June 1997 meeting that the City had been approached by Westpoint Corporation, developers of the Warwick Commercial Park, with an offer to sell a portion of land within the park for the purpose of Council constructing a stormwater drainage sump. Preliminary investigations indicate that this option is feasible and should be pursued further.

A petition has also been submitted to Council by residents in Churton Crescent objecting to the enlargement of the existing sump in Churton reserve which would be required as part of the tender project improvements.

It is, therefore, recommended that the awarding of Tender 172-96/97 for stormwater drainage improvements to the Ellersdale Avenue and Dugdale Street catchment not be accepted.

BACKGROUND

In a report to the June Technical Services Committee (Item TS179-06/97 refers) it was recommended that Direct Drainage (WA) Pty Ltd be awarded the contract for the construction of stormwater drainage improvements to the catchment adjacent to the Warwick Commercial Development in Dugdale Street and Ellersdale Avenue, Warwick.

At its 25 June 1997 meeting Council was advised that an invitation to purchase a portion of land in the Warwick Commercial Park for the purpose of providing a stormwater drainage sump had been offered by Westpoint Corporation, the developers of the commercial park. It was subsequently recommended that Council defer the awarding of Tender 172-96/97 until its 23 July 1997 Council meeting pending further investigation.

Westpoint has verbally offered to sell an area 1178 m² in the Warwick Commercial Park close to the low point in Ellersdale Avenue for the construction of a stormwater drainage sump. Westpoint has also verbally indicated its willingness to create an easement within an adjacent Lot for the purpose of easier access for pipework to the sump.

A preliminary investigation indicates that the proposal is feasible and that further investigation and negotiations with Westpoint should be pursued.

The cost to provide a drainage sump and associated pipework in the Commercial Park appears comparable with the piping of stormwater to Churton Reserve. Disruption and inconvenience to the public will, however, be considerably less if this option is pursued. The objections raised in the petition to Council by the residents in Churton Crescent would also have been addressed.

It is proposed that a further more detailed report be submitted to Council's August meeting regarding the use of land in the Warwick Commercial Park for a stormwater drainage disposal site.

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

- 1 does not accept any tender submissions for Tender 172-96/97 Upgrade of Warwick Stormwater Drainage System;**
- 2 authorises the Director Technical Services to enter further negotiations with Westpoint Corporation for the purchase of a portion of land within the Warwick Commercial Park for the purpose of constructing a drainage sump. CARRIED**

C259-07/97

**DARRYL KERRY BROWN - RETIREMENT GRATUITY -
[PERSONAL]**

This item was marked "Not For Publication" and forms Appendix XVII hereto in the Minute Book. The Chief Executive Officer advised that if Councillors did not wish to debate this matter, there was no need for the meeting to go behind closed doors.

MOVED Cr Bombak, SECONDED Cr Tippett that Council:

1. **approves a payment of \$1,000 to Mr D K Brown in accordance with Council's Policy on Additional Payments (Gratuities) to Retiring Staff Members adopted in March 1997 (P23-03/97 refers);**
2. **acknowledges the level of service contributed by Mr D K Brown on his term of employment with the City of Wanneroo.** **CARRIED**

In accordance with the Local Government Act 1995, the Chief Executive Officer read the above Motion to members of the Press and Public present.

Appendix XVII refers.

C260-07/97 STATE PLANNING CONFERENCE -- 22-23 AUGUST 1997 - [202-1]

The Royal Australian Planning Institute (RAPI), the Local Government Planners' Association and the Australian Association of Planning Consultants have formed a partnership to present the 1997 Annual Planning Conference at El Caballo, Woorloo on Friday 22 and Saturday 23 August. The conference is a development of the previous RAPI Winter Schools and the Winter Conference held in Bunbury in 1995. The theme of the conference is *Partnerships in Planning - the State Planning Strategy*, and the programme details are set out in the attached brochure.

Provision has been made in the draft budget for a number of planning staff to attend this conference but it has been scheduled sooner than expected and registration should be effected before the budget will be finalised. Council is requested to approve expenditure for the three managers to attend the conference.

RECOMMENDATION That Council:

- I. approves the attendance of the Manager Approval Services (Mr Keith Weymes), the Manager Urban Design Services (Mr Darryl Butcher), and the Manager Development Management Services (Mr Roman Zagwocki) at the State Planning Conference to be held at El Caballo Resort, Woorloo on 22 and 23 August 1997, with the estimated costs of \$400.00 per person allocated to draft Budget Nos 43006, 41006 and 44056 Conference Expenses;
- II. nominates a Councillor to attend the State Planning Conference to be held at El Caballo Resort, Woorloo on 22 and 23 August 1997;
- III. authorises the payment of the conference registration fee, accommodation and dinner from draft Budget Item No 20006 - Members' Conference Expenses.

Cr Ewen-Chappell nominated Cr Hollywood. Cr Lynn seconded the nomination.

Cr Ewen-Chappell nominated Cr Magyar.

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

- 1 approves the attendance of the Manager Approval Services (Mr Keith Weymes), the Manager Urban Design Services (Mr Darryl Butcher), and the Manager Development Management Services (Mr Roman Zagwocki) at the State Planning Conference to be held at El Caballo Resort, Wooroloo on 22 and 23 August 1997, with the estimated costs of \$400.00 per person allocated to draft Budget Nos 43006, 41006 and 44056 Conference Expenses;
- 2 nominates Crs Hollywood and Magyar to attend the State Planning Conference to be held at El Caballo Resort, Wooroloo on 22 and 23 August 1997;
- 3 authorises the payment of the conference registration fee, accommodation and dinner from draft Budget Item No 20006 - Members' Conference Expenses. **CARRIED**

Appendix XVIII refers

MOTIONS FOR FURTHER ACTION AND MOTIONS FOR REPORT

PRINCIPAL ACTIVITIES PLAN - [280-0]

Cr Hollywood referred to the Principal Activities Plan - Key Result Area 3 and advised he wished to move the following Motion for consideration:

“That Council evaluate the need for a rehabilitation and support centre for young people in the City of Wanneroo who are alcohol and drug dependent and to liaise with the State Government and non-government agencies for funding of residential care centres for teenage alcohol and drug dependent children”.

The Chief Executive Officer stated that the Principal Activities Plan is open for public comment and believed it may be premature to move a formal motion at this stage.

C261-07/97 YOUTH POLICY - [485-13]

MOVED Cr Hollywood, SECONDED Cr Bombak that Council reviews the Youth Policy to increase Council's role as a service provider for youth.

Cr O'Grady advised that the Youth Advisory Committee is currently dealing with this issue.

Cr Hollywood stated he was not aware of this situation, and was happy the matter was being looked at. Therefore the motion was not pursued.

C262-07/97 MOSQUITO CONTROL - [855-3-3]

Cr Magyar requested that Council receive for consideration and further evaluation papers supplied by Mrs Glenis Monks regarding Council's decision of 25 June 1997 (Item CS97-06/97) to spray Wallburnup and Beenyp Swamps for mosquitoes. And that the findings of the evaluations of the documents submitted be forwarded to the Mosquito Control Advisory

Board to ensure that minimum damage is done to the ecology of the Wetlands of Yellagonga Regional Park.

RESOLVED that:

- 1 Council receives for consideration and further evaluation the papers submitted by Cr Magyar, supplied by Mrs Glenis Monks (forming Appendix XIX hereto) regarding Council's decision of 25 June 1997 (Item CS97-06/97) to spray Walluburnup and Beenyup Swamps for mosquitoes;
- 2 the findings of the evaluations of the documents submitted be forwarded to the Mosquito Control Advisory Board to ensure that minimum damage is done to the ecology of the Wetlands of Yellagonga Regional Park.

Appendix XIX refers

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

PUBLIC QUESTION TIME

15-minute period of question time, during which questions may be put by the public on business discussed during the course of the meeting.

Mr V Harman:

- Q1 Can Council look at the possibility of making adjustable stands for the microphones within the Chamber which can be raised to the height of particular Councillors?
- Q2 (Page 92 of the Agenda - Elected Members Course No 48) Is there any information of how many people conduct such courses? (As there would be several new Councillors within the Metropolitan area wishing to attend such a course, Mr Harman queried whether it would be warranted to bring presenters to this State)
- A2 *Response by Cr Magyar:* I attended this course two years ago. There are several presenters, possibly a total of 12. There are usually two or three different speakers from Local Government on each issue.

Mr Lance Wilson:

- Q (Regarding Cr Hollywood's comments in relation to youth rehabilitation) Would Cr Hollywood delay his submission, in order to give the "HELP" Group sufficient time to be heard by Council?

Mrs A Hine:

Q1 How many times has Council changed its policy regarding the Royal Commission and why can't Council afford to pay \$200 to Mrs Rita Waters?

A1 *Response by Mayor:* Council does not have any policy guidelines which cover this request and the matter has been referred back to the Policy Committee.

Q2 Is it correct that the State Library truck cannot pass through the undercroft parking area to the Library?

A2 *Response by Mayor:* This matter will be investigated.

CONFIDENTIAL BUSINESS

Nil

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for 7.30 pm on **WEDNESDAY 27 AUGUST 1997**

CLOSE OF BUSINESS

There being no further business, the Mayor declared the Meeting closed at 2335 hrs, the following Councillors being present at that time:

COUNCILLORS: BOMBAK
COOPER
EWEN-CHAPPELL
HEALY
HOLLYWOOD
LYNN
MAGYAR
MAJOR
O'GRADY
POPHAM
TAYLOR
TIPPETT
WIGHT
ZUVELA