



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 22 DECEMBER 1998**

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CITY OF JOONDALUP

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN
WANNEROO CIVIC CENTRE, CIVIC DRIVE, WANNEROO, ON TUESDAY,
22 DECEMBER 1998

ATTENDANCES

Commissioners:

C T ANSELL	Chairman
H MORGAN, AM	Deputy Chairman
R M ROWELL	
W BUCKLEY	

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Resource Management:	J B TURKINGTON
Director, Technical Services:	R McNALLY
Director, Community Development:	C HALL
Director, Development Services:	C HIGHAM
Director, Strategic Planning:	R FISCHER
Manager, Division Taskforce:	B PERRYMAN
Manager, Strategic Development:	J KIRTON
Manager, Executive Services:	K ROBINSON
Manager, Council Support Services:	M SMITH
Publicity Officer:	L BRENNAN
Committee Clerk: J AUSTIN	
Minute Clerk:	S BRUYN

In Attendance

Chief Executive Officer	
Shire of Wanneroo:	K WHITE

APOLOGIES AND LEAVE OF ABSENCE

Leave of absence - Cmr M Clark-Murphy - 14 to 24 December 1998 inclusive.

There were 15 members of the Public and 1 member of the Press in attendance.

The Chairman declared the meeting open at 1800 hrs.

PUBLIC QUESTION TIME

The following question, submitted by Mr John Hollywood of Third Avenue, Burns Beach, was taken on notice at the Meeting of Joint Commissioners held on 8 December 1998:

Q1 Lot 2, Burns Beach is zoned rural. Is this zoning going to remain, and should it be changed, am I able to sue the developers?

A1 The statement issued by the Hon Minister for Environment on 16 November 1998 was the outcome of a process which commenced toward the end of 1994 with an application which was made by the owner of Lot 2 Burns to the WA Planning Commission, requesting the Commission to amend the Metropolitan Region Scheme to rezone portion of Lot 2 Burns from Rural to Urban zone.

In mid 1997, the WA Planning Commission initiated a further amendment to the Metropolitan Region Scheme (Amendment No 992/33). This proposed amendment is commonly referred to as the Clarkson-Butler planning district, including a rezoning from Rural to Urban of portion of Lot 2 Burns. The Environmental Protection Authority has required that this amendment be the subject of Environmental Review. The WA Planning Commission is currently consulting with the EPA in the finalising of the guidelines for that Environment Review.

Ministry for Planning officers advise that since the release of the Hon Minister's statement regarding Lot 2 Burns, they have had discussions with representatives of the landowners on the matter of how they now wish to proceed with rezoning of their land, given that two amendment processes are in effect involved. The landowners are still considering this matter.

On the specific question of whether the current Rural zoning of Lot 2 is going to remain, this will be determined through the process of amendment of the Metropolitan Region Scheme.

Concerning the question of whether Mr Hollywood is able to sue the developers, should the zoning be changed, this question is not able to be properly considered without knowing the grounds or basis upon which Mr Hollywood would be considering suing the developers. Regardless of this, this is a question upon which Mr Hollywood should properly seek his own legal advice.

The following questions, submitted by Mr Steve Magyar of Drummer Way, Heathridge, were taken on notice at the Meeting of Joint Commissioners held on 8 December 1998:

Page 34 - Report CJ282-12/98 - Delegated Authority Report. On the schedule of determinations made under delegated authority, No 1 is an "Indoor 50m competition pool/leisure pool, Lot 3 (25) Kennedya Drive, Joondalup. Under comment, discretion, it states that "Pursuant to C 10.8.3(c) of Town Planning Scheme No 1, discretion under C1 5.10 of Town Planning Scheme No 1 - Carparking:

Q1 Can further information regarding the level of discretion be made publicly available, for example, how many carparking bays is the development short of from the normal number required in the Town Planning Scheme?

A1 The Joondalup City Centre is controlled by the Joondalup City Centre Development Plan and Manual ("the Manual") created under Part 10 of the City of Joondalup Town Planning Scheme No 1. The subject land is within the Northern Recreation District. The Manual is silent on the requirement for carparking for this district area. The exercise of discretion was to accept a rationale for the provision of carparking for the proposal.

A total car parking provision for 1197 cars was required comprising 342 sealed car bays and 855 grassed car bays on site. Taken into consideration in arriving at the carparking demand figures were the peak operating periods, expectancy of patrons for the proposal and periods of uses overlapping.

Item 2 - Delegated Authority Report - a 60 person nursing home, Reserve 36696 (60) Shenton Avenue, Joondalup:

Q2 Am I correct that Reserve 36696 (60) Shenton Avenue is a parcel of land that is owned by the government

A2 Yes, that is correct.

Q3 If Reserve 36696 is owned by the government, then in which government authority is the land vested?

A3 The land is under the authority of the Minister for Health.

Q4 If Reserve 36696 is vested in a government authority, for what purpose is the land vested in that authority?

A4 The land is vested for Hospital, Community Health Centre and Health purposes.

The following questions were submitted by Mrs A Hine, Dundobar Road, Wanneroo:

Q1 When are we going to get value for money? ie. \$25 m spent on our new buildings and we still cannot rely on our sound system. Did we get good value or have we had an outdated system installed?

A1 The original sound system from the old Council chamber was modified and re-installed in the new Chamber. This decision was made not only due to the fact that there was a considerable saving compared to a new sound system, but also the consultants had advised that the modified system was still serviceable compared with current standards.

Q2 I understand question time has changed in a way since July. Does the Council believe in democracy? By decree? All other councils use leniency and have not disqualified people from genuine questions after the meeting. As until you hear the discussion, you may have a query or an issue of importance.

A2 No change to question time has taken place since July. The guidelines are printed inside each agenda. The Commissioners do believe in democracy and are happy to talk with any member of the public following the meeting.

Q2(a) *Is this the kind of Council action we have to abide by for the future? If so, things will not improve, only get worse, and I may say I am very disappointed as to our last Council meeting. "The use of the gag".*

A2(a) The guidelines shown inside each agenda adopted by the previous Council state: "The Chairman is responsible for the conduct of public question time and ensuring that each member of the public has an equal opportunity to ask a question". Therefore it is important that individual members of the public are not seen to monopolise the time available to the detriment of others. It should be noted, Public Question Time at the 8 December meeting ran for 50 minutes instead of the allotted 15 minutes.

Mr S Magyar of Heathridge:

- *Mr Magyar referred to Items CJ304-12/98 - Close of Advertising - Structure Plan for Oceanside Gardens Estate, Heathridge and CJ285-12/98 - Review of Private Property Local Law. He commented on the concerns of two residents of Mermaid Way, Heathridge who have experienced problems with rubbish and sand blowing into their front yards due to the development in Oceanside Gardens.*

Mr Magyar advised that the residents have requested that when developments with continuous fencing are approved, conditions are imposed that reduce rubbish blowing from the development onto adjoining properties. The residents have also requested that low growing shrubs are planted at the southern corner of Marmion Avenue and Mermaid Way and that a small wire fence is erected on this corner to stop rubbish blowing into their front yards.

Mr Magyar submitted a submission from the residents in relation to Item CJ285-12/98.

Q1 *In relation to CJ314-12/98 - Proposed Building Act for WA - considering that the proposed new Building Act will have more negative than positive outcomes, will the Commissioners send a copy of their submission to the Western Australian Municipal Association to help local government develop a united front and approach to the proposed Act?*

Q2 *Considering that the proposed Act must be passed by the Legislative Council, will the Commissioners send a copy of their submission to the non-government members of the State Upper House to ensure that the best interests of the residents are safeguarded?*

A1&A2 *Response by Cmr Rowell: Commissioners have been working with the Western Australian Municipal Association on new building regulations from conception and will continue to work with it in relation to this matter. There has been extensive lobbying with all government departments.*

Mr V Harman of Ocean Reef:

Q1 Following our recent meeting, have there been any further developments regarding matters raised concerning graffiti?

A1 Response by Cmr Ansell: The questions you raised have been noted and will be considered at the next graffiti meeting.

Mr T Thompson of Edgewater:

- Mr Thompson referred to the public meeting held in relation to the proposed closure of the pedestrian accessway between Michigan Court and Tyrell Court, Edgewater and queried the safety and security reasons given by the Commissioners to close the accessway.*

Mr Thompson referred to various petitions that had been received and believed there was significant opposition to Council's decision to close this pedestrian accessway. He queried if the Council would reverse its decision to close this pedestrian accessway and if not, why not.

Cmr Rowell commented that he had advised Mr Thompson at the meeting held to discuss the closure, that when taking the vote on this matter he did not believe there were sufficient numbers to recommend that the recommendation to close the accessway be changed. He advised that although he had reported to the Commissioners the outcome of the meeting, they did not believe there had been enough argument to warrant changing the original decision.

Cmr Morgan advised that many applications were received for the closure of pedestrian accessways and that invariably there were residents who supported or objected the proposal. He believed this made it a difficult decision for Commissioners to make and that where possible, the accessway was inspected and residents' concerns noted by the Commissioners prior to making any decision.

In relation to the pedestrian accessway at Michigan Court/Tyrell Court, Edgewater, the Commissioners inspected the site and made a decision for closure. In regard to the safety issue, discussions with police officers have highlighted that closure of all pedestrian accessways would assist the police in protecting the safety of citizens.

Cmr Ansell advised that Mr Thompson's comments would be noted.

Mr B Higgins of Carabooda:

Q1 In relation to Report CJ298-12/98 - Youth in Government - under the heading 'Summary' the sections details the main objectives of the proposal and the first dot point reads "to provide an opportunity for young people throughout the City of Joondalup to raise, discuss and advocate on issues which are of significance to them". Has an oversight been made and the words 'Shire of Wanneroo' following the words 'the City of Joondalup' been omitted.

A1 Response by Cmr Ansell: This will be rectified administratively.

Mrs A Hine of Wanneroo:

- Mrs Hine referred to the questions she had submitted in relation to public question time.*

Cmr Ansell advised these matters had been read out earlier in the meeting and responses would be included in the minutes for the meeting held on 22 December 1998.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

C28-12/98 **MINUTES OF MEETING OF JOINT COMMISSIONERS - 8 DECEMBER 1998**

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Minutes of the Meeting of Joint Commissioners held on 8 December 1998, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION

Good evening and welcome to this Christmas meeting of the City of Joondalup, and season's greetings to all residents from the Commissioners and staff.

EXTENSION OF TERM

You will be aware that parliament has granted to the Commissioners an extension of term that will see us remain until the end of 1999.

While we have not been granted the full 12-month extension we were seeking, this six-month extension of term will allow us time to carry out the big task of dividing the former City of Wanneroo.

It would be of little use to the community to rush such a big task and risk an unsatisfactory outcome.

The hundreds of tasks involved in the division are proceeding well and I would take this opportunity to assure the community that we will give the division our every attention and hand over at the earliest possible date.

NEW DIRECTOR, DEVELOPMENT SERVICES

It is my pleasure tonight to introduce you to our new Director of Development Services, Mr Clayton Higham.

Clayton has joined us from the City of Perth and we would like to welcome him aboard.

Mr Ray Fischer, who has been acting in the position, now returns to his directorship of Strategic Planning.

THE OLYMPIC TORCH

The City has entered into a contract with the organising committee of the Sydney 2000 Olympic Games to assist in the passage of the Olympic torch relay.

The Olympic torch will pass through the northern suburbs on Friday, 7 July in the year 2000 and the City will be working in partnership with the Olympic Committee to host a community celebration later that evening.

This will be a great opportunity for all residents of the region to become involved in the 2000 Olympics. The torch relay will showcase our City and Shire to the world.

The route the torch will take includes the suburbs of Greenwood and Warwick, Woodvale, Joondalup, Connolly, Mullaloo, Kallaroo, Hillarys, Sorrento and Marmion and it is likely to be telecast worldwide.

The Friday evening celebration will be held in the City of Joondalup and other community events are being encouraged.

DEVELOPMENTS

Amongst developments being considered tonight for the City of Joondalup are a restaurant/shop and piano bar complex in Reid Promenade, Joondalup and eight two-storey townhouses in Piccadilly Circle, Joondalup, which will open up the housing development around Lakeside Drive.

PETITIONS**C29-12/98 PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 22 DECEMBER 1998****1 PETITION IN RELATION TO CONCERNS REGARDING BINS KEPT IN THE REAR ACCESS LANEWAY OF PUTNEY PLACE, JOONDALUP - [37316J]**

An 8-signature petition has been received from residents of Putney Place, Joondalup regarding their concerns in relation to the untidy state of bins kept in the rear access laneway of Putney Place, Joondalup.

This petition will be referred to Community Development (Health and Ranger Services) for action.

2 PETITION REQUESTING IMPROVEMENTS TO ROBIN RESERVE, SORRENTO - [05098J]

A petition from 89 local residents has been received in relation to their concerns at the state of facilities in Robin Reserve, Sorrento and requesting improvements to this park.

This petition will be referred to Technical Services for action.

3 PETITION OBJECTING TO THE PROPOSED TRAFFIC MANAGEMENT SCHEME FOR WARBURTON AVENUE, PADBURY - [00099J]

A 16-signature petition has been received from Padbury residents objecting to the proposed traffic management scheme for Warburton Avenue, Padbury and requesting Council to defer any further considerations of this traffic management scheme pending completion of data collection and analysis from a questionnaire distributed to residents relating to this matter.

This petition will be referred to Technical Services for a report to Meeting of Joint Commissioners.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the above Petitions:

- 1 regarding concerns in relation to the untidy state of bins kept in the rear access laneway of Putney Place, Joondalup;**
- 2 regarding concerns at the state of facilities in Robin Reserve, Sorrento and requesting improvements to this park;**
- 3 objecting to the proposed traffic management scheme for Warburton Avenue, Padbury and requesting Council to defer any further considerations of this traffic management scheme pending completion of data collection and analysis from a questionnaire distributed to residents;**

be received and referred to the appropriate business units for action.

The Motion was Put and

CARRIED

POLICY SECTION

Items CJ284-12/98 to CJ287-12/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Morgan. Cmr Buckley gave notice of her intention to speak on these items.

CJ284-12/98 REVIEW OF EXTRACTIVE INDUSTRIES LOCAL LAW [29092 & 05885 J]

Summary of Purpose and Effect (as read aloud by the Chairman at the Meeting of Joint Commissioners)

The first action in the process of adopting a local law, requires a summary of the purpose and effect of the proposed local law to be read aloud by the chairman. The summary is as follows:-

“The purpose of this local law is to:

- (a) prohibit the carrying on of an extractive industry unless by authority of a licence issued by the local government .*
- (b) regulate the carrying on of the extractive industry in order to minimise damage to the environment, thoroughfares and other persons health and property; and*
- (c) provide for the restoration and reinstatement of any excavation site .*

The effect of this local law is to :

require that any person wanting to carry on an extractive industry will need to be licensed and will need to comply with the provisions of this local law.”

SUMMARY

This report covers the first of two parts of the process to be followed in adopting a new or substantially revised local law, in accordance with section 3.12 of the Local Government Act 1995. The first part involves:

- 1 reading aloud the purpose and effect of the proposed local law, at the meeting
- 2 the giving of statewide public notice that the local government proposes to make a local law. Matters to be included in that notice:
 - (a) the purpose and effect of the local law;
 - (b) advice that copies of the proposed local law can be obtained from the local government; and
 - (c) inviting submissions for six weeks after giving the notice.

This process is outlined in greater detail in the Background section of this report.

The working party of officers formed to review the local laws for both the City of Joondalup and Shire of Wanneroo has completed the review of local laws relating to extractive industries.

The proposed new local law is considered to be in keeping with what is required by both local governments. While extractive industries are currently located in the Shire of Wanneroo, there may be a time when an extractive industry is again operated in the City. It is therefore considered important to have a local law to ensure it can be managed properly.

BACKGROUND

The local laws of the former City of Wanneroo became the local laws of the City of Joondalup and Shire of Wanneroo on creation of the two new local governments on 1 July, 1998. The need to review these local laws was previously recognised and an officer working party was established to do this work.

The following objectives have been applied to preparation of the new local laws:

- 1 consolidate existing local laws relating to similar subjects;
- 2 ensure they comply with the Local Government Act 1995 and other relevant legislation;
- 3 ensure they are relevant to today's needs;
- 4 use plain English so they are easy to read and understand;
- 5 delete duplication of similar clauses;
- 6 include infringement issue as an enforcement process;
- 7 remove forms previously included in schedules to the local laws;
- 8 to be read alone without the need to refer to other documents.

The WAMA Model Extractive Industries Local Law and the current local law carried over from the former City of Wanneroo, were used as a base to develop the proposed local law. Significant amendments were made in order to meet the officer working parties requirements for both local governments.

Those amendments particularly related to:

- 1 inclusion of stop work orders as a means of achieving compliance with conditions of licence;
- 2 strengthening the provisions relating to responsibility of the licensee and owner of the extractive industry site;
- 3 renewal of licences;

- 4 restoration requirements;
- 5 extending the meaning of operation of an extractive industry, to include restoration of the site;
- 6 providing greater provision for application of continuing offences and application of penalties for same;
- 7 extending the number of persons and body corporate position holders associated with the carrying on of the extractive industry, that can be held liable for breaches of the licence conditions;
- 8 introduce infringement issue provisions for relatively minor offences.

DETAILS

Major Changes

Restoration Of Extractive Industry Sites

Restoration of the site at the completion of an extractive industry, is considered a major responsibility of the licensee and owner of the land. The local law includes a requirement of the licensee to complete restoration of the site in keeping with a plan and times as a condition of approval. With a greater emphasis on the environment, landscapes and adverse impacts that unrestored areas can have, the local law has been strengthened to ensure that sites are restored. The introduction of Stop Work Orders in particular, is seen as a positive process to apply to achieve restoration of sites where there is no co-operation from the licensee.

The officer working party pursued other possible alternative processes aimed at achieving compliance with the restoration conditions of licences. These included Restoration Orders and Injunctions. Upon consultation with the City's solicitors, it was considered that the introduction of Stop work Orders into the local law was a major advancement on what was previously available and additional powers could be added with the support of WAMA should this be considered necessary in the future. The seeking of an injunction remains an option under the normal legal processes available to the City, should the need arise.

Responsible Management

The local law concentrates on achieving responsible management of extractive industry sites, so that there is minimal adverse impact on adjoining owners and their property. Many of the new clauses in the local law relate to responsibilities of the licensee commencing with what is required in order to obtain a licence, the on going operation of the extractive industry and restoration of the site.

Infringement Issue

The issue of infringements rather than initiating prosecution in the local court for minor offences, has been applied where considered appropriate. This approach enables persons authorised under the local law to enforce the provisions of that local law promptly. It also provides for the least cost for both the local government and the alleged offender and has been encouraged through the local law making provisions of the Local Government Act 1995 and local courts.

Modified penalty values have been included at different amounts to provide some deterrent and in recognition of the seriousness of the offence.

Unnecessary Schedules

Several forms that would usually be included in schedules to the local law have been treated as "forms approved by the local government." This allows greater flexibility for these forms to be amended without the need to amend the local law which would result in a lengthy process under the Local Government Act 1995.

Compliance With Local Government Act 1995

The new Act has introduced new terminology and provides greater flexibility, autonomy and responsibility for local governments in the creation and application of their local laws. The inclusion of infringements as previously mentioned, is expected to be of great assistance to enforcement staff in gaining compliance with licence conditions.

Fees and charges applicable under the local law have been removed from schedules and form part of the attachments to the annual budget. This is in accordance with the provisions of the Local Government Act 1995. At the conclusion of the public comment period, appropriate fees and charges will be set and advertised in accordance with the Local Government Act 1995.

Local Law Making Procedure

Section 3.12 of the Local Government Act 1995, details the procedure that a local government must follow when making a local law. The details relating to the first stage of making a local law are:-

- 3.12**
- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence it is described.
 - (2) At a Council meeting the person presiding is to read aloud ,or cause to be read aloud, a summary of the purpose and effect of the proposed local law .
 - (3) The local government is to -
 - (a) on at least 2 days , give statewide public notice stating that -
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice;

- (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day not less than 6 weeks after the notice is first given.
- (b) as soon as the notice is given , give a copy of the proposed local law and a copy of the notice to the Minister and , if another Minister administers the Act under which the proposed local law is proposed to be made, to that other Minister, and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions , the local government is to consider any submissions made and may make the local law* as proposed or make a local law * that is not significantly different from what was proposed.

**Special Majority Required*

COMMENT

The proposed local law includes the repeal of the current “By Law E2; Extractive Industries No 9 “carried over from the former City of Wanneroo and the repeal coincides with the coming into operation of the proposed local law.

The proposed local law has been reviewed by the City’s solicitors to ensure that its contents are within the bounds of operation of the Local Government Act 1995.

It is recommended that the proposed local law be advertised in accordance with section 3.12 of the Local Government Act 1995, in order to seek public comment.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners in accordance with section 3.12 of the Local Government Act 1995, APPROVE the advertising of the proposed local law, “City of Joondalup Extractive Industries Local Law 1998”, in order to seek public comment.

Cmr Buckley spoke in support of the Motion and urged members of the local community to forward any comments they may have in respect to the local laws to Council for its consideration prior to adoption.

The Motion was Put and

CARRIED

Appendix I refers

**CJ285-12/98 REVIEW OF PRIVATE PROPERTY LOCAL LAW -
[22513J & 05885J]**

Summary of Purpose and Effect (as read aloud by the Chairman at the Meeting of Joint Commissioners)

The first action in the process of adopting a local law, requires a summary of the purpose and effect of the proposed local law to be read aloud by the chairman. The summary is as follows:-

“ The purpose of this local law is to :

provide for the regulation, control and management of street numbering, fencing, tennis court floodlighting and vehicle wrecking within the City of Joondalup.

The effect of this local law is to:

establish the requirements for erecting street numbers, fencing, tennis court floodlighting and for the wrecking of vehicles in the City of Joondalup.

SUMMARY

This report covers the first of two parts of the process to be followed in adopting a new or substantially revised local law, in accordance with section 3.12 of the Local Government Act 1995. The first part involves:

reading aloud the purpose and effect of the proposed local law, at the meeting

the giving of statewide public notice that the local government proposes to make a local law. Matters to be included in that notice:

- (i) the purpose and effect of the local law;
- (ii) advice that copies of the proposed local law can be obtained from the local government; and
- (iii) inviting submissions for six weeks after giving the notice.

This process is outlined in greater detail in the background section of this report.

The working party of officers formed to review the local laws for both the City of Joondalup and Shire of Wanneroo has completed the review of local laws relating to private property. Officers responsible for enforcement and application of the various sections of the proposed local law were consulted to ensure areas of difficulty experienced in the past, have been addressed in the proposed local law.

BACKGROUND

The local laws of the former City of Wanneroo became the local laws of the City of Joondalup and Shire of Wanneroo on creation of the two new local governments on 1 July, 1998. The need to review these local laws was previously recognised and an officer working party was established to do this work.

The following objectives have been applied to preparation of the new local laws:

- 1 consolidate existing local laws relating to similar subjects;
- 2 ensure they comply with the Local Government Act 1995 and other relevant legislation;
- 3 ensure they are relevant to today's needs;
- 4 use plain English so they are easy to read and understand;
- 5 delete duplication of similar clauses;
- 6 include infringement issue as an enforcement process;
- 7 remove forms previously included in schedules to the local laws;
- 8 to be read alone without the need to refer to other documents.

The by-laws of the former City of Wanneroo relating to disused motor vehicles and machinery, fencing and private tennis court floodlighting, street numbers for houses and vehicle wrecking, were used as the base to develop the new local law. The majority of matters covered in the proposed local law were referred to in the old by-laws. Some information on razor wire fencing was obtained from the WAMA model local law relating to Fencing and Tennis Court Floodlighting.

A major requirement of the Dividing Fences Act 1961 is for the local government to set what is termed a "sufficient Fence". It is important that this be singular and not a series of alternatives, as was previously the case.

New sections not included in any of the previously mentioned local laws, relate to:

Estate Fencing; and

Graffiti Protection for estate and other masonry fences;

DETAILS

Major Changes

Sufficient Fence

Schedules 1 - 3 in the local law designate what is the acceptable minimum standard as the sufficient fence for the land zoning type. Designation of a sufficient fence is required under the Dividing Fences Act 1961. The sufficient fence specification is that used by a court in settling disputes between neighbours. Frequently there can be disagreement as to the type of fence that neighbours want and payment for such a fence. Sharing the cost of erecting a sufficient fence is seen as a reasonable way of resolving such disputes. It is therefore important that a sufficient fence is designated in the singular rather than a series of options.

A series of brochures are being developed that will provide details of other types of fences that are permissible fences for the area. The local law does not prevent a person from erecting a fence of a higher specification than a sufficient fence, but requires sufficient fences to be erected as the minimum standard.

Graffiti Protection

The local law introduces the application of non sacrificial graffiti protection to walls and fences adjacent public places and reserves for new structures, including estate fences and where considered necessary for existing structures. Fences and walls treated with graffiti protection must have erected a plate with an approved number relating to a data base which identifies the name of graffiti protection applied, plus details of the manufacturers recommended treatment, including materials to be used to remove graffiti.

Estate Fences

A new component of the local law relates to the erection of Estate Fences which are erected to define the outer perimeter of an estate. This section sets the original fence type, colour, construction and materials as the minimum standard to which such fences are to be repaired and maintained. Also included is the need for graffiti protection to be applied, which will ultimately reduce the cost of graffiti removal which is met by the local government.

Security and Flood Lighting

The local law includes a section on security and flood lighting which sets the level of light and distance that such light can spill into an adjacent property or horizontal surface of a building.

Infringement Issue

The issue of infringements rather than initiating prosecution in the local court for minor offences, has been applied where considered appropriate. This approach enables persons authorised under the local law to enforce the provisions of that local law promptly. It also provides for the least cost for both the local government and the alleged offender and has been encouraged through the local law making provisions of the Local Government Act 1995 and local courts.

Modified penalty values have been included at appropriate levels to provide some deterrent and in recognition of the seriousness of the offence.

Un Necessary Schedules

Several forms that would usually be included in schedules to the local law have been treated as "forms approved by the local government." This allows greater flexibility for these forms to be amended without the need to amend the local law which would result in a lengthy process under the Local Government Act 1995.

Compliance With Local Government Act 1995

The new Act has introduced new terminology and provides greater flexibility, autonomy and responsibility for local governments in the creation and application of their local laws. The inclusion of infringements as previously mentioned, is expected to be of great assistance to enforcement staff in gaining compliance with licence conditions.

Fees and charges applicable under the local law have been removed from schedules and form part of the attachments to the annual budget. This is in accordance with the provisions of the Local Government Act 1995. At the conclusion of the public comment period, appropriate fees and charges will be set and advertised in accordance with the Local Government Act 1995.

Local Law Making Procedure

Section 3.12 of the Local Government Act 1995, details the procedure that a local government must follow when making a local law. The details relating to the first stage of making a local law are:-

- 3.12**
- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence it is described.
 - (2) At a Council meeting the person presiding is to read aloud ,or cause to be read aloud, a summary of the purpose and effect of the proposed local law .
 - (3) The local government is to -
 - (a) on at least 2 days , give statewide public notice stating that -
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

- (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day not less than 6 weeks after the notice is first given.
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the proposed local law is proposed to be made, to that other Minister, and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law * that is not significantly different from what was proposed.

**Special Majority Required*

COMMENT

The proposed local law includes the repeal of the current by-laws carried over from the former City of Wanneroo, being:

By-Law D1: Disused Motor Vehicles and Machinery, published in the Government Gazette on 31 October, 1975;

By-law F1: Fencing and Private Tennis Court Floodlighting, published in the Government Gazette on 31 October, 1986;

By-Law S8: Street Numbers for Houses, published in the Government Gazette on 17 March, 1998;

By-Law V1: Vehicle Wrecking, published in the Government Gazette on 12 April, 1967.

The repeal of the above by-laws coincides with the coming into operation of the proposed local law.

The proposed local law has been reviewed by the City's solicitors to ensure that its contents are within the bounds of operation of the Local Government Act 1995. It is considered that the proposed local law is in keeping with what is required by both local governments.

It is recommended that the proposed local law be advertised in accordance with section 3.12 of the Local Government Act 1995, in order to seek public comment.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners in accordance with section 3.12 of the Local Government Act 1995, APPROVE the advertising of the proposed local law, "City of Joondalup Private Property local Law 1998 ", in order to seek public comment.

Cmr Buckley spoke in support of the Motion and urged members of the local community to forward any comments they may have in respect to the local laws to Council for its consideration prior to adoption.

The Motion was Put and

CARRIED

Appendix II refers

CJ286-12/98 COMMUNITY FUNDING POLICY - [39290]

SUMMARY

This report recommends the adoption of a policy on Community Funding to take effect from 1 July 1999. The aim of the policy is to provide a framework for the provision of targeted funding which meets Council's strategic objectives in facilitating community development in partnership with the community. The policy has been developed in response to the findings of an internal audit of funds granted to individuals, community groups and organisations during the 1997/98 financial year in the form of donations and related funds allocations. It has also been developed in response to the need to ensure that the provision of community funding is relevant, equitable, strategic, accountable and accessible. It is further recommended that until the policy is implemented in 1999 interim generic guidelines be immediately developed and implemented for the allocation and accountability of any Council funds which may be distributed for community funding purposes prior to 1 July 1999.

BACKGROUND

In an environment of escalating community need, Council has been under increasing pressure to provide funds to support individuals, community groups and organisations for a wide range of community development purposes.

In early 1998 the Executive Management of the former City of Wanneroo established an internal working party to develop a "donations" policy. The working party has received substantial assistance from an external consultant in order to develop a policy.

The working party conducted an internal audit of funds which had been granted to individuals, community groups and organisations during the 1997/98 financial year in the form of donations and related funds allocations. The audit found that some \$3.6 million dollars had been provided to a wide range, type and number of individuals, community groups and organisations by a number of Council's directorates.

The funds which have been allocated have taken the form of various donations, subsidies, awards, scholarships, grants, prizes and purchase of services.

The audit identified concerns with the processes and procedures adopted by Council for the allocation and accountability of public funds.

The above issues are dealt with in more detail in the attached Community Funding Policy (refer attachment 1).

DETAILS

The Community Funding Policy has been developed to address a number of concerns which have been identified in the way by which Council allocates and accounts for public monies provided to support community development purposes. In particular, the policy addresses issues of the strategic distribution of funds, together with accessibility, equity, transparency and accountability of Council's funding programs.

The policy seeks to develop a new framework for how Council will administer its funding to support community development initiatives. A major shift is reflected in the policy in terms of Council moving from what has traditionally been a reactive approach to meeting community need by responding to individuals, groups and organisations which have identified a need in the community and lobbied Council for financial and other forms of in kind support to a more proactive, strategic approach which focuses on forward planning and setting priorities for community funding. In this context, the policy seeks to align the provision of community funding with Council's customer consultation and strategic planning processes and outcomes.

The overall objective of the policy is to provide a framework for the provision of targeted funding which meets Council's strategic objectives in facilitating community development in partnership with the community.

The scope of the policy has been drafted to capture all funding allocated by Council for community funding purposes with the exception of purchase of service arrangements and the awarding of scholarships. It also excludes funding which is normally provided through Council's recently adopted Formal Facilities Assessment Process which provides support for the construction or upgrade of community facilities, and for which separate guidelines apply.

Six major categories of funding have been developed which in total are intended to capture funding provided by Council in various forms to individuals, community groups and organisations for community development purposes. The policy provides for the identification of selected strategic objectives for each fund on an annual basis whereby these objectives would be linked to Council's priorities for funding as assessed through its strategic planning and customer consultation processes.

Guidelines specific to each funding category will be developed and reviewed on an annual basis.

In addressing the issues of strategic distribution, accessibility, equity, transparency and accountability, the policy provides the framework for various common funding guidelines, eligibility criteria and accountability requirements which would be applied across the total organisation.

Provision is made in the policy to improve the delegation of responsibility for the assessment of proposals and applications in order that decision making can be faster and more streamlined.

COMMENT/FUNDING

The development of the Community Funding Policy has been a complex and time consuming task.

It is recommended that the Community Funding Policy be adopted for implementation from 1 July 1999. Council's approval of the overall framework for future community funding arrangements as contained in the Community Funding Policy is sought prior to proceeding to the next stage of developing guidelines for each funding program.

The funding guidelines are expected to be completed by March 1999. In some instances, development of the guidelines may involve community consultation with relevant groups and organisations.

Once the guidelines have been completed a further report will be submitted to Council recommending the adoption of funding guidelines for each program area. This report will be submitted to Council in April 1999.

In view of the seriousness of the issues which have resulted from the internal audit, it is intended to immediately develop and implement generic guidelines for the allocation and accountability of any Council funds which may be distributed for community funding purposes prior to 1 July 1999.

It is recognised that the policy may need to be amended from time to time, particularly in the early stages of its implementation when specific funding guidelines are being applied and the policy itself is being tested.

It is also recognised that whilst the policy may be adopted from 1 July 1999, there will need to be a transition period of some months to allow for changes which may need to be made to existing funding arrangements in order to bring these arrangements into line with the policy.

In the context of increasing community needs and declining or static levels of funding available to support community development initiatives and the requirements for appropriate accountability for the use of public funds, the development of the Community Funding Policy is considered to be an important and essential initiative. The policy will complement Council's recently adopted Formal Facilities Assessment Process and, together with this process, provide a comprehensive framework for proactively responding to community needs.

Work is currently also being undertaken on a review of the Council's scholarships programs together with the development of guidelines for purchase of service arrangements with organisations such as the City's and Shire's emergency service organisations.

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

- 1 **ADOPT** the “Community Funding Policy” attached to **Report CJ286-12/98** with effect from 1 July 1999;
- 2 **ENDORSE** the action to be taken to immediately develop and implement interim generic guidelines for the allocation and accountability of any Council funds which may be distributed for community funding purposes prior to 1 July 1999;
- 3 **SEEK** a further report on the Community Funding Policy in April 1999 detailing the funding guidelines for each funding category of the policy.

Cmr Buckley spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix III refers

CJ287-12/98 REVISED PROTECTIVE CLOTHING POLICY B2-16 - [12180]

SUMMARY

In response to a growing concern from the outside workforce about having to wear long trousers, the Chief Executive Officer gave a commitment to review the current protective clothing policy.

To undertake the review, a consultative committee was established with representatives from all relevant outside business units. The consultative committee has developed a revised protective clothing policy which allows for long shorts to be worn all year round, unless there are safety or work procedures that require the wearing of long trousers. In drafting the revised protective clothing policy the consultative committee examined policies and practices at other local government authorities.

A copy of the revised protective clothing policy is attached.

BACKGROUND

In 1994, the Council of the former City of Wanneroo moved to review the specification of the clothing issued to the outside workforce in order to exercise its duty of care to ensure their safety and health. The main aim of the review was to identify protective clothing which provided protection against UV but which optimised air flow and body cooling. It was felt at that time that for Council to comply with the obligations imposed by Section 19 of the Occupational Safety and Health Act 1984, clothing would need to be long sleeve shirts and long trousers.

In 1996, Council adopted a protective clothing policy which included long sleeve shirts and long trousers. In adopting a protective clothing policy which included long sleeve shirts and long trousers Council joined many other public and private organisations who are committed to protecting their employees against the adverse health effects of ultra violet (UV) rays from the sun.

Since 1996, there has been a great deal of angst by the outside workforce on the issue of having to wear long trousers. The change to long trousers represented a drastic departure from custom and practice. Recently the MEU Union Secretary presented a petition to the Chief Executive Officer signed by a large number of outside workers requesting that the protective clothing policy be varied to allow freedom of choice of clothing between long sleeve shirts and long trousers and short sleeve shirts and long shorts.

DETAILS

A legal opinion was sought from Clayton Utz on whether the revised protective clothing policy if adopted by Council would still comply with the obligations imposed by Section 19 of the Occupational Safety and Health Act 1984. The legal opinion found the revised protective clothing policy complies with the obligations imposed by Section 19 of the Occupational Safety and Health Act 1984. In addition, the revised protective policy was further amended to include recommendations made in the legal opinion.

The Policy Manual of the former City of Wanneroo, which was effectively adopted as the Policy Manual for both the City of Joondalup and Shire of Wanneroo, is being extensively reviewed. It is scheduled to be presented to the Joint Commissioners in early 1999. Part of the review involves incorporating a majority of the staff issues into a "Staff Manual". At that time, the proposed Protective Clothing Policy will no longer form part of the Policy Manual, but reside within the Staff Manual.

COMMENT/FUNDING

The estimated cost of purchasing the long shorts is \$10,000. Funding is available within the 1998/1999 annual budget.

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

- 1 ENDORSE the revised protective clothing policy B2-16, forming Attachment 1 to Report CJ287-12/98 effective 1 January 1999;**
- 2 NOTE that when the revised Policy Manual is adopted the protective clothing policy will become redundant and the matter addressed in the Staff Manual.**

Cmr Buckley spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix IV refers

FINANCE AND COMMUNITY SERVICES SECTION

Items CJ288-12/98 to CJ301-12/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Buckley. Cmr Morgan gave notice of his intention to speak on Items CJ290-12/98, CJ291-12/98 and CJ298-12/98.

CJ288-12/98 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876]

The following is a list of documents sealed under the common seal of the City of Joondalup from 10 November 1998 to 2 December 1998:

Document:	Contract
Parties:	City of Joondalup and Brian Laurance & Associates Pty Ltd
Description:	Joondalup Weekend Markets
Date:	10.11.98
Document:	Withdrawal of Caveat
Parties:	City of Joondalup, Fairlanes Bowling Centre P/L and AMF Bowling Centres P/L
Description:	Lot 672 Perilya Road, Craigie
Date:	11.11.98
Document:	Withdrawal of Caveats
Parties:	City of Joondalup and Silkchime Pty Ltd
Description:	Lot 964 Warwick Commercial Park
Date:	18.11.98
Document:	Easement Deed
Parties:	City of Joondalup and Silkchime Pty Ltd
Description:	Lots 944, 946 and 947 Warwick Commercial Park
Date:	17.11.98
Document:	Withdrawal of Caveat
Parties:	City of Joondalup and Woodland Joint Ventures Pty Ltd
Description:	Lot 3 Belridge Shopping Centre
Date:	24.11.98
Document:	Easement
Parties:	City of Joondalup and Silkchime Pty Ltd
Description:	Warwick Commercial Park
Date:	30.11.98
Document:	Withdrawal of Caveat
Parties:	City of Joondalup, Aidia Pty Ltd and Rossi WA Pty Ltd
Description:	Lot 100 Lakeside Drive, Joondalup
Date:	2.12.98

Document: Easement in Gross
Parties: City of Joondalup and I R and E F Marshall
Description: Lot 10 Davallia Road, Duncraig
Date: 2.12.98

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Schedule of Documents executed by means of affixing the Common Seal be NOTED.

The Motion was Put and

CARRIED

CJ289-12/98 REGISTER OF DELEGATED AUTHORITY - [07032]

SUMMARY

Section 5.46 of the Local Government Act 1995 requires the Chief Executive Officer to keep a Register of Delegated Authority. This report documents the delegated authority exercised by the Chief Executive Officer for the 1998 calendar year.

BACKGROUND

Part 5 of the Local Government Act 1995 empowers a local government to delegate many of its powers and duties to the Chief Executive Officer. Section 5.42 authorises Council to delegate some powers and duties to the Chief Executive Officer. Section 5.43 states what powers and duties cannot be delegated to the Chief Executive Officer. Section 5.44 permits the Chief Executive Officer to delegate powers and duties to other employees.

Section 5.46 requires the Chief Executive Officer to maintain a register and record of delegations and to review the delegations once every financial year.

Register of, and records relevant to, delegations to Chief Executive Officer's and employees

5.46. (1) *The Chief Executive Officer is to keep a register of the delegations made under this Division to the Chief Executive Officer and to employees.*

(2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

(3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

DETAILS

The Delegated Authority Register is shown as Attachment A.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners NOTE the 1998 Register of Delegated Authority.

The Motion was Put and

CARRIED

Appendix V refers

CJ290-12/98 URGENT BUSINESS - COUNCIL RECESS - [02154]

SUMMARY

With the exception of January 1998, the Council of the former City of Wanneroo has in the past recessed during the month of January and established a committee to deal with matters of urgent business during that recess.

The Joint Commissioners of the City of Joondalup and the Shire of Wanneroo at their meeting held on 1 July 1998 established their meeting cycle up to April 1999. This agreed meeting cycle did not include any meetings for the month of January 1999.

With the introduction of the Local Government Act 1995, greater flexibility allows for when delegating powers and duties to a committee. However, due to only five Commissioners being the decision makers of both local governments and not fifteen elected members, the advantages of establishing a committee are not the same. It is therefore recommended that where matters of urgent business arise that require a decision of the Joint Commissioners, a special meeting is convened.

BACKGROUND

In previous years, with the exception of January 1998, the Council of the former City of Wanneroo did not meet during the month of January. At the meeting of the Joint Commissioners held on 1 July 1998, it was resolved for both the City of Joondalup and the Shire of Wanneroo to recess for the month of January 1999.

DETAILS

It is acknowledged that during the January recess, the number of items of business required to be dealt with by the Council are fewer than during the course of a calendar year. However, in the event of a decision being required during the recess, it is necessary to determine how that decision will be made.

With the introduction of the Local Government Act 1995, more flexibility is allowed when delegating power to an committee or an officer, in comparison to the rigid provisions of the Local Government Act 1960.

There is a number of options available:

Option 1

To establish a committee comprising of Council members only and delegate the appropriate power to it. The Act allows for various types of committees to be established, however, the type of committee determines the type of power that is able to be delegated.

Section 5.17 states that a committee comprising of council members only can have any of the Council's powers or duties delegated to it under the Act, except:

- any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
- any other power that is prescribed.

Option 2

To establish a committee comprising of Council members and employees and delegate the appropriate power to it. The Act allows for a committee comprising of Council members and employees to be delegated the following powers and duties (the same as delegating direct to the CEO):

A local government cannot delegate to a CEO any of the following powers or duties -

- any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- appointing an auditor;
- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- any of the local government's powers under section 5.98, 5.99 or 5.100;
- borrowing money on behalf of the local government;
- hearing or determining an objection of a kind referred to in section 9.5;
- any power or duty that requires the approval of the Minister or the Governor; or
- such other powers or duties as may be prescribed.

Option 3

To convene a special meeting of the Council to deal with matters of urgent business. The Act allows for a special meeting of the Council to be called and convened where necessary. The Act does not require the CEO to give notice within a certain time frame when calling a special meeting of the Council, however it does require for it to be advertised, where practicable.

COMMENT

The Local Government Act 1995 allows greater flexibility when delegating powers and duties. As there will be times during the January recess that will require a decision of the Council, direction is required on how that decision is arrived at.

Section 6.8 (1)(c) allows for the Mayor (Chairman) to authorise in advance the expenditure from the Municipal fund where no budget allocation exists, in the case of an emergency.

As there are five Joint Commissioners as decision makers for the City of Joondalup and the Shire of Wanneroo and not fifteen elected members, it may not as beneficial to elect a committee and delegating the powers to it. In particular as the minimum number of persons required to establish a committee is three.

It would be simpler to allow the City of Joondalup and the Shire of Wanneroo to operate on a day to day basis, but if necessary have the Chief Executive Officer convene a special meeting of the Council where required to obtain a decision. This would allow for notice of the meeting to be served on all five Commissioners, with the quorum being three. This offers greater flexibility than delegating the powers and duties to a committee.

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

- 1 NOT establish a committee with delegated powers and duties to operate during the January 1999 recess;**
- 2 REQUEST that the Chief Executive Officer convene a special meeting of the Council when required to deal with matters of urgent business over the January 1999 recess.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

CJ291-12/98 CONSERVATION ADVISORY COMMITTEE - [12168]

SUMMARY

The Conservation Advisory Committee was established in August 1998 to discuss and recommend to Council, matters of a conservation nature relating to the region.

Three of the community representatives are now unavailable and require replacing. The following are recommended to fill the vacancies:-

Commissioner Morgan - Chairman
Keith Armstrong - Parks Landscaping Services Conservation Officer
R McElroy - Community Representative.

BACKGROUND

Meetings of the Conservation Advisory Committee held in September and November 1998 have failed to achieve the six attendees required for the correct quorum. Membership of the committee includes the Manager Parks Landscaping Services, the Conservation Officer and nine community representatives.

DETAILS

Attendance of members has been poor due to a variety of reasons. Members initially submitted nominations to participate in a combined Conservation Advisory Committee, however those with a specific area of interest have been unavailable to participate in the combined committee.

Mr John Lavers has submitted a written apology regarding his non attendance and advises he is unavailable until March 1999.

With various committee changes there is insufficient regular members to achieve the required quorum. Therefore the addition of Commissioner Morgan, Keith Armstrong and R McElroy is requested.

Various names have also been submitted by community representatives for inclusion on the committee. These people will be invited to attend the Conservation Advisory Committee meetings and participate in discussions.

The combined committee was reactivated in April 1998 following a review of all Council committee structures. The Terms of Reference Duration states "*the Conservation Advisory Committee will operate until June 1999*". At this time a decision will be made regarding the process after the formal split of the municipalities of Wanneroo and Joondalup.

Full committee membership status would require lodgement of an advertisement for membership submissions from the community to participate. As the committee will be readvertised in June 1999 this action is not recommended.

The Terms of Reference also requires amendment regarding the required quorum. It states "*A quorum will be by simple majority*". It is recommended that this be amended to read "*A quorum will consist of 50% of members.*"

A request has been made by the committee to cancel membership should a member miss three consecutive meetings. This may impact on specific community representatives who are unavailable for a particular reason. It was identified that inclusion of the additional three members and a quorum of 50% will solve members' concerns.

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

1 DELETE the following from the Conservation Advisory Committee:

**C Tauss
R Lavers
R Murray**

2 APPOINT the following as members of the Conservation Advisory Committee:

**Commissioner H Morgan AM
Keith Armstrong
R McElroy**

3 AMEND point 4.5 of the Terms of Reference to read:

“Quorum - A quorum will consist of 50% of members.”

Cmr Morgan spoke in support of the Motion.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CJ292-12/98 JOONDALUP FESTIVAL COMMITTEE - [04089]

SUMMARY

A meeting of the Joondalup Festival Committee was held on 17 November 1998 and the minutes are submitted for noting by the Joint Commissioners.

DETAILS

A meeting of the Joondalup Festival Committee was held on 17 November 1998.

No action has arisen as a result of these minutes and the minutes are attached for noting and inclusion in the minute book.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners NOTE the minutes of the Joondalup Festival Committee meeting held on 17 November 1998 as attached to Report CJ292-12/98.

The Motion was Put and

CARRIED

Appendix VI refers

**CJ293-12/98 PERRY'S PADDOCK PICNIC DAY WORKING PARTY
- [25097]**

SUMMARY

A meeting of the Perry's Paddock Picnic Day Working Party was held on 18 November 1998 and the minutes are submitted for noting by the Joint Commissioners.

DETAILS

A meeting of the Perry's Paddock Picnic Day Working Party was held on 18 November 1998.

No action has arisen as a result of these minutes and the minutes are attached for noting and inclusion in the minute book.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners NOTE the minutes of the Perry's Paddock Picnic Day Working Party meeting held on 18 November 1998 as attached to Report CJ293-12/98.

The Motion was Put and

CARRIED

Appendix VII refers

**CJ294-12/98 WARRANT OF PAYMENTS FOR THE PERIOD TO 30
NOVEMBER 1998 - [09882]**

WARRANT OF PAYMENTS TO JOINT COMMISSIONERS ON 22 DECEMBER 1998
INCORPORATING PAYMENTS FOR THE MONTH OF NOVEMBER 1998

SUMMARY

This report details the cheques drawn on the funds during the month of November 1998. It seeks Joint Commissioners' approval for the payment of the November 1998 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	3961-5282	6,917,860.62
Municipal	000052-000067	15,859,141.64
Trust	000003-000005	1,303.94
Reserve Account	000007-000008	334,561.00
	TOTAL	\$ 23,112,867.20

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of November 1998, the amount was \$900,226.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$23,112,867.20 which is to be submitted to each Joint Commissioner on 22 December 1998 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

.....
 J B TURKINGTON
 Director Resource Management

CERTIFICATE OF CHAIRMAN OF COMMISSIONERS

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$23,112,867.20. submitted to the Joint Commissioners on 22 December 1998 is recommended for payment.

.....
 Commissioner Campbell Ansell

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners PASS FOR PAYMENT the following vouchers, as presented in the Warrant of Payments to 30 November 1998, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$23,112,867.20.

FUNDS	VOUCHERS	AMOUNT	
		\$	c
Director Resource Management Advance Account	3961-5282	6,917,860.62	
Municipal	000052-000067	15,859,141.64	
Trust	000003-000005	1,303.94	
Reserve Account	000007-000008	334,561.00	
	TOTAL	\$	\$23,112,867.20

The Motion was Put and

CARRIED

Appendix VIII refers

CJ295-12/98 FINANCIAL REPORT FOR THE PERIOD ENDED 30 NOVEMBER 1998 - [07882]

GENERAL

The Summary Management Financial Statements and information for the 5 month period ended 30 November 1998 are shown on Attachment A. This monthly report gives a broad overview of the City's financial position at 30 November 1998.

With five months (or 42% of the year expired) revenue and expenditure trends are emerging. Both operating and capital expenditure in the Technical Services and Community Development directorates continue to be below year-to-date budget figures, due to the following contributing factors:-

1. The infrastructure assets (both revenue and expenditure - annual budget \$8.850m) are only accounted for when the assets are actually acquired by the City. In future these will be shown in the financial statements as an "abnormal item".
2. Major building projects which have not yet commenced or are only part constructed:-

Community Development

- Woodvale/Kingsley Day Care Centre (15% complete)
- Joondalup Lotteries House (30% complete)

3. Major engineering works which have not yet commenced or are only partly done:-

Technical Services

- Hodges Drive Dualling (55% complete)
- Marmion Avenue Dualling (works are programmed for December 98/January 99)

The comparison of YTD Actual revenue to YTD Budget reveals a huge surplus. This is a direct result of rates revenue being brought to account when rates were levied (September 1998). The additional revenues in a YTD comparison for Development Services is a result of increased revenues from:-

- building licence fees
- swimming pool licences (levied with rate billing)
- development licence fees

RATES

Rates levied for the year were \$33,224,707.

Rate collection as at 30 November 1998 was \$23m which represented 65.3% of the total rates due. While not a direct comparison the rate collection position at the corresponding period for the former City of Wanneroo in previous years was:-

1990/91	71.5%
1991/92	71.4%
1992/93	72.9%
1993/94	73.6%
1994/95	74.1%
1995/96	71.7%
1996/97	68.8%
1997/98	68.6%

In comparison with other local authorities, the position at the end of November 1998 was:-

	Issue Date	Collection	Discount
Stirling	20/08/98	82.0%	6.0%
Canning	3/09/98	58.0%	-
Wanneroo	11/09/98	56.8%	5.0%
Bayswater	2/07/98	88.0%	-
Kwinana	23/07/98	83.5%	5.0%
Melville	20/07/98	82.0%	5.0%
Mundaring	26/07/98	90.0%	2.5%

During November the City issued 14,000 instalment notices (payment due 18/12/98) and 5900 collection notices (payment due within 7 days of notice, ie 7/12/98). This has resulted in an increase in rate revenue in recent days which should peak during the first half of December, with a resultant increase in percentage collection. Follow up action will be commenced immediately on those properties where rates remain outstanding.

REFUSE

The total refuse levied for 1998/99 was \$5,668,614. Total refuse outstanding at 30 November 1998 was \$516,000 indicating a collection of 91.2%. Again, while not a direct comparison collections in previous years for the former City of Wanneroo were:-

1990/91	91.9%
1991/92	90.4%
1992/93	92.4%
1993/94	91.5%
1994/95	92.8%
1995/96	92.3%
1996/97	92.7%
1997/98	90.8%

At the close of business on 30 November 1998 the City's records indicated 4,650 persons had elected to participate in the voluntary recycling scheme.

SWIMMING POOL INSPECTION FEES

The amount levied for swimming pool inspection fees in the 1998/99 financial year was \$118,953. At 30 November 1998 \$11,336 or 9.5% remained outstanding.

Full details of rates, refuse and swimming pools are shown on Attachment B.

INTEREST ON INVESTMENT

The City's interest earnings to 30 November 1998 was \$958,738 compared to an annual budget of \$2,055,639. It is to be recognised that included in these figures is the earnings of \$454, 650 on the Reserve Accounts.

At 30 November 1998 the City's investment portfolio was as follows:-

	\$	%
AMP Managed Treasury	12,065,520	18.98
Bankers Trust Cash Plus	11,562,473	18.19
Commonwealth Bank (CDA's)	2,687,830	4.23
CBA Cash Fund	12,071,786	18.99
NMFM Cash Enhanced	15,213,700	23.93
Trust West Treasury	9,807,082	15.43
Trust West Cash Enhanced	74,593	0.11
PBS (in liquidation)	95,266	0.14
	\$63,578,250	100.00%

A more detailed presentation of Council's investment portfolio at 30 November 1998 is shown on Attachment C.

BUILDING LICENCE FEES

Fees to 30 November 1998 were \$391,195 against a budgeted \$715,000. Given this trend budget estimates will be achieved.

RECREATION FACILITIES**Craigie Leisure Centre**

In broad terms, the financial position for the Craigie Leisure Centre for the five month period ended 30 November 1998 was:

	Annual Budget	Year to Date Budget (42%)	Year to Date Actual
	\$	\$	\$
Administration	-		-
Pool	56,822	23,676	103,989
Sports/Functions	111,173	46,322	45,421
Fitness Centre	(238,053)	(99,189)	(73,264)
Aerobics	(52,609)	(21,920)	(20,645)
Kiosk	(34,113)	(14,214)	(8,291)
Creche	87,925	36,635	37,098
Total Surplus/Subsidy	(\$68,855)	(\$28,690)	\$84,308

Net subsidy \$84,308

While Council's budget provides for an operating surplus of \$68,855 for this complex for the whole of the 1998/99 year the position at 30 November is a subsidy of \$84,308. This should turn around with the improvement in weather conditions as patronage increases.

By way of comparison the net surplus for the corresponding period last year was \$18,071.

Attendances to 30 November 1998 were 340,488 compared with 313,876 for the corresponding period last year. This reflects an increase numbers of around 26,600.

Leisure Centres

The operating position for the individual recreation centres for the five months ended 30 November 1998 was as follows:-

		Income	Expenditure	Council Contribution	Return
		\$	\$	\$	%
Ocean Ridge	BUDGET	304,400	346,979	42,579	87.7
	YTD BUDGET	126,833	144,575	17,742	87.7
	ACTUAL	102,221	164,467	62,246	62.2
Sorrento/Duncraig	BUDGET	288,920	366,196	77,276	78.9
	YTD BUDGET	120,383	152,582	32,199	78.9
	ACTUAL	118,903	167,175	48,272	71.1
Wanneroo	BUDGET	127,340	279,913	152,573	45.5
	YTD BUDGET	53,050	116,630	63,580	45.5
	ACTUAL	45,155	99,665	54,510	45.3
Warwick	BUDGET	-	173,761	173,761	100.0
	YTD BUDGET	-	72,400	72,400	100.0
	ACTUAL	409	71,914	71,505	100.6
TOTAL	BUDGET	\$720,660	\$1,166,849	\$446,189	61.8
	YTD BUDGET	\$300,275	\$486,187	\$185,912	61.8
	ACTUAL	\$266,688	\$503,221	\$236,533	53.0

RESERVE ACCOUNTS

Aggregate account balances of Council's reserves at 30 November 1998 was \$29,996,684 as shown in Attachment D.

TRUST FUNDS

Balances at 30 November 1998 were:

Unclaimed Salaries and Wages	\$1,393
Unclaimed Monies	\$50,571
Yanchep/Two Rocks Community Bus	\$76,883

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Financial Reports for the period ended 30 November 1998 be NOTED.

The Motion was Put and

CARRIED

Appendix IX refers

CJ296-12/98 OUTSTANDING GENERAL DEBTORS - 30 NOVEMBER 1998 - [04881]

SUMMARY

This report shows the total outstanding general debtors as at 30 November 1998, together with their status and a comparison with the previous two months.

BACKGROUND

A report covering the full detail relating to debtors is still prepared for internal management controls.

DETAILS - SUMMARY OF DEBTORS

Debtor Status	1998					
	NOVEMBER		OCTOBER		SEPTEMBER	
	Total O/S		Total O/S		Total O/S	
	\$	%	\$	%	\$	%
Current	322,217.64	5.82	210,938.60	3.48	225,048.64	3.78
30 Days	66,295.42	1.20	70,691.52	1.19	92,306.02	1.54
60 Days	45,119.65	0.81	53,863.03	.89	19,627.60	.32
90 Days	475,711.77	8.60	726,355.66	12.02	726,681.98	12.12
Deferred Debtors	4,299,742.69	77.72	4,639,411.90	76.84	4,599,085.55	76.82
Deferred Sporting Club Debtors	323,456.22	5.85	336,917.12	5.58	324,506.22	5.42
	\$5,532,543.39	100.00	\$6,038,177.83	100.00	\$5,987,256.01	100.00

DEFERRED DEBTORS

The deferred debtors relate to:-

1. Bankruptcies on which dividends are pending.

	<u>\$</u>
• Onta Foods	335
• Signlite Australia	198
• Farmer Jacks Connolly	393
• Mainline Contracting	95
• WA Folk Federation Inc	1,116
• Plastic Recyclers	490

2. Accounts, payment of which have been deferred in excess of 12 months.
- \$
- | | |
|--|--------|
| a) Ongar Investments (contribution to Berkley/Redcliffe Avenue intersection upgrade). | 11,352 |
| b) Allstate Acceptance Corporation (reimbursement of purchase of Water Tanks- account deferred until 30/11/2000) | 6,993 |
| d) Municipal Association of WA (Local Government House-equity) | 14,712 |
3. Debits raised for headwork levies - awaiting Ministerial approval.
- | | |
|---|-----------|
| a) Pacesetter Homes
East Wanneroo Development Cell 2 | 102,500 |
| b) RJ & HC Geary
East Wanneroo Development Cell 3 | 22,000 |
| c) Galea Building Company
East Wanneroo Development Cell 4
- awaiting ministerial approval on contribution | 87,225 |
| d) North Whitford Estate Pty Ltd
East Wanneroo Development Cell 5
- Minister of Planning is to determine a headwork levy for each developed lot | 2,132,500 |
| e) Citywing Nominees
East Wanneroo Development Cell 6 | 152,575 |
4. Mindarie Regional Council - funds owing to the City for:-
- Operational Surpluses \$1,190,617.32 - last instalment of \$567,333 received 6 November 1998 - a review of these repayments is being undertaken by the Regional Council and will be considered at its December 1998 meeting; and
 - Capital Advances \$548,575.
5. An amount of \$28,045 was raised in anticipation of Workers Compensation premium recovery, pending actual salary and wage submission. The Municipal Workcare Scheme has indicated that the refund will be paid before 31 December 1998.

Significant Changes Since the Last Report**§**90 Days

Included in the 90 days status, are the following outstanding amounts:-

Perth Bicycle Network (construction of local bike routes and regional recreation paths) Bikewest Government Grant for bicycle facilities as part of the Perth bicycle network project. Works have only recently been completed. On 25 November 1998, Technical Services wrote to Bikewest advising them of this and requesting payment as per account rendered in June 1998.	39,380
Ministry of Sport and Recreation (construction Warwick Sports Club and Iluka Oval)	326,342
1. Aquamation and Craigie Leisure Centre swimming pools subsidies (2 x \$3000) for 1997/98. Awaiting annual audited statements.	
2. Community Sporting and Recreation Facilities Fund (CSRFF) grant for the construction of a multi use sportsground and clubrooms at Iluka (\$270,342.27). Claim form was obtained from Ministry of Sport and Recreation on 23 November 1998 and forwarded to Mr Tony Wight (Chairman of the Beaumaris Sports Association) for his completion and return to Leisure Services.	
3. CSRFF grant for Warwick Sports Club (\$50,000). Claim form is currently with Leisure Services.	

On completion of the above mentioned claim forms the payments will be made.

\$365,722

DEFERRED SPORTING CLUB DEBTORS

These accounts relate to loans obtained by the City on behalf of three sporting clubs, and which are being repaid over a period of years.

Quinns Rocks Bowling Club	16,172.98
Wanneroo Districts Rugby Union Football Club	47,412.28
Wanneroo Districts Basketball Association	259,870.96

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners RECEIVE the Outstanding Debtors Report as at 30 November 1998.

The Motion was Put and

CARRIED

CJ297-12/98 AUTHORISATION OF REALLOCATION OF FUNDS - [06511]

SUMMARY

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.

The Joint Commissioners will be aware that the Local Government Act 1995 makes specific provisions relating to expenditure from the Municipal Fund not included in the annual budget:-

- “6.8 (1) A local government is not to incur expenditure from its municipal fund which is not included in its annual budget except where the expenditure:-
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the Mayor or President in an emergency.

***Absolute majority required.**

- 6.8 (2) Where expenditure had been incurred by a local government:-
- (a) pursuant to subsection (1) (a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1) (c), it is to be reported to the next ordinary meeting of the Council”.

While the Local Government (Financial Management) Regulations 1995 specifically requires comparatives with the **original** budget estimates, it has been adopted practice, for budgetary control purposes, to have “revised budget figures” which reflect the reallocations adopted each month.

In some instances the necessity to seek a reallocation of funds is to accommodate oversights during budget preparation or to include items which have eventuated since budget adoption. Other requests represent a re-assessment of priorities. In each instance, brief explanations have been provided by the respective Directorates and these are duplicated within the schedule.

The budget adjustments listed in Attachment 'A' do not alter the Budget position.

This year it was agreed that the City of Joondalup Budget is compiled on the basis of 'one line appropriations' rather than appropriations for expense types. This effectively reduces the number of budget reallocations each month. Unfortunately it was not possible to dispense with budget reallocations entirely, especially in the area of Salaries and Wages and Contract Labour.

MOVED Cmr Morgan, 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 1998/99 Budget as detailed in the Schedule of Budget Reallocation Requests - December 1998.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix X refers

CJ298-12/98 YOUTH IN GOVERNMENT - [38245]

SUMMARY

The Youth in Government Program includes a range of initiatives which incorporate:

- the development of four Youth Advisory Councils;
- a revised Junior Council program;
- the participation in State Youth Parliament;
- the participation in Federal Youth Parliament.

The main objectives of this proposal are:

- to provide an opportunity for young people throughout the City of Joondalup *and the Shire of Wanneroo* to raise, discuss and advocate on issues which are of significance to them.
- to provide opportunities for young people to learn about and participate in the decision making process of all levels of Government.
- to implement a meaningful and effective alternative to the current Junior Council

This proposal draws together and integrates the work done by Nick Francis and Associates, the City's subsequent Youth Action Plan, the Youth Parliament programs of the YMCA and the State Government's Youth Advisory Council program (YACs).

BACKGROUND

It was recommended by Nick Francis and Associates in his report 'Young People and the Future' that the Junior Council be disbanded. He also recommended the Youth Advisory Councils as set up by the State Government be not established by Council. In stage 2 of the consultancy he did, however, recommend that a consultative structure made up of young people be established in the Clarkson region. He further recommended that this structure be supported by a Council appointed secretariat.

The former City of Wanneroo Report, 'Youth Action Plan' [No: CS34-03/98 refers] proposed a strategic plan to progress the Francis report. It proposed that the recommendations relating to Junior Council and Youth Advisory Councils be further investigated. This report is the outcome of that investigation.

The principles which underpin the Francis recommendations and the Youth Action Plan have been retained and built upon. They include:

- involving young people in the decision-making process;
- providing opportunities for young people to participate in a real and meaningful way in the planning and development of the community;
- acknowledging young people as critical stakeholders in the present and future community;
- enabling young people to have an individual and collective voice.

Youth Advisory Councils

The Office of Youth Affairs, in 1997, established its Youth Advisory Council Program. This program provides resources for Local Governments or community organisations to set up locally based advisory groups of young people.

These advisory groups provide a forum in which young people can raise and discuss issues and forward their views to both their local governments and/or the Minister for Youth. More importantly, both the local government and the Minister can, and do, seek input from the YACs about issues relating to youth.

The YACs are sponsored and supported by local governments with funding through the Office of Youth Affairs.

Whilst this Advisory Council Program had some initial problems it is now functioning effectively and provides a sound consultative process for both State and Local Government.

Junior Council

The Junior Council has been in existence since 1978. Several attempts have been made, but with limited success, to review its relevance.

The Francis report concluded that, in its current form, Junior Council '...has not been a force in raising issues specifically related to young people. The issues raised have in general been minor in nature and not specifically related to young people.'

Since the time that the Junior Council was first established, its membership has been drawn from local high schools. Today, given the changes to the social role of young people and the education system, an increasing number of young people are not represented by high school students.

Whilst there are clearly deficiencies in the current Junior Council model, it is also true that young people are keen to nominate for and participate in Junior Council.

This proposals seeks to preserve the basic concept of Junior Council, which is to provide young people with an understanding of local government and their role as stakeholders and future ratepayers.

The Junior Council program which is being proposed differs markedly from the current model in that:

- it is an intensive program conducted over 7 days
- it forms an important link in the proposed whole of government program
- it is part of a range of mechanisms through which young people in the region are consulted

Youth Parliament

The State and Federal Youth Parliament are programs co-ordinated by the Western Australian YMCA State Council and National Council of Australian YMCAs respectively. The programs are conducted annually and provide opportunities for teams of young people to participate in all aspects of parliamentary and legislative procedures.

State and Federal Youth Parliaments have been conducted in Australia since 1990. Their success is best measured by the number of Youth Parliament bills which have been incorporated into state and federal legislation.

It is considered that by developing a whole of government program young people will be exposed to a valuable learning experience as well as being able to participate and advise on issues which are important to them at all levels of government. The program provides for an integrated and natural progression through the three levels of democratic participation.

DETAILS

The model being proposed is believed to be the first of its kind in Australia. It is unique in that it incorporates each level of Government and will provide young people in the region with an insight into the total democratic process.

Attachment 1 provides a conceptual overview of how the sub programs relate to each other.

The following summary provides more detail on how the sub programs will be developed and operated.

Youth Advisory Councils (YACs)

Membership

Four Councils covering the areas of Joondalup North, Wanneroo North, Joondalup South and Wanneroo South would be established. These Councils would be modelled on existing Youth Advisory Councils in Western Australia with the key difference being a strong training and development component and incorporation into the broader Youth in Government Program.

Membership to the Youth Advisory Councils would be determined by an election process. Young people from local schools, learning institutions, youth organisations and other key networks would be invited to nominate. The City would co-ordinate the nomination and election process. It would also provide support to those community youth organisations which do not have the resources to be involved in the process. The frequency of meetings of the Advisory Councils will be determined as part of the setting of the Terms of Reference.

Whilst the City cannot determine the membership of the Youth Advisory Councils, it would attempt to ensure an equitable representation of young people from all sectors of the community.

Members would have two year terms with half the membership being elected in each year. This would ensure continuity and enable those ongoing members to provide support to new members.

Role

As stated, the Youth Advisory Councils would operate along similar lines to YACs throughout the state. They would have two primary roles. The first would be to provide a forum in which young people can raise and discuss matters of significance to them and to forward their views to the City and the Minister for Youth (through the Office of Youth Affairs). The second would be to provide feedback on matters which are brought to them by the City and the Minister for Youth.

In this way Youth Advisory Councils have a direct role at both a local and state level.

The Youth Advisory Councils of this region would not be regarded as the sole representatives of all young people in the region. Young people are as diverse as any other group in the community and cannot be represented by a single voice.

To this end, a further dimension of the role of the Youth Advisory Councils would be to facilitate processes within which as many young people as possible can have their say and be heard. Youth Services staff would assist the advisory councils in performing this role.

Structure

It is anticipated that each Youth Advisory Council would have 16 members.

A number of structures for the Youth Advisory Councils are possible. Each Youth Advisory Council would determine its structure at its first meeting. However, common to all four Youth Advisory Councils would be monthly meetings with agendas and minutes. There would be two joint meetings scheduled in each year when all the Advisory Councils come together.

Induction and Orientation

A two day induction and orientation program would be provided to new Youth Advisory Councils at the beginning of their terms. This would involve:

- information about their Local Government including boundaries, services and facilities, demographics, structure and operations;
- meeting procedures;
- group processes;
- the role of the YACs and its members;
- the place of the YACs within the Youth in Government Program.

Junior Council

It is proposed that the existing model of Junior Council be discontinued and replaced by a Junior Council Program which would be conducted during the second week of the mid-year school holidays over an intensive 7 day period. As well as receiving training in all aspects of Local Government, participants would debate and make recommendations on issues put forward by the Advisory Councils (Attachments 2 and 3 refer).

At the joint meeting in June of the four Youth Advisory Councils, it is proposed that 16 young people will be elected to participate in the Junior Council Program

Terms of Reference for both the Junior Council Program and the Youth Advisory Councils will clearly articulate the function, role and relationship between the two structures and also their relationship with the Council. These Terms of Reference, which will be reviewed after twelve months, will be developed around the main strategic directions of the organisation.

At the joint meeting in June of the four Youth Advisory Councils, it is proposed that 16 young people will be elected to participate in the Junior Council Program.

This proposed Junior Council Program is an integral aspect of the proposed Youth in Government Program and an apt evolution of the Junior Council which has been run for the past 20 years.

It is further proposed that the Junior Council would make a presentation at Local Government Week. This will enable the City to promote the program and to give participants an opportunity to present their achievements at an appropriate public forum.

State Youth Parliament

This program is run annually by the Western Australian YMCA State Council. It involves teams of young people from locations throughout the State and is conducted at Parliament House in Perth in October each year.

It is proposed that the City, through the Youth Advisory Councils, would nominate a team of seven young people to take part in the program.

The State Youth Parliament is a three month program which culminates in a one week intensive program in October each year when teams of young people from many parts of the State gather in Perth.

In the preceding months they have been trained in parliamentary procedures and will have researched and developed a bill to put up at Parliament. They will also research and prepare an argument against a bill being put forward by one of the other teams.

The Youth Parliament is conducted in the Upper House of Parliament House. It is presided over on the first day by the Speaker of the Upper House and on subsequent days by other Members of Parliament. Hansard and other parliamentary staff are available to service the Youth Parliament.

Youth Parliament is officially opened by the Governor of WA and the Youth Governor. The State Premier, Leader of the Opposition and other dignitaries attend. The Youth Parliament sits for four (4) full days. A unique aspect of Youth Parliament is that members vote according to conscience and not on party lines.

At the conclusion of Youth Parliament the bills are presented to the Minister for Youth who gives an undertaking to present them to State Parliament.

At every Youth Parliament since its inception (with the exception of one) a bill, or part of a bill, has been incorporated into State or Federal legislation. One example is the 0.05 alcohol limit for drivers.

Federal Youth Parliament

This program, which is co-ordinated annually by the National Council of Australian YMCAs, is conducted at Parliament House, Canberra in April each year. It is proposed that the City of Joondalup and Shire of Wanneroo jointly support one or two young people from the region's State Youth Parliament team to participate. Only young people who have participated in State Youth Parliament are eligible to participate. This support could include assistance with travel and accommodation costs.

A young person who is supported to participate in Federal Youth Parliament will be required to take the role of Resource Person to the subsequent State Youth Parliament team.

Federal Youth Parliament operates similarly to the State Youth Parliament but at a Federal level and involves teams from each state and territory of Australia.

COMMENT/FUNDING

The Youth in Government Program, as proposed, is an innovative approach to youth participation and young people. It would provide a sound model for other Local Governments to adopt.

Preliminary discussions with the Office of Youth Affairs has met with enthusiasm and has attracted support for the model. The Office of Youth Affairs will provide \$10,000 to establish the four Youth Advisory Councils and ongoing annual funding to conduct the Induction and Orientation as well as the Training and Development camps.

Funds of \$32,356 have been allocated in the City of Joondalup's 1998/99 budget to employ a project officer to develop youth participation and community education strategies. A further \$14,000 has been budgeted in operational costs for these projects. It is anticipated that a project officer will commence employment in January 1999 to implement the program outlined in Attachment 4.

The establishment of the Youth Advisory Councils will be evenly placed across both the City of Joondalup and the Shire of Wanneroo during the first half of 1999. It is proposed that the Junior Council Week, for next year at least, be conducted as a joint project between the two Local Governments. Due to the limited number of places available in both the State Youth Parliament and Federal Youth Parliament it is proposed that these sub-programs continue to be conducted jointly by both Local Governments.

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

- 1 ENDORSE in principle the Youth in Government Program as put forward in Report CJ298-12/98;**
- 2 DISBAND the Junior Council in its current form and replace it with the Junior Council Program as put forward in Report CJ298-12/98.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix XI refers

CJ299-12/98 YOUTH ACTION PLAN - PROGRESS REPORT FOR THE PERIOD JULY TO DECEMBER, 1998 - [07116]

SUMMARY

The Commissioners at their March 1998 meeting of the former City of Wanneroo endorsed the recommendations put forward by Consultant, Nick Francis and Associates, in the report "City of Wanneroo, Young People and the Future". (Report CS34-03/98 refers). Based on the principles contained in that report, Stage 1 of a Youth Action Plan to June 1999 was developed and adopted for implementation. Development of Stage 2 of the Youth Action Plan involved a study of the needs of young people in the Clarkson area and an assessment of the need for a youth facility or facilities in the area.

This report provides an update on progress made to date in the implementation of the Youth Action Plan. At least \$1.5 million will be spent by the City of Joondalup and Shire of Wanneroo this financial year specifically on implementing the initiatives of the Action Plan. These initiatives include:

- the construction of new facilities;
- increased sporting and leisure activities;
- support services for young people in “at risk” situations;
- increased community education activities; and
- youth participation strategies.

To facilitate the progress of the Plan a significant restructure of Council’s Youth Services has been undertaken together with a refocusing on the strategic direction for the City of Joondalup and Shire of Wanneroo in the area of services and support for youth. This report also details this progress to date.

Two separate reports are provided on progress made to date in relation to the Clarkson Youth Facility and a proposed program for involvement by youth in government.

BACKGROUND

The Francis report provided a framework for Council to address issues facing young people and to plan for future youth services provision. The major recommendations from the report focused on:

- defining a role for Council as one of leadership in planning and co-ordinating services, facilities and activities for young people;
- increasing participation by young people in the planning and development of services, facilities and activities; and
- improving the marketing of Council’s services and projects for young people.

During the past six months, the business units within the Community Development Directorate have been restructured to reflect a more co-ordinated and developmental role for Council. A Youth Projects Team has been established within the Directorate to facilitate greater collaboration between the business units. Leisure Services has employed Recreation Development Officers with an increased focus on designing services which are pro actively responsive to community needs. Youth Services is now a part of an integrated family service unit within Community Services, with its own designated Team Leader and Co-ordinator. New strategies are more project based with consultation, development and evaluation time-frames.

In line with the recommendations made by Nick Francis and Associates, the Welfare Services Business Unit has been renamed Community Services and the Community Services Directorate has been renamed the Community Development Directorate.

DETAILS

The following update is based on the progress to date of Council's activities and achievements in respect to the Youth Action Plan. The update refers to a mix of service provision and community development initiatives undertaken across the organisation, and in particular by the Community Development Directorate.

1. MANAGEMENT AND CO-ORDINATION

To enable the Youth Action Plan to be more effectively implemented two main strategies have been introduced, namely:

- the establishment of a Youth Services Projects Team within the Community Development Directorate. This group ensures that all areas of the Directorate have input into new and ongoing projects.
- the structure and function of Youth Services within the Community Services Business Unit have been reviewed. As a result of this review, the operations of the service have been re-focused into four strategic directions. The following summary outlines these key directions which provide a solid framework for the further development of Youth Services in the longer term:

Strategic Direction 1 - Co-ordination and Development

Key Aims:

- Oversee and influence the planning and development of services across the region to ensure diversity of type and equitable geographic spread.
- Promote and enable collaboration amongst local groups.
- Facilitate linkages and working relationships between local stakeholders.
- Encourage the establishment of neighbourhood/local/and regional area networks and bodies by initiating new ones where none exist and supporting those already in existence.
- Support the development of services/networks across the region by providing:
 - information (eg demographic data, strategic plans for region)
 - administrative support and back-up (eg minutes, agendas, postal address)
 - expertise in areas such as funding sources, negotiating funding and developing management models.
 - sponsorship
 - short-term partnerships
- Provide infrastructure for facilities and amenities.
- Maintain sound working relationships with key development agents including State and Federal governments, the commercial and corporate sector, and community agencies.
- Undertake ongoing and targeted community consultation.

- Maintain an up to date information base on stakeholders throughout the region.
- Resource the development and trial of innovative models of collaboration and co-ordination.
- Implement procedures and systems to enhance the co-ordination of youth services/activities within Council.

Strategic Direction 2 - Youth in Government

This strategy is briefly dealt with below and in detail in a separate report to Council.

Strategic Direction 3 - Youth Activities Program

Key Aims:

- Develop, co-ordinate and conduct a package of activities and events throughout the region which:
 - is varied and flexible;
 - is highly responsive to local needs and circumstance;
 - is primarily determined by young people;
 - maximises opportunities to work co-operatively with other community groups;
 - complements and enhances, rather than competes, with other community activities and events.

Strategic Direction 4 - Community Education and Information

Key Aims:

- Promote and portray a balanced and real picture of young people.
- Initiate and facilitate public discussion about youth issues.
- Develop effective means of providing information to young people including, for example, a regular insert poster in the local newspaper detailing all local services, activities and events for young people.
- Establish a Youth Website using the current Junior Council web page.

2. COMMUNITY CONSULTATION/YOUTH PARTICIPATION

Junior Council/Youth in Government/Youth Advisory Councils

A separate report has been submitted to Council proposing the establishment of a Youth in Government Program, a program believed to be the first of its kind in Australia. It is unique in that it incorporates each level of government. The program comprises four sub-programs:

- Local Youth Advisory Councils
- Junior Council
- State Youth Parliament
- Federal Youth Parliament

The sub-programs are integrated to provide young people with an insight into the whole of government.

This program is further detailed in a separate report to Council. The estimated cost of establishing and operating this program in this financial year is \$35,000.

Neerabup Community House Consultation

The building of an \$800,000 community house in the Neerabup community (in the suburb of Cockman) is a joint project between The City of Joondalup/Shire of Wanneroo, the Department of Family and Children's Services and the Lotteries Commission.

In October 1998 each household received (through a letterbox drop) an invitation to attend an open meeting to discuss the needs of the community in respect to a community house and to make comment on the design of the building.

A resident's working group was formed to draw together the views of residents and to meet with Council's architect. The working group is being supported by staff who are providing administrative and secretarial support.

To date the group has undertaken an inspection of a range of council facilities in order to gather ideas and examine the positive and negative aspects of other centres. They have also met twice with the architect.

A key feature of their input has been a desire to ensure that the building is designed to accommodate and welcome all age groups within the community. Whilst there is a predominance of children's services, the group is keen to include young people in the community house. The group feels strongly that if young people can be included in the design and establishment of the centre, they will feel acknowledged and valued. The cost of the consultation phase is conservatively estimated at \$1,000, excluding staff time.

Community Needs Studies

A project officer was appointed to conduct a community needs study in the Warwick/Dun Craig area. The project was promoted through local media, Junior Council, schools and youth groups. The project officer also consulted young people in shopping centres. Questionnaires were distributed widely and were collated. The results are presently being examined by Youth Services staff to determine the type and style of activities which will be developed in the area. A further needs study will be carried out in the Girrawheen/Koondoola area. The costs of these consultations are estimated at \$3,700.

Council has successfully negotiated HACC funding to take over the management of the youth drop in centre for young people with disabilities in Alexander Heights. As part of the establishment of the management structure of the Centre a comprehensive consultation costing approximately \$21,000 will take place with providers of specialist services for young people with disabilities, mainstream youth services as well as young people and their families. A project officer will be employed from December 1998 to carry out the consultation and development phase of the project.

Library Services conducted a survey with over 2,000 young adult students. This resulted in:

- an increase in the quantity and variety of young adult periodicals;
- improved access to stock by more flexible arrangements and tagging.

Library Services also redesigned date due slips to allow for the inclusion of comments from all age groups. Completed comments are displayed in the library of origin.

A Youth Information Forum was held at Two Rocks. Representatives from government, non government and local government spoke with young people on the range of services, activities and facilities available. Young people in turn spoke about their perceived needs. Many of the issues raised such as bike tracks, skateboard facilities and camps have been listed for action in the Youth Action Plan.

3. COMMUNITY EDUCATION

School Food Hygiene Workshops

As part of an ongoing program, Council's Health Services staff conducted food hygiene workshops with years 8-12 school students throughout the region. Home economics and food production classes were the focus of this year's workshops.

The workshops included student interactive activities such as looking at past photos of food complaints, determining food additives in food and basic food hygiene audits on their own kitchen areas. A 20 minute video with explanations via a small overhead presentation complemented the activities.

Of the 5 senior high schools that were involved in the workshops, 9 classes with a total 140 students completed the program. From these students, over 94% achieved the required standard to receive a certificate of achievement from Council.

This is an ongoing program with the schools and has now been further enhanced by a two level approach to be implemented in 1999:

- A basic food hygiene program called "FoodSafe Basics" for years 8 and 9 students; and
- A more advanced program called "The Importance of Food Safety" for years 11 and 12 students.

There was no cost to the schools for the workshops. Excluding staff time, \$100 was spent on the preparation of materials for the workshops.

Environmental Discovery Week

Environmental Discovery Week was an exciting new project initiated by the City of Joondalup and Shire of Wanneroo this year. Health Services staff organised workshops and activities for school students that created awareness and interest in environmental issues facing the community today.

Over 420 students from eight schools participated in the 67 workshops and activities conducted throughout the week. The workshops with the best attendance were the water quality monitoring and the midge and mosquito identification.

The bushwalk development, macro invertebrates, caving, vegetation and fire prevention workshops were conducted by Council's Rangers.

Twelve students from the two schools of Prendiville Catholic College and Duncraig Senior High School participated in a School Project Competition. The focus of this year's school project competition was Yellagonga Regional Park and some of the environmental issues relating to its conservation. The entries were of a high standard and it was obvious that the students put a lot of time and effort into their submissions. Four entries were selected by a panel of judges to receive recognition for their work. Excluding staff time the estimated cost of this week was \$2,972.

World Aids Day 3d and Poster Competition

A poster competition was conducted by Health Services in conjunction with the W.A. Aids Council. The competition was aimed at high school students ranging from 12 to 18 years of age. The two topics for the entrants to choose from were Safe Sex and HIV/AIDS and Hep A and B.

The overall aim of the competition was to involve young people in the region to increase their awareness of the need for safe sex and supply a void in the health industry for posters that are relevant and have up to date information to which other youth can relate.

The competition closed on 13 November 1998 with several 3D and poster entries. Sony has confirmed its commitment to donate prizes to the winners. Excluding staff time, the cost of conducting this competition was approximately \$260.

Youth Interaction and Education Campaign

This year Council's Rangers conducted a number of activities with young people with the objective of improving relations, building rapport and educating young people on the role of Rangers in a low key and unobtrusive manner.

One of the most successful activities was conducted with the Anchors Youth Group. One of the Rangers attended a camp for students conducted by Council in the South West and became involved with activities such as surfing and 4 Wheel Drive rides. This improved the rapport and trust with the particular Ranger. Following the camp, the Ranger kept in contact with the youth group and it was found that there has been a reduction in the vandalism around the Ocean Ridge Community Centre where the group is based.

The Rangers have also been involved in a number of promotional events where they have either conducted rides in patrol cars or on motorbikes for young people. This is used as an ice breaker with the young people and allows the Rangers to have a presence without being intimidating. It also provides an opportunity to educate young people on the use of off road vehicles in a fun and interactive way.

These activities have taken place at the following events:

- Family Week - Open Day at Yanchep Community House
- Merriwa Primary School Open Day
- Two Rocks Police Promotion
- Youth Services Night- Two Rocks Community Centre
- Mindarie Surf Competition

An amount of \$60,000 has been allocated in this financial year for the introduction of a major community education programme. The overall aim of the program will be to develop a sense of social, civic and environmental responsibility across all sectors of the community. The programme, which will be corporate wide, will seek to improve the co-ordination of existing community education activities in areas such as health promotions, environmental protection and school curriculum-based tours, as well as develop a range of new and innovative projects consistent with the role and functions of Council as a local government authority. A range of strategies will specifically target young people, some of which will be developed in conjunction with the Education Department of Western Australia. A project officer will commence employment in January 1999. Other projects which will be included under this program are:

- a regional parent education program \$20,000
- school education program \$8,000
- production of information publications \$5,000
- production of an educational video on Ranger Services \$20,000

4. COMMUNITY DEVELOPMENT/JOINT PARTNERSHIPS

Relationship with Office of Youth Affairs

As a result of ongoing consultation with the Office of Youth Affairs, a commitment has been gained to fund the establishment of four regional Youth Advisory Councils in the City of Joondalup and Shire of Wanneroo. As well as providing \$10,000 in establishing the Councils, negotiations are continuing for additional funding for training, promotion and evaluation activities.

Drug Action Groups

Council has donated \$1,500 to the Whitford Local Drug Action Group for recent drug awareness initiatives.

The Yanchep Community House recently hosted the inaugural meeting of the Yanchep Local Drug Action Group.

Council's Youth Team Leader is supporting the Wanneroo Lions Club to establish the Wanneroo Local Drug Action Group.

Council facilitated the involvement of the Merriwa Local Drug Action Group in the Quinns Surfing Competition in October. This was an initiative of Council as part of its holiday program for young people. That group has now taken over the sponsorship of the event on an ongoing basis.

Copies of Council's Youth Action Plan were distributed to relevant federal and state government members of parliament including the Minister for Family and Children's Services who in turn has forwarded a copy of the Plan to the W.A. Drug Abuse Strategy Office asking that body how it could assist Council to implement the Plan.

Feasibility of Establishing a Youth Legal Service in the City

An application has been submitted to the Public Purposes Trust of the Law Society of Western Australia for funding to the value of \$15,000 to carry out a feasibility study into the establishment of a Youth Legal Service in the region and, if appropriate, to identify and develop a service delivery model. Preliminary discussions have been held with Youth Legal Service, Legal Aid and local legal practitioners to gauge support for the proposal. The outcome of the funding application is expected to be known in early 1999.

Construction of Joondalup Lotteries House

The Lotteries House at Joondalup is scheduled for completion in February 1999. The project has been four years in the making and has been managed by a Council appointed Steering Committee. An inaugural general meeting has been recently convened and a permanent management group established. The City of Joondalup has contributed land, \$70,000 in landscaping and \$332,500 towards the construction costs. A further commitment has been made to provide parking and linking podiums to the Joondalup Administration building. Considerable management and administrative support has been provided by Council's staff to facilitate the development of this regional facility. The Lotteries Commission has contributed \$2 million to the project. The facility will accommodate a variety of community organisations and will provide a regional focus to service provision for the non government sector. Organisations which will be located in the facility and which will provide specific support to young people will be Wanneroo Accommodation and Support, Workpower, Relationships Australia and Centrecare.

YMCA Mobile Youth Centre and Yanchep/Two Rocks Service

Council contracts the YMCA of Perth to provide a Mobile Youth Centre and support services to four locations in the region - Koondoola, Girrawheen, Clarkson and Quinns Rocks.

Funding has been recently obtained from the Department of Family and Children's Services for a joint project between the YMCA and Council to provide a range of activities/services to young people in the Yanchep/Two Rocks/St Andrews community. This service is currently being established and will commence in January 1999.

\$57,000 will be spent on these initiatives.

Council also worked with the YMCA mobile service, the City of Stirling and Family and Children's Services to address issues of youth suicide which occurred in the Duncraig/Carine area earlier in the year.

Crime Prevention Summit

A summit on crime prevention was held at the City of Joondalup on 15 April 1998. The summit which was a co-operative venture between the Joondalup Regional Community Policing Crime Prevention Committee, the former City of Wanneroo and the Joondalup Police District led to the formation of a number of taskforces. The issues being addressed by these taskforces include those relating to young people such as anti graffiti, juvenile crime and anti social behaviour. The taskforces are focusing on proactive preventative strategies relating to these areas. Council has provided the venue and considerable administrative and secretarial support for the Summit and taskforces. \$2,000 was also spent on direct costs such as catering and security to support the operation of the Summit.

Employment and Training Initiatives

Council has committed to provide up to 12 placements for young people from the region who will be involved in the Work for the Dole project to be conducted by Joondalup Joblink. Staff from Youth Services have offered to work with the Joondalup Joblink staff to develop an orientation and ongoing support program for the participants. Joondalup Joblink is currently awaiting the outcome of its submission to the Federal government for funds to run the project for which Council has provided a letter of support.

Community Services staff are supporting an initiative to research employment and training needs in the Yanchep area. This is an initiative of Joondalup Joblink and the State Department of Training. Council has provided advice and input into the research model and is assisting the project officer by providing space at the Yanchep Centre.

Council has worked with Joondalup Joblink to submit an application for financial assistance to the W.A. Department of Training to the value of \$62,000 to establish labour market programs in the region linked to the proposed Joondalup Performing Arts Complex. These programs would specifically target employment growth for young people in the region.

Council is a sponsor of the Western Australian Department of Training Aboriginal Landcare Training Initiative by way of facilitating placements for ten aboriginal trainees, aged approximately between 15 and 25 years. The participants work in the Parks Landscaping business unit. The placements are funded by the WA Department of Training through Balga Joblink, and involve Council working with these organisations as well as CALM and other organisations to ensure the success of the program.

Work Experience and Juvenile Offenders Work Placement

Council has drafted new guidelines in order to provide a more structured program of work experience placements for a wide range and number of people seeking on the job experience and other forms of community work experience. Many of those involved in the program are young people from local high schools and tertiary institutions. The program will allow Council to take a more co-ordinated, proactive and planned approach in providing placements to young people.

The City of Joondalup continues to provide supervision and placements for young offenders carrying out community work orders. Consultations are progressing with the Ministry of Justice to extend this programme to include work placements in other areas of Council, particularly for young women.

Intergenerational Environmental Picnic Day

As part of the Senior's Week activities, Council organised an environmental picnic at Hawkins Park. The theme was 'linking all ages' and involved young people from six local schools and senior citizens from local day care centres and senior's clubs. The picnic was hosted by staff from the Community Development Directorate with participation by the State Emergency Service, Friends of Yellagonga, Community Policing and the Wanneroo Lions Club. Participants were invited to take part in a walk around the lake. Community organisations and Council's Health Officers set up displays on the local wetlands. The event cost \$1,600 to coordinate, excluding staff time.

School Holiday Activities

In developing and conducting a range of activities for young people during school holiday periods, Council collaborates extensively with many local groups in order to maximise the use of limited resources, to minimise duplication and to support one another in order to offer the widest possible range of options to young people in the area. Some of the groups with whom Council has recently collaborated are:

- YMCA of Perth
- Local Drug Action Groups
- Community Policing
- Yanchep Junior Fire Brigade
- Yanchep Police Rangers
- Yanchep Surf Lifesaving Club
- Neighbourhood Watch
- Youthlink Northern Region Youth Group
- North Metropolitan Community Drug Team
- Clarkson Community High School
- Wanneroo High School
- Skateboard Association of W.A.
- Surfing W.A.
- Pot Black

Some recent examples of Council working co-operatively with community groups in the provision of youth services are:

- youth services staff have successfully worked with the North Coast Community Church to organise a youth night during the recent school holidays. The event was a drop-in video night which targeted young people in the 12 to 17 years age group. The church provided food and entertainment and Council provided transport and staff.
- Council continues to provide transport and staff assistance to enable young people from Yanchep, Two Rocks, Mindarie, Quinns Rock, Merriwa and Clarkson to attend the monthly Blue Light Disco at Heathridge.

- Council has actively sought and facilitated the involvement of community groups and local businesses in a number of Council initiated activities. This has successfully led to the devolution of those activities to the community groups and businesses. A recent example is the Surfing Competition which was conducted by Council and which will, in future, be run by Surfing W.A., two local Surf Shops and the Merriwa Local Drug Action Group.
- in response to recent concerns about vandalism and antisocial behaviour at the Wanneroo Showgrounds Skate Facility, Council initiated a plan which involved:
 - bringing together local community youth groups to develop a joint strategy;
 - arranging a positive and immediate response by the City/Shire through the local media;
 - consulting with users at the skate park including parents and community members;
 - responding promptly to complainants and involving them in finding solutions.

This plan resulted in a clean-up of the facility involving young people, parents, residents and community groups such as Wanneroo Lions, Skating Association of W.A. and a local youth group. It was followed by a social gathering and led to the establishment of the Showgrounds Skate Club.

Yanchep Community Youth Watch

This group has been formed by young people. To assist in its establishment, the Community Services Business Unit has allocated one of its youth services staff to work with the group and attend its meeting for an initial period of six months. The group recently held its first major event, a disco at the Two Rocks Recreation Centre. It was a great success attended by over 160 young people.

Alternative Education Programme

The City has recently leased a section of its Merriwa Community Services Administration Centre to the Education Department of W.A. at a reduced rental for the purpose of operating an alternative education programme for young people who do not fit into the normal education system.

Crime Prevention and Community Policing

Council will continue to operate its mobile security patrols at an approximate annual cost of \$1 million as a key part of its Security Watch service. The patrols are operated by Council's Rangers on a twenty four hour, seven days per week basis. The service involves the security patrols targeting anti social behaviour and graffiti. The patrols have direct communication links to Joondalup Police Station, with plans developed to extend these links into other police stations in the region. Processes are being developed to ensure that areas observed by the service which relate to young people are addressed in a co-ordinated way. A positive and proactive strategy to address the issue of young people gathering in parks is currently being formulated.

In addition to the patrols, a range of other crime prevention and community policing initiatives has been introduced including a comprehensive graffiti control program costing approximately \$360,000, sponsorship of the Constable Care Project which is conducting puppet shows on crime prevention throughout all primary schools in the region, and a contribution of \$11,500 to the Safety House Association of W.A. for the operation of the Safety House Program throughout the region.

Information Brochure

The compilation and production by Council of an information brochure for young people in need of crisis support has been recently completed with the assistance of a ratepayer, with a printing and production cost of approximately \$400. In excess of 7,000 brochures will be distributed to all government and non-government youth agencies including schools, youth clubs and other key youth networks. The information will also be included on the Junior Council Website.

Community Radio Station

Assistance has been given to the Joondalup City and Districts Broadcasting Association Inc. to prepare a funding application to the Federation Community Projects Program to establish a regional community radio station in Joondalup. Special emphasis would be placed on programs and activities for young people including involvement by young people in programming, learning and training opportunities. Council has indicated its in principle support for the establishment of the station and its willingness to consider providing a suitable venue to accommodate the station and to provide in kind support in the areas of management and administration, particularly during any establishment period.

North Regional Youth Group 6030

Council is committed to assist in the development and establishment of new community groups in the area. A recent example of this is the support given to the North Regional Youth Group 6030. The group was involved in community consultations on the needs of young people in the region. This provided the group with an opportunity to link with other stakeholders as well as access demographic data and planning information. Staff from Youth Services have also offered assistance in:

- developing a management plan;
- investigating potential funding sources; and
- planning an automated data base for attendance records to enable accurate data to support future planning and needs analysis.

At the direct service level one of Council's youth workers has provided hands-on assistance and has arranged for a pool table to be repaired and placed in the group's area for young people to use. The worker is also collaborating with the group to combine some school holiday activities.

5. DIRECT SERVICE PROVISION

Library Services

The Library services operate an extensive programme for both children and young people. Activities for young people have included:

- conducting a seminar for parents of Reluctant Readers. This involved 33 adults and four children at a cost of about \$400 excluding staff time.
- conducting Children's Book Week activities for school children of all ages which involved 22 presenters and in excess of 1500 children and young people at an approximate cost of \$7,000.
- holding Holiday Craft Activities in all of the libraries, This involved 330 young people across all of the libraries at a cost of \$635 excluding staff time.
- Public displays such as Star Trek and Bike Education.

As well as providing specific services for young people, Council also provides an extensive range of services for children. These programs reflect the need to build relationships prior to the stage of adolescent development. For example, library programs for children aim to develop a sense of a non-intimidating environment, non-threatening environment where they can access information of their choice without "institutional" barriers. These programs include visits to schools by a librarian, Book Worm clubs, group visits to libraries, story time sessions and story and colouring competitions.

JAM Sessions

Throughout 1998, young people aged between 12 and 17 years were given the opportunity to attend JAM nights once a month at the Ocean Ridge Community Centre in Heathridge costing in total approximately \$5,000 excluding staff time. This drop-in night was created by young people for young people and activities included amateur youth bands, social sports, music videos, pool and coffee area. Approximately 25 bands had the opportunity to play throughout the year. The project was deemed "highly commended" in the Heart Foundation Healthy Heart Awards.

Battle of the Bands Competition

In response to requests from bands and young people attending the monthly JAM sessions at the Ocean Ridge Community Centre, Council held a Battle of the Bands competition in September. The event was jointly sponsored by Council, Wanneroo Blue Light Disco (which provided \$500 in prizes) Zenith Music (which provided \$500 in prizes) and Perth Concert Sound (which provided free rehearsal time for each competing band at their studio). The Wanneroo Leo's Club operated a kiosk on the night with all profit going to their club. The event was attended by approximately 300 young people. Eight bands made up of 42 young people aged between 12 and 20 years competed for prizes in four different categories. The cost of the event, excluding staff time was approximately \$2,000.

Music Fusion

This project which aims to train six local youth bands in technical and production aspects of music is in progress. Thirty young people have been selected to attend training workshops and rehearsal sessions over a period of sixteen weeks. Perth Concert Studio in Wangara has been engaged to provide industry expertise and the use of a sound studio. The project will culminate in the production of a CD and concert which will be part of the Joondalup Festival to be held in March 1999. This project is costing \$15,000, excluding staff time.

Mural Arts Program

Council has a well established and respected urban art programme which trains young people in workshops and provides opportunities to be involved in painting bus shelters and underpasses using urban art. Workshops have been held once a month during the year with 10-20 young people attending. To date, 16 bus shelters and 3 underpasses have been painted. In the current financial year this program is costing \$54,500 to operate.

Wanneroo Eisteddfod

This event, costing Council approximately \$25,000, is one of the largest Eisteddfods in Western Australia and attracts 700 entries and involves approximately 2,500 participants. A large proportion of the participants are young people. This event is in its eleventh year and has done much to enrich the artistic culture of the region.

School Holiday Programmes

The activities conducted during the school holiday program are popular and are based on consultations with young people. Activities include water sports, roller-skating and ice-skating, water-skiing, go-carting, indoor wave surfing, rock climbing, outdoor adventure, outings to movies and theme parks, bowling, surfing and skateboarding competitions, surfing and skating clinics and discos. Passive leisure activities include board games, video and computer games, outings to eateries, sausage sizzles and 'hanging out' at the youth centres. The approximate annual cost of these programs is \$12,000, excluding staff time.

Family Liaison Project.

Funding for the programme has now been established with Federal Government at a level of \$20,000 per annum. A contractual arrangement has been developed with specialist counselling organisations for the provision of services. The programme has been promoted throughout the community. This program enables Council to bring to the region a broad range of specialist and generalist counselling agencies and individuals. This program will be expanded in 1999 to improve geographic distribution and service availability.

Alexander Heights Youth Centre

In July of this year Council entered into a contractual agreement with the Home and Community Care Programme to provide a range of activities for young people with disabilities at the Alexander Heights Youth Centre at an annual cost of \$155,000. The centre, purpose built by Council on Council owned property, will cater for up to 20 young people with moderate to high needs. As previously stated, a project officer will be employed to carry out a community consultation and to develop a range of new initiatives which will focus on the integration of young people with disability into mainstream community services.

Sport and Recreation

All recreation zones house a number of clubs offering a variety of sporting activities for young people including football, cricket, soccer, t-ball, baseball, basketball, netball, callisthenics and touch football. Council also provides a diverse range of leisure opportunities for young people together with free access to its facilities for community groups offering opportunities for young people. So far, this financial year, Council fully subsidised young people's use of facilities at an estimated cost of \$700,000. The subsidy includes the use of clubrooms, community halls and leisure centres.

In line with previous years, an extensive funding program is being implemented to fund major capital works projects to upgrade existing and develop new sporting and recreation facilities, many of which are used by young people. Additionally, new leisure courses are being introduced throughout the region in Council facilities with major injections of funds to expand courses at Ocean Ridge (\$34,000) and Wanneroo (\$4,000) recreation centres. A large number of these courses are being targeted at young people.

Skateboard Facilities

Two mobile skateboard facilities have been designed and installed at locations at Quinns and Wanneroo. The facilities have costed \$80,000 to design and install and will cost approximately \$20,000 per annum to maintain. An extensive consultation was held with young people to determine suitable locations and appropriate designs for the jumps. Both facilities have been enthusiastically received by young people. The Youth Services and Leisure Services business units are committed to developing programmes around the facilities. Clubs are being established where young people can be involved in activities such as lessons on skateboarding and rollerblading, demonstrations, competition, urban art and social club activities. A further two facilities are planned to be constructed in the current financial year at Girrawheen and Whitfords. Financial assistance will be sought from the State Government's Office of Youth Affairs. Council has also been successful in securing financial assistance from developer, Keystart Loans, for the construction of the Quinns skate facility.

Yanchep Youth Service

\$33,000 per annum has recently been received from the State Government's Family and Children's Services to operate a programme in the Two Rocks area. The funds will be used to employ a youth worker part-time to provide direct support to the young people of the area. The worker, in consultation with young people, will co-ordinate a range of activities and events and will develop and implement joint projects with other organisations. One component of the project will involve the use of the YMCA Mobile Youth Centre as a meeting place at strategic times during the week.

Cycle Paths

The Council has budgeted \$527,490 this financial year to construct cycle paths throughout the municipalities. A path has been completed at Joondalup and 30% of one has been completed at Currabmine. A further three paths are planned at Ocean Reef, Merriwa and Girrawheen.

BMX Cycle Tracks

As well as the cycle paths, Council's Parks Landscaping Services has erected cycle tracks in public parks at Beldon, Two Rocks and Quinns at a total cost of \$11,000. A further three tracks are planned for this financial year.

Scholarships Awards

Council has continued to operate scholarships awards for Years 11 and 12 students. \$26,000 has been budgeted in the current financial year to provide for these scholarships.

Joondalup Festival and Cultural Events

The City of Joondalup is planning its first Joondalup Festival from March 26 to 28, 1999. The Festival is a major new initiative which will foster economic and community development of the region. Saturday, March 27 will focus on youth with a theme of "Youth Taking Over the City". A major concert will be held on this day with the best of local musicians performing with top national bands. Other events planned for the day will centre around an 'extreme sport' facility which will incorporate Council's two mobile skateboard ramps with hired equipment such as a rock climbing and abseiling wall and other gladiator style sports (mechanical surfing, bungee running). Council will commit \$260,000 excluding staff time to fund the inaugural Festival. Extensive sponsorship is also being secured for the Festival.

Young people will also be extensively involved in and benefit from a wide range of cultural events being conducted by Council in the current financial year, viz., a Youth Arts Project valued at \$6,400, a Busking Festival at \$13,840, a Community Arts Workshop at \$5,000, a Community Festival at \$16,100 and the Arts Development Scheme at \$42,000. Other successful projects have included the Woodvale Libraries Public Art Project valued at \$8,800 and the Marmion Whale Sculpture valued at \$15,500.

At Risk Youth

Council continues to operate its specialist youth services at Ocean Ridge, Clarkson and Yanchepp/Two Rocks. These services will be subject to specific evaluations in the current financial year to ensure that they are meeting funding body requirements and that they remain relevant to the needs of local young people.

Youth Expo

The business units within the Community Development Directorate are planning a joint Youth Expo at the Craigie Leisure Centre in May 1999. The event, to cost \$15,000 excluding staff time, will highlight the opportunities both in leisure and career development for young people. As well as an information exhibition, the Expo will provide activities such as obstacle courses, aerobics, weight training and skateboarding. Local youth dance groups and bands will also display their talents.

Construction of a Youth Facility at Clarkson

Following consultation with young people in the area, stage one of this facility involving site allocation, design and costing will commence in March 1999. It is envisaged that the facility will provide both indoor and outdoor activities including an internet cafe, music and entertainment area and passive sports area. \$300,000 has been budgeted in this financial year and a further \$300,000 listed for consideration in the 1999/2000 budget. \$8,500 has also been budgeted to allow for the involvement of young people in all stages of the design and construction of the facility.

Sporting Events

Council has continued its program of providing financial assistance to young people in the region who have been chosen to represent the State at national and international sporting events. \$15,000 has been budgeted in the current financial year for this activity.

COMMENT/FUNDING

As can be seen, Council has made significant progress in its implementation of the Youth Action Plan. Furthermore, it has built on the key recommendations of the Youth Action Plan to set a clear strategic direction for the future. This future direction will place Council in a unique position of leadership in innovative community development and co-ordination. Council is, by its nature, strategically placed to work directly with communities at a grass roots level and at the same time engage in direct negotiation with the higher levels of Government.

With the re-structure of the Youth Services Sub-Unit into strategic streams of operation, it is envisaged that the next six months will focus on youth participation, community education and more effective promotion of services and projects. Existing resources will primarily be used to implement the current and planned strategies for 1998/99. Some budget items will need to be re-allocated to enable this to occur.

It is estimated that at least \$1.5 million will be spent by the City of Joondalup and Shire of Wanneroo on directly implementing Council's Youth Action Plan during the current financial year.

This is considered to be an extremely conservative estimate of spending to directly implement the Plan and does not include the extensive range of services, facilities and programs which the City and Shire already provide to support young people in the region.

Nearly all of Council's funding commitments have either a direct or indirect impact on the lives of young people in the region.

Claims that Council does not do enough for young people are misguided and to date the level of support provided by Council has not been well understood.

The development and implementation of Council's Youth Action Plan has helped to highlight, together with better organise and target, the wide ranging and intensive level of financial and other support provided to young people by the City and Shire.

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

- 1 NOTE the progress report on the implementation of the Youth Action Plan for the period July to December 1998 as detailed in Report CJ299-12/98;**
- 2 ENDORSE the strategic directions framework for the future management and co-ordination of youth services, facilities and activities in the longer term.**

The Motion was Put and

CARRIED

CJ300-12/98 NORTH REGION SPORT AND RECREATION FACILITIES STRATEGY - [15142J]

SUMMARY

The North Metropolitan Regional Recreation Advisory Committee (NMRRAC) comprising the Councils of Bayswater, Bassendean, Joondalup, Mundaring, Stirling, Swan, and Wanneroo considered at its last meeting the draft North Region Sport and Recreation Facilities Strategy. The Committee has recommended that the member Councils adopt the strategy in principle and seek public comment prior to its final adoption.

The study was funded by the participating Councils in conjunction with the Ministry for Sport and Recreation and provides a planning framework for the future development of regional sport and recreation facilities in the northern region of the Perth Metropolitan area.

It is recommended that the Joint Commissioners adopt the strategy in principle for the purpose of seeking public comment, with submissions closing 12 February 1999.

BACKGROUND

The City of Joondalup and Shire of Wanneroo are represented on NMRRAC along with Bayswater, Bassendean, Mundaring, Stirling and Swan Councils. The Committee comprises elected representatives and recreation staff. The Committee meets quarterly and provides a forum for the exchange of information on recreation issues and a co-ordinated approach to the provision of recreation facilities within the northern and eastern regions of the metropolitan area.

Council at its June 1996 meeting resolved to support the North Metropolitan Region Recreation Advisory Committee in association with the Ministry for Sport and Recreation in its efforts to:

- identify and document an inventory of regional sport and recreation facilities within the local authorities represented by the Committee; and
- clarify and document sport and recreation projects of a regional nature proposed by all participating local authorities within the next ten years

(Item CS89-06/96 refers)

A contribution of \$8,870 from the former City of Wanneroo for this study was listed in the 1997/98 budget to engage consultants to conduct the study. Consultants, Phil Gray and Associates were subsequently appointed to undertake the study on behalf of the member Councils with a draft report received in October 1998 for consideration by the North Metropolitan Region Recreation Advisory Committee at its November 1998 meeting.

NMRRAC at its meeting of 19 November 1998 recommended to the member Councils that the North Region Sport and Recreation Facilities Study final report be adopted in principle and circulated by each Council for public comment. On completion of the public comment period, NMRRAC will consider the public comments prior to recommending final adoption of the Strategy by the member Councils.

A copy of the executive summary is attached (Attachment one refers).

DETAILS

The North Region Sport and Recreation Facilities Study contains three sets of recommendations relating to:

- 1 Regional Development and Management Principles;
- 2 Facility Development Strategies; and
- 3 Implementation Strategies.

The planning process involved four stages:

- 1 clarification of the proposal and soliciting views of the Steering Committee concerning the major recreation issues confronting the region;
- 2 research involving community consultation, consultation with State Sporting Associations, demographic analysis, recreation and sport trends, inventory of existing regional facilities and a review of relevant reports and documents was conducted;

- 3 data synthesis and preparation of a key issues paper;
- 4 presentation of draft recommendations to the Steering Committee for circulation and comment prior to finalisation.

Key facility recommendations for the City of Joondalup and Shire of Wanneroo include:

- State Government and City of Joondalup proceed with the development of a regional aquatic centre at the Arena Joondalup.
- Development of indoor swimming pools at Edith Cowan University, Joondalup Campus, and Inglewood Aquatic Centre be deferred until the impact of the proposed Joondalup Aquatic Centre and the redevelopment of Bayswater Aquatic Centre, respectively, can be assessed.
- Wanneroo Basketball Association commence preliminary negotiations with a view to establishing the Arena Joondalup as its home base recognising there will be a need for additional courts at the arena.
- The Arena Joondalup continue to be developed and Swan Regional Recreation Park maintained as regional outdoor multi purpose sports complexes to service the north and north east region.
- WA Baseball League investigate the use of the Arena Joondalup for night baseball games.
- A venue for national baseball competition be identified in the northern region.
- A detailed site analysis be undertaken comparing the Arena Joondalup and Edith Cowan University, Joondalup Campus, to determine the most appropriate site for a synthetic athletics track.
- A Master Plan for the redevelopment of Kingsway Sporting Complex be undertaken.
- Any proposal for the Subiaco Football Club to be established at Kingsway Sporting Complex be incorporated into a Master Plan exercise for that area or accommodated in the Stirling area.
- WA Rifle Association be granted secure tenure over the rifle range at Pinjar Shooting Complex, which may be developed as an international standard rifle range with 30-40 targets, as an alternative to Swanbourne.

In relation to Implementation Strategies the major recommendations include:

- The Town of Vincent be invited to participate in NMRRAC with full member status, and a copy of the draft strategy provided for its comment;
- The constitution of NMRRAC be amended to include responsibility for monitoring implementation of the Regional Sport and Recreation Strategy; and
- The State Government, through the Ministry for Sport and Recreation, allocate responsibility for providing advice on regional sport and recreation issues in the North region to NMRRAC

City officers from Leisure Services and Strategic Development devoted considerable effort to ensure that the final recommendations established an effective and meaningful planning framework and that the Facility Development Strategies were sensitive to the issues and challenges confronting the City of Joondalup and Shire of Wanneroo.

COMMENT/FUNDING

The North Metropolitan Region Sport and Recreation Facilities Strategy provides a sound basis to guide planning for regional Sport and Facilities in Joondalup and Wanneroo in the future. It provides a mechanism to facilitate the development of partnerships and negotiating potential funding arrangements for proposed facilities as well as identifying current issues that require resolution.

The Strategy also recommends that each Council prepares a Recreation and Sport Strategy which is consistent with the Regional Recreation and Sport Strategy and meets the needs of its own residents by the end of the 1999/2000 financial year. It is estimated that development of the strategy for both the City of Joondalup and Shire of Wanneroo will cost in the vicinity of \$30,000. It is therefore recommended that \$15,000 be listed for consideration in the City's budget for 1999/2000.

This is consistent with the Strategic Directions for Western Australian Sport and Recreation for the next three years released by the Western Australian Sport and Recreation Council in October 1997. The strategy recommended:

That *Sport and Recreation Plans* which address service provision co-ordination are developed for each local authority by 2003. These plans should be aligned with the Council's strategic plans and be consistent with any local, regional and State facility plans.

To ensure that Council maximises its funding opportunities through the Community Sport and Recreation Facilities Fund it will be beneficial to develop a Recreation and Sport plan. It is recommended that funds be listed in the draft 1999/2000 municipal budget for this purpose.

The issue of inviting the Town of Vincent to participate in NMRRAC with full member status was discussed at the November meeting of the Advisory Committee and was subject to a separate recommendation, being:

That the North Metropolitan Regional Recreation Advisory Committee recommend to the member Councils of the Committee that the Town of Vincent be accepted as a member.

It is considered the inclusion of the Town of Vincent on the NMRRAC would be beneficial to the activities of the Committee.

Once the Joint Commissioners have adopted in principle the North Region Sport and Recreation Facilities Strategy, the strategy is required to be put out for public comment. It is intended to forward a copy of the plan to all sporting groups that were invited to participate in the original consultation process. Public comment will also be solicited via advertisements in the local newspaper with copies of the report available in the public libraries. To provide time to collate the responses prior to the next meeting of NMRRAC, submissions will need to close 12 February 1999.

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

- 1 ADOPT in principle the North Region Sport and Recreation Facilities Strategy;**
- 2 SEEK public comment from interested sporting groups and members of the public with submissions closing 12 February 1999;**
- 3 LIST for consideration in the draft 1999/2000 budget for the City of Joondalup the sum of \$15,000 for the development of a Sport and Recreation Plan;**
- 4 SUPPORT the participation of the Town of Vincent in the North Metropolitan Region Recreation Advisory Committee with full member status.**

The Motion was Put and

CARRIED

CJ301-12/98 SORRENTO SOCCER, SPORTS AND SOCIAL CLUB INC. - CLUB LIQUOR LICENCE [05139J]

SUMMARY

Sorrento Soccer, Sports and Social Club Inc has requested support from the City for its application to the Office of Racing, Gaming and Liquor to upgrade its existing Club Restricted Liquor Licence to a Club Licence for the clubrooms at Percy Doyle Reserve in Duncraig.

It is recommended that the Club's application be supported on the basis that the Office of Racing, Gaming and Liquor be advised that the support is subject to community acceptance of the proposal and that the hours of operation for the Club Licence are restricted to:

Tuesday	7.30-10.30 pm
Thursday	7.00-11.00 pm
Friday	5.00-11.00 pm
Saturday	1.00-11.00 pm
Sunday	4.30-10.00 pm

BACKGROUND

In accordance with the Liquor Licensing Act 1988 an applicant for a Club Licence must ensure that the facility adheres to the Health Act 1911 (Certificate of Local Health Authority, section 39) and does not contravene any Town Planning matters (Certificate of Local Authority, Section 40).

To trade with a Club Licence the applicant needs to have exclusive tenure of the facility. The Office of Racing, Gaming and Liquor has advised that this can only occur in City of Joondalup facilities if the applicant possesses a lease on the facility.

If support is given to upgrade from a Club Restricted Liquor Licence, Council, as owners of the facility, will provide the applicant with a letter of support to the Office of Racing, Gaming and Liquor and a copy of the lease informing the Office that the applicant will have exclusive tenure of the facility. Other information provided by Council includes copies of site and floor plans of the Council facility.

DETAILS

Sorrento Soccer, Sports and Social Club Inc. has requested an upgrade of its Liquor Licence for the Soccer Clubrooms at Percy Doyle Reserve from a Club Restricted Liquor Licence to a Club Licence which would entitle it to the following:

- to sell alcohol from 6.00 am to midnight Monday through Saturday;
- to sell alcohol from 10.00 am to midnight Sunday; and
- the right to purchase alcohol from a wholesaler and not a retailer as stipulated in a Club Restricted Licence.

A Club licence runs for a five year period.

The Club's Restricted Liquor Licence is currently for the following hours:

Thursday	7.00-11.00 pm
Friday	5.00-11.00 pm
Saturday	1.00-11.00 pm
Sunday	4.30-10.00 pm

The Club intends to operate the Club Licence, if approved, for the following times:

Tuesday	7.30-10.30 pm
Thursday	7.00-11.00 pm
Friday	5.00-11.00 pm
Saturday	1.00-11.00 pm
Sunday	4.30-10.00 pm

It would be open to the Club to change its hours of operation without further reference to Council. The Club has indicated that if attendances at the Clubrooms improve on Sundays in the future it would extend its proposed hours of operation.

COMMENT/FUNDING

The issuing of the Section 39 Certificate of Local Health Authority and a Section 40 Certificate of Local Planning Authority has been investigated and approved.

A change in the liquor licence for the Club should not adversely affect the Club's lease arrangements with Council. Sorrento Soccer, Sports and Social Club Inc currently lease the clubrooms with a lease fee based on 1% of the current replacement value of the building. (Item FA193-11/97 refers).

It is considered that the Duncraig community will not be adversely affected by this licensing adjustment as the Sorrento Soccer, Sports and Social Club's current Club Restricted Liquor Licence largely covers the same hours as the proposed Club Licence.

As part of the Liquor Licensing assessment process the local community is consulted to ascertain its views on the proposal. It is considered that the proposal should be supported by the Joint Commissioners but that the Office of Racing, Gaming and Liquor advised Council's support is subject to community acceptance of the proposal and that the hours of operation for the Club Licence are restricted to:

Tuesday	7.30-10.30 pm
Thursday	7.00-11.00 pm
Friday	5.00-11.00 pm
Saturday	1.00-11.00 pm
Sunday	4.30-10.00 pm

The soccer club rooms located at Percy Doyle Reserve meet the requirements set out in the City's R5 Policy regarding storage and consumption of alcohol at community recreation facilities. The club has indicated that the existing storage area is adequate and will not require any extensions to the building.

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

- 1 APPROVE the application by the Sorrento Soccer, Sports and Social Club Inc. to apply for a Club Liquor Licence for Percy Doyle Clubrooms, Percy Doyle Reserve Duncraig;**
- 2 ADVISE the Office of Racing, Gaming and Liquor that the application is supported subject to community acceptance of the proposal and the hours of operation for the Club Licence are restricted to:**

Tuesday	7.30-10.30 pm
Thursday	7.00-11.00 pm
Friday	5.00-11.00 pm
Saturday	1.00-11.00 pm
Sunday	4.30-10.00 pm;

- 3 PROVIDE the applicant with a letter of endorsement and a copy of its lease that shows approval by the Joint Commissioners;**

- 4 in the event of any non-compliance with the City's Policy R5 - Storage and Consumption of Alcohol at Community Recreation Facilities and Reserves, WITHDRAW permission for Sorrento Soccer, Sports and Social Club to hold a Club Liquor Licence.**

The Motion was Put and

CARRIED

TECHNICAL SERVICES SECTION

Items CJ302-12/98 and CJ303-12/98 were Moved by Cmr Morgan and Seconded by Cmr Buckley. Cmr Morgan gave notice of his intention to speak on Item CJ302-12/98.

CJ302-12/98 SUBDIVISIONAL RETAINING WALLS OVER 3.0 METRES IN HEIGHT - KINROSS STAGE 22 [15382J]

SUMMARY

Halpern Glick Maunsell Consulting Engineers, on behalf of Burns Beach Property Trust, propose to construct sections of retaining walls which are over 3.0 metres in height and in some instances up to a maximum of 4.9 metres for the subdivision in Kinross, Stage 22.

The landform, existing roads and boundary constraints and subdivision design suggests that the proposed retaining walls over 3.0 metres in height is warranted in this instance. It is considered that these walls will not have an adverse impact on the amenity of the surrounding area. Approval of the proposed sections of retaining walls over 3.0 metres ranging up to a nominal height of 5.0 metres in height as shown for Kinross Stage 22 is, therefore recommended.

BACKGROUND

Approval for subdivision of Burns Beach Property Trust's landholding, Lot 2 Marmion Avenue, Kinross was granted by the Western Australian Planning Commission (WAPC) on 22 March 1996 (WAPC Ref 99529).

The current proposal is part of the subdivisional development by Burns Beach Property Trust of its landholding in Kinross as part of the WAPC's approval. This subdivision proposes the release of approximately 97 lots as part of Stage 22 at the north western corner of its landholding just south of Tamala Park.

Due to the very steep and rocky nature of the site and existing boundary constraints, Halpern Glick Maunsell Consulting Engineers, on behalf of the land developer, has requested approval of retaining walls within the subdivision in excess of 3.0 metres in height ranging up to a maximum of 4.9 metres. In accordance with Council's policy on retaining walls, approval is sought for the use of retaining walls in excess of 3.0 metres in height.

DETAILS

Attachment 1 shows the location of the proposed retaining walls within Kinross Stage 22.

The Consulting Engineers for the subdivision, Halpern Glick Maunsell, has indicated that the subject site has been difficult to earthwork with relatively steep topography. There is an area within the subdivision which has falls of approximately 20 metres over 170 metres. Added to this, the site is bordered by existing roads and boundary constraints in the form of Marmion Avenue to the west, Tamala Park (Mindarie Tip site) to the north, Kinross Drive to the south and an existing subdivision to the east. The Water Corporation has also constructed a water main along the southern boundary of Tamala Park which has governed the levels along this boundary.

This resulted in sections of retaining walls over 3.0 metres in height ranging up to a maximum of 4.9 metres at the rear of proposed lots 19, 20, 21, 22, 32, 33, 34, 76, 77, 78, 85 and 86.

In support of its proposal, the Consulting Engineer has submitted the following comments:

- The whole area north of Kinross Drive is rocky and is very steep with an average grade of 1 in 11 and in some areas it is as steep as 1 in 5.
- The area is to be earthworked and retaining walls constructed to provide level building blocks with a minimum 300 mm of clean sand to finish surface levels.
- The design was carried out to minimise the retaining wall heights to 3.0 metres however in some areas this has not been possible and some small sections of walls between 3.0 metres and 4.9 metres in height will be required.
- The re-grading of the whole area is restricted by the existing levels along Kinross Drive and the levels along the northern boundary of the site abutting Tamala Park (Mindarie Tip Site).
- There is a recently constructed 800mm diameter M.S.C.L. distribution water main within a 6.0 metre reserve just north of the common boundary within the Tamala Park landholding which governs the finished levels along this boundary.
- The above constraints have resulted in the subdivision design as proposed with the majority of the walls being restricted to 3.0 metres in height with the exception of some very short lengths of retaining walls between 3.0 and 4.9 metres high.
- Because of the very short length of walls over 3.0 metres with no continuous wall longer than 55.0 metres and all of these walls being located at the rear of lots, it is considered that all the lots within the subdivision will blend in quite well with views to the south of the estate.

Approval of the retaining walls within the subdivision in excess of 3.0 metres in height is therefore sought.

COMMENT

The use of high retaining walls is not desirable in any subdivision, however, in this instance it may be possible to justify the use of the higher walls. The site is fairly constrained and the development will need to be co-ordinated with the existing levels of Marmion Avenue to the west, existing subdivision to the east, existing levels along the northern common boundary with Tamala Park (constrained by an existing water main) and Kinross Drive to the south.

The land form and subdivision design suggests that the proposed retaining walls over 3.0 metres in height and up to the nominal maximum of 5.0 metres in some instances, is warranted in this instance. A precedent exists for approving retaining walls of similar height where topographical constraints have existed. The Consulting Engineer has made an effort to reduce the height of these retaining walls. however due to topographical and existing physical constraints and the design of the subdivision, it was difficult to achieve without the use of the proposed 4.9 metre high retaining walls.

It is considered that the proposed height of the retaining walls will not create overshadowing of adjoining lots.

In most cases, the applicant is not proposing any significant increases in height from natural ground level for the lots, but rather modifying the existing levels by 'staggering' to provide for level building blocks.

While it is noted that minimising the heights of the retaining walls may not be appropriate in this instance, every effort should be made to reduce their impact on the streetscape and local amenity particularly where they abut public roads.

There may be amenity issues relating to the high retaining walls at the rear of lots 32, 33 and 34. The worst case scenario would be the 5.0 metre high wall with the addition of a standard 1.5 metre high fence totalling a height of 6.5 metres at the rear of these lots. This, however, does not impact on any existing residences and prospective purchasers have the opportunity to consider this matter.

No major concerns apart from the above were raised by the Managers of Development Management Services and Approval Services in relation to the proposed retaining walls.

The proposed finished levels along the southern boundary of Tamala Park (Mindarie Tip Site) were referred to the City's Co-ordinator Planning Strategies and the City's Manager Environmental Waste Services. There were no objections raised to the proposed levels.

It is, therefore, recommended that the proposed retaining walls over 3.0 metres in height ranging up to a nominal height of 5.0 metres as proposed by Halpern Glick Maunsell for the subdivision in Kinross Stage 22 be approved.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners APPROVE the retaining walls in excess of 3.0 metres ranging up to a nominal height of 5.0 metres in height, in Kinross Stage 22 subdivision of Burns Beach Property Trust's land holding in Kinross forming Attachment 1 to Report CJ302-12/98 subject to the retaining walls being structurally sound.

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix XII refers

**CJ303-12/98 PARKING PROHIBITIONS - HOCKING PARADE,
SORRENTO - [00675J]**

SUMMARY

At the October 1996 meeting of the former Wanneroo City Council, it was resolved to review the parking prohibitions adjacent to Sacred Heart College in Hocking Parade, Sorrento following completion of the internal road works and car parking by the College. The review has been completed and it is proposed that the existing parking prohibitions along Hocking Parade be retained.

BACKGROUND

In June 1996, the City received a 5 signature petition from residents of Hocking Parade, Sorrento seeking the installation of additional parking prohibitions in this street (Item C271-06/96 refers). The prohibitions were sought to reduce the congestion and maintain access to residences during peak traffic flow times, which are generated by parent motorists associated with the Sacred Heart College.

The Sacred Heart College had raised previous concerns with traffic safety and flow in Hocking Parade. At its July 1995 meeting, Council considered a report on a proposal by the College to develop an internal circulating road system from Hocking Parade to West Coast Drive and provide additional parking for parent motorists within the school boundary (Item TS207-07/95 refers). Council subsequently resolved to support, in principle, the school's proposal.

In October 1996, as a result of the June petition, Council considered a proposal to install parking prohibitions on Hocking Parade (Item TS271-10/96 refers). After considering this report, Council resolved to approve installation of the parking prohibitions as shown on Attachment 1. It was also resolved to review the type and extent of the approved parking prohibitions following completion of the internal road works and car parking by the College. The internal works have been completed and a review of the parking situation has been undertaken.

DETAILS

The review, which comprised of periodic observations of traffic flow and parking patterns on Hocking Parade has been completed. On most occasions parking on Hocking Parade has been minimal, however some parent motorists continue to park contrary to the existing prohibitions. Notwithstanding this, the overall impact of parent parking on Hocking Parade has been greatly reduced both by the parking bans and also the provision of on site parent parking.

The City has not received any further complaints from residents following the installation of the parking bans.

COMMENT

Given that there has been an improvement to traffic flow and safety along Hocking Parade during peak periods, it would be advisable to retain the existing parking prohibitions. As the observation of some motorists parking illegally has shown, removal of the prohibitions may encourage more motorists to park along Hocking Parade despite the provision of on site parking. Policing of the existing parking prohibitions by Ranger Services will reduce the incidences of motorists parking contrary to the existing prohibitions.

On this basis, maintaining the existing parking prohibitions is supported.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners MAINTAIN the existing parking prohibitions along Hocking Parade as shown on Attachment 1 to Report CJ303-12/98.

The Motion was Put and

CARRIED

Appendix XIII refers

DEVELOPMENT AND PLANNING SERVICES SECTION
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CJ304-12/98 CLOSE OF ADVERTISING - STRUCTURE PLAN FOR OCEANSIDE GARDENS ESTATE, HEATHRIDGE [06878J]

SUMMARY

A Structure Plan prepared for the control of development on the Oceanside Gardens estate at the corner of Marmion Avenue and Ocean Reef Road, Heathridge was adopted by the Joint Commissioners at their meeting on 27 October 1998 and advertised for public comment for a 30 day period which closed on 7 December 1998. No submission was received.

The document complies with the requirements of the Scheme in respect of a Structure Plan and is recommended to be adopted.

BACKGROUND

At their meeting on 27 October 1998, the Joint Commissioners resolved to accept the draft Structure Plan for Oceanside Gardens, Heathridge attached to Report No CJ211-10/98 and advertise it for public comment.

The subject land (Attachment 1) comprises lots 525 and 1001 Poseidon Road, cnr Marmion Avenue and Ocean Reef Road, a total area of 13.8 hectares. The subject area is zoned Residential Development and is included in the R20 density code area.

The Structure Plan will allow relaxation of setbacks to permit the more efficient design of residential properties whilst also achieving adequate standards of amenity.

DETAILS

The Structure Plan relaxes setbacks throughout the estate as follows:

Front: 4 metres average with a minimum of 2 metres;

Garages: minimum 6 metres;

Rear: 4 metres average;

A Structure Plan (Attachment 2), is the preferred form for these controls to be incorporated into the Scheme.

The draft Structure Plan was advertised for public comment for a 30 day period which closed on 7 December 1998. No submissions were received prior to writing this report.

COMMENT

The Structure Plan, as proposed, conforms with the requirements of Part 10 of the City of Wanneroo Town Planning Scheme and is acceptable for the control of setbacks within the Structure Plan area. It is considered suitable for adoption.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Clause 10 of the City of Joondalup Town Planning Scheme No 1, AGREE that the Structure Plan for Oceanside Gardens, Heathridge attached to Report CJ304-12/98 is satisfactory and submit it to the Western Australian Planning Commission for adoption and certification.

The Motion was Put and

CARRIED

Appendix XIV refers

CJ305-12/98 CLOSE OF ADVERTISING: AMENDMENT 832 TO TOWN PLANNING SCHEME NO-TEXT AMENDMENT RELATING TO RESIDENTIAL DENSITY CODES IN STRUCTURE PLAN AREAS. - [14-168J]

SUMMARY

The purpose of this amendment is to change Clause 5.39 to the City of Joondalup Town Planning Scheme No. 1 in order to allow Agreed Structure Plans to be the primary instruments setting residential density codes. This approach reduces the need to initiate Town Planning Scheme Amendments for minor adjustments to areas coded under the Residential Density Map.

At the meeting of 8 September 1998 (CJ114-09/98), the Joint Commissioners resolved to initiate the amendment. Public advertisement of the amendment closed on 11 December 1998. No submission was received.

It is recommended that the Joint Commissioners adopt Amendment 832 to allow Residential Density Codes to be set by Agreed Structure Plans; and to recode the land included in the Structure Plans to uncoded in the Residential Density Code Map.

BACKGROUND

Taylor Burrell on behalf of LandCorp initially requested the recoding of portions of Lot 12 and Pt Lot 6 Lakeside Drive, Joondalup from R40 to R60. The recoding of the subject land to Residential R60 is intended to facilitate the development of smaller lots in accordance with the objectives of the Lakeside Residential Joondalup subdivision application and Structure Plan (lodged with Council and the WAPC in March 1994).

As an alternative to recoding the portions of the Lakeside District, it has been considered appropriate for Structure Plans to determine the residential density codes. When the Structure Planning provisions were adopted in 1997, the Development Plan and Manual was deemed to be the Structure Plan for the area.

At the meeting of 8 September 1998 (CJ114-09/98), the Joint Commissioners pursuant to section 7 of the Town Planning and Development Act 1928 (TP&D Act) resolved to initiate the amendment and:

“amend Town Planning Scheme No. 1 to allow the Residential Density Code to be set by an Agreed Structure Plan and by recoding the land included in the Joondalup City Centre Zone; and Currabine Local Centre to uncoded, and adopting Amendment No 832 accordingly.”

Amendment 809 proposes to rezone the Currabine Local Centre to Centre Zone and to uncode the area so that area should no longer be referred to in this amendment.

DETAILS

This amendment proposes changes to the City of Joondalup Town Planning Scheme No.1 (TPS) text by the introduction of Clause 5.39 (d) which states: “notwithstanding the provisions of Clause 5.39(d), where the land within the Scheme is subject to an Agreed Structure Plan; the Residential density Codes for the area shall be determined according to the Agreed Structure Plan.”

Subject to Clauses 5.46 (b) and 5.45(b) of the City of Joondalup Town Planning Scheme, a Structure Plan indicating the land use options and directions for development needs to be prepared for Urban Development Zones and Centre Zones respectively. Part 10 of the TPS sets out the requirements in the preparation of a Structure Plan.

This Amendment specifically relates to the Joondalup City Centre Zone. The Joondalup City Centre Zone comprises the land east of Joondalup Drive, and west of Lakeside Drive; an area of land bound by Moore Drive, Joondalup Drive, Shenton Avenue and the railway line; and an area of land bound by Hodges Drive, Joondalup Drive, the railway line and Eddystone Avenue; and an area of land east of Lakeside Drive adjacent to the Regional Open space. The area is zoned as a Central City Area under the Metropolitan Region Scheme (MRS); and Joondalup City Centre under the City’s Town Planning Scheme.

Under the current Town Planning Scheme Map; the Joondalup City Centre zone includes residential densities codes of R60 west of Lakeside Drive, and R40 on the eastern side of Lakeside Drive. (Attachment 1)

Details of the proposed amendment to the Scheme were forwarded to the Department of Environment Protection (DEP) in accordance with section 7A1 of the (TP&D Act). The Department indicated that the proposed amendment does not warrant assessment under Part IV of the Environmental Protection Act. By way of advice the (DEP) indicated that where any changes are proposed to the residential densities in areas where the proposal was previously assessed by the DEP, the structure plan should conform in substance to the previous plans submitted, if not the proponent is required to notify the DEP of the changes.

The Western Australian Planning Commission granted consent to public advertising of the amendment on 11 November 1998. A notice of the amendment was published in the Wanneroo Times, signs were placed on site, and adjoining owners were notified of the proposed amendment. No written submissions were received during the advertising period. A large number of enquiries were made by concerned landowners as to the nature of the amendment.

COMMENT

This report proposes changes to Clause 5.39 of Town Planning Scheme No. 1 (Attachment 2). The purpose of the amendment is to allow Agreed Structure Plans to be the primary instruments setting residential density codes. This approach reduces the need to initiate Town Planning Scheme Amendments for minor adjustments to areas coded under the Residential Density Map.

One of the primary objectives of the structure planning process is to provide flexibility during the development phase and avoid prolonged scheme amendments for minor changes to the alignment of zones. It is logical that residential density codes should be treated the same way. Consequently, it is considered inappropriate for the residential density codes relating to land affected by Structure Plans such as the Joondalup City Centre Zone to be included in the Scheme map. In order to avoid any possible conflicts between the areas already coded under the Scheme area and Structure Plans, the Scheme map needs to be modified so that these areas are shown as uncoded. (Attachment 3)

As other areas are included in the Urban Development Zone, the Centre Zone or the Marina Zone the residential density code should be removed by the actions of the specific amendments. The necessary provisions to cover the lots in the Lakeside District will be included in the structure plan document, when it is considered following the current advertising period.

It is recommended that the Joint Commissioners resolve to adopt Amendment 832 without modifications to allow Residential Density Codes to be set by Agreed Structure Plans; and to recode the land included in the Structure Plans to uncoded in the Residential Density Code Map.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 pursuant to Town Planning Regulation 17(2) **ADOPT** Amendment 832 to Town Planning Scheme No 1 to allow the Residential Density Code to be set by an Agreed Structure Plan and by recoding the land included in the Joondalup City Centre Zone to uncoded without modification;
- 2 **AUTHORISE** the affixation of the common seal to , and endorse the signing of, the amendment documents.

ADDITIONAL INFORMATION

Report CJ305-12/98 indicated that during the public advertising period closing on 11 December 1998, no submission was received. However, a fax was received on 14 December, 1998 as a formal submission.

This submission does not affect the assessment of the Scheme amendment as no grounds of objections are raised.

Due to the particular nature of this amendment, any issue or objections relating to the existing R-coding would be difficult to argue, as the amendment does not propose to change the existing R Codes.

A further late submission from Westrail has been received with no comments made. Again, this submission does not affect the assessment of the amendment proposal.

A Schedule including the details of these submissions is attached - Appendix XVII refers.

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

- 1 **pursuant to Town Planning Regulation 17(2) ADOPT Amendment 832 to Town Planning Scheme No 1 to allow the Residential Density Code to be set by an Agreed Structure Plan and by recoding the land included in the Joondalup City Centre Zone to uncoded without modification;**
- 2 **AUTHORISE** the affixation of the Common Seal to, and endorse the signing of, the amendment documents;
- 3 **note the two submissions received.**

Cmr Rowell spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix XVI refers.

CJ306-12/98 CLOSE OF ADVERTISING - PROPOSED AMENDMENT NO 839 TO THE CITY OF JOONDALUP TOWN PLANNING SCHEME NO.1 TO REZONE LOT 7 HEPBURN AVENUE, HILLARYS AND PT LOT 158 HEPBURN AVENUE, SORRENTO TO URBAN DEVELOPMENT ZONE - [29189J]

METRO SCHEME:	Urban
LOCAL SCHEME:	Special Development 'A' and Residential Development
APPLICANT/OWNER:	Estates Development Company
CONSULTANT:	Taylor & Burrell

SUMMARY

The advertising period for Amendment 839 in respect of rezoning Lot 7 Hepburn Avenue, Hillarys and Pt Lot 158 Hepburn Avenue, Sorrento to Urban Development Zone closed on 4 December 1998. The City did not receive any submission. It is recommended that the Joint Commissioners adopt Amendment 839 without modification.

BACKGROUND

Taylor Burrell Town Planning and Design, on behalf of Estates Development Company requested an amendment to the City of Joondalup Town Planning Scheme No.1 (TPS1) to rezone Lot 7 Hepburn Avenue, Hillarys and Pt Lot 158 Hepburn Avenue, Sorrento to Urban Development Zone (Attachment 1). In the Metropolitan Region Scheme these lots are zoned Urban and in TPS1 Lot 7 is zoned Special Development 'A' and Pt Lot 158 is zoned Residential Development.

The Joint Commissioners at their meeting of 13 October 1998 (CJ173-10/98) considered the matter and resolved to amend the TPS1 and to uncode the land in the Residential Density Code Map. The amendment proposals were advertised inviting public comments and the submissions closed on 4 December 1998.

DETAILS AND COMMENT

As the City did not receive any submissions, it is recommended that the amendment be adopted without modification.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 pursuant to Town Planning Regulations 17(2) ADOPT Amendment No. 839 to the City of Joondalup Town Planning Scheme No.1 to rezone Lot 7, Hepburn Avenue, Hillarys and Part Lot 158 Hepburn Avenue, Sorrento from Special Development A Zone and Residential Development Zone respectively, to Urban Development Zone and to uncode the land in the Residential Density Code Map without modification;

- 2 authorise the affixation of the common seal to, and ENDORSE the signing of the amendment documents.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the matter relating to the rezoning of Lot 7 Hepburn Avenue, Hillarys and Pt Lot 158 Hepburn Avenue, Sorrento to Urban Development Zone be deferred by the Joint Commissioners pending further consideration relating to the traffic requirements of Hepburn Avenue.

Cmr Rowell commented that due to concerns expressed by residents in the area with regard to long range planning for future and present traffic requirements, this item should be deferred until all future traffic requirements have been assessed for Hepburn Avenue.

Cmr Morgan stated that due to the reasons provided and also in view of the deputation received on this matter, further consideration should be given to this item.

The Motion was Put and

CARRIED

CJ307-12/98 CLOSE OF ADVERTISING - CITY OF JOONDALUP TOWN PLANNING SCHEME NO.1 AMENDMENT NO 840 -TO REZONE A PORTION OF HEPBURN AVENUE ROAD RESERVE ABUTTING PT LOT 158 AND RESERVE 43672 SORRENTO TO URBAN DEVELOPMENT ZONE - [14935J]

METRO SCHEME:	Important Regional Roads
LOCAL SCHEME:	Important Regional Roads
APPLICANT/OWNER:	Estates Development Company/Crown
CONSULTANT:	Taylor Burrell

SUMMARY

The advertising period for Amendment 840 in respect of rezoning the southern longitudinal portion of Hepburn Avenue road reserve adjoining Pt Lot 158 and Reserve 43672, Sorrento, between Howland Road in the east and West Coast Drive in the west, closed on 24 November 1998. The City received 54 submissions including a 21-signature petition. While one submission was in favour of the proposal the rest, including the petition, were against. The submissions have been evaluated and it is recommended that the Joint Commissioners adopt Amendment 840 without modification.

BACKGROUND

In November 1997 the Western Australian Planning Commission (WAPC) approved the subdivision of Pt Lot 158 Hepburn Avenue road reserve, Sorrento. The subdivision area also included the southern longitudinal portion of Hepburn Avenue road reserve abutting the subject lot. It should be noted that the former City of Wanneroo did not support the subdivision since there was no Agreed Structure Plan in place for this area. However, as the WAPC approved the subdivision, the City was compelled to abide by the WAPC decision.

As a result of the above mentioned subdivision approval the southern longitudinal portion of Hepburn Avenue between Howland Road in the east and West Coast Highway in the west was proposed to be closed and amalgamated with Pt Lot 158 and Reserve 43672, Sorrento (Attachment 1). The Joint Commissioners at their meeting of 28 July 1998 (CJ56-07/98) considered the proposed road closure and resolved to advertise the proposal in accordance with the provisions of the Land Administration Act 1997. The City received only two submissions, but the submitters misunderstood the road closure proposal thinking that the proposal was to close the constructed portion of Hepburn Avenue and divert the traffic through the residential areas.

The Joint Commissioners considered the submissions at their meeting of 13 October 1998 (CJ183-10/98) and resolved to support the closure of the portion of Hepburn Avenue road reserve and request the Hon Minister for Lands to close the road reserve.

The Joint Commissioners at their meeting of 11 August 1998 considered a proposal to amend the City of Joondalup Town Planning Scheme No.1 to rezone the subject portion of Hepburn Avenue road reserve from Important Regional Road to Urban Development Zone and resolved to do so (CJ72-08/98).

The amendment proposal was advertised inviting public comments and the submissions closed on 24 November 1998. The City received 54 submissions including a 21-signature petition. While one submission was in favour of the proposal, 52 submissions, including the petition, objected to the proposal. Another submission neither objected nor favoured the proposal but pointed out the lack of footpaths in this area.

DETAILS

The summary of the submissions is as follows:

Number of submissions suburb-wise

Location	Against	Support	Other Matters	Total
<i>Sorrento</i>	48*	1		49
<i>Hillarys</i>	1		1**	2
<i>Kingsley</i>	1			1
<i>North Beach</i>	1			1
<i>Nedlands</i>	1			1
Total	52	1	1	54

* Includes the petition

** Did not specifically object to the amendment but highlighted the lack of pathways in the area.

The nature of objections is as follows:

1. Hillarys Marina attracts more visitors every year placing stress on Hepburn Avenue particularly the section which includes the subject land;
2. Traffic frequently backs up to Howland Road round-about resulting in congestion;
3. The provision of a left turn only lane in Hepburn Avenue to allow south-bound traffic to by-pass the Marina roundabout would not be possible if the subject portion of Hepburn Avenue is lost for public use;
4. The proposal will result in motorists taking short-cuts through Howland Road, Lacepede Drive and St Helier Drive which is undesirable; and
5. By allowing the subject land to be lost forever for public use, physical solutions to many of the problems will be severely 'hamstrung'. In the short term, the land could be used for road widening, left turn lane or for parking 200 vehicles during the marina special events. In the long term the land could be used for a rapid transit link to marina. This may not be possible if the reserve width of Hepburn Avenue between Howland Road round-about and West Coast Drive reduces to 43 metres from 60 metres.

The petitioners indicated that the subject land is the only natural bush park which contains ducks and birds.

COMMENT

The concerns raised by the submitters are summarised as follows.

1. The submitters are concerned that many of the local residential streets are being used for parking by visitors to the Hillarys Boat Harbour and therefore they suggest that the subject land can also be considered for parking of about 200 cars.

It is noted that on occasion parking on the local streets is as a result of parking deficiencies at the Hillarys Boat Harbour which needs to be addressed by the Hillarys Boat Harbour authorities.

2. Traffic frequently backs up to Howland Road round-about resulting in congestion. The provision of a left turn only lane in Hepburn Avenue to allow southbound traffic to by-pass the Marina roundabout would not be possible if the subject portion of Hepburn Avenue is lost for public use.

Hepburn Avenue has been currently constructed as a two-lane dual carriageway merging into a single-lane carriageway at the Hepburn Avenue/West Coast Drive/Whitfords Avenue round-about. This round-about has been designed to allow for a two-lane dual-carriageway. Once the round-about is upgraded, there will not be any interruption to the left turn movement thus nullifying the need for the motorists to traverse through the residential areas.

The petitioners' objection that the subject land is the only bush park is noted, however, the subject land is part of Hepburn Avenue road reserve and therefore is not a bush park. The only bush park present in this locality is Lacepede Park which will not be affected by this amendment.

The Planning Consultants has requested that the small triangular portion of Lacepede Park (marked 'X' in Attachment 1) be cancelled and amalgamated into the applicant's landholding. It is proposed that in exchange for the triangular portion, the applicant will transfer to the Crown for incorporation into Lacepede park that part of the road reserve that is to be closed and abuts the park.

The applicant argues that the cancellation of the triangular portion will provide a logical rounding off of the park boundaries and will eliminate any obscure angles. That outcome is considered to be an insufficient reason to cancel the triangular portion of an existing recreation reserve which is seen by the local community as desirable in its present configuration.

Any proposal to amend the boundaries or area of a recreation reserve must be the subject of intensive public notification and consultation. To date no such notification has been given but already two letters from adjoining residents strongly opposed to any proposed alteration to the park boundaries have been received. It must be expected that a strong campaign of opposition will commence if public notice is given proposing the cancellation requested by the applicant. As no compelling reason for the cancellation of the triangular portion has been put forward it is recommended that the cancellation not be supported.

Given that the Joint Commissioners have already resolved to close the southern longitudinal portion of Hepburn Avenue between Howland Road and West Coast Drive following a public consultation process, in view of the WAPC's approval for subdivision of Part Lot 158 including the subject land, it is recommended that the amendment be adopted without modifications.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 pursuant to Town Planning Regulations 17(2) ADOPT Amendment No. 840 to the City of Joondalup Town Planning Scheme No.1 to rezone the southern longitudinal portion of Hepburn Avenue road reserve abutting Part Lot 158 and Reserve 43672 Sorrento from Important Regional Road to Urban Development Zone without modification;
- 2 authorise the affixation of the common seal to, and ENDORSE the signing of the amendment documents;
- 3 ADVISE the planning consultants that the proposed cancellation of the north-western triangular portion of Lacepede Park is not supported.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the matter relating to the rezoning of the southern longitudinal portion of Hepburn Avenue road reserve adjoining Pt Lot 158 and Reserve 43672, Sorrento, between Howland Road in the east and West Coast Drive in the west, be deferred by the Joint Commissioners pending further consideration of all future traffic requirements for Hepburn Avenue.

Cmr Rowell commented that due to concerns expressed by residents in the area with regard to long range planning for future and present traffic requirements, this item should be deferred until all future traffic requirements have been assessed for Hepburn Avenue.

Cmr Morgan stated that due to the reasons provided and also in view of the deputation received on this matter, further consideration should be given to this item.

The Motion was Put and

CARRIED

Items CJ308-12/98 and CJ309-12/98 were Moved by Cmr Rowell and Seconded by Cmr Morgan.

CJ308-12/98 PROPOSED AMENDMENT 854 TO TOWN PLANNING SCHEME No.1 TO REZONE LOT 101 (2) PRENDIVILLE AVENUE, OCEAN REEF FROM SERVICE STATION TO SERVICE STATION AND SPECIAL ZONE (ADDITIONAL USE -TAKE AWAY FOOD OUTLET & RESTAURANT) AND LOT 1326(2) SUNLANDER DRIVE, CURRAMBINE FROM SPECIAL ZONE (RESTRICTED USE -SERVICE STATION AND SHOPS) TO SPECIAL ZONE (RESTRICTED USE - SERVICE STATION; SHOPS; TAKE AWAY FOOD OUTLET ; DRIVE THROUGH FOOD OUTLET & RESTAURANT) [36267J]

SUMMARY

BP Oil has submitted an application to rezone two parcels of land to Special Zone (Additional Use-Take Away /Fast Food & Restaurant). These properties are Lot 101 (2) Prendiville Avenue, Ocean Reef; and Lot 1326 (2) Sunlander Drive, Currumbine.

The Ocean Reef site is zoned Service Station by the City of Joondalup Town Planning Scheme No1, and the Currumbine site is currently zoned Special Zone (Restricted Use- Service Station and Shops) by the City of Joondalup Town Planning Scheme No1.

The purpose of the rezoning application is to allow for BP Express Convenience Store/ Quick Serve Restaurants. The Quick serve restaurant is intended to offer fast food selections for consumption primarily off site, with limited on site seating. The additional uses proposed by this amendment would be in the nature of take away food outlets with minor restaurant facilities. Most of the traffic generated by the sites would be related to the service station, with minimal additional traffic.

Overall, it is considered that taking into account the existing zoning of the land, the planning objectives of the two sites and the likely impact of the proposed use on the surrounding properties, the proposed additional uses are supported.

It is therefore recommended that the Joint Commissioners resolve to adopt amendment 854.

The amendment process provides for advertising for public comment prior to final approval.

BACKGROUND

On 23 November, 1998 BP Oil submitted an application to rezone two parcels of land to Special Zone (Additional Use-Take Away /Fast Food & Restaurant). The properties include Lot 101 (2) Prendiville Avenue, Ocean Reef; Lot 1326 (2) Sunlander Drive, Currambine.

The purpose of the rezoning application is to allow for BP Express Convenience Store/ Quick Serve Restaurants. The Quick serve restaurant is intended to offer fast food selections for consumption primarily off site, with limited on site seating.

DETAILS

Description of the subject land:

Beaumaris site: encompasses Lot 101(2) Prendiville Avenue, Ocean Reef (Attachment 1) . The land is located at the western side of Marmion Avenue and is currently occupied by a Petrol Station. It has an area of 0.3280 hectares. The land adjoins residential development along the northern boundary where physical separation barriers have been installed in the form of screens and brick retaining walls. The site is zoned Service Station by the City of Joondalup Town Planning Scheme No1, and Urban under the Metropolitan Region Scheme. The proposed District Planning Scheme No 2 zones the area as Special Zone (Additional Use) Service Station.

Currambine Site: includes Lot 1326(2) Sunlander Drive, Currambine. The site adjoins Sunlander Drive on the eastern boundary and Burns beach Road along the northern boundary (Attachment 2). It has an area of 0.3604 hectares.

The subject land adjoins a medical centre site along the southern boundary. It is currently zoned Special Zone (Restricted Use- Service Station and Shops) by the City of Joondalup Town Planning Scheme No1 (Amendment 631), and Urban under the Metropolitan Region Scheme.

Under the proposed District Planning Scheme No 2, the area is zoned as Mixed Business zone.

Nature of the proposed uses:

In addition to the existing Service Station facilities the applicants propose to include an express Convenience Store and Quick Serve Restaurant. The Quick Serve Restaurant (QSR) would incorporate a food preparation area, fast food service and seating areas. The applicants propose to provide seating for 5 people internally, and an outdoor seating area for 12-16 persons. The applicants have indicated that seating was designed to encourage short term usage of no more than 15 minutes after ordering food, and the remaining of the customers will take way their food for consumption off site.

It is proposed that the use will be integrated with existing uses and sharing services including off street truck parking, rubbish containment, customer access, customer and staff parking, staff changing rooms and toilets. It was further noted by the applicants that the proposed use is intended to cater for existing Service Station customers. Details of the specific parking needs for this type of development can be considered during the development application stage.

The applicants have indicated that the proposed use will generate 30 additional traffic movements per hour at peak times

The Currambine development will also include a single window drive through lane at the rear of the building, in the nature of drive-through food outlet.

The proposed development will require additional signage, which is proposed to be non flashing and internally illuminated. The applicants indicated that no additional lighting will be required at the front of the site, but minimal lighting will be required in the drive through rear on the Currambine site.

COMMENT

Clause 3.25 of the City of Joondalup Town Planning Scheme enables the creation of Special Zones (Additional Uses).

The applicants have requested the rezoning to include the additional uses of "Take away/Fast Food & Restaurant). At present, additional uses of this nature have been referred in the Schedule to the City's Town Planning Scheme as Fast Food Outlets or Take Away Food outlets. Due to the possible wide interpretation of the term Fast Food Outlets, it is considered necessary to exclude reference to this particular use and make specific reference to either drive-through food outlets and take away food outlets.

With reference to the Currambine site, the proposed rezoning is considered adequate for the following reasons:

- The proposed inclusion of fast food uses (take away food outlets and drive through food outlet) as additional uses would be in conformance with the changes proposed by District Planning Scheme No 2 . Under proposed DPS No2 the site will be zoned as Mixed Business with "Fast food" facilities being one of the uses permitted as "AA".
- Convenient access to the site is provided off Burns Beach Road, through Sunlander Drive;
- the site adjoins a medical centre site along the southern boundary.
- the overall layout of the site will ensure that the proposed uses are not likely to create a negative effect on the surrounding residential areas.

The proposed rezoning of the Ocean Reef site gives rise to a number of issues, namely the effect on the existing traffic condition and amenity of the area, and the general compliance with the overall planning goals for the area.

It is necessary to consider the proposed zone location and effect in the adjoining area, as Prendiville Avenue provides access to primary and secondary school sites. A traffic survey undertaken on February 1998 indicated that the traffic volume along Prendiville Avenue on the western side of Marmion Avenue amounted to 7000 vehicles per day. Taking into consideration the road width of Prendiville Avenue, the existing traffic volumes along this road are above the desirable volumes (6000-7000 vehicles per day depending on whether additional traffic management measures are undertaken).

Any likely increase in the traffic volume would not affect residential areas. Of relevance is the interaction with the school sites. It is worthwhile noting that additional traffic generated during peak hours would not coincide with the school peak traffic. The proposed additional land uses are not likely to generate a significant increase in the number of vehicles movements. The applicants have indicated that the additional traffic generated by the take away/restaurant uses would amount to 30 traffic vehicles per hour at peak times. This figure does not include the number of existing traffic movements already generated by the service station which may also use the take away food facilities.

The subject site is zoned by the District Planning Scheme No.2 as Special Zone (Additional Use- Service Station). Although the incorporation of fast food (which would include drive through food outlets) will not be in conformance with the planning objectives for this site, the proposed additional uses are in the nature of take away food outlet and restaurant. These proposed additional uses are not likely to have a detrimental effect on the amenity of the area, as the traffic likely to be generated by the additional uses would include the existing traffic movements to the service station and only a minor portion would amount to traffic specifically generated by the take away uses. However, due to the existing traffic volumes along Prendiville Avenue, it is considered that adequate traffic management measures need to be undertaken to ensure that any likely negative effect due to the interaction of the site with the school site is minimised. This issue can be addressed adequately at development approval stage.

It is therefore recommended that the Joint Commissioners resolve to adopt amendment 854 and include the subject sites in Section 1 of Schedule 1 (Attachment 3); and Section 2 of Schedule 1 (Attachment 4).

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners in pursuance of section 7 of the City of Joondalup Town Planning and Development Act 1928, AMEND Town Planning Scheme No. 1 to rezone Lot 101 (2) Prendiville Avenue, Ocean Reef from Service Station to Service Station and Special Zone (Additional Use - Take Away Food Outlet & Restaurant) and Lot 1326(2) Sunlander Drive, Currambine from Special Zone (Restricted Use -Service Station and Shops) to Special Zone (Restricted Use -Service Station; Shops; Take Away Food Outlet; Drive Through Food Outlet & Restaurant) and ADOPT Amendment 854 accordingly.

The Motion was Put and

CARRIED

CJ309-12/98 DELEGATED AUTHORITY REPORT- [07032]

SUMMARY

This report provides a resumé of the development applications processed under Delegated Authority from 19 November 1998 to 2 December 1998.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners NOTE the actions taken and determinations made under Delegated Authority in Report CJ309-12/98.

The Motion was Put and

CARRIED

Appendix XV refers

CJ310-12/98 UNAUTHORISED DEVELOPMENT : ERECTION OF FOUR SECURITY LIGHTS ON TOP OF PADBURY SHOPPING CENTRE : LOT 26 (75) WARBURTON AVENUE, PADBURY - [04751J]

METRO SCHEME:	Urban
LOCAL SCHEME:	Commercial
APPLICANT/OWNER:	Strata Company Padbury Shopping Centre

SUMMARY

On 4 September 1998 the City received a written complaint from a resident in Warburton Avenue, Padbury, stating that four of the new security lights erected on the top of the Padbury Shopping Centre shone directly into two bedrooms of her home at night.

Inspections of the security lights by the City from the complainant's home revealed two of the security lights shone into one bedroom while the entire four shone into another bedroom.

Several requests to the Padbury Shopping Centre Management by the complainants and written requests to the management from the City to resolve the light situation has not brought about a satisfactory resolution of the problem. It is recommended that legal action be initiated against the property owners and strata management for erecting the security lights on the property without Council approval.

BACKGROUND

Lot 26 (75) Warburton Avenue, Padbury is zoned Commercial within the City's Town Planning Scheme No 1. The property is 1.0791 hectares in size. The City's records show that the 25 units on the site are strata titled.

Correspondence received from the Padbury Centre Management, D Ockerby Real Estate dated 13 October 1998 stated that the security lights had been erected on the property less than 3 months - some time in July 1998.

The City has no record of any approvals for the security lights to be erected on the property.

DETAILS

On 4 September 1998 the City received a written complaint from a resident in Warburton Avenue, Padbury stating that four of the new security lights erected on the top of the Padbury Shopping Centre shone directly into two front bedrooms of her home at night causing disturbance to sleep. The complainant further stated that she had spoken with the Padbury Shopping Centre Management on several occasions concerning the security lights shining into the bedrooms of her home and that no action had been taken.

On 8 September 1998, 13 October and 2 November 1998, the City forwarded correspondence to the Manager of Padbury Shopping Centre requesting that he liaise with the complainant to resolve the problem of the security lights from the Centre shining into the complainant's home.

The complainant advised the City's Approval Services Liaison Officer on 24 November 1998 that the matter involving lights shining into her home had not been resolved. The officer attended her property at 1930 hours that night and inspected light problem.

The inspection by the Approval Services Liaison Officer on 24 November 1998 revealed that light from two of the security lights situated on the roof of the Padbury Shopping Centre had a detrimental effect on the front bedroom of the home occupied by the complainant's mother. The light coloured bedroom wall at the far side of the room reflected the two security lights making the bedroom appear almost daylight.

The officer observed the security lights from the complainant's front bedroom of the home and saw that four of the security lights placed on the Shopping Centre roof had a detrimental effect on that room. Again the light coloured walls of the room reflected the security lights making the room appear almost daylight.

On 26 November 1998, the City forwarded correspondence to the Padbury Shopping Centre Management advising them of the after hours inspection of the security lights, the problems caused by the lights and a request to remove the unauthorised lights by 3 December 1998. The lights were not removed as requested and no action taken to resolve the light problem affecting the complainant.

COMMENT

The four security lights erected on the shopping centre are structures and required a development approval from the City before they were erected. No approval was sought and no approval was granted to erect the security lights on the property. The Centre Management has shown no willingness to turn the lights off or remove them as requested by the City. It is therefore recommended that legal action be taken against the owners of the property and strata management for erecting the security lights without approval.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 ADVISE the owners and Strata Company of Lot 26 (75) Warburton Avenue, Padbury that by erecting four security lights on the roof of the Padbury Shopping Centre without first obtaining development approval from the City, they have breached the City's Town Planning Scheme No 1 and may be subject to legal action;
- 2 ADVISE the owners and Strata Company of Lot 26 that the City cannot issue retrospective approval for the security lights erected on the property and that the security lights are not to be used, effective forthwith, and they are to be removed within 7 days of notification, failing which legal action will be initiated;
- 3 AUTHORISE the Chief Executive Officer to initiate legal action against the property owners and Strata Company should requests in 2 above not be satisfied in the time period specified.

ADDITIONAL INFORMATION

On 18 December 1998 the City received correspondence from Mr Robert Ockerby, of Ockerby Real Estate, acting on behalf of the Strata Owners of Lot 26 (75) Warburton Avenue, Padbury. Mr Ockerby stated that he had arranged for electricians to remove the lamps which were affecting the residents in Warburton Avenue, Padbury, ie light bulbs have been removed from two of the four security lights. Mr Ockerby further stated that he had spoken to occupants of three homes in Warburton Avenue on the night of 17 December 1998 and asked them if the two remaining security lights were a problem. Mr Ockerby stated that the occupants were now satisfied with the security lighting arrangements on site.

An inspection of the two remaining security lights was carried out. Following discussions with the original complainants, it would appear that the matter has been resolved by using two of the four security lights only. The owners of the shopping centre will still require development approval for the two remaining security lights on the property and retrospective approval from the City cannot be granted.

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

- 1 **ADVISE the owners and Strata Company of Lot 26 (75) Warburton Avenue, Padbury that by erecting four security lights on the roof of the Padbury Shopping Centre without first obtaining development approval from the City, they have breached the City's Town Planning Scheme No 1 and may be subject to legal action;**

- 2 **REQUEST the owners and Strata Company of Lot 26 (75) Warburton Avenue, Padbury to submit an Application to Commence Development for the erection of lighting on the above premises within 60 days of notification.**

Discussion ensued. Cmr Rowell spoke in support of the Motion.

The Motion was Put and

CARRIED

CJ311-12/98 WHITFORD CITY SHOPPING CENTRE APPEAL: PT LOT 501 (470) WHITFORDS AVENUE, HILLARYS - [07103J]

METRO SCHEME:	Urban
LOCAL SCHEME:	Whitford Town Centre and Service Station
OWNER:	Permanent Trustee Australia Ltd
APPELLANT	Watts and Woodhouse Solicitors and Legal Consultants

SUMMARY

The Town Planning Appeal Tribunal handed down its decision regarding the Whitford City Shopping Centre on 4 November 1998. The appeal was determined in the City's favour. The appeal was decided largely on local traffic and amenity grounds. These issues formed a large part of the City's evidence to the Tribunal.

The appellant has since written to the City advising that they respect and accept the Tribunal's decision. The appellant has acknowledged the need to undergo more comprehensive structure planning for the locality so that any future extension proposals can be put forward in an orderly and proper fashion and in the context of the locality. The appellant has advised that it further appreciates the need to address the Tribunal's concerns of amenity and urban design and that their representatives will be contacting the City with a view to discussing the way forward in further detail.

The original estimate of the City's solicitors costs for this appeal was in the order of \$40 000 - \$50 000. As a consequence of the scale to which this appeal escalated, the City's solicitors costs ultimately extended to \$113,503.

BACKGROUND

Whitford City currently comprises 55,846m² Gross Leasable Area (GLA) incorporating 39,554m² retail GLA.

Council at its meeting on 26 March 1997 (Item TP37-03/97 refers) considered an application for major alterations and additions to Whitford City. The application comprised a two level department store of 16 000 m², an additional discount department store of 8 000 m², mini-majors shops of 3 000 m², two levels of speciality shops of 775 m² retail and 1 925 m² non-retail, a retail mall over the existing mall, the relocation of the existing ("Action") supermarket to west of the "Target" store, and the removal of the BP Service Station. The resulting floor space was proposed to be 91 000 m² GLA, including 72 150 m² of retail GLA. This represented an overall floorspace increase of 34 253m² GLA incorporating a retail floorspace increase of 32 595m² GLA.

Council of the former City of Wanneroo refused the application at the above meeting on the following grounds:

- (a) the proposal was considered contrary to the interests or orderly and proper planning and represented a substantial departure from the adopted regional planning strategies for the North West Corridor of the Perth Metropolitan Area. If approved, Whitford City would be likely to affect the size and distribution of existing and planned commercial centres throughout the region and thereby affect major employment locations, travel patterns and the value of existing and committed public and private investment;
- (b) the applicant had not adequately demonstrated that the proposal would not adversely affect surrounding existing and planned commercial centres;
- (c) it was not considered that an individual development application was the appropriate mechanism to debate or gain approval to such a substantial amount of additional retail floorspace at Whitford City. Rather, the appropriate mechanism would be in conjunction with a review of the existing regional planning strategies so that the broader commercial distribution and urban infrastructure co-ordination issues could be properly assessed;
- (d) approval to the proposal would create an undesirable precedent for further major departures from the established regional planning strategies;
- (e) the proposal did not provide sufficient parking for the proposal uses and did not comply with the car parking requirements for shopping centres under Council's Town Planning Scheme No 1 or its policy relating to shopping centre car parking standards;
- (f) the proposal would adversely affect the amenity of the locality, particularly with respect to the bulk and scale of the development, the location of the loading and service areas, and the service vehicle traffic associated with the development;
- (g) the proposal did not demonstrate safe, convenient and comfortable access into and within the site for pedestrians and cyclists;
- (h) the proposal did not adequately address the integration of and linkage between the different uses on site, community facilities on the adjacent properties, and the pedestrian underpasses and the pedestrian and cyclist path system on the adjacent roads;

- (i) the proposal did not address the public transport facilities and the demand for such facilities at the development;
- (j) the proposal did not comply with front setback or landscape area requirements of Town Planning Scheme No 1.”

The Western Australian Planning Commission (WAPC) was also required to determine the application under the Metropolitan Region Scheme. The WAPC refused the application on similar grounds to those of Council.

An appeal was subsequently lodged with the Town Planning Appeal Tribunal against each of these decisions. Council considered the issue of the appeal at its meeting on 25 June 1997 (Item DP117-06/97 refers) and resolved to:

1. contest the appeal;
2. engage legal representation to assist officers in the first sitting and the mediation; and
3. require a further report detailing the outcome of the mediation and the likely costs associated with continuing with the appeal.

As both Council's and the WAPC's grounds for refusing the proposal were similar, the Tribunal was requested to consolidate the two appeals. Consent to this request was granted. The Tribunal has also permitted the owners of the Lakeside Joondalup Shopping Centre to be joined as co-respondents with the City and the WAPC in the consolidated appeal.

The first sitting was held on 1 July 1997 and the mediation on 30 July 1997. No resolution could be found at the mediation.

The full hearing commenced in February, resumed in April was completed in July of this year.

DETAILS

The Tribunal handed its decision down on 4 November 1998. The appeal was determined in the City's favour. The appeal was decided largely on local traffic and amenity grounds. These issues formed a large part of the City's evidence to the Tribunal. The decision is set out in detail in the Tribunal's report, a copy of which was placed in the Commissioners' reading room shortly after the decision was handed down. A précis of the Tribunal's findings is however set out below:

- 1 the Tribunal disapproved of the attempts by the Draft Metropolitan Centres Plan and the Draft City Scheme to attempt to set a limit to retail floor space. The Tribunal's view was that the use of rigid criteria in such matters should not be adopted as that would be contrary to sound town planning principles.
- 2 having said that, regional and shopping policies are relevant planning considerations.
- 3 the designation of a centre in terms of the shopping centre hierarchy is one consideration and of equal weight to the issue of commercial planning impact of the proposal.
- 4 orderly and proper planning requires an analysis of the appropriate integration of the use with the locality in which it is situated.

- 5 the Tribunal accepted the evidence that the proposal would have a negative impact on other centres including Joondalup but found that the resultant community detriment would be made good by the level of services to be provided for a Whitfords.
- 6 the Tribunal found that the proposed parking at 5.44 bays per 100m² of Shopping Centre was acceptable as a bare minimum but is not to be taken as a guide for future developments.
- 7 the Tribunal found the potential traffic problems in terms of external traffic were a major factor in its decision.
- 8 the Tribunal found that the internal ring road within the Centre is barely adequate for service vehicles and that the layout of the car parking areas and the ring road is defective in that the plan does not address the use of the parking areas and walkways by pedestrians and cyclists. It further found that the problem could not be addressed by a condition as what was required was a redesign of the basic layout.
- 9 the Tribunal found that the impact on residents of Banks Avenue facing the Shopping Centre including traffic, bulk, scale, etc was the fundamental reason for the dismissal of the appeal. It stated:

“The loss of amenity is not marginal but is significant and, in the balancing of need and amenity, the amenity of the locality is sufficiently degraded to direct the appeal to be dismissed.”

The appellants have since written to City advising that they respect and accept the Tribunal's decision. The appellant has acknowledged the need to undergo more comprehensive structure planning for the locality so that any future extension proposals can be put forward in an orderly and proper fashion and in the context of the locality. The appellant further appreciates the need to address the Tribunal's concerns of amenity and urban design and has advised that their representatives will be contacting the City with a view to discussing the way forward in further detail.

The original estimate of the City's solicitors costs for this appeal was in the order of \$40,000 - \$50,000. As a consequence of the scale to which this appeal escalated, the City's solicitors costs ultimately extended to \$113,503.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners NOTE the Town Planning Appeal Tribunal's decision in regard to the Whitford City Shopping Centre.

The Motion was Put and

CARRIED

CJ312-12/98 REDUCED FEES FOR RESIDENTIAL PLANNING CODE DISCRETION ON GARAGE/CARPORT SETBACKS - [01730]

SUMMARY

The Residential Planning Codes require that any discretion exercised by the Council should be dealt with as a planning application.

The Joint Commissioners in October generally resolved to waive the planning fees for proposals which involved only a reduced front setback to carports and garages to a minimum of 3 metres and that a report be prepared on how to deal with discretions in the future.

It is recommended that the present waiver of fees continue for the current budget period and that the matter be reviewed as part of Town Planning Scheme No 2.

BACKGROUND

In August/September 1998 the City commenced charging Planning Application Fees for single dwellings for which a discretion was required under the Residential Planning Codes

The Joint Commissioners at their meeting on 13 October 1998 resolved to (CJ186-10/98):

1. approve a reduction of fees to nil for a Development Application involving Council discretion pursuant to Clause 1.5.5(a) and (b) of the Residential Planning Codes for applications requesting the averaging of front setbacks and a 3 metre minimum setback to a garage or carport for a period of 2 months;
2. during that period the Manager, Approval Services:
 - (a) distributes to both major builders and the Housing Industry Association an information brochure setting out the planning fees and approval requirements;
 - (b) reports back to the Joint Commissioners with options for more generally dealing with Residential Planning Codes.

DETAILS

Where a single dwelling requires a Residential Planning Code (R-Code) discretion, the building licence application is converted administratively to a planning application and processed accordingly to the requirements of the Town Planning Scheme. A planning application fee of \$100 minimum or 0.25% of the cost of the development is required to be paid.

The Council has a policy which provides that the Building Surveyor can approve a reduced garage or carport setback of 3 metres.

The R-Codes however require that where a carport or garage is proposed to have a setback of less than 6 metres, the Council's discretion must be exercised, ie, a planning approval.

The R-Codes require that where a Council discretion is required that discretion needs to be treated as a planning approval.

As this has not been the Council's requirement in the past, some builders have expressed concern that the fees are being charged for consideration that was previously being undertaken at no additional charge.

That is the case, however, a planning approval is required only generally where single dwellings do not comply with the R-Codes and the City is hence required to undertake all the administrative processes associated with any applications, eg record, scan process, serve notices, issue a determination, report to Council, etc.

There is no ability for the fees set out in the budget to be administratively deferred or reduced and hence it was resolved (by Absolute Majority) that this particular fee imposition be deferred for a period of 2 months.

The City's processes and practices in respect to this matter comply with the requirement of the Town Planning Scheme and the R-Codes. Other local authorities' processes and practices may not.

In accordance with the Joint Commissioners' recommendation, an information brochure has been forwarded to both the Housing Industry Association and major builders and apart from disagreement with the imposition of the fees, no formal submissions have been received.

The builders have generally stated that lots are reducing in size and houses are not. However the major critical reduction is in lot width which has forced the carport/garage forward of the building line.

Other local governments are now following the City's processes and also charging fees.

COMMENT

The only method of varying the Residential Planning Codes (apart from an amendment to the Codes themselves) is to amend the Town Planning Scheme.

Until either is varied, these applications will require formal planning approval.

As Town Planning Scheme No 2 is midway through its approval process, it would be faster to incorporate variations into it rather than into the existing Town Planning Scheme No 1.

There are many matters contained within the Residential Planning Codes with respect to single dwellings which require attention. These include:

- parapet walls for garages
- garage front setbacks
- outbuildings
- additional accommodation
- rear averaged setbacks
- private open space courtyards

and other related matters such as driveway gradients, etc.

It is proposed to include these matters into Town Planning Scheme No 2. Discussion papers dealing with these matters will be shortly prepared.

Until the Scheme is amended the present arrangement will need to continue.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 APPROVE a reduction of fees to nil for the balance of the financial year for development applications involving a Council discretion pursuant to Clause 1.5.5(a) and (b) of the Residential Planning Codes for applications requesting the averaging of front setbacks and a 3 metre minimum setback to a garage or carport for a period of 2 months;
- 2 in accordance with Section 6.19 of the Local Government Act 1995 gives local public notice of its changes to the laws detailed in (1) above, advising the new fees and charges will take effect on 31 December 1998.

ADDITIONAL INFORMATION

There is an error in point 1 of the recommendation and the words “for a period of 2 months” are to be deleted. Point 2 has also been amended as shown in the revised recommendation following.

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

- 1 APPROVE a reduction of fees to nil for the balance of the financial year for development applications involving a Council discretion pursuant to Clause 1.5.5(a) and (b) of the Residential Planning Codes for applications requesting the averaging of front setbacks and a 3 metre minimum setback to a garage or carport;
- 2 in accordance with Section 6.19 of the Local Government Act 1995 give local public notice of the changes detailed in (1) above, advising that the new fees and charges will take effect on 31 December 1998.

Cmr Rowell spoke in support of the Motion.

The Motion was put and

CARRIED BY AN

ABSOLUTE MAJORITY

Items CJ313-12/98 to CJ315-12/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan.

**CJ313-12/98 SUBDIVISION CONTROL UNIT -ACTING DIRECTOR,
DEVELOPMENT SERVICES - FROM 19 NOVEMBER
TO 2 DECEMBER 1998 [05961]**

SUMMARY

Overleaf is a resumé of the Subdivision Applications processed by the Subdivision Control Unit from 19 November to 2 December 1998. All applications were dealt with in terms of the delegation of subdivision control powers to the Chief Executive Officer (DP247-10/97 and DP10-01/98). The Chief Executive Officer subsequently delegated to the Manager Development Management Services, the authority to deal with these applications as follows:

SCU1 Subdivision applications received which are generally consistent with an approved or agreed Structure Plan (including Outline Development Plan and Development Guide Plan).

SCU2 Subdivision applications previously supported, or not supported by Council and subsequently determined by the Western Australian Planning Commission (WAPC) consistent with the Council's recommendation.

SCU3 Applications for extension of subdivisional approval issued by the WAPC which were previously supported by Council.

SCU4 Applications for subdivision or amalgamation which result from conditions of development approval given by or on behalf of Council.

SCU5 Applications for subdivision or amalgamation of lots which would allow the development of the land for uses permitted in the zone within which that land is situated including applications involving the excision of land for road widening, sump sites, school sites, etc.

SCU6 Applications for subdivision or amalgamation of lots contrary to Council or WAPC Policy or are not generally consistent with an approved or agreed Structure Plan.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ313-12/98.

The Motion was Put and

CARRIED

Appendix XVI refers

CJ314-12/98 PROPOSED BUILDING ACT FOR WA - [08047]

SUMMARY

The Department of Local Government has released a discussion paper on proposals for a Building Act for Western Australia. Submissions are sought by the end of December.

The proposal will have a major and detrimental impact on local government "Approvals" business units both in terms of function and funding. It is likely to increase total approval costs and times for approvals.

Of concern is that there has been no attempt to consolidate approvals legislation into a single "Development Act" but rather to further segregate decision making.

It is recommended that a submission be made to the Department of Local Government based on the comments contained in this report.

DETAILS

Objectives And Key Features

Some of the objectives of the proposed Act are:

- to consolidate building legislation
- to provide an effective and efficient system for:
 - dealing with building applications
 - the giving of building approvals
 - the enforcement of building standards
 - the administration of building matters
 - the resolution of building disputes
- to facilitate the cost effective construction of buildings;
- to aid the achievement of an efficient building industry;
- to achieve State objectives for national competition policy in building control system;
- to establish, maintain and improve standards for the construction and maintenance of buildings;

The key features of then new framework include:

- the universal application of building controls to the Crown and to all parts of the State;
- the provision for the consolidation of all building regulations;
- a broader definition of a building approval and enforcement roles;
- the appointment of approving building surveyors by building proponents;
- competition in building approvals;
- a new risk based approval system;
- a separation of enforcement roles during and after construction;

- new requirements for occupancy approval;
- new appeal and objection rights;
- new rights to seek confirmation that a building solution complies with the building Code of Australia (BCA);
- new requirements for building owners to maintain essential services and characteristics.

Elements Of The Proposed Legislation

Crown to be bound

The Crown is presently exempt from the building approval process. This has created difficulties in the past when State owned buildings have been sold. The proposal is for the State to be bound by the requirements of the Act except for special circumstances.

Application throughout the State

The new Act will apply throughout the State and thus provide for uniform requirements with some regional variations for matters such as cyclone zones etc - No impact.

Building Code of Australia to apply

The BCA will generally be the only building standard - (present situation). The requirements of the BCA will be enhanced to include Public Buildings etc. The only variation will be by appeal.

Appointment of Approving Building Surveyor

The owner or his agent (not the builder, architect or contractor) must appoint a building surveyor.

Approving Building Surveyors

- Must be registered, qualified and insured - presently building surveyors need to be qualified. Councils will not be able to issue a building licence.
- May be privately employed, employed by a local government or employed by the State.
 - Any registered building surveyor anywhere in the State will be able to issue a building licence.
 - Local governments unless exempted must employ an approving building surveyor.
- Separate appointment for each project.
 - A building surveyor cannot be paid a retainer by a builder or owner, ie there can be no ongoing contractual arrangements.
 - The appointment is for the one project only (may include several buildings in the project).
 - The building surveyor (generally) cannot be dismissed from the project.

The Local Government to be advised of the Appointment

- The Local Government will need to keep a register of appointments.

Application to be in a standard form

The City's present application is printed on an A3 envelope and contains a checklist, general information about fee calculation, and a form requesting the prescribed information set out in the regulations and required by the City to complete its return to the Department of Census and Statistics.

The omission of this information would require the City to inspect all plans whether it approved the plans or not.

Role of other Agencies

Government authorities or agencies will have either comment or reporting status and will need to be contacted and will need to respond within certain time limits.

Local Governments will have a reporting status with respect to matters such as encroachments and materials on streets and crossovers.

This will require that most building permit applications are referred to the City for an approval relating to crossovers and access, etc.

Building approvals cannot proceed or be inconsistent with planning approvals nor can they contain conditions unrelated to building matters.

Where a planning approval is required or the building application does not conform with the planning approval, the building application must be refused. The building permit cannot be issued with any planning, health or engineering conditions. These matters will need to be resolved by separate approvals.

Building Approval fees to be deregulated

Fees are to be negotiated with the approving building surveyor at the time of appointment and would include all inspections deemed necessary by the building surveyor. An extra inspection fee may be charged for extra inspections required.

Inspections

Inspection stages to be specified in the licence and may require prior notice and works to cease until inspected. Inspections may be carried out by a competent substitute person to the approving building surveyor. Written records are to be kept and provided to the builder and local government.

Permits to be lodged with local governments

Within 7 days of the issue of a building licence, the building surveyor must lodge a copy of the permit with the local government for storage. A storage fee is payable.

Protection Works

Where the proposed works involve building within 3 metres of a building or an adjoining property and lower than the footings of that building notice is to be given to the adjoining owner by the building owner.

The notice should set out the extent of protection works (if any) proposed and the building surveyor must ensure that agreement has been reached before the issue of the building permit. Other building works may be approved.

The Approving Building Surveyor must arbitrate if no agreement is reached and an appeal right exists.

Fourteen days notice must be given prior to the commencement of works involving entry to the adjoining property.

Enforcement during building works

The approving building surveyor has the power to issue:

- a building notice
- a building order in an emergency
- a stop work order

A building notice requests the builder to explain why the builder should not be ordered to bring the building into compliance. If this is not satisfied, the matter is referred to the local government enforcing building surveyor.

A stop work order has effect for periods of up to 48 hours and further enhancement or action is by the local government enforcing building surveyor.

Some appeal rights will be available.

Occupancy Approvals

Occupancy permits must remain current and must be issued by the approving building surveyor prior to occupancy. The permit cannot be issued until all essential life safety services are operational and the building is fit for occupation.

The permit may be conditional and limit the use of the building.

A copy of the permit must be lodged with the local government within 7 days.

Appeals, etc

It will be possible to appeal to the Minister against a wider range of matters.

Some new elements include the ability to deal with components of the project during the design stage to ensure compliance with the BCA or to seek modification.

Reporting authorities may appeal where the approval in conflict with the advice provided.

Enforcement

To be carried out a by a local government (Enforcement) Building Surveyor where:

- a building work contravenes the Act or building permit.
- building work has or is being carried out without a permit
- the occupation or use of the building contravenes the Act or building permit
- the building is unfit for use or occupation
- the building is a danger to users or adjoining property.

Orders

The enforcing building surveyor must first serve a notice to show cause why an order should not be issued.

An order may require the building owner to:

- make a building safe or demolish it
- evacuate the building
- bring the building into compliance
- obtain a retrospective building permit
- remove the cause for concern.

The Council's approval is required to enforce an order which has not been complied with.

An appeal can be made against an order.

Other orders can be issued in cases of emergency.

Penalties

Penalties will be substantially increased. Infringement notices will be possible for simple straightforward offences.

Costs may become a charge against the land.

Buildings to be Maintained

Essential services to be prescribed, eg lifts ventilation systems etc and must be provided by the building owner. The building owner is to report annually to the local government that these essential services have been maintained and checked. Failure may involve penalties.

Occupancy permits may be revoked.

Issues

Separate Approvals

The new Act proposes only to additionally embrace the public buildings requirements presently within the Health Act.

There has been no attempt to provide for a single approval process for development. This is the greatest failing of the legislation.

For example a single dwelling will require:

- a planning approval (R-Codes)
- a building permit (Building Act)
- an access permit (LG Act)
- septic tank permit where required (Health Act)

Each of the approvals will by necessity be separate and undertaken by different professions, possibly in different areas.

At present each of the approvals happens in parallel within Approval Services. However, the Building Act proposals will require them to be made sequentially with each approval being separately managed rather than to be a consolidated outcome resulting in:

- poor customer service
- increased costs and times for approvals
- greater confusion and complexity.

National Competition Policy

As the Act proposes to deregulate fees and provide that Approving Building Surveyors may be privately employed, it will be necessary for local governments to restructure their Approvals or Building sections to quarantine them from activities and costs not relevant to the activity to comply with the National Competition Policy. This will be a major impediment to applicants both in terms of clarity of issues and time. If applications were frustrated with approval processes, these proposals will clearly make matters worse as they will be required to negotiate solutions with all approval agencies rather than just the local government. The complexity of the process is depicted on the attached flowchart.

At present for the one building fee, the City:

- provides a building licence
- gives advice
- reports to Council
- responds to appeals
- undertakes enforcement
- checks for compliance with planning and other approvals
- provides an access approval
- provides statistical returns

- provides for long term storage of building licence records.

The Building Approvals unit operates on almost full cost recovery.

In future one section will process building permits on a fee for service basis and another section will undertake enforcement and plan receipt on a mixture of prescribed fees and penalty generated income.

Whilst it is possible to charge for planning approvals many of the other activities will remain unfunded. At present, all residential development is checked for compliance with the R-Codes as part of the building approval process. If a planning approval is required as a consequence of that check, the application is converted to a planning application, a fee charged and both a planning and building permit issued.

Of concern is that the Act envisages both competition and separation of functions.

The competition will result in reduced fees, reduced services and no planning check and the separation functions will result in the need for all applications to be checked in Planning Approvals sub-unit for planning compliance and access in any case. The enforcement functions will be unfunded.

As the City will generally no longer deal with the building application permit, it could no longer offer advice on compliance.

The effects of the Act will include:

- reduced customer service
- lack of local knowledge
- increased total fees and development approval times
- increased number of planning approvals

Timelines for Approvals

The separation of approval functions and therefore the sequential decision making will add weeks to each approval as:

- the planning approval conditions will need to be resolved at the planning stage as no further check process will exist;
- a separate access approval will be required;
- a separate food handling (Health Act) and other separate approvals will be needed.

No Planning or any other non-BCA matters will be allowed as part of any consideration of a building permit. At present the building licence becomes the final and composite approved plan. Separate planning and other conditions will need to be checked and enforced through other means.

The requirement to give notice to adjoining owners and resolve disputes when changes in boundary levels occur has merit but will add considerably to the times for approval, particularly as the Act does not provide any deemed to comply solutions.

It is likely that local governments will have to extend planning call in powers under their Town Planning Schemes as a consequence as policies and local laws which relate to location, amenity, size etc will become unenforceable as part of any building permit.

Council Approval

At present the building surveyor acts under the authority of the Council. The Council can issue or order the issue of a building licence. The building surveyor must be qualified.

Fees are regulated and inspections optional.

The Act proposes that:

- The Council must employ an Approving Building Surveyor and an Enforcing Building Surveyor (presumably the same person), each undertaking different roles.
- The Approving Building Surveyor issues building permits not the Council.
- The fees are deregulated but will need to be set by the Council in the case of any building permit issued by the City.
- Inspections will be based on risk.
- The owner will appoint the Approving Building Surveyor not the builder.
- The Approving Building Surveyor must be registered and insured. It is presumed that this person would need to be a contracted position as they take on a substantial risk.
- The local government must enforce non-compliance and acts as a repository for documents.

An owner will no longer need to come to the local government to get a building permit but will still need to apply for other approvals.

Audits of private certification of building permits in Victoria has shown only a 60% compliance rate.

Fees

Building Permit Fees will be deregulated, however, additional fees may be charged for inspections.

The local authority will be paid fees for:

- lodgement of Building Permits by the Approving Building Surveyor.
- Receipt of building owners' annual report.

The Act, however, refers to many other instances where the local government will need to be involved in the process albeit that they are not the Approval Building Surveyor:

- upon appointment of the Approving Building Surveyor
- when any inspection or notice issued is made. No fees are provided for receipt of these documents.

The local government may be required to deal with an application on six separate occasions even if it was not the approving authority.

Planning Approvals

Planning approval is required prior to the use or development of land. Single dwellings do not require a planning approval providing they comply with the Town Planning Scheme.

Matters which would give rise to the need for a planning approval in respect to single dwellings includes:

- Requires a discretion under the R-Codes.
- Does not comply with a Structure Plan.
- Does not comply with or is called in by a Planning Policy, eg height policy.
- Amenity or streetscape issue.

At present all building applications are checked for compliance and if a planning approval is required, the application is administratively converted to a planning application and both planning and building issues are considered in parallel with both approvals issued at the end.

The proposed Act requires that the planning approval be issued and that the building permit must be in compliance with the planning approval. How this is to happen is not stated, but would seem to be contradictory to other provisions.

With single dwellings, as the Approving Building Surveyor will no longer be checking for planning related matters, only BCA matters, it is not known who will be checking or have the "local Town Planning Scheme knowledge" to know if the application requires a planning approval.

As an Approving Building Surveyor may be located anywhere in WA, it may well result in all building permits being first submitted to the local government for a planning consent or exemption.

This would result in a huge additional workload with no appropriate fee structure in place.

Conclusion

The proposed Act has merit.

- It shifts the customer from the builder to the owner.
- It requires owners to maintain buildings.
- It provides for enhanced enforcement procedures.
- It requires building surveyors to be registered and insured.
- It may result in reduced building permit fees - depending upon the risk and inspection requirements.
- If all approvals are in place could result in a reduced building permit approval time.
- It will result in a more customer focused outlook for the Approving Building Surveyor.

It does, however, have many negative components:

- It is a poor substitute for a comprehensive Development Act. It only requires compliance with BCA matters.
- Overall timelines will be increased because of the referral and other approvals required.
- It will require the separation of 'approval' functions and will hinder good government.
- Many of the present local government services and functions will be unfunded.
- Service agreements with major customers (builders) will not be permitted.
- Planning approvals or assessment will be required for single dwellings.
- It does not resolve the issues associated with changes in levels at the boundary.
- It is based on an unfounded perception of what and how local government works.
- Experience of similar legislation in some other states is not good.

Whilst many of the individual matters have merit, it is recommended that the City's response should not support the major elements of proposals as presented as:

- Overall the development approval process will not be enhanced by the proposals.
- The proposals do not adequately address the audit requirements and high failure rate evident in other states.
- Inspections should be mandatory, particularly at pre-approval and final approval stages.
- Fees should be regulated to reflect the resources needed to appropriately undertake the required tasks.
- Enforcement will only occur if local government can raise a levy with every approval. Enforcement funded by penalties will not occur.
- The additional burdens placed on local governments to undertake many functions and tasks will remain unfunded.
- The outcomes will not enhance good government but will add a further bureaucracy.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE the Manager, Approval Services to prepare a submission on the proposed Building Act to the Department of Local Government based on Report CJ314-12/98.

The Motion was Put and

CARRIED

CJ315-12/98 LOCAL AGENDA 21 - [00048]

SUMMARY

With completion of the Local Agenda 21 consultancy, the City of Joondalup and Shire of Wanneroo need to make decisions regarding progression of the process. The consultants have made a number of recommendations in this regard, and it is proposed to conduct a facilitated workshop for the Environmental Advisory Committee, and the Commissioners, Chief Executives and Directors of the City and Shire to help with decision making. Authorisation for funding of the workshop is sought.

BACKGROUND

The Local Agenda 21 (LA21) consultancy has been completed by Chambers and Galloway & Associates, and a programme for developing and implementing the LA21 process for the City of Joondalup and Shire of Wanneroo has been recommended. Recommendations made by the consultants include confirmation of the commitment by the Joint Commissioners to the LA21 process, and restructuring of the Environmental Advisory Committee (EAC) to become the Steering Committee for the process.

A work schedule that would enable initiation of the consultants' recommended programme from mid-1999 (should the Joint Commissioners so decide) has been developed. This entails reporting to the Joint Commissioners in March 1999 to enable a decision on whether or not the LA21 process should be instigated and if so, on the programme for progressing the process. The timing of this briefing is important in terms of the forthcoming budgets for the City and Shire (ie as some budgetary allocation will be necessary in the event of a decision to initiate the LA21 process).

The schedule that has been prepared provides for a facilitated workshop, involving the EAC, and the Commissioners, Chief Executive Officers and Directors for the City and Shire. This workshop is scheduled for early February 1999 and, in addition to raising corporate awareness of the LA21 process being recommended as a precursor to formal consideration of the matter by the Joint Commissioners in March 1999, its objectives will be to -

- consider the role of the LA21 Steering Committee and develop Terms of Reference for its operations;
- identify appropriate membership structure;
- develop an operational programme to guide the Steering Committee's activities.

The workshop would be followed by a meeting of the EAC in late February 1999, and outcomes from the workshop and this meeting would be incorporated into the March report to the Joint Commissioners. Through this process, the initial recommendations from the consultants regarding the LA21 process will have been effectively addressed.

COMMENT/FUNDING

The LA21 process is considered an important part of strategic planning for the City and Shire and accordingly, early integration of the LA21 and strategic planning processes can be regarded as desirable. The proposed workshops will contribute positively to decision-making regarding the LA21 process and their facilitation by the consultants responsible for preparing the recommended LA21 framework is considered appropriate. Effective preparation for the workshop is also regarded as important, to ensure that all involved are familiar with the LA21 principles and what is being proposed, as a basis for decision-making.

From discussions with Chambers and Galloway & Associates, the maximum cost for preparation, facilitation and associated expenses would be \$5,000. An allocation of \$20,000 for LA21 related consultancies is included in the City of Joondalup's 1998/99 Budget (Budget Account No. 41137 refers), and approval is sought to expend up to \$5,000 from this allocation to engage Chambers and Galloway & Associates to facilitate the workshop.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE expenditure of up to \$5,000 from City of Joondalup 1998/99 Budget Account No. 41137 for the engagement of Chambers and Galloway & Associates to facilitate the Local Agenda 21 related workshop for the Environmental Advisory Committee, and the Joint Commissioners, Chief Executive Officers and Directors of the City of Joondalup and Shire of Wanneroo.

The Motion was Put and

CARRIED

CJ316-12/98 PERRY'S PADDOCK, WOODVALE : 'OLDE WORLD CHARM' PROPOSAL BY MR V GARMSON - [06011J]

SUMMARY

At their July meeting of this year, the Joint Commissioners of the City of Joondalup resolved to defer consideration of the matters of vesting of Perry's Paddock and continuance of support for Mr Vic Garmson's 'Olde World Charm' proposal for that site pending the review being undertaken of the municipal boundary and release of the Draft Yellagonga Regional Park Management Plan. These latter matters have now reached a point which enables further consideration to be given to the issues of vesting and Mr Garmson's proposal. It is recommended that the vesting of Perry's Paddock in the local authority concerned be endorsed, subject to satisfactory arrangements regarding funding being negotiated. It is recommended that Mr Garmson be advised that the proposal for Perry's Paddock cannot be supported in view of conflict of that proposal with various studies undertaken to date for Perry's Paddock.

BACKGROUND

The Joint Commissioners of the City of Joondalup considered a report on the matters of whether to accept vesting of Perry's Paddock, and whether to continue support for Mr Garmson's 'Olde World Charm' proposal for that site, at their meeting of 28 July 1998 (Item CJ46-07/98).

Report CJ46-07/98 which was considered at that time included a full background to the matters concerned and the Commissioners' resolution on the above matters passed was to:

"1 defer consideration of the matters of acceptance of vesting of Perry's Paddock and continuance of support for Mr Garmson's 'Olde World Charm' development project on Perry's Paddock pending:

(a) completion of the municipal boundary review which will determine whether the subject land will remain in the City of Joondalup or instead become within the Shire of Wanneroo;

(b) release of the draft Yellagonga Regional Park Management Plan.

- 2 *advise Mr Garmson that in light of the uncertainty which currently exists in respect of the matters of acceptance of vesting of Perry's Paddock and continuance of support for his project in Perry's Paddock, they recommend that he not invest any further funds, time or similar resources in his project until these matters have been determined."*

DETAILS

1. Review of Municipal Boundary

Although the Commissioners' resolution of 28 July 1998 referred to further consideration being given to the matters concerned upon 'completion' of the municipal boundary review, it is recommended that 'completion' in this regard be taken to mean completion of the review by this City, rather than completion of the whole process. This will enable this matter to be properly considered now, as City officers have completed their assessment on the boundary change matter, and that assessment is to be reported upon to the Joint Commissioners' Meeting to be held on 9 February 1998. The whole process (ie to gazettal) is not likely to be completed until the end of February 1999, and this would unnecessarily delay consideration of this matter, particularly having regard for Mr Garmson's wish for this matter to be considered as soon as possible.

The assessment undertaken by City officers is to recommend that the municipal boundary be changed such that, amongst other things, the Perry's Paddock land will become part of the Shire of Wanneroo rather than the City of Joondalup as it presently is. Issues of vesting and future use of Perry's Paddock can therefore be considered in terms of what it may mean for the Shire, assuming that the boundary report's recommendation for this area is accepted.

2. Draft Yellagonga Regional Park Management Plan

A preliminary Draft Yellagonga Regional Park Management Plan (DYRPMP) is currently being informally considered by the Joint Commissioners. The preliminary Draft has been provided by the Department of Conservation and Land Management (CALM) to the City and Shire on a confidential basis, with the official release of the final Draft for public comment to occur in March/April of next year.

In the case of Perry's Paddock, as the Commissioners' resolution of 28 July 1998 referred to consideration of the DYRPMP as a factor which was to influence its position on the matters of vesting of that land and Mr Garmson's proposal, it has been considered appropriate in this instance to include in this report several key details from the preliminary DYRPMP as they relate to the Perry's Paddock land. They are as follows:

In terms of describing the existing situation:

- the following 'area values' have been identified:
 - Cultural - Aboriginal and European cultural heritage values
 - Recreation - Perry's Paddock Annual Picnic Day and other large scale community events
- the following 'area opportunities and constraints' have been identified:
 - Strengths - heritage values of the area, scenic views over Beenyup and Walluburnup Swamps
 - Weaknesses - poor access from Ocean Reef Road (particularly from the west)
 - Opportunities - pedestrian cycleway through area linking Perry's Paddock and Cockman House, education and research, cultural/heritage interpretations
 - Threats - further vandalism and degradation of cultural heritage values

In terms of 'desired outcomes and future', the following is proposed:

“Proposed Management Zone.

Informal Nature-Based Recreation. Informal Nature-Based Recreation allowing for cycling and walking, nature observation and large-scale community events. A secondary management emphasis of Conservation and protection of cultural heritage values.

Proposed Park Setting.

Developed. Developed areas with excellent vehicular and pedestrian/cycle access. High quality facilities and high visitor management. Preferred uses may include cycling/walking, nature observation and cultural heritage interpretation. Appropriate facilities might include a dual use path. Other proposed development should recognise and be sympathetic to the landscape amenity and cultural heritage of the area.

Suggested Management Actions.

- *provide additional facilities eg dual use path*
- *provide signs identifying the Park*
- *assess the feasibility of any development proposals for the site.*
- *revegetate wetland fringes including dry land buffer.”*

The preliminary DYRPMP proposes that Perry's Paddock be vested with local authority.

The preliminary DYRPMP identifies Perry's Paddock as one of 6 sites proposed for 'commercial operations'. Under this heading, the draft says in relation to this site:

“Perry’s Paddock

A number of proposals have been made for development at Perry’s Paddock, one incorporating commercial component. Historically, the area was important in the development of Wanneroo with first settlers of Perth taking up land and commencing farming, later turning to market gardening. A number of significant artefacts remain including a bunkhouse and cottage / stables, partly in ruins. A schoolhouse built in the Wanneroo Township in 1899 was relocated to the site in 1992 (Aris 1997). The original, natural landscape of the area has been significantly modified by past farming practices and an attractive, open, rural parkland landscape remains. The local Aboriginal people have a strong association with area.

Proposals are focused on recognising the significant heritage values of the area. The City of Wanneroo has proposed to create a historical village incorporating interpretative displays and visitor facilities by relocating (and creating) heritage buildings of the Wanneroo area to Perry’s Paddock. (SKP 1989) Another proposal is for a model village presenting a miniature view of life at the time of Wanneroo’s settlement. This proposal is more commercially orientated and includes a reception-function centre and restaurant-inn.

The heritage significance of Perry’s Paddock is evidenced in the remaining buildings and rural landscape character. While it is not possible (or perhaps desirable) to return the site to a prior condition, development should aim to maintain the relationship between settlement and landscape. Future development on the site should be of a character and arrangement that reinforces the heritage significance of existing structures. The open paddocks and expansive views across the site should be maintained as far as possible. New development will be highly visible due to the long views across a relatively flat site, and careful siting and design of facilities or structures will be necessary to conserve the heritage values of the area. All development proposals should be reviewed with regard to the policies of the Conservation Plan for Perry’s Paddock (Aris 1998).”

In respect of the above, it should be noted that the following comments on the preliminary DYRPMP are being recommended to be made to CALM:

- that this section be amended to remove the impression that the City may still be intending to proceed with its former historic village plans for the site (which it is not);
- that the inclusion of this site as a ‘proposed commercial operations’ site be carefully qualified to ensure that it is clear that such operations will need to be compatible with the protection of the environmental, heritage and landscape values of the area, and consequently the commercial uses are likely to be of a relatively small scale.

3. Draft Heritage and Museum Services and Facilities Planning Study

The City and Shire has engaged consultants (Museum Studies Consulting, University of Sydney) to undertake a ‘Heritage and Museum Services and Facilities Planning Study’. A draft report has recently been released for public comment. The draft’s proposals concerning Perry’s Paddock are included in Attachment No. 1.

4. Further Information Submitted By Mr Garmson

4.1 'Key Points'

On 24 September 1998, Mr Garmson submitted a letter which provided further arguments in support of his proposal (see Attachment No. 2).

4.2 New Design for Entrance to Model Village (Museum/Gift Shop)

The report considered at the Commissioners' meeting of 28 July 1998 noted that the proposed design for the entrance building to the model village was considered unacceptable as the castle-like central portion of the building was out of keeping with the architectural style accepted for the Inn building and would detract from the historical link supposed to be presented by that style.

On 14 August 1998, Mr Garmson submitted a new design for the building concerned, and a revised site plan for historical project (see Attachment No. 3).

COMMENT/FUNDING

There are two (2) issues which require consideration:

1. whether the local authority should accept vesting of Perry's Paddock, or not;
2. whether Mr Garmson's proposal for Perry's Paddock should be supported.

At a meeting held on 21 July 1998 between Commissioners Ansell, Clark-Murphy, Buckley and Rowell, and Mr Garmson and his associate, Mr Tony Bennett, the Commissioners present gave Mr Garmson an undertaking that once the required information was available regarding the Draft YRPMP and the review of the municipal boundary, the matter of vesting of Perry's Paddock and Mr Garmson's proposal would be considered and a final decision made on the matter.

Vesting

The issues associated with vesting of the land have been canvassed in the report considered in July of this year (CJ46-07/98). This includes cost implications associated with management of the land.

As noted above, if the recommendation arising from the review of the municipal boundary is implemented, this will see this area vested in the Shire of Wanneroo.

It is recommended that the vesting of Perry's Paddock be accepted having regard to the significance of this site to the history of the district as detailed in the Conservation Plan (prepared by Kelly Aris) and the Draft Heritage and Museum Services and Facilities Planning Study. It is further recommended, however, that such vesting be conditioned upon negotiating with CALM a satisfactory arrangement for funding of management works required for this area.

Mr Garmson's Proposal

Reasons for Original Council Support for Mr Garmson's Proposal

At its October meeting of last year, the former Wanneroo City Council, contrary to the recommendation of City officers, supported the inclusion of Mr Garmson's proposal within Perry's Paddock, having regard for the benefits it would provide in terms of local history education, recreation, tourism and local employment opportunities.

Reasons for Support Submitted by Mr Garmson

The report considered in July of this year included the reasons submitted by Mr Garmson as to why his proposal should be supported. Additional information has subsequently been submitted (Attachment No. 2).

The following comments are made regarding several points made in Attachment No. 2:

- Mr Garmson advises that the site he proposes for his project is outside of the 'viewshed'. The site concerned is shown on Attachment No. 4 to this report. This shows that the site is in fact within the viewshed.
- Mr Garmson argues that Kelly Aris (in her Conservation Plan) proposes that the City's former historic village proposal could be satisfactorily located within the south-east portion of Perry's Paddock, outside of the viewshed, and if that sort of proposal (involving 20 or so buildings) could be accepted, then his proposal involving far fewer buildings should also be accepted. Although the Conservation Plan does refer to the possibility of accommodating some development (including buildings) in the area concerned, Mr Garmson's understanding that this refers to the City's former historic village proposal is incorrect.

Issues Which Argue Against Support for Mr Garmson's Proposal

Information Previously Considered

The report considered by the former Wanneroo City Council at its October meeting of last year (DP216-10/97) recommended that Council not accept Mr Garmson's proposals for Perry's Paddock due to the conflict with the Conservation Plan, and the minimal land available for development having regard to the Conservation Plan and the Semeniuk study on wetland boundaries/buffers and the Aboriginal sites studies. (As noted above, the former Council resolved that although several aspects of Mr Garmson's proposal were not consistent with the recommendations of the Conservation Plan, it was supported having regard to the benefits noted above).

The main point of conflict with the adopted Conservation Plan is in relation to its Policy 3.20, which states that any new structures should be modest in scale and should not compete with the existing Perry's Cottage and Stables or with the bunkhouse. Also, that any new development should be compatible in form and massing, and the design should be of good quality reflecting current styles and building practices.

It was considered that Mr Garmson's proposal would not conform with the above policy in that it:

- was not modest in scale and would compete with the existing buildings;
- would not be compatible in form and massing and the design would not reflect current styles and building practices.

At the time, the former City sought an opinion from Kevin Palassis Architects on the matter. Their opinion was essentially that the proposal was not appropriate for Perry's Paddock, noting that 'even with vegetation screening, there will be a considerable visual impact on the site and conflicts with the Conservation Plan Policy'.

New Information

Preliminary Draft Yellagonga Regional Park Management Plan

The proposals presented in the preliminary Draft in respect to Perry's Paddock have been described earlier in this report. The following are considered to be key elements of those proposals which indicate the inappropriateness of Mr Garmson's proposal for this area:

- in respect to 'proposed park setting' : "Other proposed development should recognise and be sympathetic to the landscape amenity and cultural heritage of the area".
- *"The heritage significance of Perry's Paddock is evidenced in the remaining buildings and rural landscape character. While it is not possible (or perhaps desirable) to return the site to a prior condition, development should aim to maintain the relationship between settlement and landscape. Future development on the site should not be of a character and arrangement that reinforces the heritage significance of existing structures. The open paddocks and expansive views across the site should be maintained as far as possible. New development will be highly visible due to the long views across a relatively flat site, and careful siting and design of facilities or structures will be necessary to conserve the heritage values of the area. All development proposals should be reviewed with regard to the policies of the Conservation Plan for Perry's Paddock (Aris 1997)."*
- one of the 'suggested management actions' is to "revegetate wetland fringes including dry land buffer". The dry land buffer is understood to refer to much of the Perry's Paddock area initiated south of the line of olive trees, and this is the main general area Mr Garmson is proposing to site his project. (This revegetation proposal stems from a proposal made to CALM by Friends of Yellagonga Community Group.)

Draft Heritage and Museum Services and Facilities Planning Study

The Draft's main proposals which relate to Perry's Paddock are provided in Attachment No. 1. (It may be noted that unfortunately the consultant did not appreciate that the former Council had already previously decided not to proceed with the development of a historic village on Perry's Paddock, and has included a recommendation against such a village proposal. This will be corrected in the final report).

Mr Garmson has made a submission regarding the draft, essentially arguing that it is of no relevance to his proposal for Perry's Paddock as it incorrectly appears to confuse his project with the village proposal of former City. The draft has indeed intermingled reference to Mr Garmson's proposal with the former City village proposal in a manner which gives the impression that where the draft recommends against the City's former village proposal, it may also be recommending against Mr Garmson's proposal.

While the draft does not actually make any specific recommendation in respect to Mr Garmson's proposal, its recommendations in relation to Perry's Paddock generally are seen to argue against the appropriateness of Mr Garmson's proposal for that area. The draft basically recommends against any development on Perry's Paddock, and instead that uses on the site be limited to interpretative trails and picnic facilities. The only building development referred to is public toilets, and these are recommended to be screened by appropriate vegetation.

Options

The main options in respect to Mr Garmson's proposal are seen to be:

1. Not support his proposal for Perry's Paddock on the basis that the arguments against the appropriateness of his project being sited in Perry's Paddock as indicated above are seen to now outweigh the benefits which originally formed the basis for the former Council's support to his proposal.
2. Support his proposal for Perry's Paddock on the basis that the previously identified benefits associated with it are still considered to justify a departure from the directions which are otherwise being advocated for this land.

Should this option be chosen, the likely process to follow is:

- (a) approval in principle to lease a specific site to Mr Garmson for his project;
- (b) on the basis of a) above, the Western Australian Planning Commission (WAPC) to be requested to determine a development application to be submitted by Mr Garmson;
- (c) the WAPC is likely to refer the development application to the Environmental Protection Authority (EPA). The EPA may require formal environmental assessment, or not require such assessment. Should formal assessment be required, the Minister for Environment will ultimately decide if the proposal may proceed or not under the Environmental Protection Act.

- (d) following the outcome of (c) above, the WAPC will issue its decision on the development application. This will either be an approval or a refusal, which would be appealable. (WAPC can actually issue a refusal prior to completion of any formal environmental assessment process).
- (e) should WAPC approve the development application, the City/Shire would proceed to prepare a deed with Mr Garmson which would include the form of the lease to be granted, and the obligations to be met by Mr Garmson (such as the construction of his project) as prerequisites to the granting of the lease. In the meantime, the land would need to have been converted to Crown reserve and vested in the local authority.

Conclusion

It is concluded Option 1 above should be adopted.

REPORT RECOMMENDATION: That the Joint Commissioners of the City of Joondalup:

- 1 ENDORSE the preliminary Draft Yellagonga Regional Park Management Plan's proposal that Perry's Paddock be vested in the local authority concerned, subject to the local authority and the Department of Conservation and Land Management negotiating satisfactory arrangements for the funding of management works required for the area;
- 2 ADVISE Mr Garmson that the 'Olde World Charm' proposal for Perry's Paddock cannot be supported in view of the conflict of that proposal with various studies undertaken to date for Perry's Paddock, particularly the Conservation Plan for Perry's Paddock, the preliminary Draft Yellagonga Regional Park Management Plan, and the draft Heritage and Museum Services and Facilities Planning Study.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the matters relating to the vesting of Perry's Paddock and the proposal for an "Olde World Charm" development project on Perry's Paddock submitted by Mr Garmson be deferred pending the receipt of further information.

AMENDMENT MOVED Cmr Buckley, SECONDED Cmr Ansell that the motion be amended to read:

"That:

- 1 **the Joint Commissioners** ENDORSE the preliminary Draft Yellagonga Regional Park Management Plan's proposal that Perry's Paddock be vested in the local authority concerned, subject to the local authority and the Department of Conservation and Land Management negotiating satisfactory arrangements for the funding of management works required for the area;

- 2 **the matter relating to the proposal for an “Olde World Charm’ development project on Perry’s Paddock submitted by Mr Garmson be deferred pending the receipt of further information.”**

Discussion ensued.

The Amendment was Put.

There being an equal number of votes, the Chairman of Commissioners exercised his casting vote and declared the Amendment CARRIED

Further discussion ensued.

The Amended Motion was Put and CARRIED

REPORT OF THE CHIEF EXECUTIVE OFFICER**C30-12/98 SELECTIVE VOLUNTARY SEVERANCE - [09434]****SUMMARY**

The Local Government Act 1995 requires a local government to prepare a policy in relation to employees whose employment with the local government is finalising setting out any payments to employees in addition to contract or award.

In an ever changing organisational environment it is also considered appropriate to recognise that on occasions it will be in the best interest of both the organisation and individual employees to offer selective voluntary severances. The following policy has been prepared to fulfil both the requirements of the Act and to provide flexibility in achieving an efficient restructuring of the former City of Wanneroo.

BACKGROUND

At its meeting held on 24 July 1996 the Council of the former City of Wanneroo resolved to implement a voluntary severance package to assist in the organisational restructure undertaken during that time. The Council also accepted in principle that it may be appropriate to consider further proposals for redundancy.

Aside from normal annual leave, long service leave and superannuation, the redundancy package made provision for the following additional payments:

1. two weeks pay for each completed year of service;
2. four weeks pay in lieu of notice or five weeks in the case of employees over 45 years of age;
3. pro-rata long service leave for employees who have worked in excess of 5 years;
4. for the purpose of calculating items 1 and 2, the annual salary be adjusted to recognise motor vehicle use, as follows:

full private use	\$10,000
limited private	\$ 5,000
commuter use	\$ 2,400

Section 5.50 (1) of the Local Government Act 1995 requires a local government to prepare a policy in relation to employees whose employment with the local government is finishing, setting out -

- (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- (b) the manner of assessment of the additional amount,

and cause local public notice to be given in relation to the policy.

Subclause (2) further provides that a local government may make a payment -

- (a) to an employee whose employment with the local government is finishing; and
- (b) that is more than the additional amount set out in the policy prepared by the local government under subsection (1),

but local public notice is to be given in relation to the payment made.

DETAILS

An interim organisational structure of the City of Joondalup was adopted by the Joint Commissioners at the Council meeting held on 10 November 1998. A draft structure for the Shire of Wanneroo is currently being prepared by the CEO of the Shire.

As a result of likely organisational changes it is considered appropriate to adopt a voluntary severance policy.

The voluntary redundancy package of the former City of Wanneroo is considered appropriate. It is therefore recommended that the City adopt the policy as detailed on Appendix XVIII hereto.

It should be noted that over the last 12 months there have been a number of officers that have accepted selective voluntary severance packages. The majority of these packages have been in accordance with the package adopted by the Council in July 1996. Payments over and above the 1996 package were made in relation to the Director, Corporate Services and the Director, Development Services.

COMMENT/FUNDING

It will be necessary to budget for voluntary severance on an annual basis. An amount of \$400,000 has however been included in the 1998/99 budget for this purpose.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners adopt Policy relating to the terms and conditions associated with Selective Voluntary Severances as detailed on Appendix XVIII hereto.

Discussion ensued.

The Motion was Put and

CARRIED

Appendix XVIII refers.

**C31-12/98 APPOINTMENT DIRECTOR, RESOURCE
MANAGEMENT - [20475]**

SUMMARY

Following the advertising of the position of Director, Resource Management on the 7 November 1998 the Chief Executive Officer recommends the appointment of John Turkington in accordance with Section 5.37(2) of the Local Government Act 1995.

BACKGROUND

The proposed structure for the City of Joondalup was endorsed by the Joint Commissioners on 27 October 1998. The position of Director, Resource Management was the final senior position to be advertised in accordance with the recommendation of the inquiry panel into the City of Wanneroo Report in February 1998.

DETAILS

Following advertising there were eleven applications received. All applicants were assessed on predetermined essential and desirable criteria for the position with three being selected for interview.

Interviews were conducted on the 3 and 10 December 1998 by Commissioner Clark-Murphy, Consultant Anne Lake and the Chief Executive Officer.

After undertaking reference checking and assessment of the suitability for each applicant to fill the position John Turkington became the choice of the interview panel.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners ENDORSE the recommendation of the Chief Executive Officer to appoint John Turkington to the position of Director, Resource Management on a five year performance based contract.

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **6.00 pm** on **TUESDAY 9 FEBRUARY 1999** to be held at the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1848 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
MORGAN
ROWELL
BUCKLEY