



CITY OF WANNEROO

MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 23 DECEMBER 1997

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CITY OF WANNEROO

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON TUESDAY, 23 DECEMBER 1997

ATTENDANCES

Commissioners:

C T ANSELL - Chairman
H MORGAN AM - Deputy Chairman
R M ROWELL
M C CLARK-MURPHY
W BUCKLEY

Officers:

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

APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 27 members of the Public and 2 members of the Press in attendance.

The Chairman declared the meeting open at 1830 hrs.

PUBLIC QUESTION TIME

The Chairman, Cmr Ansell, reminded members of the public that questions should not require a Commissioner or Officer to make a personal explanation or be framed in such a way as to reflect adversely on a Commissioner or Officer.

Use of Mayoral Car

The Chairman, Cmr Ansell, referred to a question raised at the meeting of Joint Commissioners held on 26 November 1997 in relation to the use of the Mayoral car, and advised that he was now using the Mayoral car.

The following questions, submitted by Mr Barry Higgins, Carabooda were taken on notice at the Meeting of Joint Commissioners held on 26 November 1997:

Q1 By what procedural mechanism was the time of tonight's meeting rescheduled?

Q2 By what procedural mechanism was this carried out; does this contravene Standing Order 2.1?

A1&2

The meeting was convened in accordance with Section 5.4 of the Local Government Act 1995 which takes precedence over Standing Order 2.1 in this instance.

Q3 At the September Council meeting I asked "Is the possibility of Council convening a Youth Summit under active consideration and if so, at what stage are the deliberations." The response I received was that Council was in the process of developing a Youth Action Plan for consideration, which included consideration of a Youth Summit and it was anticipated a report would be submitted to Council within six to eight weeks.

Will Council consider convening a Youth Summit, if so when, if not why not?

A3 Council is in the process of developing a Youth Action Plan to June 1999. A consultant has been engaged to assist Council in the two stage development of the Plan. A preliminary round of community consultation has been completed. A report on stage one of the Plan will be provided to Council in January 1998.

The following question, submitted by Mr Vic Harman, was taken on notice at the Meeting of Joint Commissioners held on 26 November 1997:

Q It has been the custom before that Councillors make themselves available for ratepayers following meetings. Will Commissioners and officers be available for such consultation?

A Yes

The following question, submitted by Mrs L O'Grady, Clarkson was taken on notice at the Meeting of Joint Commissioners held on 26 November 1997:

Q Is Cmr Clark-Murphy being paid for her three weeks leave of absence?

A If Commissioners remain for a period of three months, Cmr Clark-Murphy will not be paid for her leave of absence. If Commissioners remain longer, say for 12 months, then this issue will be reassessed.

The following question, submitted by John Hollywood, Burns Beach was taken on notice at the meeting of Joint Commissioners held on 26 November 1997:

Q How much will the private Joondalup Hospital be paying in rates this year?

A The rates on this property cannot be ascertained until a valuation has been provided. Council has been in contact with the Valuer General's Office regarding valuations for the Joondalup Health Campus. Although the campus operates primarily on a public basis and would be non rateable pursuant to the provisions of the Local Government Act 1995. There are some areas which will be accessed by patients with private hospital insurance. This component will be rateable. In addition there is the medical centre which is being leased on a commercial basis which will also be rateable.

The following question, submitted by Mr S Magyar of Heathridge, was taken on notice at the meeting of Joint Commissioners held on 26 November 1997:

Q Item DP253-11/97 - Flynn Drive Industrial Area. Do you consider this Motion appropriate tonight without consideration being given to rescinding the previous resolution of Council?

A The previous resolution of Council referred to in this question is understood to refer to Council resolution TP198-08/96 of Council's meeting of 28 August 1996. In that resolution, it was resolved, amongst other things, that Council:

"does not support the proposals received from the International Motor Sports Site Task Force and International Speedway Competitors and Supporters Club for major motor sports facilities of the Ravenswood and Claremont types to be located at the Pinjar Motor Sports Race Area ..."

In the Background section of report DP253-11/97, reference is made to the main objectives of the previous District Structure Plan (DSP) study undertaken by Richard Pawluk and Associates: *"The main objectives of the DSP as outlined in the consultants brief are:*

- 3. to accommodate new motor sports clubs within the Pinjar Motor Sports Area in a well planned and orderly manner and without prejudicing the future development of the general industrial area"*.

The above DSP objective may have been understood to be an objective of the currently proposed DSP study. As indicated above, this is not the case : this was an objective of the previous DSP study. The relevant recommendation considered at last month's Council meeting is therefore considered appropriate and consideration does not need to be given to the rescission of the previous resolution of Council referred to earlier.

The following question, submitted by Mrs A Hine, Wanneroo, was taken on notice at the Meeting of Joint Commissioners held on 26 November 1997:

Q Regarding leave of absence requested by Cmr Clark-Murphy:

- (a) Will Cmr Clark-Murphy still be paid by the ratepayers of the City of Wanneroo at the rate of \$1130.76 per week while on leave?*
- (b) If not, at what rate?*

- A If Commissioners remain for a period of three months, Cmr Clark-Murphy will not be paid for her leave of absence. If Commissioners remain longer, say for 12 months, then this issue will be reassessed.

The following question, submitted by Ms J Hughes, Girrawheen, was taken on notice at the Meeting of Joint Commissioners held on 26 November 1997:

- Q Ms J Hughes expressed her concern at the lack of funding for the area of Girrawheen and asked that consideration be given to this matter.*

- A Council's 1997/98 budget provides to undertake specific capital projects estimated at \$607,920 in the Girrawheen, Koondoola, Marangaroo and Alexander Heights area during this current financial year.

These works include replacement of play equipment at Koondoola Park - \$10,500; Hudson Park - \$12,500; Cabrini Park - \$15,000 and several other parks; development of Koondool

In addition there is a further \$468,470 in general works planned east of Wanneroo Road. These include road drainage, computer irrigation systems on various parks; bus shelters and road junction treatments.

The following question, submitted by Mrs J Blanko, Koondoola was taken on notice at the meeting of Joint Commissioners held on 26 November 1997:

- Q I would like to invite all Commissioners here this evening to go to Koondoola to see how people in the South Ward live. Koondoola is situated next to Girrawheen - the whole area is covered with graffiti. There are massive problems in this area, no footpaths. An assurance was given in the 1997/98 budget that all footpaths in Koondoola would be upgraded. The people living in these areas are low income earners or receiving pensions and are unable to afford \$80.00 - \$100 for the removal of graffiti.*

- A Council, in the 1993/94 fiscal year, embarked upon a slab footpath replacement programme with the objective to improve all the old footpaths within the municipality over a period of 10 years. Each year, approximately half a million dollars is allocated to upgrade slab footpaths to insitu concrete for the various suburbs within the municipality. Footpaths within Girrawheen and Koondoola are included in this programme with works in Hudson Avenue scheduled for early 1998. In addition, an inspection of all footpaths was completed in early December and maintenance works have been programmed.

Council's current policy is to remove graffiti from its assets and infrastructure within a 24 hour period. Its contractor is currently working on graffiti removal from bus shelters in Koondoola and Girrawheen.

A report investigating various options to assist ratepayers with the removal of graffiti from dividing "private" fences abutting Council reserves is scheduled to be presented to Council for consideration at its next meeting.

Council and Homeswest will be entering into a "Memorandum of Understanding" to embark upon the Girrawheen and Koondoola Estates Improvement Scheme. This has

resulted from a Homeswest initiative to redevelop and refurbish its apartments, town houses, houses and its property within the area.

The following question, submitted by Mr M Whiteside, Ocean Reef, was taken on notice at the Meeting of Joint Commissioners held on 26 November 1997:

Q The members of your workforce put questions forward to Mr Delahaunty (which were answered). There was a resolution passed at a meeting that the workers had no confidence in their Line Managers in relation to enterprise bargaining agreements and Clause 45. Workers are unsure of what is happening and would like some answers?

A Answers to this item were supplied by the Chief Executive Officer to questions asked by Mr A Deegan at the Council meeting held on 22 October 1997. The Council continues to be committed to negotiating a suitable Enterprise Agreement with the outside workforce and satisfactory progress is being made in the Parks area. On the other hand, the Road Works Unit has refused to democratically elect a Consultative Committee representative and have reinforced demands that their Consultative Committee should consist of Union members only. In accordance with legal advice, the Clause 45 Agreement does not offer either party the commitment or protection offered under a Certified Agreement registered with the Industrial Relations Commission. Council has also received advice that any Enterprise Agreement must be negotiated with all employees, both Union and non-Union members.

The following questions were submitted by Mrs A Hine:

Q1 I would like my nine questions read out and answered. I have not had the answers and as the CEO said on the day of Council he had had advice on my questions and they were not defamatory.

A1 The answers to these questions were provided in writing at the meeting of the Joint Commissioners held on 26 November 1997. Council records show that a written copy of these questions were forwarded to Mrs Hine by mail on 3 December 1997.

Q2 The other question is I wrote a letter about the conduct when your policy meeting was held and Manakoora Rise was on the agenda. I never had an answer to that letter or note.

A2 The letter received from Mrs Hine regarding the conduct of Council's policy meeting on 10 November 1997 has now been replied to in writing.

Q3 The traffic islands at Manakoora Rise were removed at one stage without permission. Council said they were to be reinstated. What happened to that item? How much was paid out of Council cost. How much gain if any was made to Council? There were two islands. Could Mr McNally please explain?

A3 Following consideration and a deputation on the removal of the two islands in Manakoora Rise, Council resolved that for traffic reasons the western island be reinstated at a cost to the residents and recovery of a 3% design and supervision cost. The other island was not as critical as it was more for aesthetic reasons.

This island was reinstated by the street residents at their cost. The design and supervision cost has not yet been received.

CONFIRMATION OF MINUTES

C378-12/97 MINUTES OF COUNCIL MEETING, 26 NOVEMBER 1997

MOVED Cmr Buckley, **SECONDED** Cmr Morgan that the Minutes of the Meeting of Joint Commissioners held on 26 November 1997, be confirmed as a true and correct record.

AMENDMENT MOVED Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the following corrections be made to the Minutes of the Meeting of Joint Commissioners held on 26 November 1997:

- Items TS301-11/97; TS310-11/97; C376-11/97 : Delete "Discussion Ensued" Insert "Cmr Morgan spoke in support of the Motion."
- Items DP252-11/97, DP256-11/97; DP258-11/97; DP259-11/97; DP286-11/97: Delete "Discussion Ensued" Insert "Cmr Rowell spoke in support of the Motion."

The Amendment was Put and

AMENDMENT MOVED Cmr Morgan, **SECONDED** Cmr Rowell that the following correction be made to the Minutes of the Meeting of Joint Commissioners held on 26 November 1997:

- Item FA192-11/97 - Sorrento Soccer, Sports and Social Club Inc - Building Additions: Point 1 of the motion be amended to read:

"advise the Sorrento Soccer, Sports and Social Club Inc they are prepared to approve extensions to the Soccer Clubrooms on the following basis".

The Amendment was Put and

CARRIED

The **AMENDMENT** thus became the **SUBSTANTIVE MOTION**, viz:

That the Minutes of the Meeting of Joint Commissioners held on 26 November 1997, be confirmed as a true and correct record, subject to the following corrections:

- Items TS301-11/97; TS310-11/97; C376-11/97 : Delete "Discussion Ensued" Insert "Cmr Morgan spoke in support of the Motion."
- Items DP252-11/97, DP256-11/97; DP258-11/97; DP259-11/97; DP286-11/97: Delete "Discussion Ensued" Insert "Cmr Rowell spoke in support of the Motion."
- Item FA192-11/97 - Sorrento Soccer, Sports and Social Club Inc - Building Additions: Point 1 of the motion be amended to read:

“advise the Sorrento Soccer, Sports and Social Club Inc they are prepared to approve extensions to the Soccer Clubrooms on the following basis”.

The Motion Was Put and

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION

Visit by Federal Minister for Local Government

The Federal Minister for Regional Development, Territories and Local Government, the Hon Alex Somlyay, and Member for Cowan, Richard Evans MP, met with myself, Commissioner Rowell, the Chief Executive Officer and the Director of Strategic Planning late last month (November 28). The issues discussed were Federal Assistance Grants, National Competition Policy, Regional Development and Federal constitutional recognition of local government. The Minister was escorted on a tour of the civic building and regional library.

Switched on Christmas Carols Concert

The “Switched on Christmas” Carols Concert at Neil Hawkins Park on December 6 was a huge success with a turnout of around 3000 people. Barbara Rees was the lucky person whose name was chosen out of hundreds of entries to switch on the City’s first-ever Christmas lights. With a flick of the switch, Mrs Rees lit up Neil Hawkins Park, the Joondalup Library, Boas Avenue and Grand Boulevard and the Wanneroo townsite. I would like to thank everybody who came along and helped to make the night such a memorable occasion.

Industrial zone awards presentation

On December 9, Commissioner Rowell presented awards to the best maintained and most improved industrial premises within the City. The awards were well received by the recipients who commended the City for undertaking the initiative. The winners were:

Wangara Best Maintained - Gary Robin for Ceramic Tile Supplies;

Wangara Most Improved - Rob and Margaret Witney for nine units in Buckingham Drive;

Wangara Special Award - Wangara Centre, Prindiville Drive;

Enterprise Park Best Maintained - Ron and Dawn Blakers for Blakers Pump Engineers;

Landsdale Best Maintained - Mark Heynemann for Mills and Hassall Real Estate;

Landsdale Most Improved - Edward and Christine Thornborough for Kimberley Building Supplies;

Joondalup Best Maintained - Graeme and Gloria Hooley for Hooley AutoSpark;

Joondalup Most Improved - Mr and Mrs Cooper for five units in Winton Road.

1998 Summer Concert Series

The City of Wanneroo is delighted to be able to host the 1998 Summer Concert Series during February. Concerts will be held on February 7, 15, 20, 21 and 28, and will feature a variety of music, from the Joondalup Symphony Orchestra and WA's unique cello quartet I'Cellisti, to music by a top line-up of WA jazz musicians. Look out for further details on the concert series closer to the event.

DECLARATIONS OF FINANCIAL INTEREST

Nil

QUESTIONS WITH DUE NOTICE

Nil

QUESTIONS WITHOUT DUE NOTICE

Nil

C379-12/97 PETITIONS SUBMITTED TO THE COUNCIL MEETING - 23 DECEMBER 1997**1 PETITION EXPRESSING CONCERN IN RELATION TO TRAFFIC PROBLEMS - HAWKER AVENUE, WARWICK - [510-1446]**

A 113-signature petition has been received from residents within the City of Wanneroo expressing concern for the safety of all members of the community in relation to not only the quantity of vehicles using Hawker Avenue, but the speed at which these vehicles travel.

The petitioners request the City of Wanneroo in conjunction with Westrail to implement the closure of the northern exit of the Warwick Train Station carpark in order to provide safety protection for students, parents and community members using the section of Hawker Avenue adjacent to Hawker Park Primary School, Warwick.

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

2 PETITION OPPOSING CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN COX PLACE AND CORDOVA COURT, CRAIGIE - [510-1767]

An 89-signature petition has been received from residents of the City of Wanneroo opposing the closure of pedestrian accessway between Cox Place and Cordova Court, Craigie.

The petitioners state the accessway is used frequently on a daily basis both by children walking to and from school and by members of the public as a means of easy access to shops, doctors surgeries, bus stops and the like.

This petition will be referred to Development Services for action.

3 PETITION REQUESTING THE PROVISION OF A BUS SERVICE WITHIN THE NEERABUP AREA - [012-0-2-6A]

A 49-signature petition has been received from Neerabup residents requesting the provision of a bus service within the Neerabup area.

The petitioners state with Neerabup being an isolated area, with no public transportation, it is difficult for members of the community and school children who commute on a daily basis.

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

4 PETITION EXPRESSING CONCERN AT TRAFFIC PROBLEMS ASSOCIATED WITH THE EXTENSION OF JACARANDA DRIVE, WANNEROO - [510-2478]

A 46-signature petition has been received from residents of Wanneroo expressing concern at the traffic problems that have arisen due to the recent extension of Jacaranda Drive, Wanneroo

The petitioners request the reclosure of the extension to Jacaranda Drive, Wanneroo or alternatively the installation of traffic calming devices in order to control the traffic along this stretch of Jacaranda Drive.

This petition will be referred to Technical Services for action.

MOVED Cmr Morgan, SECONDED Cmr Buckley that Petitions No 1 - 4 be received and referred to the appropriate business units for action.

The Motion was Put and

BUSINESS REQUIRING ACTION

POLICY COMMITTEE**REQUIREMENT FOR ABSOLUTE MAJORITY VOTE**

The Chairman, Cmr Ansell stated that as all Commissioners were in attendance, for the purpose of this meeting a Simple Majority vote would be considered to be an Absolute Majority vote.

REPORT NO:

Items P111-12/97 to P119-12/97 inclusive were Moved by Cmr Buckley and Seconded by Cmr Morgan. Cmr Buckley gave notice of her intention to speak on Items P112-12/97; P113-12/97; P114-12/97 and P117-12/97.

P111-12/97**DELEGATION OF POWERS & DUTIES UNDER THE LOCAL GOVERNMENT ACT 1995 - [201-1-1]**

Part 5 of the Local Government Act 1995 empowers a local government to delegate many of its powers and duties to committees of Council or to the Chief Executive Officer.

A document outlining the various provisions in the Local Government Act related to delegations was provided to Commissioners, together with a schedule listing various powers and duties contained in the Act and associated Regulations. The schedule indicates whether a power can be delegated and makes recommendations on the delegations.

At the Policy Committee meeting, Director, Corporate Services drew the Commissioners' attention to omissions within the Register of Delegations as attached to Report P111-12/97. The Chairman requested an amended schedule be presented for consideration to the Meeting of Joint Commissioners to be held on 23 December 1997 - Appendix I refers

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners adopt the Register of Delegations under the Local Government Act 1995 forming Appendix I hereto.

The Motion was Put and

CARRIED

Appendix I refers

P112-12/97**REQUEST TO RECOUP LEGAL EXPENSES - MR FRANK GRIFFIN - [702-8]**

V Ozich & Co has submitted a request on behalf of Mr Frank Griffin for the recoup of legal expenses amounting to \$20,500. Mr Griffin, who previously held the position of City Parks Manager, was charged with, but found not guilty of, corruptly receiving \$5,000 from Fairway Design International Pty Ltd.

Mr Griffin's evidence indicates that he may have breached the provisions of Section 160A and 174A(3) of the Local Government Act 1960 which relate to outside employment and pecuniary interests respectively.

On the basis of this evidence, it is open for the Commissioners to refuse the application.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners do not agree to the request to fund Mr Griffin's legal costs which amount to \$20,500.

Cmr Buckley spoke in support of the motion.

The Motion was Put and

CARRIED

P113-12/97

LEGAL REPRESENTATION - MS ALEXANDRA DAVIDSON - [702-8]

In accordance with Council's policy A2-12 LEGAL REPRESENTATION FOR PRESENT AND FORMER COUNCILLORS AND STAFF OF THE CITY, Bradford and Co made application on behalf of Ms Alexandra Davidson for legal representation. The application was in respect to a summons to appear before the Royal Commission on the Parin line of inquiry.

Interim assistance to the value of \$3,000 was granted. Subsequently a further account for \$11,140 was submitted. Council decided to defer the matter until the findings of the royal Commission were known.

The Commission held that Ms Davidson was acting outside her role as an officer of the Council. On the basis of those findings, it is open to the Commissioners to refuse to pay additional legal expenses.

In addition the Commissioners could give consideration to the recovery of the interim grant of assistance which amounted to \$3,000.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 refuse the request to pay an additional \$11,140 to cover legal costs incurred by Ms Alexandra Davidson in respect to the Royal Commission;**
- 2 do not seek to recover the payment of \$3,000 for the first grant of legal assistance made to Ms Davidson.**

Cmr Buckley spoke in support of the motion.

The Motion was Put and

CARRIED

P114-12/97

LEGAL REPRESENTATION - MR COLIN EDWARDES - [702-8]

At its October 1996 meeting, Council approved an application for legal representation submitted by Freehill Hollingdale & Page on behalf of Mr Colin Edwardes, a former Councillor. In addition Mr Edwardes was given approval to retain legal representation of his choice.

Accounts amounting to \$37,680 have been submitted by Mr Edwardes' solicitors. At various meetings, Council has approved payments amounting to \$26,930.

At its meeting of 22 October 1997, Council resolved not to fund the cost of maintaining a watching brief. The amount involved was \$8,750 (Item P91-10/97) refers).

Payments of \$1,250 and \$750 in respect to Buckeridge Batching Plant and Chichester Park lines of inquiry remain outstanding. At the meeting of Joint Commissioners held on 26 November 1997 it was decided to defer consideration of these accounts.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners agree to pay the following outstanding legal fees related to Mr Edwardes legal representation :

- 1 \$1,250 Buckeridge Batching Plant line of inquiry**
- 2 \$750 Chichester Park line of inquiry.**

Cmr Buckley spoke in support of the motion.

The Motion was Put and

CARRIED

P115-12/97

RETURN OF COUNCIL ISSUED EQUIPMENT - [702-3]

As a result of the Governor's order to suspend the Council of the City of Wanneroo, a decision is required to be made on what is to happen to the various equipment issued to elected members to perform their duties.

Policy A2-14 details what equipment may be issued to Councillors and further states what is to be returned upon a person ceasing to be a Councillor. Due to the current circumstances it is suggested that all equipment that is less than two years old be returned and stored appropriately pending the outcome of the Local Government Inquiry.

MOVED Cmr Buckley, SECONDED Cmr Morgan that:

- 1 the Joint Commissioners note that the elected members of the City of Wanneroo still hold the office of Councillor during the Governor's suspension order, but are unable to exercise any of the powers, duties or obligations of that office;**
- 2 in the best interest, the Joint Commissioners request the suspended elected members of the City of Wanneroo to return the following items of equipment to be held pending the outcome of the Inquiry into the City:**
 - mobile telephone**
 - facsimile/answering machine (those less than two years old)**
 - personal and/or laptop computer and printer (those less than two years old)**
 - Councillor's lounge key**
- 3 the Joint Commissioners advise the suspended elected members of the City of Wanneroo that:**

- (a) **no decision is to be made at this stage regarding the removal of the mobile phone hands free kit installed in their vehicles pending the outcome of the inquiry;**
- (b) **that any costs incurred by them during the effect of the Governor's suspension order relating to Council issued equipment will be borne by them.**

The Motion was Put and

CARRIED

P116-12/97

RECEIPT OF GIFTS AND HOSPITALITY - [404-0]

The findings of the Royal Commission was critical of the Council's Code of Conduct in terms of those provisions relating to the acceptance and disclosure of gifts and acts of hospitality. However it may be considered that not accepting acts of hospitality to support local community events may have a detrimental effect on the City.

It is therefore suggested that the Mayor (Chairman of Commissioners) and/or the Chief Executive Officer be permitted to accept acts of hospitality which in their opinion would be to promote local community events. If in the circumstance that either the Mayor (Chairman of Commissioners) or the Chief Executive Officer chose not to attend, they be permitted to send an appropriate person.

At the Policy Committee meeting, Commissioner Morgan stated he strongly supported this Recommendation.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Mayor (Chairman of Commissioners) and/or the Chief Executive Officer be permitted to accept acts of hospitality for local community related events and in the instance where neither can attend, then they may designate an appropriate person to attend.

The Motion was Put and

CARRIED

P117-12/97

**DEPARTMENT OF LOCAL GOVERNMENT INQUIRY
REPORT INTO THE GRANTING OF DEVELOPMENT
APPROVAL FOR LOT 560 MANAKOORA RISE, SORRENTO
- [3090/560/3]**

Council at its meetings on 22 October and 26 November 1997 deferred consideration on its response to the Department of Local Government Report into the granting of development approval for Lot 560 Manakoora Rise.

REPORT RECOMMENDATION That the Joint Commissioners forward their response to the Department of Local Government Inquiry Report into the Granting of Development Approval for Lot 560 Manakoora Rise, Sorrento to the Minister for Local Government as outlined in Report P100-11/97.

ADDITIONAL INFORMATION SUBMITTED TO THE POLICY COMMITTEE MEETING

Further to discussions concerning the proposed response to the Inquiry Report additional information is presented for consideration.

A number of positive actions have been taken since the Manakoora Rise issue arose. These include:

- Development and adoption of a Strategic Plan.
- Implementation of a new organisational structure including a new Approval Services Business Unit for processing building and development applications.
- Engagement of Consultant Deloitte Touche Tohmatsu to re-engineer the approvals processes.
- Development of a Business Plan that provides for preparation of procedures to Quality Council Guidelines. Training of staff is completed. Preparation of documentation has commenced.
- Establishment of Key Performance Indicators.
- Implementation of procedures that ensure a single officer is responsible as far as possible for processing an application.
- Checking by Senior Staff prior to a final check by the Approving Officer .
- Initiation of Town Planning Scheme Amendment 814 to require single residential development to obtain a development approval where the application does not comply with or requires discretion to be exercised under the Residential Planning Codes.
- Initiation of a review of the Height of Buildings in Residential Neighbourhoods Policy commenced in November 1997.
- Implementation of a new Records Management System.
- Revision of the Building Licence Application form completed which now incorporates an audit trail, to be implemented in the new year.

Response to Minister for Local Government

1. A revised draft letter incorporating examples of what has been done to address the concerns raised in the Inquiry Report.
2. A plan of action for attachment to the letter to the Minister detailing the timeframe action and findings addressed.

It is suggested that the detailed response prepared by Council's Solicitor could be used for the basis of discussions with the Minister's representative at some future time should this be necessary.

Residential Planning Codes

A key issue that needs to be addressed are the inconsistencies and ambiguity contained in the Residential Planning Codes. It is understood that the Western Australian Planning Commission are proposing to commence a review of the Codes in the new year. This follows the earlier review that was aborted in about 1995. The review will provide an opportunity for the City to address its concerns.

Should the revised submission be acceptable the recommendation should be amended as follows:

“That the Joint Commissioners in consideration of the Department for Local Government’s Inquiry Report into the Granting of Development Approval for Lot 560(3) Manakoora Rise, Sorrento, endorse forwarding to the Minister for Local Government:

- a) the draft letter dated 24 December 1997;
- b) the Plan of Action Regarding Residential Development Application Approval Processes.

Discussion ensued at the Policy Committee meeting in relation to the Additional Information with the following points raised for inclusion in the response to the Minister for Local Government:

- Adjustment to the plan of action to include date of December 1998 for preparation of procedures.
- New organisational structure has been implemented and is ongoing
- New section dealing with process engineering which was undertaken by Deloitte Touche Tohmatsu and will be reviewed in March 1998.
- There is concern over the issue of “rubber stamping” and the recommendation arrived at in this regard
- conflicting information was received in the application of the R-Codes.
- advice regarding the building licence approval.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners in consideration of the Department for Local Government’s Inquiry Report into the Granting of Development Approval for Lot 560(3) Manakoora Rise, Sorrento, endorse forwarding to the Minister for Local Government:

- 1 the draft letter dated 24 December 1997, subject to the inclusion of the additional items raised at the Policy Committee meeting held on 16 December 1997;**
- 2 the Plan of Action Regarding Residential Development Application Approval Processes.**

Cmr Buckley spoke in support of the motion.

The Motion was Put and

CARRIED

P118-12/97

**DELEGATION OF AUTHORITY - HEALTH ACT - [241-0
C201-1-1 C920-13]**

Section 26 of the Health Act 1911 provides that a local authority may appoint and authorise a person to be its deputy to exercise and discharge all or any of the powers and functions of the local authority for such time and subject to such conditions and limitations (if any) as the local authority shall see fit. Such appointment shall not affect the exercise or discharge by the local authority itself of any power or function.

In August 1997 Council resolved to delegate the power of the Local Authority to the Manager, Health Services concerning the Health Act and related legislation, prosecutions excepted. This Report now seeks to include the prosecution aspect in the delegation to obviate Council being expected to "rubber stamp" something that, on prima facie evidence, should be dealt with by a Court.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners, under Section 26 of the Health Act 1911, as amended, appoint the Manager, Health Services or the person acting in that position from time to time as its deputy for the purpose of discharging its powers and functions as a local authority under this Act.

The Motion was Put and

CARRIED

P119-12/97 ROYAL COMMISSION INTO THE CITY OF WANNEROO - 702-8

The Chief Executive Officer submitted a draft Report in relation to the Royal Commission into the City of Wanneroo, for Commissioners' consideration.

MOVED Cmr Buckley, SECONDED Cmr Morgan that consideration of the draft Report on the Royal Commission into the City of Wanneroo be deferred and referred to the January 1998 meeting of the Policy Committee.

The Motion was Put and

CARRIED

DECLARATIONS OF INTEREST - TELSTRA ISSUE

The Committee discussed the question of the declaration of financial interests and considered the possibility of requesting the Minister to grant an exemption to discuss and vote on the Telstra issues. In the near future the Committee and Council will be required to consider the rural strategy plan which covers the Telstra facility in Landsdale.

Cmrs Ansell, Morgan, Rowell and Buckley all indicated that they would be required to declare a financial interest in matters that required a decision by the Joint Commissioners.

It was decided that the Chairman of Commissioners would write to the Minister, outlining the problem and seeking an exemption.

FINANCE & COMMUNITY SERVICES COMMITTEE

Items FA204-12/97 to FA230-12/97 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy gave notice of her intention to speak on Item FA218-12/97.

REPORT NO:**FA204-12/97** **MINUTES OF VARIOUS COMMITTEES - [702-0]**

This report submits minutes of various Committees for adoption by the Joint Commissioners.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that:

1 **the Minutes of the following Committees and the recommendations contained therein, be noted:**

- Cultural Development Advisory Committee meeting held 22 September 1997
- Multicultural Advisory Committee meeting held 28 August 1997
- Multicultural Advisory Committee meeting held 25 September 1997
- Multicultural Advisory Committee meeting held 23 October 1997
- Historical Sites Advisory Committee meeting held 24 September 1997
- Joondalup Festival Committee meeting held 1 October 1997
- Junior Council meeting held 15 October 1997
- Bush Fire Advisory Committee meeting held 23 October 1997
- Gloucester Lodge Museum Management Committee held 1 October 1997
- Children's Services Advisory Committee held 22 September 1997
- Urban Animal Management Advisory Committee held 1 September 1997 and 2 September 1997

The Motion was Put and

CARRIED

FA205-12/97 **MINUTES OF LOTTERIES HOUSE STEERING COMMITTEE - [890-19]**

This report submits minutes of The Lotteries House Steering Committee for adoption by the Joint Commissioners.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that:

1 **the Minutes of the Lotteries House Steering Committee meetings held 1 October 1997 and 5 November 1997 be noted;**

- 2 the following additional organisations be considered for tenancies in Lotteries House, subject to meeting the requirements of the Lotteries Commission and being assessed by CAMS for space requirements and space availability:

YMCA
Centrecare
Workpower Incorporated

The Motion was Put and

CARRIED

Appendix II refers

FA206-12/97 1996/97 ANNUAL REPORT - ANNUAL GENERAL MEETING OF ELECTORS - [002-2]

The Local Government Act 1995 provides for local governments to conduct an Annual General Meeting of Electors once in each year. The purpose of the meeting is to discuss the Annual Report which includes the Financial Statements and the Auditor's Report.

This report recommends that the Annual General Meeting of Electors to discuss the 1996/97 Annual Report and other matters as determined appropriate be held at 7.30 pm in the Council Chamber on 20 January 1998.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 receive the Auditor's Report for the 1996/97 Financial Year as attached to Report FA206-12/97 ;
- 2 accept the 1996/97 Annual Report and Financial Statements of the City of Wanneroo as attached to Report FA206-12/97;
- 3 convene the Annual General Meeting of Electors on 20 January 1998 at 7.30 pm in the Council Chambers;
- 4 advertise by public notice that the City of Wanneroo's 1996/97 Annual Report and Financial Statements will be available from the Civic Administration Building from 9 January 1998.

The Motion was Put and

CARRIED

Appendix III refers

FA207-12/97 SALE OF SURPLUS PLANT - TENDER 051-97/98 - [208-051-97/98]

At its meeting held on 22 October 1997, Council approved the disposal by tender of a number of items of plant which are surplus to requirements (Item FA183-10/97 refers).

Council also approved, at its meeting held on 26 March 1997, the disposal of plant number 98109 a Jacobsen 7 gang mower and plant number 98727 a Lovegrove woodchipper, by tender (Item TS71-03/97 refers).

Tender 051-97/98 was called for the purpose of disposing of the plant and this report outlines the submissions received and recommends disposal of all items except for the Jacobsen Ranger 7 gang mower, plant number 98109.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 accept the following offers to purchase surplus plant as follows:

Plant No	Asset No	Description	Tenderer's Name	Tender Price
				\$
98784	8636	Deutscher rotary mower	James Sparks	850
98802	8865	Deutscher rotary mower	James Sparks	1,000
98803	8866	Deutscher rotary mower	James Sparks	1,400
98783	8635	Deutscher rotary mower	James Sparks	850
98779	8611	Stihl FS106 brushcutter	David Fowler	150
98832	9719	Stihl 026 chainsaw	D & E Parker P/L	301
98862	9895	Stihl 039 chainsaw	D & E Parker P/L	309
98863	9897	Stihl 036 chainsaw	D & E Parker P/L	301
98864	9898	Stihl 026 chainsaw	D & E Parker P/L	301
98868	9976	Easymix 550 compactor	WA Machinery Brokers	450
98709	6443	Pacific road broom	WA Machinery Brokers	250
98682	3552	Tandem axle trailer	WA Machinery Brokers	510
N/A	N/A	Perkins Phaser engine	John Znidarsic	3,000
N/A	N/A	Allison AT545 transmission	Peter Webb	555
98727	5576	Lovegrove woodchipper	WA Machinery Brokers	5,750

- 2 approve the necessary amendments to the fixed asset register;
- 3 approve the inclusion of the Jacobsen 7 gang mower, plant number 98109, as a trade, in a tender for the replacement of the Beaver TM708 7 gang mower, plant number 98399, on a two for one basis.

The Motion was Put and

CARRIED

FA208-12/97

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE AND CAPITAL PURCHASES VEHICLES
ADDITIONAL - TENDER NUMBERS 066-97/98 AND 067-97/98
- [208-6-066-97/98; 208-6-067-97/98]**

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

The City also approved purchases of a 1600/1800 cc sedan and two 4WD dual cab utilities for Security Services funded from Capital Purchases - Vehicles Additional.

This report outlines the submissions received for Tenders 066-97/98 and 067-97/98 for the replacement of a number of vehicles and the purchase of a 1600/1800 cc sedan and two 4WD dual cab utilities for Security Services.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners:

- 1 accept part Tender No. 066-97/98 from Titan Ford for five Ford Courier XL Crew Cab utilities trading plant numbers 95191, 95201, 95206 and purchasing two outright for a total changeover price of \$39,615;
- 2 accept part Tender No. 066-97/98 from Nuford for two Ford Courier XL crew cab utilities, trading plant numbers 95401 and 95693 for a total changeover price of \$626;
- 3 accept Tender No. 067-97/98 from Titan Daewoo for one Daewoo Nubira SX sedan for a total price of \$18,226.

The Motion was Put and

CARRIED

FA209-12/97

VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 069-97/98 - [208-6-069-97/98]

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

This report outlines the submissions received for Tender 069-97/98 for the replacement of a number of vehicles used by the Fire Prevention Services.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners:

- 1 accept tender 069-97/98 from Big Rock Toyota for four 6 cylinder 4WD cab chassis trading plant numbers 95079, 95080, 95088 and 95089 for a total changeover price of \$84,300;
- 2 authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995 the over budget expenditure of \$7,700 - such expenditure to be funded from the Light Vehicle Replacement Reserve Account.

The Motion was Put and

CARRIED BY AN ABSOLUTE MAJORITY

FA210-12/97

VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE AND CAPITAL PURCHASES VEHICLES ADDITIONAL - TENDER NUMBER 070-97/98 - [208-6-070-97/98]

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

The City also approved the purchase of a full forward control dual cab 3 tonne truck for Parks and Landscapes Services funded from Capital Purchases - Vehicles Additional.

This report outlines the submissions received for Tender 070-97/98 for the replacement of one vehicle for Engineering Construction Services and the purchase of a full forward control dual cab 3 tonne truck for Parks and Landscape Services.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept tender 070-97/98 from Skipper Trucks for one full forward control dual cab 3 tonne truck, trading plant number 95530 and purchasing one outright for a total changeover price of \$50,460.

The Motion was Put and

CARRIED

FA211-12/97

VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 074-97/98 - [208-6-074-97/98]

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

This report outlines the submissions received for Tender 074-97/98 for the replacement of vehicles used by Engineering Construction and Maintenance Services and Health Services.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept Tender No. 074-97/98 from Wanneroo Mitsubishi for two 4 cylinder midsize sedans, trading plant 99190 and 99697 for a total changeover price of \$3,442.

The Motion was Put and

CARRIED

FA212-12/97

VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 075-97/98 - [208-6-075-97/98]

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

This report outlines the submissions received for Tender 075-97/98 for the replacement of two vehicles used by Building Cleaning Overheads.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 accept Tender No. 075-97/98 from Skipper Mitsubishi for two 4 cylinder one tonne vans, trading plant 95075 and 95076 for a total changeover of \$3,590;**
- 2 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$2,090 - such expenditure to be funded from the Light Vehicle Replacement Reserve Account.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA213-12/97

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 071-97/98 - [208-6-071-97/98]**

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve. In addition a further vehicle which was not included in Council's 1997/98 Budget but will have travelled the requisite 40,000 kms prior to the close of the financial year is recommended for trade in.

This report outlines the submissions received for Tender 071-97/98 for the replacement of a number of vehicles used by Engineering Construction Services, Sub Division Management and Environmental Waste Services.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 accept Tender No. 071-97/98 from Nuford for four 4 cylinder extended cab 4WD utilities, for a total changeover price of \$11,130;**
- 2 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$8,130 - such expenditure to be funded from the Light Vehicle Replacement Reserve Account.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA214-12/97

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 073-97/98 - [208-6-073-97/98]**

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

This report outlines the submissions received for Tender 073-97/98 for the replacement of a number of vehicles used by Environmental Waste Services, Engineering Maintenance Services and Parks and Landscape Services.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 accept part Tender No. 073-97/98 from Skipper Mitsubishi for three 4 cylinder dual cab utilities, trading plant 95706, 95709 and 95720 for a total changeover price of \$3,207;**
- 2 accept part Tender No. 073-97/98 from Southside Mitsubishi for one 4 cylinder dual cab utility, trading plant 95398 for a cash back of \$574.**

The Motion was Put and

CARRIED

FA215-12/97

VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 072-97/98 - [208-6-072-97/98]

As part of the 1997/98 Budget, Council approved the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme, funded from the Light Vehicles Replacement Reserve.

This report outlines the submissions received for Tender 072-97/98 for the replacement of a number of vehicles used by Building Maintenance, Community Health and Parks and Landscape Services.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 accept Tender No. 072-97/98 from Nuford for four 6 cylinder utilities, trading plant 95059, 95174, 95391 and 95402 for a total changeover price of \$8,628;**
- 2 vote, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995 the over budget expenditure of \$5,428 - such expenditure to be funded from the Light Vehicle Replacement Reserve Fund.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA216-12/97

1997/98 RATE DISCOUNTS - [018-1]

Council offered a 5% discount if rates payment was received by the close of business on 6 October 1997. There were approximately 900 payments made after this date on which the discount was claimed albeit that the amounts were received after the "cut off" period.

This report lists properties where the rate payments were made at the Commonwealth Bank on 6 October 1997 but for various reasons provided by the bank the payments were not processed until after the 6 October 1997.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners, in accordance with the provisions of Section 6.12 (1) (c) of the Local Government Act 1995, write off \$115.53 in rates levied as detailed in Attachment 'A' to Report FA216-12/97.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix IV refers

FA217-12/97

INVESTMENT POLICY - [005-2]

Due to an error, a revised copy of Report FA217-12/97 was provided for Commissioner's consideration and inclusion with the agenda papers.

The Local Government Act 1995 (Section 6.14) requires “that all money held in the Municipal Fund or the Trust Fund that is not, for the time being, required for any other purpose may be invested in accordance with Part III of the Trustees Act 1962 (the Act)”.

Recent amendments (effective 16 June 1997) to Part III of the Trustees Act 1962 changed the investment environment for local government. The amendments offer:

- A wider scope of potential investment opportunities.
- Additional responsibility to assess the quality and security of investments before they are made; and
- Additional responsibility to manage those investments in the manner of a professional trustee.

This report details an investment policy incorporating the new requirements under Part III of the Trustees Act 1962.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 by ABSOLUTE MAJORITY in accordance with the provisions of Section 6.14 of the Local Government Act 1995 rescinds the City’s current investment policy:

“The City Treasurer shall be authorised to invest any funds that lay surplus in Council’s bank accounts, on the following basis:

- a minimum of 75% of surplus funds with any or all of the four national banks (National Australia, Commonwealth, ANZ and Westpac).
- the balance of funds to be invested with the three major state banks (Challenge, Rural and Industries and Town and Country), with the amounts invested being commensurate with the recognised stature of the bank.

The Mayor shall be authorised to countersign all such disbursements as urgent cheques, pending confirmation at the next meeting of Council”.

- 2 by ABSOLUTE MAJORITY in accordance with the provisions of Section 6.14 of the Local Government Act 1995 adopts the Investment Policy for the investment of Municipal and Trust Funds as detailed in Attachment ‘A’ to Report FA217-12/97.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 **in accordance with the provisions of Section 6.14 of the Local Government Act 1995 rescinds the City’s current investment policy:**

“The City Treasurer shall be authorised to invest any funds that lay surplus in Council’s bank accounts, on the following basis:

- **a minimum of 75% of surplus funds with any or all of the four national banks (National Australia, Commonwealth, ANZ and Westpac;.**

- the balance of funds to be invested with the three major state banks (Challenge, Rural and Industries and Town and Country), with the amounts invested being commensurate with the recognised stature of the bank.

The Mayor shall be authorised to countersign all such disbursements as urgent cheques, pending confirmation at the next meeting of Council”.

- 2 in accordance with the provisions of Section 6.14 of the Local Government Act 1995 adopts the Investment Policy for the investment of Municipal and Trust Funds as detailed in Attachment ‘A’ to Report FA217-12/97, with the exception of Item 4.2 which is to be amended by requiring Council to invest only in Managed Funds which invest in Australian securities.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

Appendix V refers

FA218-12/97 AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]

Various requests have been received for authorisation, in accordance with Section 6.8 (1) of the Local Government Act 1995, to incur unbudgeted expenditure. In most instances, a source of funding has been identified to accommodate the additional expenditure. A number of necessary adjustments to the budget estimates have also been identified. These are detailed on Attachment ‘A’ to this report. Items approved by Council, but not previously listed in the Schedule, are also included for consistency and to facilitate presentation of an accumulated balance.

At the Finance and Community Services Committee Meeting Cmr Morgan noted that the budget reallocations included costs associated with the Joint Commissioners.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, amendments to the “revised budget figures” of the 1997/98 Budget as detailed in the Schedule of Budget Reallocation Requests - 16 December 1997.

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

Appendix VI refers

**FA219-12/97 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30
NOVEMBER 1997 - [021-1]**

This report details the cheques drawn on the funds during the month of November 1997. It seeks Joint Commissioners’ approval for the payment of the November 1997 accounts.

At the Finance and Community Services Committee Meeting the Director, Resource Management submitted a copy of a computer printout and attached documentation which detailed a description of invoices and highlighted each item.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 30 November 1997, certified by the Acting Chairperson of Finance and Community Services Committee and Director Resource Management, and totalling \$17,740,770.12:

FUNDS	VOUCHERS	AMOUNT
		\$
Director Resource Management Advance Account	53534 - 54721	6,364,309.60
Municipal	000504 - 000517	10,949,780.71
East Wanneroo Development Area Cell 1	000009	5,102.84
East Wanneroo Development Area Cell 2	000007	2,634.48
East Wanneroo Development Area Cell 3	905721S	1,000.00
East Wanneroo Development Area Cell 4	905719L	66,030.00
East Wanneroo Development Area Cell 5	000001	1,241.49
East Wanneroo Development Area Cell 6	000009	29,235.24
East Wanneroo Development Area Cell 7	000007	1,089.06
East Wanneroo Development Area Cell 8	000005	214.66
Town Planning Scheme 7A (4)	905761O	880.00
Berkley Road Local Structure Plan	905749D	2,200.00
Reserve Account	000011	317,052.04
	TOTAL	\$17,740,770.12

The Motion was Put and

CARRIED

Appendix VII refers

FA220-12/97 **STAFF AND OUTSIDE WORKERS' OVERTIME NOVEMBER 1997 - [404-10]**

This report details the staff and outside workers' overtime for the month of November 1997.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the information received regarding Staff and Outside Workers' Overtime November 1997, be noted.

The Motion was Put and

CARRIED

FA221-12/97 **OUTSTANDING GENERAL DEBTORS - 30 NOVEMBER 1997 - [020-0]**

This report details the outstanding general debtors as at 30 November 1997 and outlines the action being taken to effectively control those debtors which have been outstanding for in excess of 90 days. It recommends a write off of debts totalling \$11,360.00.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners, in accordance with the provisions of Section 6.12 (1) (c) of the Local Government Act 1995 writes out of its General Debtors Ledger an amount of \$11,360.00 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report No. FA221-12/97.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VIII refers

FA222-12/97

**DONATION - WANNEROO HORSE AND PONY CLUB (INC) -
[009-1]**

The City is in receipt of correspondence from the Wanneroo Horse and Pony Club (Inc) requesting consideration for a donation to partially offset the rates levied on club premises which are leased from Council. The lease provides for the lessee to pay the rates.

In the past Council has acceded to requests of this nature where the club did not have the capacity or ability to generate funds.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners make a non statutory donation of \$1,816.90 to the Wanneroo Horse and Pony Club Inc from Budget Item 29470 - Recreation and Sport - Other.

The Motion was Put and

CARRIED

FA223-12/97

**MAJOR CAPITAL PROJECTS - COST/BUDGET
COMPARISON - [006-1]**

A comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year is submitted for Council's information.

At the Finance and Community Services Committee Meeting following a query from Cmr Ansell in relation to an over expenditure on Building Works - Major Capital Projects of \$130,000, the Director, Resource Management advised that this matter had been referred to the Director, Strategic Planning for investigation. The Director, Strategic Planning advised that a report would be submitted to the January Finance and Community Services Committee meeting in relation to the entire Joondalup project.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the information received regarding Major Capital Projects - Cost/Budget Comparison, be noted.

The Motion was Put and

CARRIED

FA224-12/97

**FINANCIAL REPORT FOR THE PERIOD ENDED 30
NOVEMBER 1997 - [002-3]**

This monthly report gives a broad overview of the Council's financial position at 30 November 1997. With 5 months (or 42% of the year expired) revenue and expenditure trends are starting to emerge. While Council's earnings from investments of \$1.2 m, is (at this time of the year)

short of the \$3.6 m expected for the full year, revenues from interim rating are on target. As depicted in the budget reallocation report the City has an over budget expenditure deficit of \$402,920 at 30 November 1997. The major contributing factors are:

- Discount on Rates \$170,000
- Information Directory \$100,000
- Urban Design Officer \$ 35,000
- Air-conditioning - Administration Building \$ 25,000

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the information received regarding the Financial Report for the Period Ended 30 November 1997, be noted.

The Motion was Put and

CARRIED

Appendix IX refers

FA225-12/97

AMENDMENT OF DISABILITY SERVICE PLAN FOR CITY OF WANNEROO - [880-8-11]

The Disability Service Plan for the City of Wanneroo has been revised in line with the requirements of the Western Australian Disability Services Act 1993. It provides a blueprint for the ensuing year for further improving access to Council functions, facilities and services. Funding of these improvements will need to be considered as part of the 1998/99 budget deliberations. The revised Plan is included as Attachment A.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners endorse the revised 1997/98 Disability Service Plan for the City of Wanneroo as outlined in Attachment A to Report No. FA225-12/97.

The Motion was Put and

CARRIED

FA226-12/97

REVIEW OF DISABILITY ACCESS ADVISORY COMMITTEE - [880-8-10]

A review of the operations of the Disability Access Advisory Committee has occurred. Given that the implementation of the Disability Service Plan is well advanced, the maintenance of the Committee as an advisory committee to the Finance and Community Services Committee is no longer seen as necessary. The Advisory Committee's role and functions are equally served by the principal activities of the Disability Access Officer in providing a link with the community on access issues, as well as maintaining the focus and impetus for continuous access improvement within the organisation. The work of the Advisory Committee should be acknowledged, including the contribution of the Community Representatives.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1** **discontinue the Disability Access Advisory Committee as a committee of the Finance and Community Services Committee, given it has completed its function;**

- 2 acknowledge the work of the Advisory Committee, in steering the implementation of the City's Disability Service Plan;
- 3 acknowledge the important contribution of the community representatives on the Advisory Committee and ask that they be available for consultations on specific access issues.

The Motion was Put and

CARRIED

FA227-12/97

UPGRADE OF BEACH ACCESS AT HILLARY'S BOAT HARBOUR - [880-8-10]

A donation of \$13,000 to the Rotary Club of Sorrento & Northshore was approved by Council in May 1997 to upgrade beach access at Hillarys Boat Harbour. Further advice indicated the initial design proposal was inadequate. Additional funds of \$5,000 are being sought to enable the completion of a new ramp.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 endorse the construction of a new access ramp at Hillary's Boat Harbour, as outlined in the revised design plan submitted by Ewing Consulting Engineers Pty Ltd;
- 2 approve a donation of \$5,000 to the Rotary Club of Sorrento & Northshore to enable the project to be completed;
- 3 approve, in accordance with Section 6.8 (1) of the Local Government Act 1995, a reallocation of funds from account 32842 (\$2,500) Footpaths - Warburton Avenue : Padbury - Replace Slab Path and account 31253 (\$2,500) Dual Use Path - Hepburn Avenue - North Side Bindaree Terrace/Wanneroo Road to new account - Donations - Sorrento Rotary - Beach Access Ramp Hillarys.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

FA228-12/97

EXCISION AND SALE OF A WATER PRODUCTION BORE SITE - LOT 17 TAMALA PARK - [508-050-3]

The City of Wanneroo, as one of the three joint owner Councils of the land at Lot 17 Tamala Park has negotiated the sale of a water production bore site of 500 square metres in the north eastern sector of the land, to the Water Corporation for the price of \$10 000.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 agree to the excision of a 500 square metre water production bore site from the north-eastern sector of Lot 17 Tamala Park;

- 2 **dispose of the water production bore site within Lot 17 Tamala Park to the Water Corporation for the consideration of \$10 000 which is to be divided equally between the three joint owners after the dispersal of costs;**

- 3 enter into and authorise the signing and sealing of a Contract of Sale with the City of Perth, City of Stirling and Water Corporation over part of Lot 17 Tamala Park.

The Motion was Put and

CARRIED

FA229-12/97

ACQUISITION OF PROPERTY FOR STORMWATER DRAINAGE: LOT 647 (2) HYACINTH CLOSE, HEATHRIDGE : G J AND E N CRAWFORD - [1594/647/2]

The house and property at 2 Hyacinth Close, Heathridge has been flooded on several occasions during the past few years. The property is located at the low point in the road at the end of a cul-de-sac and adjacent to a stormwater drainage sump.

Consultants engaged to investigate the situation determined that the existing stormwater drainage system was inadequate, the primary problem being the insufficient capacity of the drainage sump. After examination of the options available to resolve the problem it was recommended to Council to purchase the property at 2 Hyacinth Close and demolish the house to facilitate the enlargement of the sump.

The owners of 2 Hyacinth Close and the neighbouring properties were advised of the proposal in correspondence dated 3 September 1997. Whilst some objection to the proposal was expressed the proposal appears to be generally supported.

Valuations on the property were obtained by both the owners of 2 Hyacinth Close and the City, and a price at which the owners are prepared to sell has been negotiated.

Having gained support for the proposal it is recommended that the purchase of 2 Hyacinth Close, Heathridge and the enlargement of the sump proceed and the matter be resolved at the earliest opportunity.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 authorise the proposal to acquire the property at Lot 647 (2) Hyacinth Close, Heathridge for the purpose of enlarging the existing stormwater drainage sump and to undertake associated drainage and verge works;
- 2 authorise the purchase of the property at Lot 647 (2) Hyacinth Close, Heathridge from Mr G J & Mrs E N Crawford for drainage extension purposes at the price of \$147,500 from Account No 32685 - Land Acquisition for Regional Stormwater Drainage;
- 3 allow Mr and Mrs Crawford to remain in occupancy of the property at Lot 647 (2) Hyacinth Close, Heathridge, on a rent free monthly tenancy basis for a maximum period of six months following settlement of the purchase by the City;

- 4 authorise the signing and sealing of the Contract and Transfer documents; authorise, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$147,500 from Account No 34167 - Hyacinth Close Drainage to Account No 32685 - Land Acquisition for Regional Stormwater Drainage.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

FA230-12/97

**DISPOSAL OF LIGHT INDUSTRIAL LOTS - WANGARA
INDUSTRIAL ESTATE - [780-23]**

Following the public auction of sixteen light industrial lots in Wangara, held on 8 October 1997, private treaty offers have been received for Lot 3 Uppill Place at the price of \$185,000 and Lot 16 Uppill Place at the price of \$208,000.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners:

- 1 agree to dispose of the vacant land at Lot 3 Uppill Place, Wangara to Bevan Wayne Anderson and Marie Louise Anderson (as Trustees for the BMA Trust) at the price of \$185,000;
- 2 agree to dispose of the vacant land at Lot 16 Uphill Place, Wangara to Quain Pty Ltd (as Trustee for the McCaffrey Family Trust) and Piotr Pawel Kwiatkowski and Joanna Agata Kwiatkowski (as Trustee for the Gryfita Family Trust) at the price of \$208,000;
- 3 authorise the signing and sealing of the Contract and Transfer documents in respect to Lot 3 and Lot 16 Uppill Place, Wangara.

The Motion was Put and

CARRIED

COMMUNITY SERVICES SECTION

Items CS318-12/97 to CS331-12/97 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan. Cmr Clark-Murphy gave notice of her intention to speak on items CS324-12/97 and CS328-12/97.

CS318-12/97 KEEPING OF PIGEONS LOCAL LAW - [241-0]

This Report seeks to conclude the process that commenced in 1995 to replace Council's existing Local Laws regarding Pigeons (made under the Health Act 1911) with new Local Laws under the Local Government Act 1995.

The formalities will require the consent of the Executive Director Public Health to revoke the existing Local Law before the new Law may be adopted.

REPORT RECOMMENDATION: *THAT the Joint Commissioners*

- 1 BY A SPECIAL MAJORITY, declare their intention to recommend to the Executive Director, Public Health to revoke its Health Series 'A' Local Law 29B "Keeping of Pigeons";
- 2 BY A SPECIAL MAJORITY, adopt a new Local Law, under the Local Government Act 1995, "The Keeping of Pigeons" as described in Attachment 1 to Report CS248-08/97 with the addition of the attached copy of an Infringement Notice forming Schedule 5 of the Local Law;
- 3 authorise the affixation of the Common Seal to and endorses the signing of the document;
- 4 authorise administrative action in accordance with Section 3.12 (5) and (6) of the Local Government Act 1995.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 **declare their intention to recommend to the Executive Director, Public Health to revoke its Health Series 'A' Local Law 29B "Keeping of Pigeons";**
- 2 **adopt a new Local Law, under the Local Government Act 1995, "The Keeping of Pigeons" as described in Attachment 1 to Report CS248-08/97 with the exception of Item 2.5 of the Local Law which is amended by deleting "750 square metres" and replacing them with "600 square metres", with the addition of the attached copy of an Infringement Notice forming Schedule 5 of the Local Law;**
- 3 **authorise the affixation of the Common Seal to and endorses the signing of the document;**
- 4 **authorise administrative action in accordance with Section 3.12 (5) and (6) of the Local Government Act 1995;**

- 5 as the amendment to the recommendation is not a significant change, require no further advertising.

The Motion was Put and

CARRIED BY A
SPECIAL MAJORITY

Appendix X refers

CS319-12/97 CONTAMINATION OF STORMWATER DRAINS AT MEAT WORLD, 22 BARETTA ROAD, WANGARA AND PRESTIGE POULTRY, 61 DELLAMARTA ROAD, WANGARA - [30/965]

Council is advised of two incidents of food waste contamination of the stormwater drainage systems located at Meat World, 22 Baretta Road, Wangara and Prestige Poultry, 61 Dellamarta Road, Wangara on 28 August 1997. The stormwater drainage system of the Wangara Industrial Estate is particularly environmentally sensitive as it all flows to the 'Wangara Sump' which discharges into the Wallaburnup Swamp. To deposit food waste at other than an authorised disposal site is contrary to provisions of the Health Act 1911. It is recommended that the Council initiate legal action against Meat World Wanneroo Pty Ltd and Prestige Poultry Pty Ltd.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 authorise legal action against Meat World Wanneroo Pty Ltd for breach of Section 98 of the Health Act 1911 on 28 August 1997;
- 2 authorise legal action against Prestige Poultry Pty Ltd for breach of Section 98 of the Health Act 1911 on 28 August 1997.

The Motion was Put and

CARRIED

CS320-12/97 TENDER NO. 039-97/98 - PODIATRY SERVICE - [853-2]

Approval is being sought from Council to accept the tender from SJW Podiatry Pty Ltd to provide a podiatry service for a period of two years. Tenders were received from four agencies and or individuals. The agency put forward was selected on set criteria which included experience, quality control and cost.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners, in accordance with Section 6.16 of the Local Government Act 1995:

- 1 accept the tender by SJW Podiatry Pty Ltd to provide a podiatry service, Tender No. 039-97/98, for a period of two years at a cost of \$125 per clinic session;
- 2 authorise the Chairman and the Chief Executive Officer to execute the contract document under the seal of the City of Wanneroo;

- 3 approve the increase of standard and domiciliary podiatry fees from \$16.00 to \$17.00 per treatment effective from 1 January 1998;
- 4 approve the introduction of a fee of \$10.00 for clients who fail to provide at least 48 hours notice of cancellation of podiatry appointments.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

CS321-12/97

DONATION - WANNEROO ACCOMMODATION AND
SUPPORT SERVICES INC - [485-0]

The community organisation, Wanneroo Accommodation and Support Services Inc is requesting support from the City of Wanneroo in the form of promotional material to the value of \$1,000. It is being recommended that a cash donation of \$500.00 be provided.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 approve a donation of \$500.00 to the Wanneroo Accommodation and Support Services Inc for the purpose of developing promotional material.
Allocation 26531 - Sundry Donations;
- 2 approve the acknowledgement of the City of Wanneroo as a sponsor on material promoting the Wanneroo Accommodation and Support Services Inc.

The Motion was Put and

CARRIED

CS322-12/97

RELATIONSHIPS AUSTRALIA - LICENCE TO OCCUPY
PREMISES - [880-3]

A request has been received from Relationships Australia to occupy a portion of the Welfare Services Administration building at Kingsley. Given the unresolved future of the building, approval is sought for the City of Wanneroo to enter a licence agreement on a monthly basis at a cost of \$217.00 per month.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners enter into a licence agreement with Relationships Australia (Western Australia) Inc to occupy 27²m of vacant office space at the Kingsley Community Centre on a monthly basis at a rate of \$217.00 per month.

The Motion was Put and

CARRIED

CS323-12/97

APPOINTMENT OF HONORARY PARKING INSPECTORS -
HILLARYS BOAT HARBOUR - [910-1, 2648/39197/255]

A letter dated 17 November 1997 has been received from the Hillarys Boat Harbour requesting the cancellation of four Honorary Parking Inspector appointments, and the authorisation of a further five people to be Honorary Parking Inspectors for the Hillarys Boat Harbour, Sorrento.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners:

- 1 in accordance with Section 9.13 of the Local Government Act 1995 appoint Trevor Keith Watson, Johnny Montani, Andrew Edward Cooper, Brent Ewins, Chris Tsalamangos as Honorary Parking Inspectors for the Hillarys Boat Harbour, Sorrento;
- 2 in accordance with the provisions of the Justices Act 1902 authorise the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Hillarys Boat Harbour, Sorrento as detailed hereunder:
 - (a) Local Laws Relating to Parking Facilities;
 - (b) Local Government (Parking for Disabled Persons) Regulations 1988.
- 3 cancel the appointments of Gary John Bryan, Ronald Brett Frame, Paul Normal Laverock and Phillip Patrick Mulree.

The Motion was Put and

CARRIED

CS324-12/97

COMMITTEES AND WORKING PARTIES - COMMUNITY SERVICES DIRECTORATE - [702-0]

In view of the suspension of Councillors and appointment of Commissioners and the resulting suspension of Committees and Working Parties of Council it has been necessary to conduct a preliminary review of all Committees and Working Parties together with Council representation on external committees. This report recommends the continuation of certain Committees and Working Parties as they pertain to the operations of the Community Services Directorate, and addresses the matter of representations by Council on various external committees.

REPORT RECOMMENDATION: THAT the Joint Commissioners:

- 1 defer meetings of the following Committees and Working Parties formed by the Finance and Community Services Committee until March/April 1998:
 - Youth Advisory Committee;
 - Multicultural Advisory Committee;
 - Children's Services Advisory Committee
 - Art Collection Advisory Committee;
 - Cultural Development Advisory Committee;
 - Gloucester Lodge Museum Management Committee;
 - Historical Sites Advisory Committee;
 - Perry's Paddock Picnic Day Organising Working Party;
 - Urban Animal Management Working Party
 - Buckingham House Management Committee
 - Children's Book Week Committee
 - Emergency Management Plan Advisory Committee
 - Luisini Winery Feasibility and Management Study Working Party

Uniform Pricing Policy for Recreation Facilities Working Party

2 continue operating the following Committees and Working Parties without Council elected representatives, but where necessary with the inclusion of the following additional Council officers:

- (a) Bush Fires Advisory Committee;
Mr Jeremy Edwards, Team Leader-Ranger Services
Mr Michael O'Regan, Ranger
- (b) Community Security and Safety Advisory Committee;
Mr Jeremy Edwards, Team Leader-Ranger Services
Mr Michael O'Regan, Ranger
- (c) Family Day Care Advisory Committee;
Mr C. Hall Director Community Services (or nominee);
- (d) Lotteries House Steering Committee;
Mr C. Hall Director Community Services (or nominee);
- (e) Cultural Development Fund Peer Assessment Advisory Committee;
Mr C. Hall Director Community Services (or nominee);
- (f) Joondalup Festival Committee;
Manager Recreation and Cultural Services;
- (g) Skateboard Facility Working Party;
Manager Recreation and Cultural Services;
- (h) Wanneroo Eisteddfod Working Party
Manager Recreation and Cultural Services;

3 approves officers of the Community Services Directorate to represent Council on external committees on an as required basis.

The Director, Community Services advised that Item 2 (a) of the recommendation was incorrect and that the names of Mr Jeremy Edwards and Mr Michael O'Regan should be replaced with the name 'Mr C Hall, Director Community Services (or nominee).

The Director, Community Services also advised of a requirement under the Bush Fires Act that such Committees established by Council should include a member of Council and commented that he would be submitting a report addressing this matter which could lead to an addition to item 2 (a) of the recommendation.

Following discussion, it was suggested that a Commissioner be nominated to the Bush Fires Advisory Committee prior to the next Full Council meeting to be held on 23 December 1997.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners:

1 defer meetings of the following Committees and Working Parties formed by the Finance and Community Services Committee until March/April 1998:

Youth Advisory Committee;
Multicultural Advisory Committee;
Children's Services Advisory Committee
Art Collection Advisory Committee;
Cultural Development Advisory Committee;
Gloucester Lodge Museum Management Committee;
Historical Sites Advisory Committee;
Perry's Paddock Picnic Day Organising Working Party;
Urban Animal Management Working Party
Buckingham House Management Committee
Children's Book Week Committee
Emergency Management Plan Advisory Committee
Luisini Winery Feasibility and Management Study Working Party
Uniform Pricing Policy for Recreation Facilities Working Party

2 continue operating the following Committees and Working Parties without Council elected representatives, but where necessary with the inclusion of the following additional Council officers:

- (a) (i) **Bush Fires Advisory Committee;**
Mr C Hall Director Community Services (or nominee);
- (ii) **appoints a Commissioner to the Bush Fires Advisory Committee;**
- (b) **Community Security and Safety Advisory Committee;**
Mr Jeremy Edwards, Team Leader-Ranger Services
Mr Michael O'Regan, Ranger
- (c) **Family Day Care Advisory Committee;**
Mr C Hall Director Community Services (or nominee);
- (d) **Lotteries House Steering Committee;**
Mr C Hall Director Community Services (or nominee);
- (e) **Cultural Development Fund Peer Assessment Advisory Committee;**
Mr C Hall Director Community Services (or nominee);
- (f) **Joondalup Festival Committee;**
Manager Recreation and Cultural Services;
- (g) **Skateboard Facility Working Party;**
Manager Recreation and Cultural Services;
- (h) **Wanneroo Eisteddfod Working Party**

Manager Recreation and Cultural Services;

- 3** approves officers of the Community Services Directorate to represent Council on external committees on an as required basis.

The Motion was Put and

CARRIED

Cmr Clark-Murphy called for nominations for a Commissioner to the Bush Fires Advisory Committee.

MOVED Cmr Rowell, SECONDED Cmr Buckley that Cmr H Morgan be appointed to the Bush Fires Advisory Committee.

The Motion was Put and

CARRIED

CS325-12/97

REGIONAL COMMUNITY SUMMIT ON CRIME PREVENTION, SECURITY AND SAFETY - [905 - 4]

This report provides information on a major regional Community Summit on Crime Prevention, Community Security and Safety for the residents of the City of Wanneroo which will be held in early 1998. The Summit will be auspiced by the Joondalup District Committee of the Community Policing Crime Prevention Council of Western Australia Inc. with major support for the planning and implementation of the Summit being provided by the City of Wanneroo and Joondalup Regional Police.

It is recommended that financial assistance and in-kind support, administrative and other, be contributed by the City to ensure the success of this important regional Summit.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1** approve the use of Council Chambers and Committee Rooms and provide catering, security, administrative and secretarial services of the City to support the convening of a Community Summit on Crime Prevention, Community Security and Safety in early 1998;
- 2** in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 allocates up to \$2,000 to support the convening of the Community Summit, such funds to be from Ranger Services Security Services All Night Security Account 22384.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS326-12/97

DONATIONS - [009-1]

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

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners donate \$50, totalling \$450, to each of the following persons to assist with costs of representing Western Australia in their chosen sports:

Michelle Andrew	5 Godfrey Place, Kingsley WA 6026
Gerri Cole	6 Parri Road, Wanneroo WA 6065
Tanya Ambuehl	32 Jacaranda Drive, Wanneroo WA 6065
Katrine Grocke	24 Rousset Road, Jandabup WA 6065
Sam Bavin	6 Leo Place, Mullaloo WA 6027
Cherie Piercey	39 Renshaw Boulevard, Clarkson WA 6030
Marisa Farrell	8 Tallow Ramble, Edgewater WA 6027
Wesley Robinson	9 Fontley Road, Kingsley WA 6026
Rehan De Silva	52 Cadoux Loop, Wanneroo WA 6065

The Motion was Put and

CARRIED

CS327-12/97 **REVIEW - HERITAGE SERVICES - [050-0]**

Tenders for the Review of Management of Heritage Services closed 19 November 1997, with one expression of interest received. The fee for the review was substantially higher than that anticipated. It is therefore recommended that the tender not be accepted.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners not proceed to call for tenders as a result of the Expressions of Interest received and advises the Training and Development Group Pty Ltd.

The Motion was Put and

CARRIED

CS328-12/97 **PURCHASE OF ART WORKS - [429-1-13]**

The Art Collection Advisory Committee previously recommended artworks for purchase by Council to Finance and Community Services on the recommendation of the City of Wanneroo Art Consultant, Ms Rie Heymans.

This Committee comprised Councillors and staff and is presently not meeting. Ms Heymans has subsequently submitted four works as being worthy of inclusion in the City of Wanneroo Art Collection, recommending purchase of the artworks at a total cost of \$1,900.

Cmr Clark-Murphy advised that the figure of "\$1,900" was incorrect and should be "\$2,000".

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners purchase the following works for the City of Wanneroo Art Collection:

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
Concetta Petrillo	From Whence Came	We Oil on Canvas	Artplace	\$900
Gina Moore	Beach Scene I	Oil on Canvas	Fremantle Centre	Arts \$400
Gillian Warden	Graft	Oil on Canvas	Fremantle Centre	Arts \$400
Susan Flavell	Sea	Oil on Canvas	Fremantle Centre	Arts \$300
Total				\$2,000

at a total cost of \$2,000 from Account Number 29471235 - Art Purchases.

The Motion was Put and

CARRIED

CS329-12/97 GALLERY ART SCHOOL - 1998 SCHOLARSHIP
RECIPIENTS - [429-1-12]

The Cultural Development Fund Peer Assessment Panel has selected four student artists considered worthy of a scholarship to attend the 1998 Gallery Art School.

It is recommended that the Joint Commissioners endorse the recommendation of the Peer Assessment Panel and award a \$100 scholarship to Scott Young, Julian Suito, Victoria Claire Kirkham and Emily Lara Kelly.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that:

1 the Joint Commissioners award Scholarships to the 1998 Gallery Art School to:

Scott Young	- North Woodvale Primary School
Julian Suito	- St Luke's Catholic Primary School
Victoria Claire Kirkham	- Sacred Heart College
Emily Lara Kelly	- St Luke's Catholic Primary School

2 the Joint Commissioners present Highly Commended Certificates to:

Tegan Coddington	- West Greenwood Primary School
Annalisa Powell	- Poseidon Primary School
Keely Anne Morrow	- North Woodvale Primary School
Keely Ayse Markovina	- Greenwood Primary School.

3 costs associated in (1) above be charged to Account No 32151 - Cultural Sponsorship Scheme - Donations.

The Motion was Put and

CARRIED

CS330-12/97 FORMER WANNEROO SCHOOL ANNEXE - [0294/23161/18]

The Department of Conservation and Land Management has offered the City of Wanneroo the former Wanneroo School Annex currently housed at its depot, Dundobar Road Wanneroo.

The building has been inspected and found to be in poor condition due to white ant damage. It has also been ascertained that the building does not hold significant cultural significance to the area.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners not seek ownership of the former Wanneroo School Annex located Dundobar Road, Wanneroo from the Department of Conservation and Land Management.

The Motion was Put and

CARRIED

CS331-12/97 AUTHORISATION OF OFFICERS - [404-0, 905-1]

Two temporary Rangers have been employed to backfill Ranger staff in the Ranger Services Business Unit due to the assignment of staff for special projects and the onset of community security and safety patrols. These officers need to be authorised by Council to make complaints and act under and enforce the various Acts, Regulations and Local Laws policed by Ranger Services within the City of Wanneroo.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners, in accordance with the Justices Act 1902, authorises Wesley Alwyn Miller and Sean Dudley Ratcliffe to make complaints and act under and enforce the various Acts, Regulations and Local Laws for the Municipality of the City of Wanneroo as detailed hereunder:

Local Government Act 1960;

Dog Act 1976, Regulations and Local Laws thereunder;

Control of Vehicles (Off Road Areas) Act 1978 and Regulations thereunder;

Bush Fires Act 1954, Regulations and Local Laws thereunder;

Litter Act 1979 and Regulations thereunder;

Spearguns Control Act 1955 and Regulations thereunder;

Local Laws Relating to the Parking of Vehicles on Street Verges;

Local Laws Relating to Parking Facilities;

Local Government (Parking for Disabled Persons) Regulations 1988;

Local Laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing;

Local Laws Relating to Removal and Disposal of Obstructing Animals or Vehicles;

Local Laws Relating to Disused Motor Vehicles and Machinery;

Local Laws Relating to the Control and Management of Halls, Community Recreation Centres, Multi-Purpose Centres, Equipment and Property;

Local Laws Relating to Reserves and Foreshores;

Local Laws Relating to Street Lawns and Gardens.

The Motion was Put and

CARRIED

TECHNICAL SERVICES COMMITTEE

Items TS313-12/97 to TS322-12/97 inclusive were Moved by Cmr Morgan and Seconded by Cmr Clark-Murphy.

REPORT NO:

TS313-12/97 **TENDER NO 068-97/98 - ROAD CRACK SEALING WORKS - [068-97/98]**

Funds have been approved in the Budget for the supply and application of sealant to road pavement cracks as part of the annual road preservation programme.

Tender Number 068-97/98 for Road Crack Sealing Works was advertised on 12 November 1997 and closed on 27 November 1997. The tender submissions have been evaluated and it is recommended that the tender of Pioneer Road Surfaces Pty Limited be accepted.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 **accept the tender of Pioneer Road Surfaces Pty Limited Pty Limited for Tender Number 068-97/98 - Road Crack Sealing Works with a lump sum price of \$82,740 including \$5000 as contingencies to be expended as authorised in writing by the Manager, Engineering Construction & Maintenance Services;**
- 2 **authorise, in accordance with the provisions of section 6.8 (1) of the Local Government Act 1995 the reallocation of \$27,320 from Account Number 32636 - Annual Road Resurfacing Programme for the Road Crack Sealing Programme;**
- 3 **agree to the signing of the contract documents.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS314-12/97 **TRAFFIC MANAGEMENT - WEST COAST DRIVE, - [510-2648]**

Concern has been expressed regarding the traffic behaviour on the short stretch of dual carriageway in West Coast Drive, between the Plaza and south of St Heliers Drive Sorrento. In accordance with the overall traffic calming strategy previously adopted for West Coast Drive from Karrinyup Road to Hepburn Avenue, it is recommended to reduce this section of road to single traffic lanes in each direction. This further traffic treatment of West Coast Drive can be listed for funding consideration in the 1998/99 draft Budget.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 adopt the Traffic Management Scheme for West Coast Drive, Sorrento as shown on Attachment 4 to Report No TS314-12/97;
- 2 list as a priority in the 1998/99 draft Budget the Traffic Management Scheme for West Coast Drive between The Plaza and Hepburn Avenue.

The Motion was Put and

CARRIED

Appendix XI refers

TS315-12/97 MOOLANDA BOULEVARD, KINGSLEY - TRAFFIC MANAGEMENT SCHEME - (510-1156)

Moolanda Boulevard functions as a local distributor road between Whitfords Avenue and Hepburn Avenue, Kingsley. It was constructed as a 10 metre wide pavement. As for other similar local distributor roads in Kingsley, a traffic management scheme has been proposed to control motorists' behaviour. Following ongoing consultation with the local street residents, a recent questionnaire with four options for a Traffic Management Scheme in Moolanda Boulevard has been circulated. From the results of this survey it is recommended that an initial traffic scheme, being the installation of pedestrian refuge islands and painted median, be implemented for Moolanda Boulevard.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 adopt a Traffic Management Scheme for Moolanda Boulevard, Kingsley comprising of pedestrian refuge islands and painted median;
- 2 inform all interested parties accordingly.

The Motion was Put and

CARRIED

TS316-12/97 CHESSELL DRIVE, DUNCRAIG - REQUEST FOR TRAFFIC CALMING MEASURES - (510-1467)

In September a petition was received from residents of Chessell Drive, Duncraig requesting Council to reconsider its latest decision in March 1997 not to support traffic calming measures for this dual carriageway road. A suggestion has also been made that a temporary closure of two lanes of traffic be undertaken for a six week trial period. The proposed traffic treatment of Chessell Drive has been an ongoing contentious issue and Council had previously considered a number of reports on the future status of this road.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the joint Commissioners reiterate Council's previous decision to:

- 1 not approve the request for parking embayments in Chessell Drive;
- 2 advise the petitioners accordingly.

The Motion was Put and

CARRIED

TS317-12/97

**DRAINAGE SUMP AND LAND MODIFICATIONS TO LOT
236 KAIBER AVENUE, YANCHEP - [510-0447]**

Following road flooding in recent years, investigations were carried out at the sump located on Lot 236 Kaiber Avenue, Yanchep. Analysis of the existing sump revealed that its capacity was inadequate for the stormwater storage required to meet Council's current criteria. The investigations were also used to formulate a sump enlargement design with sufficient volume to reduce the current road flooding problem. Also a survey shows there is a slight encroachment of structures on the sump site from the adjacent property and options have been proposed to resolve this issue.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1** resolve that the ownership of 59m2 of Lot 236, Kaiber Avenue, Yanchep is of no significant benefit to anyone other than the owner of Lot 237 Kaiber Avenue, Yanchep;
- 2** approve the sale of 59m2 of Lot 236, Kaiber Avenue, Yanchep to the owner of Lot 237 Kaiber Avenue, Yanchep as shown on Attachment 2 to Report No TS317-12/97 subject to Section 3.58 of the Local Government Act as applicable.

The Motion was Put and

CARRIED

Appendix XII refers

TS318-12/97

**SWEEPING CONTRACTS - CHANGE OF OWNERSHIP - [208-
14-96/97, 208-15/96/97, 208-53-96/97]**

Cruiser Road Sweepers is contracted until 30 June 1998 to undertake sweeping of car parks, Kingsway netball courts and Joondalup City Centre streets. Hills Sweeping and Educting Services, the contractor for the sweeping of urban streets, has purchased Cruiser Road Sweepers and seeks to service its sweeping contracts under the same prices, terms and conditions. This proposal is supported.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1** require Hutch Holdings Pty Limited and Mr Geoffrey Mervin Butcher, the registered proprietor to Hills Sweeping and Educting Services, to enter into a formal Deed of Assignment of:

Contract Number 14-96/97 - Sweeping of Kingsway Netball Courts

Contract Number 15-96/97 - Sweeping of Joondalup City Centre

Contract Number 53-96/97 - Sweeping of Car Parks;

- 2** authorise the preparation of the Deed of Assignment by the City at cost to Mr Butcher.

The Motion was Put and

CARRIED

TS319-12/97

**NEW POLICY - KERBING AROUND CORNER
RESIDENTIAL PROPERTIES - [200-0 740-0]**

Council at its meeting on 13 September 1993 (Item H10909 refers), resolved to delegate authority to the Director Technical Services to install barrier type kerbing around corner properties, to protect reticulated lawn verges where there is a long term traffic problem. The installation of barrier kerbing around residential properties is subject to a joint contribution from the property owner adjoining the works. Approval is required to create this item as a policy and to make changes to Council's subdivision standard drawings to reflect the policy throughout new subdivisions.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 adopt the policy in relation to the installation of semi-mountable type kerbing around residential properties as attached to Report No. TS319-12/97;**
- 2 authorise the Director Technical Services to effect changes to subdivision specifications to ensure that semi mountable kerbing is installed around the truncation of corner properties at an intersection or junction.**

The Motion was Put and

CARRIED

Appendix XIII refers

TS320-12/97

REMOVAL OF GRAFFITI - [210-7]

A working Group comprising senior officers from the Technical Services Directorate has been established to investigate various strategies for graffiti removal from private fences within the municipality. The Working Group will submit a detailed and comprehensive report to the January Meeting.

It is recommended that the interim report dealing with the removal of graffiti be noted for information.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 receive the interim report dealing with the removal of graffiti from private fences abutting roads, pedestrian accessways and recreation reserves;**
- 2 request the Director of Technical Services to submit a detailed report dealing with the removal of graffiti to the January 1998 meeting of Council.**

The Motion was Put and

CARRIED

TS321-12/97

**BUS SHELTER GRAFFITI REMOVAL- REALLOCATION OF
MUNICIPAL FUNDS. - [210-7]**

The removal of graffiti from concrete bus shelters is undertaken by Ausmic Environmental Industries (WA) in accordance with graffiti control Tender Number 011-97/98 (Item TS140-05/97 refers). The amount allocated for the removal of the graffiti throughout 1997/98 fiscal year under account 27824 is \$32,000 of which \$29,242 has been expended to this date.

An absolute majority resolution is required to reallocate \$40,000 from Budget Item "All Night Security - Account Number 22384" to Budget Item "Bus Shelter Graffiti Maintenance - Account Number 27824" to ensure that the graffiti is removed from the bus shelters.

At the Technical Services Committee meeting the Chairman made mention of the suggestion made earlier in the meeting during Public Question Time that Commissioners also note the need for graffiti removal on adjacent Council property. Director, Technical Services reported that funds are available for the removal of graffiti on other areas.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners authorise, in accordance with Section 6.8 (1) of the Local Government Act 1995 the reallocation of \$40,000 from Budget Item "All Night Security - Account Number 22384" to Budget Item "Bus Shelter Graffiti Maintenance - Account Number 27824".

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS322-12/97

COASTAL LIMESTONE HAZARDS - [765-1]

Geological Consultants has undertaken an extensive survey and assessment of the coastal limestone formations along the municipality's 48 kilometres of coastline. This Study was commissioned with Coastcare/Coastwest funding to ensure that foreshore management is carried out in accordance with the best geotechnical opinion available to minimise the risk of cliff face collapse in areas accessible by the public. While the final report commends the City's action to date, which consists of fencing off many areas and extensive warning sign installations, further action to address 122 identified hazards has been recommended.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 accept the recommendations of the Coastal Limestone Hazard Report submitted by Gordon Geological Consultants;**
- 2 endorse the action to progress the erection of 87 warning signs to improve public awareness of the 33 sites that represent an immediate hazard to public safety at an estimated cost of \$15,000, with the works funded from Account Numbers 27659 - Coastal Limestone Formations - Fencing and signage and 27641 - Limestone Cliff Face Protection Works;**
- 3 endorse the commissioning of City of Stirling and Gordon Geological Consultants (subject to WA Planning Commission approval) to carry out modifications to the eroding limestone structures at Watermans Beach, at an estimated cost of \$7,000, with the works funded from Account Number 27641 - Limestone Cliff Face Protection Works;**

- 4** **endorse the action to commission Gordon Geological Consultants, at an estimated cost of \$2,900, to prepare:**
- (a) contract specifications for remedial works to the eroding limestone structures along the remainder of the coastline;**

- (b) **submission to the Ministry of Planning for Coastcare/Coastwest Grant funding for these works. The cost of the fees is to be funded from Account Numbers 46343 and 46243 - Professional Retainer/Consultancy Fees.**

The Motion was Put and

CARRIED

TS323-12/97

WASTE MINIMISATION STRATEGY AND CHANGES TO RECYCLING PROGRAMME - [508-4]

This report recommends the adoption of a Waste Minimisation Strategy for the City. This includes the composting of greens at the Badgerup Greens Recycling Facility and the introduction of a voluntary fortnightly split cart recycling collection to replace the current bag system. This is to be operational by 1 July 1998.

RECOMMENDATION that the Joint Commissioners:

- 1 adopt the Waste Minimisation Strategy as detailed in Attachment 1 to this Report and incorporates it into the 1998/99 Corporate Plan for the City of Wanneroo;
- 2 in accordance with the provisions of Section 6.16 (3) of the Local Government Act 1995 adopt, the charge of \$60 per tonne and \$20 per cubic metre for the sale of compost and \$10 per cubic metre for the sale of shredded material commencing 6 December 1997;
- 3 authorise, in accordance with section 6.8(1) of the Local Government Act 1995, the employment of a full time Technical Officer on a two year contract in Environmental Waste Services with the cost of \$21,000 for the balance of 1997/98 to be funded from the Refuse Disposal Reserve Account;
- 4 change the recycling collection programme to a voluntary fortnightly system using a 240 litre cart with two compartments, one for paper products and the second for other dry products including plastics, to be operational by 1 July 1998;
- 5 in accordance with the provisions of Section 6.16 (3) of the Local Government Act 1995 adopt, the charge of \$40 per annum per recycling cart for recycling collection programme, commencing 1 July 1998;
- 6 the recycling service to be considered as a "once only" contract with residential property owners for an ongoing recycling service with the annual charge set by Council. A pro-rata fee to be available for contracts initiated during the year. The annual charge to be incorporated in the annual notice of valuation and rate. Cancellation of the service only accepted in writing before 30 June each year for the subsequent financial year;
- 7 authorise, in accordance with section 6.8(1) of the Local Government Act 1995, the purchase of 5 cart recycling trucks and the trade of 7 bag recycling trucks with the estimated cost of \$1.1m to be funded from the Refuse Disposal Reserve Account;

- 8 authorise, in accordance with section 6.8(1) of the Local Government Act 1995, the purchase of 240 litre carts for recycling at an estimated cost of \$2.2m to be funded from the Refuse Disposal Reserve Account;
- 9 authorise, in accordance with section 6.8(1) of the Local Government Act 1995, a feasibility study to determine the type and location for a suitable recycling sorting plant capable of handling the expected recycling materials in the existing municipality for the next 10 years with the estimated cost of \$20,000 to be funded from Refuse Disposal Reserve Account;
- 10 list as a high priority in the 1998/99 Budget a recycling sorting plant with an order of cost estimate of \$3.5m.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the matter relating to the Waste Minimisation Strategy and changes to recycling programme be deferred to the January 1998 meeting of the Technical Services Committee pending further consideration by the Joint Commissioners.

Cmr Morgan spoke in support of the motion to defer.

The Motion to defer was Put and

CARRIED

Appendix XIV refers

Items TS324-12/97 to TS331-12/97 inclusive were Moved by Cmr Morgan and Seconded by Cmr Rowell. Cmr Morgan gave notice of his intention to speak on Items TS326-12/97 and TS329-12/97.

TS324-12/97 TECHNICAL SERVICES CURRENT WORKS - [220-0]

The Current Works report is valid for works during the period ending November 1997.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the information in relation to Technical Services Current Works for the period ending November 1997 be noted.

The Motion was Put and

CARRIED

TS325-12/97 COMMITTEE REPRESENTATION - [250-0]

The following committees were formed by the Technical Services Committee to address specific issues:-

Botanical Park Assessment Group - Representation by staff only

Green Plan Working Party - Councillor S Magyar

Hepburn Heights Working Party - Councillor S Magyar

Verge and Median Landscape Working Party - Councillor B Cooper, Councillor A Taylor, Councillor P Healy and Councillor M Lynn.

Koondoola Regional Bushland Working Group - Councillor A Wight (as delegate), Councillor A Taylor (as delegate), Councillor J Hollywood (as delegate), Councillor T Popham (as deputy) and Councillor D Tippett (as deputy).

Iluka Public Open Space Development Project Team - Councillor A Wight (as Chairman of Beaumaris Sports Club).

The above committees are operational in nature and will be required to meet during March/April 1998 in preparation for Budget submissions.

It is therefore recommended that the bi-monthly meetings be deferred pending determination of the Joint Commissioners.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners defer the bi-monthly meetings of the following committees formed by Technical Services until March/April 1998:

- **Botanical Park Assessment Group**
- **Green Plan Working Party**
- **Hepburn Heights Working Party**
- **Verge and Median Landscape Working Party**
- **Koondoola Regional Bushland Working Group**
- **Iluka Public Open Space Development Project Team**

The Motion was Put and

CARRIED

TS326-12/97

RENDELL PARK KOONDOOLA - [061-311]

A petition and associated letters have been received from residents near Rendell Park in Koondoola expressing concerns regarding the proposal to install play equipment and a limestone cycle track.

Rendell Park is a 1.5ha dry park abutting the south-west corner of Koondoola Regional Bushland.

Council allocated funds in the 1997/98 financial year for provision of play equipment. The construction of the limestone cycle track was recommended by the Advisory Committee to minimise damage to the conservation area.

Parks Landscaping Services has received various items of correspondence and telephone calls regarding this issue.

The petition and information submitted is contrary to the usual responses received when facilities are proposed for a dry park.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1 conduct a written survey of residents abutting Rendell Park;**
- 2 provide to the residents surveyed, information regarding results and proposed action on completion of the survey.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

TS327-12/97 CHEMICAL FREE WEED CONTROL - [250-0]

Council has requested a report on the use of high pressure steam for the control of weeds, where possible. Various trials have been undertaken to assess this control measure, with mixed results.

The system is designed to operate in an urban environment and control growth at, or around, kerbs, footpaths and brick paving.

Advertising for expressions of interest for a performance based contract to undertake annual weed control by use of high pressure steam in selected locations is recommended.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners authorise:

- 1 the preparation of a list of suitable locations for the use of high pressure steam control of weeds;**
- 2 the advertising for expressions of interest for a performance based price to undertake annual weed control within specified locations;**
- 3 the submission of a further report to the March 1998 meeting of Technical Services Committee.**

The Motion was Put and

CARRIED

TS328-12/97 MONTHLY REPORT NOVEMBER 1997 PARKS LANDSCAPING SERVICES - [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 November 1997 by Parks Landscaping Services.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the information submitted relating to Monthly Report ending October 1997 - Parks Landscaping Services, be noted.

The Motion was Put and

CARRIED

TS329-12/97

ADVERTISING SIGNS IN ROAD RESERVE - BUS SHELTERS
- [503-3]

An opportunity exists to invite tenders/registrations of interest for the supply, installation and maintenance of bus shelters at no cost to Council subject to advertising being permitted on the shelter.

This concept has merit as it would not only save and generate money for Council but would provide an aesthetically pleasing facility for bus patrons whilst protecting them from the elements.

It is envisaged that the bus shelters to be provided would be manufactured from toughened glass in an attractive design with an illuminated end advertising panel, similar to those erected for the Town of Vincent.

The glass panels would assist in preventing anti-social behaviour behind the shelter and the illumination during the evening would benefit patrons and provide some form of comfort and security.

In order to progress this matter it will be necessary to amend the policy to enable advertising to be placed on bus shelters.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1 **rescind policy "I1-03 (g) Advertising Signs in Road Reserve" which states that "It is Council Policy to prohibit bus seat and bus shelter advertising in the road reserve";**
- 2 **adopt the following amended point (g) to Policy I1-03:**

ADVERTISING ON BUS SEATS AND BUS SHELTERS

"Advertising on bus seats and bus shelters is permitted subject to Council's approval";

- 3 **authorise the invitation of tenders/registrations of interest for the supply, installation and maintenance of bus shelters within the district at no cost to Council which may contain advertising.**

Cmr Morgan spoke in support of the motion.

The Motion was Put and

CARRIED

TS330-12/97

WARWICK OPEN SPACE SPORTS CLUB - PROPOSED FACILITY ADDITIONS - [439 - 02, 745 -3.]

Agreement has been reached with the Warwick Recreation Association (comprising Greenwood Tennis Club, Perth Outlaws Softball Club and Warwick Bowling Club) as to the extent and nature of the proposed additions to the existing facility at the Warwick Open Space. Approval is now sought to proceed with documentation and calling of tenders for the new additions.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1 agree to proceed with the documentation for the in principle proposed new facility additions to the Warwick Open Space Sports Club;
- 2 agree to advertising the work for tender submissions;
- 3 agree to provide to the Warwick Recreation Association free of charge kitchen and bar fixtures surplus to requirements form the refurbishment work at the Joondalup Administration Centre, Boas Avenue Joondalup.

The Motion was Put and

CARRIED

TS331-12/97

SHADE STRUCTURE - MARMION/WARWICK PLAYGROUP - [894-12]

The secretary of the Marmion/Warwick Playgroup Inc has written to Council requesting permission to erect a "Shadeport" shade structure over the sandpit at the playgroup room at the Sorrento/Duncraig Recreation Centre and seeking a contribution from Council towards the total cost of the installation.

This report discusses the proposed installation and recommends that Council contribute to the cost of the installation subject to certain conditions.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners:

- 1 grant permission to the Marmion/Warwick Playgroup Inc. to construct a "Shadeport" nominally 5m x 10m in the location shown on Attachment A to this report subject to the Marmion/Warwick Playgroup Inc. agreeing in writing prior to the installation of the Shadeport :
 - (a) to implement and enforce a policy that requires all children under the care of the Marmion/Warwick Playgroup Inc. using the sandpit to wear hats that protect both face and neck and protective opaque clothing, and have all exposed skin covered with SPF15+ sunscreen applied at a time prior to the use of the sandpit recommended by the sunscreen manufacturer for the period between the spring equinox and the autumn equinox;
 - (b) to prevent all children under the care of the Marmion/Warwick Playgroup Inc. from using the sandpit until the sand pit is fully shaded;

- (c) to limit use of the sandpit so that no child under the care of the Marmion/Warwick Playgroup Inc. is exposed to more than one hour's sunlight during any play period throughout the year;
- (d) to be responsible for and accept all cost relating to the maintenance of the covering fabric so long as the shade structure exists;

2 reimburse the Marmion/Warwick Playgroup Inc. the sum of \$1,562.00 from account number 21884 on presentation of invoices for the full installation of the Shadeport.

The Motion was Put and

CARRIED

Appendix XV refers

DEVELOPMENT & PLANNING SERVICES SECTION
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Items DP287-12/97 to DP327-12/97 inclusive were Moved by Cmr Rowell and Seconded by Cmr Clark-Murphy. Cmr Rowell gave notice of his intention to speak on Items DP287-12/97; DP289-12/97; DP292-12/97; DP294-12/97; DP297-12/97; DP301-12/97; DP314-12/97; DP324-12/97 and DP325-12/97;

DP287-12/97 **PROPOSED CHANGES TO DRAFT AMENDMENT NO 761 TO TOWN PLANNING SCHEME NO 1 - COMMERCIAL VEHICLE PARKING AND TRANSPORT DEPOTS - (790-761)**

Council at its meeting on 25 September 1996 (TP217-09/96) resolved to defer consideration of proposed Amendment No 761 to Town Planning Scheme No 1.

It was intended to await comments from the Transport Action Group (Transag) on the proposed amendment. Correspondence has now been received from Transag and Land Planning Consultants acting on their behalf.

The changes proposed by Transag and Land Planning Consultants are considered to unreasonably restrict Council's control over the parking of commercial vehicles to an extent that residential amenity would be compromised. Existing problems involving commercial vehicle parking will not be able to be satisfactorily resolved and Transag's recommendations are likely to compound the situation.

It is considered that the provisions concerning commercial vehicle parking proposed by the City in Amendment No 761 with some minor modifications are appropriate and would be supported by the community. The matter of transport depots and commercial vehicle parking in the Rural Zone appears to be the most contentious. Therefore, it is recommended that transport depots remain an "AA" use in rural areas.

REPORT RECOMMENDATION: THAT the Joint Commissioners:

- 1 note the submission received from Transag and Land Planning Consultants and advise Transag and Land Planning Consultants that it does not consider the proposed changes will help resolve the current parking problems associated with commercial vehicle parking within the City of Wanneroo;
- 2 in pursuance of Section 7 of the Town Planning and Development Act 1928 amend Town Planning Scheme No 1 to introduce provisions to control commercial vehicle parking and transport depots and adopt Amendment No 761 accordingly;
- 3 subject to the finalisation and gazettal of Amendment No 761, rescind Council Policy G3-13 - *Commercial Vehicles Parking at Residential Premises*.

At the Development and Planning Services Committee meeting, Commissioner Rowell requested further clarification and definition in respect of the whole area of commercial vehicle parking and transport depots prior to the final initiation of Amendment 761.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that consideration of proposed changes to draft Amendment No 761 to Town Planning Scheme No 1 - Commercial Vehicle Parking and Transport Depots be deferred to allow for further clarification and immediate action on this matter.

Cmr Rowell spoke in support of this motion.

The Motion was Put and

CARRIED

DP288-12/97

UNAUTHORISED ACCESSWAY AND UNAUTHORISED CROSSOVER FROM PEDESTRIAN ACCESSWAY : LOT 793 (46) MEADOWBANK GARDENS, HILLARYS - [2796/793/46]

Lot 793 (46) Meadowbank Gardens, Hillarys has an existing side vehicular access from a narrow road. The property does not enjoy a legal frontage to the side road and the access crosses a pedestrian accessway 0.1 metres wide. The City has requested that the access be removed. The property owners have requested the City's approval for the access to remain and the adjoining property owners have objected to the owners' request.

REPORT RECOMMENDATION: THAT the Joint Commissioners:

- 1 advise the owners of Lot 793 (46) Meadowbank Gardens, Hillarys that the construction of an unauthorised crossover accessing the pedestrian accessway on the north-western side of their property is in breach of the Local Government Regulations 1996 and that they are subject to legal action;
- 2 advise the owners of Lot 793 (46) Meadowbank Gardens, Hillarys that the unauthorised crossover accessing the pedestrian accessway is to be removed within 28 days' notification by the City and on a permanent basis;
- 3 advise the owners of Lot 793 (46) Meadowbank Gardens, Hillarys that access to the pedestrian accessway is to be permanently sealed within 28 days' notification;
- 4 advise the owners of Lot 793 (46) Meadowbank Gardens, Hillarys that any consideration to access the pedestrian accessway by Council would be for a single pedestrian gate only;
- 5 authorise the Chief Executive Officer to initiate legal action against the owners of Lot 793 (46) Meadowbank Gardens, Hillarys in the direction contained in 2 and 3 above.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that consideration of the unauthorised accessway and unauthorised crossover from pedestrian accessway Lot 793 (46) Meadowbank Gardens, Hillarys be deferred in order to seek further community agreement on this issue.

The Motion was Put and

CARRIED

DP289-12/97

**MINISTERIAL ADVICE ON INFRASTRUCTURE
CONTRIBUTIONS FOR CELL 5, LANDSDALE, EAST
WANNEROO, CITY OF WANNEROO - [780-21]**

The Hon. Minister for Planning, Mr Kierath has further clarified his position in relation to the East Wanneroo developer contribution appeal determination for the North Whitfords Estates, Stage 5 subdivision and its implications for Cell 5 Landsdale and East Wanneroo as a whole.

Following its meeting in May 1997 (DP94-05/97) Council wrote to the current Minister to restate its belief that it has been unfairly dealt with on this matter by the former Minister for Planning and to place a proposal before the current Minister to enable developer infrastructure contributions to be progressed on a sound and logical rationale.

Specifically, Council requested that the current Minister reconsider his stated position (conveyed in his correspondence of April 1997) that the former Minister's appeal decision to apply a developer infrastructure cost for the provision of arterial roads of \$2750 per lot for the Stage 5 subdivision area should form the basis of costings for the remainder of Cell 5.

Further, Council proposed a developer infrastructure contribution which it believes is based on logical and sound business practice, is consistent with WAPC policy and which would result in per lot developer infrastructure contributions which would not be significantly greater than the \$2750 per lot determined by the former Minister for Stage 5.

The current Minister for Planning has now advised the City that he is unprepared to commit himself on the suitability or otherwise of the proposal suggested in the letter as it would compromise the Minister's position as the final arbiter in matters related to Town Planning Scheme Amendments.

However, in an encouraging change from his previous advice on the matter, the current Minister does note that while the former Minister's appeal decision must hold legally to the area subject of the Stage 5 appeal, a simple reading of the former Minister's letter upholding the appeal should not be construed to be anything other than a matter of guidance to the City and the WAPC when dealing with other matters. Further, that Minister states that "whatever may have been in the mind of the former Minister with regard to more widespread application of the principles used in his decision does not prevent the City from seeking approval to a Town Planning Scheme Amendment to identify the pro-rata contribution levels for lots in areas other than those covered by his decision".

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 note the Minister for Planning's correspondence received on 29 October 1997;**
- 2 write to the Western Australian Planning Commission conveying the advice received from the Hon. Minister for Planning to the Commission to assist its consideration for approval to advertise Town Planning Scheme Amendment No 816.**

Cmr Rowell spoke in support of this motion.

The Motion was Put and

CARRIED

DP290-12/97

**APPLICATION FOR SPECIAL RURAL ZONING : LOT 50
AND LOC 3288 BAILEY ROAD, CARABOODA; FUTURE USE
OF RESERVE 24637 - [790-793]**

Development Planning Strategies, on behalf of the owner of Lot 50 and Location 3288 Bailey Road, Carabooda, Linpark Holdings Pty Ltd, has applied to Council seeking amendment of City of Wanneroo Town Planning Scheme No. 1 to rezone this land from Rural to Special Rural. The proposal would facilitate the subsequent subdivision of the 94.6 hectare landholding into 24 lots of predominantly 4 hectare minimum area. It is recommended that the proposal be generally supported, but that a number of detailed matters be attended to prior to Council giving consideration to formal initiation of the proposed Scheme amendment.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 advise consultants Development Planning Strategies, on behalf of its client, Linpark Holdings Pty Ltd, that they are generally favourably disposed toward the proposed rezoning of Lot 50 and Loc 3288 Bailey Road, Carabooda for Special Rural purposes, subject to the following matters being satisfied:
 - (a) the area of lots of approximately 2 ha size being redesigned to show lots of minimum 4 ha size;
 - (b) the proposed temporary road shown connecting the southern cul-de-sac with the main north-south road being deleted in favour of a staggered-T arrangement on Alkimos Drive;
 - (c) the extent of public open space being reviewed following a heritage survey to be undertaken of the lime kilns area and an investigation by Council and Department of Environmental Protection officers regarding the adequacy of public open space proposed for the subject land;
 - (d) review of the proposed Special Provisions in the light of the comments made upon them in Report DP290-12/97;

- 2 further advise the applicant that as a prerequisite to considering formal initiation of the proposed Scheme amendment, they will require that a Deed be entered into between the landowner and the City pursuant to Clause 8.9 of City of Wanneroo Town Planning Scheme No. 1, securing the owner's agreement to:
 - (a) ceding free of cost of the land required for Alkimos Drive and drainage sites required for that road and Bailey Road;
 - (b) construction of the portion of Alkimos Drive between Bailey Road and the main north-south internal road;
 - (c) upgrading of Bailey Road to the City's requirements;

- (d) ceding free of cost (for vesting in the Crown) of land required for public open space, such land to be determined following the outcome of a heritage survey of the kilns and associated ruins, and the investigation to be undertaken by Council and Department of Environmental Protection officers referred to Report DP290-12/97;
- (e) permitting a heritage consultant to access the property to undertake the heritage survey referred to in d) above;
- (f) commissioning by the owner of an archaeological and ethnographic Aboriginal Sites survey (as recommended by McDonald Hales & Associates).

3 subject to the owner permitting access to the land concerned, delegate authority to the Director Strategic Planning to appoint a suitably qualified heritage consultant to undertake a heritage survey of the lime kilns and associated ruins on Loc 3288, at a maximum cost of \$5,000, with funding to be allocated from Account No. 32313 (Professional Retainer/Consultancy Fees : Historical Projects - Other);

4 require that Council officers, in consultation with Department of Environmental Protection officers, review public open space provision on the subject land, having regard for the heritage study referred to in 3 above and the possible reservation of Reserve 24637 to the west;

5 await advice sought from the Water and Rivers Commission regarding the validity of advice provided by Landform Research, prior to considering final approval of the proposed Development Guide Plan and Special Provisions.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

1 **advise consultants Development Planning Strategies, on behalf of its client, Linpark Holdings Pty Ltd, that they are generally favourably disposed toward the proposed rezoning of Lot 50 and Loc 3288 Bailey Road, Carabooda for Special Rural purposes, subject to the following matters being satisfied:**

- (a) **the area of lots of approximately 2 ha size being redesigned to show lots of minimum 4 ha size;**
- (b) **the proposed temporary road shown connecting the southern cul-de-sac with the main north-south road being deleted in favour of a staggered-T arrangement on Alkimos Drive;**
- (c) **the extent of public open space being reviewed following a heritage survey to be undertaken of the lime kilns area and an investigation by Council and Department of Environmental Protection officers regarding the adequacy of public open space proposed for the subject land;**

(d) review of the proposed Special Provisions in the light of the comments made upon them in Report DP290-12/97;

2 further advise the applicant that as a prerequisite to considering formal initiation of the proposed Scheme amendment, they will require that a Deed be entered into between the landowner and the City pursuant to Clause 8.9 of City of Wanneroo Town Planning Scheme No. 1, securing the owner's agreement to:

(a) ceding free of cost of the land required for Alkimos Drive and drainage sites required for that road and Bailey Road;

(b) construction of the portion of Alkimos Drive between Bailey Road and the main north-south internal road;

(c) upgrading of Bailey Road to the City's requirements;

(d) ceding free of cost (for vesting in the Crown) of land required for public open space, such land to be determined following the outcome of a heritage survey of the kilns and associated ruins, and the investigation to be undertaken by Council and Department of Environmental Protection officers referred to Report DP290-12/97;

(e) permitting a heritage consultant to access the property to undertake the heritage survey referred to in d) above;

3 subject to the owner permitting access to the land concerned, delegate authority to the Director Strategic Planning to appoint a suitably qualified heritage consultant to undertake a heritage survey of the lime kilns and associated ruins on Loc 3288, at a maximum cost of \$5,000, with funding to be allocated from Account No. 32313 (Professional Retainer/Consultancy Fees : Historical Projects - Other);

4 require that Council officers, in consultation with Department of Environmental Protection officers, review public open space provision on the subject land, having regard for the heritage study referred to in 3 above and the possible reservation of Reserve 24637 to the west;

5 await advice sought from the Water and Rivers Commission regarding the validity of advice provided by Landform Research, prior to considering final approval of the proposed Development Guide Plan and Special Provisions;

6 advise the applicant that in light of the McDonald, Hales and Associates "Desktop Survey of Aboriginal Heritage Issues" relating to the subject land, it would be appropriate to undertake an archaeological and ethnographic survey to identify any Aboriginal Heritage impediments to the proposed rezoning and subdivision.

The Motion was Put and

CARRIED

Appendix XVI refers

DP291-12/97

**ACCUMULATION OF SEAGRASS DEBRIS - TWO ROCKS
BOAT HARBOUR - [765-20]**

The accumulation of seagrass drift debris on beaches adjacent to the Two Rocks boat harbour is a natural occurrence but is perceived as detracting from the quality of these beaches. As a consequence, there is community pressure for removal of this debris. Council has previously resolved to seek an investigation and report into this matter. It has now been investigated by the City's Environmental Officer and Environmental Waste Services, and an officer of the Department of Conservation and Land Management and as a result, a series of actions for addressing the accumulation of seaweed at the boat harbour has been agreed. Endorsement of these actions is recommended.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the strategy for managing seaweed accumulation on the beaches to the south of the Two Rocks boat harbour as outlined in Report DP291-12/97.

The Motion was Put and

CARRIED

Appendix XVII refers

DP292-12/97

**EXPRESSIONS OF INTEREST - LOCAL AGENDA 21 AND
STATE OF THE ENVIRONMENT REPORT
CONSULTANCIES - [305-6]**

The City has advertised for expressions from consultants interested in undertaking the following consultancies -

- development of a framework for preparation of a Local Agenda 21 for the City of Wanneroo; and
- preparation of a City of Wanneroo State of the Environment report.

The expressions received have been assessed, and a short-list of four from whom detailed tender submissions are to be sought is recommended. It is also recommended that information on the detailed tender submissions and on the recommendation of the preferred consultant/s be presented to the Council meeting scheduled for 27 January 1998 through the Chief Executive Officer's report to that meeting.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

1 request detailed tenders from the following consultants for undertaking the Local Agenda 21 and State of the Environment reporting consultancies individually and collectively (with the consultancy briefs being modified to accommodate these options) -

- **Murdoch University (The Institute for Science and Technology Policy) in conjunction with Marpet Consulting Pty Ltd,**
- **ERM Mitchell McCotter,**

- Ecoscape in conjunction with Neil Blake and David Annandale,
- Chambers and Galloway & Associates; and

2 endorse submission of a recommendation for appointment of the preferred consultant/s for the Local Agenda 21 and State of the Environment reporting consultancies through the Chief Executive Officer's report to the Meeting of Joint Commissioners scheduled for 27 January 1998.

Cmr Rowell spoke in support of this motion.

The Motion was Put and

CARRIED

DP293-12/97

ENVIRONMENTAL ADVISORY COMMITTEE - [305-6]

With suspension of the elected Council, the Environmental Advisory Committee (and other Council Committees) is also in suspension, and the opportunity has been taken to review its functions and operation. The Committee is considered to have contributed positively towards enhancement of the City's environmental performance, and its retention is therefore recommended. To enable the Committee to function during the term of the present Commissioners' tenure, appointment of at least one Commissioner to the Committee for the duration of the Commissioners' tenure is recommended.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 retain the Environmental Advisory Committee as a Committee of the Development and Planning Services Committee to identify environmental problems in the City of Wanneroo, develop solutions to these problems and where such solutions cannot yet be identified, to establish what further investigations are necessary to enable solutions to be developed. At Council's direction, the Committee is pursuing these objectives through preparation of a Local Conservation Strategy for the City;
- 2 appoint Commissioner Rowell to the Environmental Advisory Committee, as Chair, for the duration of the Commissioners' tenure and reaffirm the existing members as follows:

Ms D James
Mr M Bowman
Mr A Carman-Brown
Mr G De Piazza
Dr R Froend
Mr V Harman
Mr D Wake

- 3 authorise a meeting of the Environmental Advisory Committee to be held during January - February 1998.

The Motion was Put and

CARRIED

DP294-12/97 **HOMESWEST ESTATE IMPROVEMENT SCHEME:
GIRRAWHEEN, KOONDOOLA, BALGA - [770-0]**

Homeswest proposes a number of changes to a Memorandum of Understanding document to be agreed between this City and Homeswest relating to Homeswest's proposed Estate Improvement Scheme for the Girrawheen, Koondoola and Balga localities. The changes deal with involvement by a Project Manager in the preparation and agreement to a 'Structure Plan' for the Scheme, and consideration by the City to joint funding for security services, if considered necessary. The changes are considered reasonable and the modified Memorandum of Understanding is recommended for endorsement.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the modified Memorandum of Understanding document relating to the Girrawheen/Koondoola/Balga Estate Improvement Scheme as attached to Report DP294-12/97, and authorise the signing of that document.

Cmr Rowell spoke in support of this motion.

The Motion was Put and

CARRIED

Appendix XVIII refers

DP295-12/97 **DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE 30 OCTOBER TO 24
NOVEMBER 1997 - [290-1]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 30 October 1997 to 24 November 1997.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report DP295-12/97.

The Motion was Put and

CARRIED

Appendix XIX refers

DP296-12/97 **DEVELOPMENT ENQUIRIES - NOVEMBER 1997 - [290-0]**

This report lists those enquiries received for November 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 Development Services Unit.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the information contained within Report DP296-12/97 dated 16 December 1997 relating to Development Enquiries for November 1997 be noted.

The Motion was Put and

CARRIED

Appendix XX refers

DP297-12/97

DISTRICT PLANNING SCHEME NO 2 - [780-2]

The City of Wanneroo District Planning Scheme No 2 is being advertised for public inspection and comment until 19 January 1998. Due to the work required to be carried out concurrently with the advertising and the Christmas season falling within the advertising period it is recommended that the Minister for Planning be requested to extend the advertising period.

At the Development and Planning Services Committee meeting, Commissioner Rowell commented on the need for community input prior to the submission of this Scheme.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners request the Minister for Planning to grant an extension to the period that the City of Wanneroo District Planning Scheme No 2 is available for public comment up to 16 March 1998.

Cmr Rowell spoke in support of this motion and encouraged members of the community to participate in the development of the District Planning Scheme No. 2.

The Motion was Put and

CARRIED

DP298-12/97

**ADDITIONAL CHILDREN AND STAFF TO EXISTING
CHILD CARE CENTRE, LOT 200 (78) WARBURTON
AVENUE, PADBURY - [30/5323]**

An application has been received from Raymond Atkinson and Tony Love seeking approval to increase the number of children permitted at an existing child care centre on Lot 200 (78) Warburton Avenue, Padbury, from 47 to 52 children and the number of staff from 9 to 10. This proposal requires that two additional parking bays be provided on site. As there is not adequate space on site, the applicant is seeking a relaxation of the parking requirements. Given the location of the centre and its current operation, the application is supported with the carparking relaxation.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve the application submitted by Ray Atkinson and Tony Love for permission to increase the number of children from 47 to 52 and increase the number of staff from 9 to 10 at the Child Care Centre on Lot 200 (78) Warburton Avenue, Padbury, subject to:

- 1 the number of children being reduced to a maximum of 47 and the number of staff being reduced to a maximum of 9 by 1 January 1999 unless a further application is made to and approved by the City for any increases in children or staff prior to that date;**
- 2 the child care centre being managed in a way that does not generate the need for more than 15 carparking bays;**
- 3 standard and appropriate conditions deemed appropriate by the Manager, Approval Services.**

The Motion was Put and

CARRIED

DP299-12/97

**PROPOSED USE OF UNIT 4 AS A SMASH REPAIR STATION,
LOT 2 (4/4) STEVENAGE STREET, YANCHEP - [30/3064]**

An application has been received from Mr S Cyster and Mr J Chiappori to operate a smash repair station at Unit 4 , Lot 2 (4) Stevenage Street, Yanchep. The zoning of the land requires Council approval for this use. Abutting uses in the vicinity are considered compatible with this use. The application was advertised and no submissions have been received. The application is recommended for approval.

At the Development and Planning Services Committee meeting, Commissioner Morgan noted that adjoining landowners had been invited to comment.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve the application submitted by Mr S Cyster and Mr J Chiappori to operate a smash repair station at Unit 4, Lot 2 (4) Stevenage Street, Yanchep subject to the following conditions:

- 1 all activities including the storage and parking of vehicles awaiting repairs to be restricted to the inside of Unit 4;**
- 2 the spray painting booth being in accordance with the Code of Practice of the Department of Environmental Protection relating to automotive spray painting;**
- 3 other standard and appropriate conditions of development as determined by the Director, Development Services.**

The Motion was Put and

CARRIED

DP300-12/97

**GROWING AREA TO WHOLESALE NURSERY, LOT 55
(2270) WANNEROO ROAD (CORNER DUNSTAN ROAD),
NOWERGUP - [30/5587]**

An application has been received from Mr Glenn McKay for additional growing areas to a wholesale nursery at Lot 55 (2270) Wanneroo Road, Nowergup. The application is placed before the Council due to the provisions of the Town Planning Scheme not fully covering the aspect of car parking requirements for a Nursery for wholesale purposes. The application is recommended for approval.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 approve the application submitted by G McKay for a growing area (1.2261 hectares) for an approved Wholesale Nursery on Lot 55 (2270) Wanneroo Road (corner Dunstan Road), Nowergup subject to:**
 - (a) the conditions of the Approval to Commence Development for a Wholesale Nursery including four sheds, an office building, 35 shade houses and a residence" dated 23 September 1997 remaining applicable;**
 - (b) no stormwater being discharged onto Wanneroo Road reserve;**

- (c) setback to Dunstan Road being a minimum of 7.5 metres and 4 metres to all side boundaries;
- (d) the applicant/owner obtaining written approval from the Department of Environmental Protection, and the Water and Rivers Commission due to the proximity to Neerabup Lake prior to the commencement of the development;
- (e) the approval being for the operation of a Wholesale Nursery only (any proposed change in the nature of the use shall require a new application being submitted);
- (f) the maximum number of 13 employees on the property at any time;
- (g) standard and appropriate conditions as considered applicable by the Director Development Services;

2 exercise discretion pursuant to clause 5.10 of the City of Wanneroo Town Planning Scheme No 1, and determine that the twenty-seven (27) car parking bays to be provided on the property is in this circumstance adequate.

The Motion was Put and

CARRIED

DP301-12/97

AQUACULTURE HATCHERY, FARMING FACILITY AND RESIDENCE, LOT 132 (640L) TWO ROCKS ROAD AND RESERVES 20561 AND 12439, YANCHEP - [30/4297]

An Application to Commence Development has been received from Gary Tremaine for an Aquaculture Hatchery and Farming Facility at Lot 132 Two Rocks Road, Yanchep and adjoining Recreation Reserve Nos 20561 and 12439. The use has previously been approved by Council and the Western Australian Planning Commission, however, the physical development has not. This application was affected by heritage issues which have now been resolved. Whilst the property is the subject of a proposed Metropolitan Region Scheme Amendment, the use can be approved by the City under the present zoning of the land. The proposed development, however, constitutes an overdevelopment of the site and would be visually obtrusive within this area which has a high landscape and amenity value. The application is recommended for refusal.

At the Development and Planning Services Committee meeting, Director, Development Services advised he had been contacted by Mr Tremaine who wished to present a model of the proposed facility to Commissioners. Mr Tremaine did not wish to defer this Item until January 1998, but would exercise his right of appeal, depending on the final outcome.

RECOMMENDATION That the Joint Commissioners:

- 1 refuse the application made under the City's Town Planning Scheme No 1 by Gary Tremaine for a proposed Aquaculture Hatchery and Farming Facility on Lot 132, Two Rocks Road and adjoining Reserves 20561 and 12439, Yanchep for the following reasons:

- (a) the proposal is contrary to the intent of the proposed reservation of the land for Parks and Recreation in the Metropolitan Region Scheme amendment 987/33 by reason of its scale and intensity and the possible need for the long term access over A Class Crown Reserve 12439 should alternative access to the public road system not be possible over adjacent private land;
- (b) the proposal represents an overdevelopment of the site;
- (c) the proposal does not comply with the City's rural setback requirements;
- (d) the scale and prominence of the proposal is out of character with the surrounding area;
- (e) approval of this development will adversely affect the amenity of the locality;
- (f) the carparking requirement of 7 bays cannot be met on site.

2 recommend to the Western Australian Planning Commission that the application be refused under the Metropolitan Region Scheme for the reasons outlined in point 1 above.

ADDITIONAL INFORMATION SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS

The Director, Development Services advises that although Mr Tremaine indicated prior to the meeting of the Development and Planning Services Committee that he was happy for the report to be determined, he has subsequently changed his mind.

Mr Tremaine has now requested that the matter be deferred so that he may address the issues of concern outlined in the report with the view of submitting revised plans.

Under the circumstances there is no objection to the report being deferred, giving Mr Tremaine the opportunity to address the issues.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, on the request of Mr Tremaine, agree to defer consideration of Report DP301-12/97 until further supporting information is received.

Cmr Rowell spoke in support of this motion to defer.

The Motion was Put and

CARRIED

DP302-12/97 **PROPOSED CARPORT: LOT 405 (20) HUNTER WAY,
PADBURY WITH A REDUCED FRONT AVERAGE SETBACK
- [1087/405/20]**

A building licence application has been received from Erect-a-Pat on behalf of Mr & Mrs T & H Carr to extend an existing carport by 2.0 metres at Lot 405 (20) Hunter Way, Padbury with a reduced front average setback.

The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes, particularly in relation to the impact on amenity and streetscape. An approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners exercise discretion under Clause 1.5.7 of the Residential Planning Codes and approve the proposed extension of the existing carport at Lot 405 (20) Hunter Way, Padbury to allow a reduced front average setback of 5.360 metres.

The Motion was Put and

CARRIED

DP303-12/97 **PROPOSED GARAGE : LOT 106 (35) LEACH WAY,
GNANGARA - [30/5713]**

An application has been received from Eagle Steel on behalf of Anne and Nicholas Tallon for a garage on Lot 106 (35) Leach Way, Gngangara. The proposal requires an amendment to the building envelope for this lot.

The proposal does not contravene the objectives of this Special Rural zoning, is not likely to affect the amenity of the locality and is therefore supported.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1** **approve the application submitted by Eagle Steel on behalf of Anne and Nicholas Tallon for a garage to be constructed on Lot 106 (35) Leach Way, Gngangara subject to standard and appropriate conditions;**
- 2** **endorse a new building envelope on Lot 106 (35) Leach Way, Gngangara measuring 37 metres x 33 metres and being located 25 metres from the street boundary and 15 metres from the northern boundary of the lot as shown on Attachment No 2 to Report DP303-12/97.**

The Motion was Put and

CARRIED

Appendix XXI refers

DP304-12/97

FRONT FENCE: LOT 105 (9) LUXOR PLACE, CURRAMBINE
- [4343/105/9]

The owner of the dwelling at Lot 105 (9) Luxor Place, Currumbine has submitted an application for approval to erect a 1.8m high front boundary fence at the above property without the required 1.5m x 1.5m truncation at the crossover, contrary to the City's Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that Council approve the front fence application.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in accordance with Section 3 of Local Law F1 Fencing & Private Tennis Court Floodlighting approve the application to construct a 1.8 metre masonry front boundary fence at Lot 105 (9) Luxor Place, Currumbine without the requirement of providing a truncation at the driveway.

The Motion was Put and

CARRIED

DP305-12/97

PROPOSED RETAINING WALLS AND LANDFILL, LOT 41
(11) KINGS LYNN RISE, MINDARIE - [30/5695]

An application has been received from P Szponarski for retaining walls and landfill on Lot 41 (11) Kings Lynn Rise, Mindarie. The application has been advertised to affected abutting owners and several objections have been received. The application seeks to fill and retain the lot to its highest point, thereby adversely affecting the amenity of the locality. The proposed retaining walls would be visually obtrusive and have a detrimental effect on the streetscape. The application is recommended for refusal.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1** refuse the application submitted by P Szponarski for retaining walls and landfill on Lot 41 (11) Kings Lynn Rise, Mindarie for the following reasons:
 - (a)** approval would be contrary to orderly and proper planning and would adversely affect the amenity of the area;
 - (b)** the number and nature of public submissions;
 - (c)** approval of this application would create an undesirable precedent for the development of lots of a similar nature on the locality.
- 2** require the owner to remove all unauthorised fill on Lot 41 Kings Lynn Rise, Mindarie within 30 days of notification;
- 3** authorise legal action against the owner of Lot 41 (11) Kings Lynn Rise, Mindarie if the fill is not removed within 30 days of notification.

The Motion was Put and

CARRIED

DP306-12/97

AMENDMENT TO LOCAL LAW F1: FENCING & PRIVATE TENNIS COURT FLOODLIGHTING - [210-0]

At its meeting of 24 September 1997, Council resolved to amend its Local Law F1: Fencing and Private Tennis Court Floodlighting to recognise that electric fencing has dual purposes of security (in industrial and commercial areas) and stock control (in rural and special rural areas), and to include provision for electric fencing in special rural areas (P79-09/97 refers). The amendment is a result of several proposals for such fencing on land zoned Special Rural (which the Local Law does not presently allow), and Council's resolution at the April 1997 meeting to investigate such changes (P37-04/97 refers).

No submission was received in relation to the proposed amendment during the 42 day advertising period.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 in accordance with Section 3.12 of the Local Government Act 1995, make an amendment to Local Law F1: Fencing and Private Tennis Court Floodlighting as described in Attachment 1 to Report DP306-12/97;**
- 2 authorise the affixation to the common seal to and endorse the signing of the document.**

The Motion was Put and

**CARRIED BY A
SPECIAL MAJORITY**

Appendix XXII refers

DP307-12/97

SUBDIVISION CONTROL UNIT COMMITTEE 30 OCTOBER 1997 TO 24 NOVEMBER 1997 - [290-1]

This report provides a resumé of the Subdivision Applications processed by the Subdivision Control Unit 29 May to 26 June 1997. 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 Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report DP307-12/97.

The Motion was Put and

CARRIED

Appendix XXIII refers

DP308-12/97

**MODIFICATION OF AMENDMENT NO 756 TO TOWN
PLANNING SCHEME NO 1 - PORTION OF LOT 3 ROMEO
ROAD, ALKIMOS - [790-756]**

Amendment No 756 to Town Planning Scheme No 1 seeks to rezone portion of Lot 3 Romeo Road, Alkimos from Rural to Residential Development R20. The amendment was adopted for final approval by Council at its meeting of 23 July 1997 (DP137-07/97 refers) and submitted to the Western Australian Planning Commission for consideration by the Minister for Planning. The Minister has directed that the amendment be modified to provide for R40 residential densities within 800 metres of the proposed railway station in accordance with WAPC Policy DC1.6. Noting that Council is obliged to comply with the Minister's direction prior to approval of the amendment (Town Planning Regulation 21 refers), the modification requested is supported given that substantial development of the Alkimos area will not occur for some 15 years and as such land use and density codings are likely to change at the time of detailed local structure planning. It is recommended that Council modifies Amendment No 756 as directed.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 modify Amendment No 756 in accordance with the requirements of the Minister for Planning, to include R40 residential densities within an 800 metres radius of the future Alkimos Railway Station and to exclude the land required for the Northern Suburbs Rail Line;**
- 2 pursuant to Town Planning Regulation 17 (2), finally adopt the modified Amendment No 756 to rezone portion of Lot 3 Romeo Road, Alkimos from Rural to Residential Development R20 and R40;**
- 3 authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.**

The Motion was Put and

CARRIED

DP309-12/97

**MODIFICATION OF AMENDMENT NO 769 TO TOWN
PLANNING SCHEME NO 1 TO REZONE LAND BETWEEN
WANNEROO ROAD, PINJAR ROAD & CLARKSON
AVENUE, WANNEROO FROM RURAL TO URBAN
DEVELOPMENT - [790-769]**

Amendment No 794 to Town Planning Scheme No 1 seeks to rezone various landholdings between Wanneroo Road, Pinjar Road and Clarkson Avenue from Rural to Urban Development. The Western Australian Planning Commission has granted conditional consent to advertise the amendment subject to the inclusion of 15 land parcels which were excluded from the amendment (the majority of these being private landholdings for which the owners did not contribute to the application submitted by Land Planning Consultants). The land subject of this amendment is also included in Cell 1 of the East Wanneroo Amendment which proposes zoning the land to Urban Development and Centre Zone. It is therefore recommended that the Joint Commissioners modify Amendment No 769 as requested.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1** modify Amendment No 769 to include Crown Reserve 27071 on Conti Road, Crown Reserve 27294 on Clarkson Avenue, Lots 20, 21, 2, 11, 14, & 22 Wanneroo Road, Lots 6 & 23 Ashley Road, Lot 19 Conti Road, Lots 21 & 24 Carosa Road and Lots 2 & 19 Pinjar Road as requested by the Western Australian Planning Commission in its correspondence dated 21 November 1997.
- 2** advise Land Planning Consultants and the owners of the abovementioned land accordingly.

The Motion was Put and

CARRIED

DP310-12/97 **CLOSE OF ADVERTISING: AMENDMENT NO 796 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 337 (9) PARRI ROAD, WANGARA FROM RURAL TO LIGHT INDUSTRY - [790-796]**

Amendment No 796 to Town Planning Scheme No 1 was advertised for a 42 day period which closed on 18 November 1997. The amendment seeks to rezone Lot 337 (9) Parri Road, Wangara from Rural to Light Industry to enable its development for light industrial uses. No submissions were received as a result of the advertising. It is recommended that the Council adopt the amendment for final approval without modification.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1** pursuant to Town Planning Regulation 17(2), adopt Amendment No 796 to Town Planning Scheme No 1 to rezone Lot 337 (1) Parri Road, Wangara from Rural to Light Industry without modification;
- 2** authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

DP311-12/97 **MODIFICATION OF PROPOSED AMENDMENT NO 797 TO TOWN PLANNING SCHEME NO 1 - PORTION OF PT LOT M1722 (449) BURNS BEACH ROAD, ILUKA - [790-797]**

Amendment No 797 to Town Planning Scheme No 1 seeks to rezone portion of Pt Lot M1722 (449) Burns Beach Road, Iluka from Rural to Residential Development R40. The amendment was previously initiated by Council at its meeting of 28 May 1997 (DP89-05/97 refers) as a recoding from Residential Development R20 to R40, based on the pending finalisation of Amendment No 641 (the rezoning of Iluka from Rural to Residential Development R20 and R40, and Special Zone (Additional Use) Corner Store. That amendment has still not been finalised, and the Western Australian Planning Commission has directed that Amendment No 797 be modified to reflect the current zoning of the land. This necessitates modification and re-adoption of the amendment, and it is recommended that Council adopts the modified amendment.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in pursuance of Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No 1 to rezone portion of Pt Lot M1722 (449) Burns Beach Road, Iluka from Rural to Residential Development R40, and adopt Amendment No 797 accordingly.

The Motion was Put and

CARRIED

DP312-12/97

PROPOSED AMENDMENT NO 815 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 4 (1) LANCASTER ROAD (CNR WANNEROO ROAD), WANGARA FROM SPECIAL ZONE (RESTRICTED USE) RETAIL NURSERY TO MIXED BUSINESS AND LOCAL RESERVE - PARKS AND RECREATION - [790-815]

A request has been submitted by Koltasz Smith & Partners on behalf of Santon Nominees Pty Ltd for the rezoning of Lot 4 (No 1) Lancaster Road (cnr Wanneroo Road), Wangara from Special Zone (Restricted Use) Retail Nursery to Mixed Business and Local Reserve - Parks and Recreation. As the proposed amendment is consistent with Amendment No 773 (the East Wanneroo Amendment) which has been initiated and adopted for consent to advertise by Council, it is recommended that Council initiate and adopt the proposed amendment.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in pursuance of Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No 1 to rezone Lot 4 (1) Lancaster Road (cnr Wanneroo Road), Wangara from Special Zone (Restricted Use) Retail Nursery to Mixed Business and Local Reserve - Parks and Recreation, and adopt Amendment No 815 accordingly.

The Motion was Put and

CARRIED

DP313-12/97

PROPOSED AMENDMENT NO 817 TO REZONE LOT 300 (917) WANNEROO ROAD, WANNEROO FROM SPECIAL ZONE (RESTRICTED USE) SERVICE INDUSTRIAL EXCLUDING LIGHT INDUSTRIAL, LUNCH BAR, MOTOR REPAIR STATION, PETROL FILLING STATION AND SERVICE STATION TO SPECIAL ZONE (RESTRICTED USE) RESTAURANT AND SERVICE INDUSTRIAL EXCLUDING LIGHT INDUSTRIAL, LUNCH BAR, MOTOR REPAIR STATION, PETROL FILLING STATION AND SERVICE STATION - [790-817]

At its meeting of 22 October 1997, as part of consideration of the Wanneroo Town Centre Study and draft Wanneroo Town Centre Structure Plan, Council resolved to initiate rezoning of Lot 300 (917) Wanneroo Road to add Restaurant to the list of Special Zone (Restricted Uses) applicable to the site (DP220-10/97 refers). The applicant has now forwarded a formal submission together with the Council's prescribed amendment administration fee, and it is recommended that Council initiates and adopts proposed Amendment No 817 to Town Planning Scheme No 1 accordingly.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in pursuance of Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No 1 to rezone Lot 300 (917) Wanneroo Road, Wanneroo from Special Zone (Restricted Use) Service Industrial excluding Light Industrial, Lunch Bar, Motor Repair Station, Petrol Filling Station and Service Station to Special Zone (Restricted Use) Restaurant and Service Industrial excluding Light Industrial, Lunch Bar, Motor Repair Station, Petrol Filling Station and Service Station, and adopt Amendment No 817 accordingly.

The Motion was Put and

CARRIED

DP314-12/97

PROPOSED AMENDMENT NO 818 TO REZONE STRATA LOTS 1 & 2, LOT 201 (12) DAVALLIA ROAD, DUNCRAIG FROM COMMERCIAL TO SPECIAL ZONE COMMERCIAL (ADDITIONAL USE) VETERINARY ESTABLISHMENT - [790-818]

A request has been submitted by Whelans Town Planning Consultants, acting on behalf of Vetwest Pty Ltd, for the rezoning of Strata Lots 1 & 2, Lot 201 (12) Davallia Road, Duncraig to permit the additional use Veterinary Establishment. It is considered that an alternate approach should be adopted to address an anomaly in the Zoning Table of Town Planning Scheme No 1, that being to include Veterinary Establishment uses as an AA use in the Commercial, General Industrial, Whitford Town Centre and Special Development A zones. It is recommended that the Joint Commissioners initiate and adopt proposed Amendment No 818 to Town Planning Scheme No 1 accordingly.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 in pursuance of Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No 1 to modify Table 1 - Zoning Table to include the use class Veterinary Establishment as an AA use in lieu of an X use in the Commercial, General Industrial, Whitford Town Centre and Special Development A zones, and adopt Amendment No 818 accordingly;**
- 2 advise Whelans Town Planning Consultants that a different approach to that requested is proposed, however this would have the same outcome in respect of Strata Lots 1 & 2, Lot 201 Davallia Road, Duncraig.**

Cmr Rowell spoke in support of this motion.

The Motion was Put and

CARRIED

DP315-12/97

PROPOSED AMENDMENT NO 819 TO TOWN PLANNING SCHEME NO 1 AND DEVELOPMENT OF SWAN LOCATION 12008 ELLERSDALE AVENUE, WARWICK FOR RESIDENTIAL USE - [790-819, 30/5732]

The Planning Group has submitted an application for rezoning Swan Location 12008 Ellersdale Avenue, Warwick from Local Reserve - Public Use to Residential R20 to facilitate its development for residential purposes and separate applications to develop and subdivide the land for the same purpose. The land is well located, adjoining Warwick Shopping Centre and

ancillary commercial and community uses, and on this basis the rezoning and development proposals are supported. The subdivision proposal is still being assessed and can be adequately dealt with under delegated authority.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 in pursuance of Section 7 of the Town Planning and Development Act, amend Town Planning Scheme No 1 to rezone Swan Location 12008 Ellersdale Avenue, Warwick from Local Reserve - Public Use to Residential R20, and adopt Amendment No 819 accordingly;**
- 2 approve the application by the Planning Group on behalf of the Minister for Works for the use of Swan Location 12008 Ellersdale Avenue, Warwick, for residential, open space, drainage and road purposes, subject to no construction works commencing prior to a further approval to commence development, subdivision approval and/or building licences being issued by the relevant authority.**

The Motion was Put and

CARRIED

DP316-12/97

**REQUEST FOR A VARIATION OF THE APPLICATION FEE
FOR PEDESTRIAN ACCESSWAY CLOSURES - [510-0469]**

The City currently charges a non-refundable \$100.00 application fee for requests to close pedestrian accessways. Cr Tippett has requested the Council to consider charging a single fee of \$100.00 for the application to close three accessways because they are in adjoining streets. The request should not be supported because the request to close each accessway will be investigated separately.

At the Development and Planning Services Committee meeting, Cmr Ansell queried the inability to vary the application fees pertaining to the closure of the three pedestrian accessways in question.

Cmr Rowell advised it was not possible to combine these closures; that each proposed closure required to be treated as an individual item.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners do not agree to vary the application fee for the closure of the three pedestrian accessways between Hainsworth Avenue, Meakers Way and Pannell Way, Girrawheen.

The Motion was Put and

CARRIED

DP317-12/97

**PEDESTRIAN ACCESSWAY CLOSURES MONTHLY
PROGRESS REPORT - [520-2]**

Council, at its meeting on 26 February 1997 (Item No TP22-02/97) resolved to include in the Business for Information section a report each month on the progress of pedestrian accessway closures.

This report provides a summary detailing the current situation regarding every pedestrian accessway closure application the City is processing.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the monthly progress report submitted relating to the closure of pedestrian accessways, be noted.

The Motion was Put and

CARRIED

DP318-12/97

**REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN LOTS 123 AND 869 LILBURNE ROAD,
DUNCRAIG - [510-0349]**

The owners of Lot 123 Lilburne Road, Duncraig applied to have the accessway adjoining their property closed. The accessway does not lead through to another street and provides no benefit to the residents in the area. The two property owners adjoining the accessway have each agreed to purchase a half width of the accessway. Closure of the accessway and the subsequent disposal of the land should be supported.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 agree to the closure of the pedestrian accessway between Lots 123 and 869 Lilburne Road, Duncraig subject to the benefiting adjoining property owners meeting all of the associated costs;**
- 2 request the Department of Land Administration to close the accessway and dispose of the land to the owners of Lots 123 and 869 Lilburne Road, Duncraig.**

The Motion was Put and

CARRIED

DP319-12/97

**REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN JASON PLACE AND ALEXANDER ROAD,
PADBURY - [510-1706]**

The two property owners in Jason Place adjoining the pedestrian accessway between Jason Place and Alexander Road, Padbury requested the closure of the accessway on the grounds of vandalism and anti-social behaviour. The proposed closure was advertised for a period of thirty days and at the close of the advertising period, two objections were received from residents in Jason Place. Alternative pedestrian access is available and closure should be supported.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 support the closure of the pedestrian accessway between Jason Place and Alexander Road, Padbury, subject to the benefiting adjoining property owners meeting all of the associated costs;**
- 2 requests the Department of Land Administration to close the accessway and dispose of the land to the owners of Lot 43 Jason Place and Lot 50 Alexander Road, Padbury.**

The Motion was Put and

CARRIED

DP320-12/97

**REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN GRAPHIC COURT AND RADIAN ROAD,
BELDON - [510-1543]**

The residents adjoining the pedestrian accessway between Graphic Court and Radian Road, Beldon submitted a petition requesting the closure of the pedestrian accessway on the grounds of vandalism and anti social behaviour. The proposed closure was advertised for a period of thirty days and at the close of advertising one objection was received from a school aged child who uses the accessway when she walks to school.

Although the distance to the school site will increase for the objector alternative access is available and closure should be supported.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 agree to the closure of the pedestrian accessway between Graphic Court and Radian Road, Beldon subject to the benefiting adjoining property owners meeting all of the associated costs;**
- 2 request the Department of Land Administration to close the accessway and dispose of the land to the owners of Lot 22 Graphic Court and Lot 48 Radian Road, Beldon.**

The Motion was Put and

CARRIED

DP321-12/97

**APPLICATION TO PURCHASE A PORTION OF PUBLIC
RECREATION RESERVE 33522 NEVILLE DRIVE,
WANNEROO - [755-33522]**

The owner of Pt Lot 437 Toronto Place, Wanneroo has applied to purchase a small triangular portion of the public recreation reserve adjoining his property to provide him with more space and to enable him to tidy up the area. The portion of the reserve provides limited recreational use and the proposal should be advertised to gauge the opinions of the residents in the vicinity.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners in accordance with the provisions of the Department of Land Administration Section 20A Public Recreation reserve guidelines:

- 1 agree in principle to the cancellation of two triangular portions of reserve 33522 adjoining Lots 437 and 440 Toronto Place, Wanneroo and advertise the proposal by way of a letter drop and a notice in the local newspaper;**
- 2 seek advice on behalf of the Department of Land Administration, from the owners of Lots 429 Noel Court, 440 Toronto Place and 450 Ottawa Way, Wanneroo as to whether they would be interested in purchasing the portion of reserve 33522 which adjoins their properties.**

The Motion was Put and

CARRIED

DP322-12/97

**EAST WANNEROO DEVELOPMENT CELL NO 4 -
ACQUISITION OF LAND FOR PUBLIC OPEN SPACE, LOT
83 GUNGURRU AVENUE, HOCKING - [740-94006]**

The City is required to purchase land for public open space within each of the eight East Wanneroo Development Cells. Mr A J Crisafulli, an owner within Cell No 4 has offered to sell the public open space on his land that is comprised in Lot 83 Gungurru Avenue, Hocking.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 give authority to pay an amount of \$254,375 from Account No 63322 (East Wanneroo Development Cell No 4 Public Open Space Land Acquisition) to Anthony John Crisafulli for the public open space land comprised in Lot 83 Gungurru Avenue, Hocking;
- 2 give authority for statewide public notice to be given of the proposal to lease back Lot 83 Gungurru Avenue, Hocking to Anthony John Crisafulli at a rental that is equal to the Valuer General's current valuation, on a monthly basis until such time as the land is required for development as public open space;
- 3 give authority to sign and seal the Contract of Sale documents.

The Motion was Put and

CARRIED

DP323-12/97

**PROPOSED CLOSURE OF ROAD RESERVE - PORTION OF
MERRIFIELD PLACE, MULLALOO - [510-300]**

The owners of Lot 3 Merrifield Place, Mullaloo have requested Council to close the road reserve which adjoins their property. The road reserve serves no purpose and is being used by youths as a place to congregate. The proposed closure will need to be advertised to gauge the opinions of the residents in the vicinity.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners agree in principle to the closure of the portion of Merrifield Place, Mullaloo adjoining Lot 3 Merrifield Place, Mullaloo and advertise the proposal in accordance with Section 288A of the Local Government Act (Miscellaneous Provisions).

The Motion was Put and

CARRIED

DP324-12/97

**SIGNS HOARDINGS AND BILLPOSTING REVIEW
WORKING PARTY - [920-9]**

Council's Working Party reviewing the Signs Hoardings and Billposting Local Law contains two Councillors who have been suspended. In order to progress the review it is recommended that a Commissioner and the Director Development Services be included in the Working Party and additional consultancy funds be authorised.

At the Development and Planning Services Committee meeting, Cmr Morgan nominated Cmr Rowell. Cmr Buckley seconded the nomination.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 **confirm the establishment of the Signs Hoardings and Billposting Review Working Party to investigate and formulate a workable system to deal with Signs, Hoardings and Billposting;**
- 2 **appoint the following members to the Signs Hoardings and Billposting Review Working Party:**

Cmr Rowell - (Chairman)
Mr O G Drescher - Director, Development Services
Mr K Weymes - Manager, Approval Services
Mr D Butcher - Manager, Urban Design Services
- 3 **authorise, under Section 6.8(1) of the Local Government Act 1995, the unbudgeted expenditure of up to \$10,000 for consultancy services for the review of the Signs Hoardings and Billposting Local Law.**

Cmr Rowell spoke in support of this motion.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

DP325-12/97

**CRAIGIE OPEN SPACE - PROPOSED RECREATIONAL
FACILITIES - ASSESSMENT OF TENDERS - [745-4]**

Council, at its meeting of 27 September 1995, considered thirteen submissions received from the proponents who expressed interest to establish, lease and operate a commercially based golfing or other public recreational facility on a portion of Craigie Open Space (Reserve 32858) which is situated at the north-western corner of Mitchell Freeway and Whitfords Avenue (TP327-09/95). Of these submissions ten related to golfing facilities and the remaining three to non-golfing facilities. After careful consideration of these submissions Council resolved, in part, to invite tenders from a short-list of five proponents. Of the five, only four submitted tenders three of which were on golf related facilities. Negotiations were held periodically between the tenderers and the City in order to evaluate their tenders.

As two years have lapsed since tenders were received from the short-listed proponents, the views of the Solicitors were obtained in relation to the provisions of the current Local Government Act 1995 on the matter of leasing a portion of Craigie Open Space to the successful tenderer(s). The Solicitors have advised that the provisions of subsections 3.58 and 3.59 of the Local Government Act (1995) would apply. These subsections allow the City to prepare a Business Plan and to enter into the proposed lease otherwise than by public auction or public tender following a state-wide public notice of the proposed disposition.

Council, at its above mentioned meeting, also resolved to prepare and release a "preferred preliminary concept plan" for public comment. As a decision on the selection of a preferred tenderer(s) would depend on the public response to the "preferred preliminary concept plan", it is considered appropriate that the "preferred preliminary concept plan" which indicates a general concept setting aside 16 hectares of land at the immediate north-western corner of Mitchell Freeway and Whitfords Avenue for a golfing facility be advertised. The golfing facility

would include a 18-hole 3-par golf course, driving range, practice facilities, carpark, club house, proshop and kiosk.

In preparing the "preferred preliminary concept plan", the conservation values of Craigie Open Space were also considered. Consequently the plan sets apart 33 hectares of the land for conservation purposes. Additionally the "preferred preliminary concept plan" depicts 6 hectares of land currently occupied by the Craigie Leisure Centre and 4.0 hectares for a possible future tennis courts and bowling greens.

It is recommended that the "preferred preliminary concept plan" be advertised twice in the Wanneroo Times and The West Australian inviting public comments for a period of six weeks.

On considering the submissions receive on the "preferred preliminary concept plan", if any, the proposal will then be subject to the provisions of the Local Government Act 1995 seeking public submissions on the City's intention to lease a portion of Craigie Open Space for a golfing facility to a preferred proponent(s).

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 receive the 'preferred preliminary concept plan' shown in Attachment 3 of Report DP325-12/97 depicting in addition to the existing Craigie Leisure Centre (6 hectares), possible future tennis courts and bowling greens (4 hectares) and conservation area (33 hectares), a site for the proposed 18-hole 3-par golf course, driving range, practice facilities, carpark, club house, proshop, and kiosk, (16 hectares) in a portion of Craigie Open Space (Reserve 32858) situated at the immediate north-western corner of Mitchell Freeway and Whitfords Avenue, noting that this plan does not represent any commitments by the City to the golf related facilities shown, or on the matter of the overall future of Craigie Open Space;
- 2 advertise the 'preferred preliminary concept plan' twice in the Wanneroo Times and The West Australian, inviting comments for a period of six weeks.

Cmr Rowell spoke in support of this motion.

The Motion was Put and

CARRIED

Appendix XXIV refers

DP326-12/97

**REQUEST FOR CANCELLATION OF CYGNET RESERVE
32753 BRIDGEWATER DRIVE, KALLAROO - [755-32753]**

The owners of Lot 87 Cygnet Street and Lot 88 Windsor Place, Kallaroo have applied to purchase the thin strip of public recreation reserve which adjoins their property. Council considered the application and resolved to request the Hon Minister for Lands to cancel the reserve and dispose of the land to the adjoining property owners.

The Department of Land Administration has requested the City to negotiate a purchase price with the adjoining landowners between a valuation range which was set by the Valuer General.

The reserve being disposed of was originally comprised of two parcels of land, the one the subject of this report and the other between Cygnet Street and Clevedon Place. The portion of the reserve between Cygnet Street and Clevedon Place was cancelled in 1993 and the land sold to the adjoining property owners. Based on the valuation report and the price set on the other portion of the reserve, it is considered that a purchase price of \$7,500.00 for each adjoining property owner is appropriate.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners on behalf of the Department of Land Administration, in accordance with the provisions of the Section 20A Public Recreation reserve guidelines, offer to sell Public Recreation Reserve 32753 to the owners of Lot 87 Cygnet Street and Lot 88 Windsor Place, Kallaroo for a purchase price of \$ 500 each.

The Motion was Put and

CARRIED

DP327-12/97

PROPOSED SWIMMING POOL (REDUCED SETBACKS)
LOT 104 (29) GARDEN PARK DRIVE, WANNEROO -
[01661/104/0029]

A building licence application has been received from Ricks Pools on behalf of K & D Ferguson proposing to install a swimming pool on Lot 104 (29) Garden Park Drive, Wanneroo. The proposed location of the pool does not comply with the minimum side setback requirement of 15 metres for Special Rural zones. There are no significant constraints that prevent the pool complying with the minimum setback of 15 metres. A relaxation to the setback requirements is not supported in this instance. Approval for the pool, subject to revised plans indicating compliance with the minimum setback; is recommended.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 refuse the request by Ricks Pools on behalf of K & D Ferguson for a reduced side setback of 5.6 metres for a proposed pool on Lot 104 (29) Garden Park Drive for the following reasons:
 - (a) the proposed setback is significantly less than the required setback of 15 metres;
 - (b) the proposed reduced setback has potential to impact on the amenity of the adjoining property given its close proximity to the common boundary;
 - (c) the proposal, if approved, may set a precedent for further reductions in setback to be approved on adjoining lots that may impact on the amenity and character of the area;

- 2 authorise the issue of a building licence for the proposed pool on Lot 104 (29) Garden Park Drive, Wanneroo, subject to the submission of revised plans indicating the pool in a location complying with a minimum side and rear setback of 15 metres.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 in the exercise of discretion allowed under clause 5.9 of Town Planning Scheme No 1 and having considered the issues involved and in particular the compassionate nature of the request, approve the application by Ricks Pools on behalf of K & D Ferguson for a reduced side setback of 5.6 metres for a proposed swimming pool on Lot 104 (29) Garden Park Drive, Wanneroo, subject to a letter of no objection being received by the City from the affected northern owner;**
- 2 subject to no objection being received as detailed in (1) above, authorise the issue of a building licence for the proposed swimming pool on Lot 104 (29) Garden Park Drive, Wanneroo with a reduced side setback of 5.6 metres.**

The Motion was Put and

CARRIED

REPORT OF THE CHIEF EXECUTIVE OFFICER
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**C380-12/97 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Deed
 Parties: City of Wanneroo and Nancy Cockman, Vangel Koroveshi, Dorothy May House and Dorothy Boyland
 Description: Oral History Copyright Documents - November 1997
 Date: 21.11.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 782
 Date: 27.11.97

Document: Variation of Lease
 Parties: City of Wanneroo and Warwick Bowling Club
 Description: Part of Lot 145 Beach Road, Warwick
 Date: 28.11.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 811
 Date: 28.11.97

Document: Withdrawal of Caveat
 Parties: City of Wanneroo and F P and R M Seragusana & S L Continibali
 Description: Lot 20 Kingsway, Landsdale
 Date: 5.12.97

Document: Deed
 Parties: City of Wanneroo and A J and M G Martin
 Description: 2280 Wanneroo Road, Nowergup
 Date: 10.12.97

Document: Lease
 Parties: City of Wanneroo and Fawn Holdings Pty Ltd and P A H Hickson and K A Hickson
 Description: Ptn of Joondalup Civic Centre (Lot 497) Boas Avenue
 Date: 11.12.97

Document: Notification under Section 20A
 Parties: City of Wanneroo and George Alex Evens
 Description: Lot 261 on Diagram 87941
 Date: 11.12.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 Scheme Amendment No 752
 Date: 11.12.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 Scheme Amendment No 788
 Date: 11.12.97

Document: Grant of Easement
 Parties: City of Wanneroo and Travilla Pty Ltd and Nix Estate Pty Ltd
 Description: Ex Lot 195 Hepburn Avenue, Padbury
 Date: 11.12.97

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 Amendment No 798
 Date: 16.12.97

Document: Deed
 Parties: City of Wanneroo and Northern Corridor Developments Ltd
 Description: Lot 3 (77) Romeo Road, Alkimos
 Date: 16.12.97

MOVED Cmr Morgan, SECONDED Cmr Rowell that the schedule of documents executed by means of Affixing the Common Seal be received.

The Motion was Put and

CARRIED

C381-12/97 CITY OF WANNEROO BICENTENNIAL TRUST - 1997 GRANT ALLOCATIONS - [301-6-13]

SUMMARY

The City of Wanneroo Bicentennial Trust is a fund established by the 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 for endorsement the 1997 grant allocations recommended by the Board of Trustees, constituted as a Working Party by the Council.

BACKGROUND

The City of Wanneroo Bicentennial Trust is a fund established by the 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. Since its inception, the Trust has provided allocations of up to \$10,000 per annum however at its 23 July 1997 meeting, the Council increased the amount available for allocation in each year to \$20,000, with a view to allocating all monies prior to the expiration of the Trust in the year 2001.

Also at its 23 July 1997 meeting, the Council amended the funding guidelines to provide for the funding of projects which extend beyond the twelve month period previously prescribed for acquittal. The subsequent amendment of the guidelines afforded consideration of a greater number of projects by the Working Party/Board of Trustees this year.

DETAILS

This year, 33 grant applications were received and considered by the Working Party/Board of Trustees at its meeting on 4 December 1997. Of those, 8 were shortlisted with 7 being recommended for immediate funding and 1 being recommended as an undertaking to provide funding subject to the applicant succeeding in raising the balance of project funding in the first instance.

Many worthwhile projects were identified amongst the unsuccessful applicants and where alternative sources of funding or assistance are known, those opportunities have been communicated to the applicants.

The City of Wanneroo Bicentennial Trust Working Party, by unanimous resolution, recommends that the Joint Commissioners endorse the following 1997 grant allocations from the City of Wanneroo Bicentennial Trust Fund:

1. **Two Rocks Volunteer Sea Rescue Group - \$1,000** towards the purchase of night vision viewers to assist in sea rescues during the hours of darkness.
2. **Spring-a-Long Toy Library - \$400** towards the expansion of educational toy resources available for loan to residents of the City of Wanneroo.
3. **Yanchep/Two Rocks "Dolphinairs" - \$200** towards travel, uniform and sheet music expenses associated with entertaining by ladies singing group in retirement villages and nursing homes within the City of Wanneroo. Singing group members aged between 55 and 75 years.
4. **Blackmore Little Athletics Club - \$500** towards purchase of sporting equipment and first aid kit.
5. **Connolly Little Athletics Club - \$500** towards purchase of sporting equipment.
6. **Nursing Mothers' Association - \$1,800** towards attendance by twelve local breastfeeding counsellors at the 1998 biennial training conference.
7. **Burbridge School Council - \$14,600** towards completion of the Burbridge School Multi Sensory Environment; a high-tech facility that provides stimulating therapy for children with physical or intellectual disabilities - the first of its kind in Australia.
8. **Wanneroo Civic Choir - undertaking to fund \$1,000** towards purchase of digital piano for use by community choir, subject to group raising the balance of \$3,695.

The recommended allocations, including recommendation 8 for an undertaking to fund subject to additional fund raising, total **\$20,000**.

COMMENT/FUNDING

The City's 1997/98 Budget provides an amount of \$10,000 for allocation through the Bicentennial Trust program. With the Council's resolution to increase funds available for allocation to \$20,000, a budget reallocation is required to transfer funds from the Bicentennial Trust Reserve Account to facilitate the additional allocations. A budget reallocation request has been forwarded to the Director, Resource Management for this purpose.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners:

- 1 endorse the recommendations of the City of Wanneroo Bicentennial Trust Working Party and provide grant allocations from account 32505 - Recreation and Cultural Services- Other Cultural Activities - Wanneroo Bicentennial Trust Awards, as follows:**
 - (a) Two Rocks Volunteer Sea Rescue Group - \$1,000 towards the purchase of night vision viewers to assist in sea rescues during the hours of darkness.**
 - (b) Spring-a-Long Toy Library - \$400 towards the expansion of educational toy resources available for loan to residents of the City of Wanneroo.**
 - (c) Yanchep/Two Rocks "Dolphinairs" - \$200 towards travel, uniform and sheet music expenses associated with entertaining by a ladies singing group in retirement villages and nursing homes within the City of Wanneroo.**
 - (d) Blackmore Little Athletics Club - \$500 towards purchase of sporting equipment and a first aid kit.**
 - (e) Connolly Little Athletics Club - \$500 towards purchase of sporting equipment.**
 - (f) Nursing Mothers' Association - \$1,800 towards attendance by twelve local breastfeeding counsellors at the 1998 biennial training conference.**
 - (g) Burbridge School Council - \$14,600 towards completion of the Burbridge School Multi Sensory Environment; a high-tech facility that provides stimulating therapy for children with physical or intellectual disabilities.**
 - (h) Wanneroo Civic Choir - undertaking to fund \$1,000 towards purchase of a digital piano for use by the community choir, subject to the group raising the balance of \$3,695.**

- 2 **host a civic reception on the evening of Wednesday 7 January 1998 to facilitate the presentation of the awards.**

The Motion was Put and

CARRIED

C382-12/97 PROPOSED HOME OCCUPATION - LOT 82 (19) PRECISION AVENUE, MULLALOO - [1421/82/19]

SUMMARY

An application has been received from Mr and Mrs Cory and Maryanne Sea seeking approval to a home occupation application concerning a small scale naturopathic and counselling consultancy from a dwelling located at Lot 82 (19) Precision Avenue, Mullaloo. The application does not comply with the Home Occupation policy in respect to the generation of vehicular traffic. The application is accordingly recommended for refusal. The Applicant has however requested the Joint Commissioners consider compassionate grounds relating to this application.

DETAILS

The applicants intend to live in the subject dwelling and seek approval to operate a home occupation involving a naturopathic and counselling service for up to 3 clients per day. The applicant is under contract to purchase the property, subject to approval to this proposal. Settlement date is 31 January 1998. In support of the application the applicant advises:

- The proposed consulting area will operate from the existing master bedroom and ensuite;
- On average 10-12 people per week are proposed to visit at well spaced intervals (up to 2-3 clients each weekday and possibly Saturday morning);
- Mr and Mrs Sea will be the sole employees operating from the property;
- There would be no more than one client vehicle in the driveway at any time;
- There will be no noise associated with the activity;
- There would be no signage from the property or anything else suggesting the operation of a business;
- Signatures of support have been received from each of the neighbours;
- The activity will be operated on a part-time basis only;
- Maryanne Sea has serious health problems and due to extreme chemical sensitivities should ideally work and live within a controlled environment. Working from home will provide an environment with a reduced risk of exposure to potential chemical hazards including pesticides, paints, carpets, perfumes, formaldehyde in chipboard etc. (Medical evidence of this condition has been submitted);
- For Maryanne to work will provide her with a means to stay functional, contribute to the community, maintain her self respect and to stay healthy;
- Mr and Mrs Sea have carried out a similar business in Alice Springs without any complaints;
- The applicants are willing to comply with any conditions that the City may impose.

Town Planning Scheme No 1 allows for the approval of a 'Home Occupation' in residential areas subject to approval and compliance with a range of standards. The proposed naturopathic and counselling home occupation complies with each of the standards with the exception of the following:

“(8). *Does not give rise to vehicular traffic, nor require the provision of parking facilities, substantially beyond that which is normal to the neighbourhood in which the business is located*”.

In considering home occupation applications, Council policy seeks as a priority, to protect local amenity. In this regard the policy provides that:

“Home Occupations shall not give rise to vehicular traffic, nor require the provision of parking facilities beyond that which the Council regards as normal in the neighbourhood in which the business is located...”

COMMENT

It has been the consistent practice of the City to refuse any home occupation applications which sought to have patrons visit the site on the basis that there would be a general increase in vehicle movements and given the need in many instances to provide additional carparking areas. Ample carparking already exists on site (double width driveway with space for around 7 vehicles), the proposed home occupation would however generate around 6 additional vehicle trips to the property per day, this is around 60-75 percent more than the average of eight to ten vehicle trips per day normally generated by a single dwelling. It should be noted that the property is on a relatively minor loop road.

The City's Home Occupation policy is currently under review, a workshop was held in October 1997 and report on the matter is likely to be available for consideration by the Joint Commissioners in February 1998.

On the basis of increased traffic movements and precedent the application is recommended for refusal. Given the applicants special circumstances should the Joint Commissioners consider approving the proposal, it would be prudent to impose the following conditions. These conditions include a 12 months approval period to enable the business to be monitored and reviewed.

1. The approval is limited to 1 January 1999. If the applicants intend to continue operating this home occupation after this date then a new application is to be lodged with the City for consideration on or before 1 November 1998;
2. The approval is limited to Mr and Mrs Cory and Maryanne Sea only and does not permit anyone other than these two persons to conduct any form of business from this property and only remains valid whilst these two persons are permanently residing at this property;
3. The home occupation shall only operate between the hours of 9 AM and 5 PM on weekdays and shall not operate on weekends or public holidays;
4. The maximum number of clients permitted to visit the premises on any weekday is limited to 3;

5. Client appointments are to be managed in such a way that does not lead to more than one client vehicle attending the premises at any one time;
6. No client parking is permitted on the street or the road verge, except on the existing crossover;
7. Goods shall not be sold from the premises;
8. Standard and appropriate conditions deemed necessary by the Director, Development Services.

RECOMMENDATION That the Joint Commissioners refuse the application for a home occupation (naturopathic and counselling) submitted by Mr and Mrs Cory and Maryanne Sea for Lot 82 (19) Precision Avenue, Mullaloo for the following reasons:

1. The proposed home occupation will introduce increased vehicle movements to and from the site which will adversely impact on the amenity of the residential area.
2. Approval to the proposal would establish an undesirable precedent for similar home occupations to be approved that could collectively impact on the amenity of the residential area.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners approve the application for a home occupation (naturopathic and counselling) submitted by Mr and Mrs Cory and Maryanne Sea for Lot 82 (19) Precision Avenue, Mullaloo subject to the following conditions:

- 1 the approval is limited to 1 January 1999. If the applicants intend to continue operating this home occupation after this date then a new application is to be lodged with the City for consideration on or before 1 November 1998;
- 2 the approval is limited to Mr and Mrs Cory and Maryanne Sea only and does not permit anyone other than these two persons to conduct any form of business from this property and only remains valid whilst these two persons are permanently residing at this property;
- 3 the home occupation shall only operate between the hours of 9 AM and 5 PM on weekdays and shall not operate on weekends or public holidays;
- 4 the maximum number of clients permitted to visit the premises on any weekday is limited to 3;
- 5 client appointments are to be managed in such a way that does not lead to more than one client vehicle attending the premises at any one time;
- 6 no client parking is permitted on the street or the road verge, except on the existing crossover;
- 7 goods shall not be sold from the premises;

8 standard and appropriate conditions deemed necessary by the Director, Development Services.

The Motion was Put and

Appendix XXV refers

VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - DIEBACK CONSULTATIVE COUNCIL - [312-2]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Dieback Consultative Council.

DETAILS

The Western Australian Municipal Association has invited member Councils to submit nominations to the newly created Dieback Consultative Council.

The Committee's terms of reference is to:

- further advise the Government on adopting the Dieback Review Panel's recommendations and replace the existing dieback policy with one that focuses on delivering resources to the most valuable and protectable areas
- convene committees of experts to report on specific technical and scientific matters, as required
- advise the Minister on priorities for management and research, and identify institutions equipped to advance the knowledge and management of dieback
- advise on funding sources and research management, including contributions from the non-Government sector;
- ensure new knowledge is made widely available through publication of reviews;
- promote close liaison between planners, managers and researchers in Government, research institutions and the private sector.

The serving term will be reviewed at the end of 1999. Meetings will be held 4-6 times annually at Murdoch University and will be for approximately 2 ½ hours. A meeting fee is not applicable.

Committee membership comprises representatives from the Government, Industry, Community Groups and Conservation groups.

A ballot will be held at the WAMA Executive Committee meeting following close of nominations

No nomination was submitted.

VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER AND DEPUTY MEMBER - NATURE BASED TOURISM STRATEGY STEERING COMMITTEE - [312-2]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Nature Based Tourism Strategy Steering Committee

DETAILS

The Western Australian Municipal Association has invited member Councils to submit nominations for Member and Deputy Member to the newly created Nature Based Tourism Strategy Steering Committee

The committee's terms of reference is:

- To provide direction and/or advice to the WATC in the development of an implementation plan and its subsequent execution
- To develop policies, positions and prioritise issues for funding which affect the implementation of the plan
- To endorse the implementation strategy and to improve the allocation of funds
- To identify additional funding avenues from Government and industry which could be targeted to supplement funds from the State Government.

The serving term is for a period of three years commencing 1997/98. Meetings are held quarterly although more regular meetings will be required during the early planning phase. Meetings will be held at 6th Floor, 16 St George's Terrace Perth. There is no meeting fee, however some consideration may be given to travel expenses to assist remote area members.

Meetings will be Chaired by WATC and membership will comprise of Department of Conservation and Land Management, Tourism Council Australian; WA Inbound Tour Operators Association, Regional Tourism Forum, Regional Development Council, Department of Aboriginal Affairs, Forum Advocating Cultural and Ecotourism, WAMA and Tertiary institutions as applied to nature based tourism.

A ballot will be held at the WAMA Executive Committee following close of nominations.

No nomination was submitted.

C383-12/97 COMMUNICATION OF COUNCIL RESOLUTIONS - [702-0]

Policy A2-02 - Communication of Council Resolutions states:

“Written notification of Council resolutions shall not be conveyed to affected parties prior to 3.00 pm on the Friday immediately following the Council meeting”

To allow action prior to the Christmas period on those items dealt with during the Meeting of Joint Commissioners held on 23 December 1997, it is necessary to set aside Council's Policy A2-02.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners set aside Council's Policy A2-02 - Communication of Council Resolutions to allow for immediate action on all items within the Minutes of the meeting of Joint Commissioners of 23 December 1997.

The Motion was Put and

CARRIED

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

MOTIONS FOR FURTHER ACTION

Nil

DATE OF NEXT MEETING

The next Meeting of the Joint Commissioners has been scheduled for **6.30 pm** on **TUESDAY 27 JANUARY 1998**.

QUESTION TIME

Mr Vic Harman, Ocean Reef:

Q In reference to the custom of Councillors making themselves available to members of the public at the end of meetings. The response to the previous question was unclear, will you now be available following this evening's meeting?

A Response by Chairman: Yes, members of the public are invited to have light refreshments following this meeting, and questions may be asked at that time.

- Mr Harman expressed his favourable opinion of the conduct of the Committee meetings and complemented the Commissioners and administration on the reception of the deputation and questions put by members of the public, and also for not going behind closed doors to deal with the two items of confidential business.

Cr L O'Grady, Clarkson:

- Cr O'Grady expressed disappointment that the skateboard report was not submitted during December and believed this was an important issue for the youth of Wanneroo.

- Cr O'Grady stated that the Wanneroo Bridge Club has been asked to pay for the room it uses and asked the Commissioners to look sympathetically on this group as it is unable to pay for the facility.

Q1 What is the position of Commissioners, is it full or part time?

A1 Response by Chairman: The position is that the job has to be done, so is neither full nor part time work. If the job takes 24 hours, it will be done in 24 hours; if it takes 2 hours, it will be done in 2 hours.

Q2 Do any of the Commissioners have any employment other than at the City of Wanneroo? Could I ask what that employment is?

A2 Response by Chairman: All Commissioners have employment other than at the City of Wanneroo. That employment is not relevant to the meeting and this question will not be answered.

Q3 How many positions have the Commissioners resigned from since taking the position at the City of Wanneroo?

A3 Response by Chairman: In my case, one.

Response by Cmr Morgan: I have resigned from the Perth City Council and numerous committees, both within the City of Perth and outside on which I represented the City of Perth, with the exception of one committee where I have been reappointed to finalise a particular job for the Perth Theatre Trust. I will be resigning from another committee, which is not associated with Local Government, early in the New Year.

Response by Cmr Rowell: I resigned from the Town of Cottesloe and also as Chairman of the Local Government Advisory Board.

Response by Cmr Buckley: I have not resigned from any other positions.

Response by Cmr Clark-Murphy: I have not resigned from any other positions.

Q4 Have the Commissioners resigned from these positions because they know that they will be here for more than three months?

A4 Response by Chairman: I think the answer to that question is no, because none of the Commissioners know how long they will be here.

Q5 Has a new PR officer been employed?

A5 Response by Chairman: No new PR officer has been employed. We have a contract PR officer who is advising the Commissioners.

Q6 How much is he being paid?

A6 Response by Chairman: He is paid on an hourly basis, and to date his total expenditure is approximately \$1,200.

Q7 I take it the ratepayers are paying for that?

A7 Response by Chairman: Yes, they are but as previously pointed out none of the expenditure will exceed the existing approved budgets.

Q8 *From which account is this being taken?*

A8 *Response by Director, Resource Management:* From Conference Expenses for Councillors.

Q9 *Why do the Commissioners feel they need a PR officer?*

A9 *Response by Chairman:* I think that is a matter for the Commissioners to decide.

Q10 *You don't feel you need to explain why you need a Press Officer, so you are not answerable to the ratepayers? Press officers are already employed by the City.*

A10 *Response by Chairman:* Yes we are answerable to the ratepayers. We feel we do need a press officer.

Q11 *I believe 23 members of staff have left in the last 6-8 weeks. May I ask why?*

A11 *Response by Chairman:* You may ask, but it is probably better to ask the people involved. I understand they are leaving for one of three reasons: 1. they are dissatisfied; 2. they have better job offers elsewhere; 3. there has been a restructuring at the City and some people are not happy or comfortable with that restructuring.

- Cr O'Grady questioned the decision to stand down the Disability Advisory Committee.

Q12 *With reference to verbal requests from Council Support Services for the return of Councillors' equipment. On whose authority has these requests been made?*

A12 *Response by Chairman:* On the authority of the Commissioners.

Q13 *Do you have that authority?*

A13 *Response by Chairman:* We do.

Q14 *Is this because you know that the Councillors will be sacked in February? (The Chairman asked whether this was a rhetorical question. Cr O'Grady said it was)*

- Cr O'Grady previously asked a question in relation to the times of Committee meetings and Council meeting. Cr O'Grady further requested that consideration is given to changing the times of meetings to assist those persons who are unable to attend due to work commitments.

Mr Alan Blanko, Koondoola, representing the Progress Association and Neighbourhood Watch:

- Q1 Is the administration aware that Stirling Council is trailing 4 types of brick cleaning machines for cleaning graffiti. Are you aware that the bicarb soda system is capable of killing trees?*
- A1 Response by Director, Technical Services:* Council is in contact with Stirling Council and the State Government Graffiti Committee looking at the whole question of graffiti removal from private property and a report will be submitted in January 1998. Mr Blanko's questions will be taken into consideration.
- Q2 Volunteers in Koondoola have cleaned approximately 50% of the graffiti from fences over the last month, however brick fences cannot be cleaned. Could consideration be given to the purchase of a brick cleaning machine and volunteers trained to undertake the work.*
- A2 Response by Chairman:* This seems an excellent idea. This question will be taken on notice.

Mrs A Hine, Wanneroo:

- Q1 Question on Page 3 regarding leave of absence of Cmr Clark-Murphy: Does this imply that the Commissioners could be of the opinion that they are here for a long time?*
- A1 Response by Chairman:* We are covering all situations. If Commissioners are here for only three months, then Cmr Clark-Murphy will not be paid for her leave; if for 12 months, then leave will be paid.
- Q2 Regarding Receipt of Gifts and Hospitality: Who interpreted this and decided that gifts could not be received? Is it correct that you will not allow gifts to be received?*
- A2 Response by Chairman:* The decision was made by the Directors and staff. Your concerns are noted and this matter will be considered further at the next meeting.
- Q3 Page 3, P115-12/97: Return of Council equipment: Why is it necessary for Councillors to return equipment; who will use this equipment? What has happened to the laptop computers which were purchased?*
- A3 Response by Chairman:* We have asked Suspended Councillors to return certain items of the equipment as these are assets of the City of Wanneroo. I understand the computers have been returned, or should be returned.
- Q4 I understand Councillors are allowed Christmas cards; what happens to cards which have been ordered?*
- A4 Response by Chief Executive Officer:* The cards are undated and have been stored for future use.

- Q5 At the Finance and Community Services Committee, funds were reallocated to pay Commissioners. Which account did this come from?*
- A5 Response by Director, Resource Management: The amount reallocated for the Commissioners' salary is \$20,000 from Conference Expenses; \$50,000 from Meeting Attendance Allowance: \$30,000 from Civic Functions.*

Cr J Hollywood:

- Q1 P115-12/97: Councillors have been requested to return certain items of equipment. When I was elected in May and given Council equipment, I disposed of my own equipment. Who will now reimburse me to purchase new equipment?*
- A1 Response by Chairman: I will take this question on notice.*
- Q2 I noticed that the Chairmen of the Standing Committees passed each Committee report in bulk. Has every Commissioner read all reports and is it by chance that you have agreed on every issue prior to this meeting?*
- A2 Response by Chairman: I do not know whether Commissioners read all reports but think they would be very remiss if they did not. I read all papers and I am sure other Commissioners did. It is not by chance that we are in agreement; if we disagree we will refer an item back for further examination at the Standing Committee meetings.*
- Q3 Do you prefer not to debate an issue at Council?*
- A3 Response by Chairman: We are happy to debate an item at full Council.*
- Q4 I notice that the Signs, Hoardings and Billpostings Committee has allocated \$10,000 to a consultant. Where would you obtain such a consultant?*
- A4 Response by Cmr Rowell: A great deal of work is currently being carried out by all Councils in Western Australia, in particular the City of Geelong, Victoria. If we feel we will get a better amendment to the Scheme by using a consultant then we believe this should be pursued. Also, additional staff resource is required within the policy-making area, and a consultant may be able to assist in this regard.*

Mr Graham Pikor, Koondoola:

- Q1 In relation to the equipment to be maintained in Rendell Park, I do not believe there is any equipment there.*
- A1 Response by Cmr Morgan: I was given to understand that swings and seating within this park required some maintenance.*
- Q2 There was recently a fire within the bushland at Rendell Park, but the Fire Brigade was unable to get through the gates because limestone had been dumped outside of the gate. This matter needs to be looked at. Also the footpath which has been installed cannot be used. This seems a waste of money.*

- A2 *Response by Cmr Morgan:* A written survey is being undertaken and I hope that you will participate in this. We will follow up the issue of the limestone.
- Q3 *In relation to the rubbish within the Koondoola area, when will Council take notice of this issue?*
- A3 *Response by Chairman:* Commissioners have toured the area. There is only so much that a Council can do and to some extent the residents within the area have to take responsibility to keep their properties rubbish free.

CLOSURE

There being no further business, the Chairman wished those present a Merry Christmas and declared the Meeting closed at 1927 hrs, the following Commissioners being present at that time:

COMMISSIONERS:

ANSELL
MORGAN
ROWELL
CLARK-MURPHY
BUCKLEY