

CITY OF WANNEROO

MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 28 APRIL 1998

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CITY OF WANNEROO

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON TUESDAY, 28 APRIL 1998

ATTENDANCES

Commissioners:

C T ANSELL	
R M ROWELL	<i>Absent 1945 to 1947 hrs</i>
M C CLARK-MURPHY	<i>Absent 1940 to 1942 hrs</i>
W BUCKLEY	

Officers:

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

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was tendered by Cmr Harry Morgan AM.

There were 52 members of the Public and 2 member of the Press in attendance.

The Chairman declared the meeting open at 1830 hrs.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners alter the order of business set down by the City's Standing Orders to allow Announcements by the Chairman without discussion to be made at this point.

The Motion was Put and

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**Proposed Split of the City of Wanneroo**

I would like to advise the residents of the City of Wanneroo of the current state of play with the proposed split of the City.

The Minister has announced that the City will be dissolved from 1 July 1998 and two new bodies will be created - the City of Joondalup and the Shire of Wanneroo.

- 1 The boundaries of the City of Joondalup are proposed to be bordered to the north by a straight line from the coast through Blairgowrie Heights to the northern alignment of the Mitchell Freeway. South along the alignment to Burns Beach Road and then east along that road to the locality boundary of the suburb of Wanneroo. Then along that boundary from the eastern boundary of Yellagonga Regional Park from Burns Beach Road to Ocean Reef Road. Along that road to Wanneroo Road then Southerly along that road to Beach Road. Then following that road west to Marmion Avenue, along that road to Beach Road and then along that road to the sea.

The Commissioners have some problems with the eastern boundaries and we are currently discussing the areas of difference with the Minister and his staff with a view to having some minor changes made.

- 2 A task force, Chaired by me and supported by Messrs John Woodhouse and Bruce Perryman, are looking at the planning for this proposed split.

Both Mr Woodhouse and Mr Perryman are experienced in this area, having been through the reorganisation of the City of Perth. Mr Woodhouse is a lawyer, Mr Perryman is an experienced local government accountant.

The task force will be reporting to the Board of Commissioners and initially receiving input from the Directors and staff of your City.

Once the legal niceties have been attended to, we will be seeking input from the residents of the new entities, as proposals are considered.

- 3 The role of the task force will be initially to ensure all of the legal matters required are put in place by 1 July. Whilst that may seem simple, the proposal to dissolve the City and to create two new entities has no precedent and needs to be handled carefully.

At the same time, the task force is gathering information on anticipated future rate revenues, operating expenditures and capital expenditures to try to see what outcomes are likely with the split.

A complete inventory of the City's assets is being compiled to ensure all items are considered when they are divided between the two bodies.

- 4 Based on the information provided by the task force and by the community, the Commissioners will devise a formulae to equitably split the assets and liabilities between the two new bodies for approval by the Government.

- 5 Following approval for the division of assets, the Commissioners will progressively transfer the assets and staff into the two new entities over a period of time.
- 6 In their deliberations, it will be the Commissioners aim to:
- (a) limit rate increases to normal CPI increases in both new entities.
 - (b) minimise the duplication of service providers.
 - (c) ensure that staff of the City are given first opportunities at any new job created.
 - (d) ensure the development of the Shire of Wanneroo is not restricted.
 - (e) continue to enhance the services provided to the people of Joondalup and Wanneroo.
 - (f) look after the interests of the residents of both Joondalup and Wanneroo in an even-handed way in the split.
- 7 Initially, the day to day operations of both entities will be handled out of the existing premises.

It is intended that Council Meetings for Wanneroo will be held at the townsite, at a location to be advised.

The Commissioners hope to have a CEO elect for Wanneroo appointed by the end of this calendar year.

We will keep the residents informed as matters progress with the split.

Crime Summit

Council's recent Crime Summit was a resounding success, prompting much positive feedback from the 83 delegates who attended. At the end of the Summit, delegates from key organisations signed a Partnership Charter. Three taskforces will be established to further develop strategies identified at the Summit. Concern has been expressed that members of the public were not invited to the Summit. This decision was made by the organising committee, which comprised representatives from the City of Wanneroo, Joondalup Regional Community Policing Crime Prevention Committee, Joondalup District Police and guest speakers. The decision was made due to limited space and this being the first stage of developing a coordinated effort to combat crime in the region. It is anticipated that public participation will be called for in following stages.

Anzac Day

The City of Wanneroo was represented at a number of memorial services on Anzac Day. And for the first time, the Council donated funds towards the service by the Wanneroo-Joondalup RSL sub-branch.

Joondalup Administration Centre refurbishment

The refurbishment of the offices next door continues at a steady pace. The next stage will see the ground floor totally refurbished, with a new reception counter and new customer service counters installed. I would like to thank all members of the public who have been inconvenienced due to the refurbishment, and I ask that all of you continue to be patient and understanding for a while longer.

PUBLIC QUESTION TIME

The following questions, submitted by Cr Steve Magyar were taken on notice at the meeting of Joint Commissioners held on 24 March 1998:

- Q1 Does the Chief Executive Officer have a duty to report any suspected breaches of the Local Government Act to the Department of Local Government?*
- A1 In some instances the Local Government Act requires the CEO to act on or report possible breaches of the Act. There is no such requirement in respect to suspected breaches of the Financial Interest provisions.
- Q2 Under Division 6 of the Local Government Act, do Councillors have to declare a financial interest when a Councillor is nominated or appointed to an external Committee where there is a sitting fee paid for being a member of that Committee?*
- A2 The requirement to declare a financial interest is dependent on whether or not it is a declarable interest.
- Q3 Does the Mindarie Regional Council pay a sitting fee to the members of that Council?*
- A3 As with other local governments, the Mindarie Regional Council is obliged by the Act to pay a sitting fee.
- Q3a If so, then does it follow that a person nominated to the Regional Council should declare an interest and leave the Council Chamber when the item for their nomination is considered?*
- A3a Section 5.63(c) of the Local Government Act 1995 exempts such fees. Section 5.63(i)(e) provides an exemption in regard to some statutory bodies. Mindarie Regional Council is such a body.

Q4 At the November meeting of Commissioners, Cnrs Morgan, Rowell, Clark-Murphy and Buckley were appointed as the City's delegates to the Mindarie Regional Council. Did the aforementioned Commissioners declare an interest in their appointments?

A4 No

Q4a Did they leave the Chamber when the item was considered?

A4a No

Q5 Do the confirmed Council minutes of the November 1997 meeting correctly record the appointment and compliance with the relevant sections of the Local Government Act, regarding the appointment of the Commissioners to the Mindarie Regional Council?

A5 Yes

Q6 Is the Chief Executive Officer willing to publicly state that the appointment of the aforementioned Commissioners to the Mindarie Regional Council was done according to the letter and spirit of the Local Government Act?

A6 Yes

The following questions, submitted by Cr Arthur Taylor, were taken on notice at the meeting of Joint Commissioners held on 24 March 1998:

Q1 When agendas are loaded on to the Internet, no appendices are provided. Could these be included in future? Could page breaks be included to assist in printing sections of documents, and also page numbers?

A1 Appendices are not normally text documents. They could be appended to reports as images but the file size would prohibit the transmission of the agenda over a normal telephone line.

If the agenda is opened as a word processing document it will have page breaks and page numbers. However if it is opened as text it will not retain those attributes. Agendas can be opened in several formats, however the primary presentation will depend on the browser in use, the PC's operating system and how the PC is configured.

Q2 Could you advise ratepayers of the dates for which Atticus Communications has provided consultancy?

Q3 Could you advise ratepayers of the cost of each of those consultancy appointments?

A2&3

<i>Consultancy Dates</i>	<i>Cost of Consultants</i>
24 November 1997	\$385.00
21 November 1997	\$110.00
24 November 1997	\$110.00
25 November 1997	\$110.00
26 November 1997	\$110.00
26 November 1997	\$110.00
26 November 1997	\$550.00
27 November 1997	\$220.00
28 November 1997	\$110.00
5% service fee	\$85.25
7 December 1998	\$519.75
1-23 January 1998	\$462.00
27 Jan - 13 Feb 1998	\$1,848.00
28 February 1998	\$750.00
24 March 1998	\$330.00
March 1998	\$440.00
27 March 1998	\$220.00
3 and 30 March 1998	\$220.00
March 1998	\$220.00
5% service fee	\$71.50

Q4 Could you advise ratepayers of the total costs since the Commissioners have been appointed, up to and including tonight?

A4 Total cost to 31 March 1998 is \$6,981.50.

The following questions, submitted by Mrs A Hine, were taken on notice at the meeting of Joint Commissioners held on 24 March 1998:

Q1 What is the cost of the Town Planning Tribunal currently being heard?

A1 The cost associated with defending an appeal at the Town Planning Tribunal will vary from case to case. Your question does not specify the appeal you are interested in, however it is assumed you were referring to the proposed Physiotherapy Consulting Rooms on Lot 535 (20) Burragah Way, Duncraig. The City's external cost associated with this appeal was \$3,333.90.

Q2 Who was paid to distribute the District Planning Scheme No 2 pamphlets, how many were printed, how much was the printing and the distribution cost, and who were they to be delivered to? I did not receive a copy at my home address.

A2 *Salmat Letterbox Delivery Service was paid \$3,376.38 to distribute 74,720 District Planning Scheme No 2 brochures. 76,000 brochures were printed at a cost of \$10,830. The brochures were intended to be delivered to every household residence in the City of Wanneroo. Brochures were also available from displays in selected shopping centres and from Council Offices. A small number of reports have been received of people not receiving the brochure and copies have been made available in these instances.*

Q3 (Re DP14-01/98 - regarding the tree removed from Robin Avenue, Sorrento) Will a large tree be planted?

A3 There is no requirement to replace the tree. The owners have no immediate intention of replacing the tree during the construction of the home, and at this stage are not sure what type of tree they may wish to plant. Should they request a tree from Parks and Landscaping Services, they will be supplied with an appropriate seedling. Parks will permit mature trees to be transplanted in the verge by the ratepayer at the ratepayer's cost.

The following question, submitted by Mr Vic Parin, was taken on notice at the meeting of Joint Commissioners held on 24 March 1998:

Q1 (Supplementary question to previous questions on Page 4 in relation to Scheme 6.) How can the Council comply with the audit requirements within the Local Government Act when all the financial records, including all vouchers in relation to Scheme 6 have been lost or allegedly stolen?

A1 The financial records of Council's Town Planning Scheme 6 were audited on an annual basis from inception of the Scheme in 1972 until it was completed in 1993/94, with owners' interests in the scheme being finalised. This audit was completed as an integral part of the audit of the City of Wanneroo records.

In 1983/84 Council employed an independent consultant to undertake an analysis of the scheme records. This analysis was subsequently audited by Council's auditors in accordance with relevant legislation and statutes.

In late 1987 a further analysis of all scheme records was undertaken by an independent accountant. This focused on compliance with the Scheme Text and reconciled scheme costs.

Some of the financial records prior to 1984 were disposed of in accordance with the provisions of the then Local Government Act 1960. While this made the reconciliation process and analysis of the whole project a little more difficult it did not invalidate the audit process as the auditor completed his audit from ledger and bank records.

The Scheme was finalised in 1993/94 with owners signing Deeds of Release and their financial interest being paid according to their interest in the Scheme as provided in the Scheme Text.

The following questions, submitted by Cr B Cooper, were taken on notice at the meeting of Joint Commissioners held on 24 March 1998:

- Q1* *What steps are Commissioners taking to stop the drain of young talented staff leaving the City of Wanneroo?*
- A1 All staff have been addressed by the Chairman and the Chief Executive Officer and given assurances regarding their job security and regular news letters have been circulated to keep staff informed.
- Q2* *In the event of a split of the City of Wanneroo, will staff be required to reapply for their jobs, as occurred at the City of Perth?*
- A2 This matter has not been addressed by Commissioners at this stage, however except for senior officers who may be subject to new management structures it would be hoped that this will not be required.

Mrs A Hine:

- Q1* *(Question on behalf of Mrs Glenys Monks): Can the meetings be arranged on a different day, such as a Wednesday, as many people cannot make it on a Tuesday? People are interested, but work makes it difficult for many people.*
- A1 The Joint Commissioners have revised the meeting times for the May and June round of Committee meetings. Meeting times for the City of Joondalup and Shire of Wanneroo are yet to be considered but your comments have been noted.
- Q2* *Can Council tell me what has been planned for the corner of Wanneroo Road and Church Street?*
- A2 The draft structure plan prepared by Hocking Planning and Architecture proposed medium density housing on this site but the structure plan was not adopted by Council and is currently under review. There is a request before Council to initiate a rezoning of portion of this site to Mixed Business zone to permit development of a service station and office and business uses.
- Q2B* *Who is the buyer and who is the developer?*
- A2B The consultants Chappell and Lambert are understood to be acting on behalf of Pointside Pty Ltd.
- Q2C* *Has Council sought to save any of the mature trees on that block? (A mulberry tree and a red flame tree). When are we going to have a "proper" tree policy on private and public land?*
- A2C The possibility of incorporating existing trees into a proposed development can be examined at the development application stage together with the landscaping plans for any development. Existing trees are required to be shown on landscaping plans and retention is encouraged where possible.

- Q3 Who gave permission to cut down one of the oldest trees (Wanneroo Road median strip) opposite nursery? It is pure vandalism.*
- A3 The large Tuart tree was removed following consultation between Parks Landscaping Services, Main Roads and Arboricultural Consultant, John Banks. Due to a limb fall occurring from the tree on to Wanneroo, concern was expressed regarding public safety. A consultant's report recommended urgent removal due to severe white ant damage to the tree structure. Photographs taken during removal substantiated the consultant's report. Main Roads authorised payment for removal via Council's maintenance agreement.
- Q4 Why were two mature trees allowed to be lopped in Leach Street, Marmion? (A pair of eagles used to nest there - endangered species).*
- A4 Without an accurate location in Leach Street a response is difficult. It is believed the trees concerned were "Norfolks" and located in private property.
- Q5 Why did Council omit to include two hard working people in your recent summit - Jill Brown and Barry Higgins have tried for years to get help and something done for youth in the area, and are community and are realists?*
- A5 The Crime Prevention Summit was auspiced by Joondalup Regional Community Policing Crime Prevention Committee, Joondalup District Police and the City of Wanneroo. The taskforce which organised the Summit consisted of representatives from each of these three bodies. It was a decision of the taskforce to invite delegates to the Summit who represented government and community organisations operating in the region. The Summit was viewed as the first step in bring about improved cooperation and coordination between various key organisations at the regional level.
- As a result of the Summit, the Joondalup Policing Committee will oversee the establishment of three taskforces to further develop and implement the strategies which were identified at the Summit. The Chairperson of the Joondalup Regional Community Policing Crime Prevention Committee has publicly announced that people in the community and from organisations will be invited to participate in the taskforces.
- Council would be pleased to see Ms Jill Brown and Mr Barry Higgins involves in these taskforces.
- Q6 Can I have some information on the sale of Greenwood Primary School? Has Council or will Council save all the huge trees on that land? They must be saved. It is a moral issue for the neighbours who live there.*
- A6 Some inquiries were made regarding the possible redevelopment of the Greenwood Primary School prior to the sale but to date no applications have been received and no approaches have been made by the land owner. It is difficult to retain existing trees when land is redeveloped but where there are mature trees on a site there is an advantage in trying to incorporate them into the proposal.

Mr Bill Shephard:

Q1 How does Council define what constitutes a “residence”? Is there a set of criteria that is generally applied?

A1 The City’s Town Planning Scheme does not define a ‘residence’. The Residential Planning Codes adopted under the scheme does however define a ‘dwelling’ as:

“...a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by-

- a single person,*
- a single family, or*
- no more than six (6) persons who do not comprise a single family.”*

Q2 How does Council define what constitutes a “business”? Is there a set of criteria that is generally applied?

A2 The City’s Town Planning Scheme does not define ‘business’ and the City would therefore use the normal dictionary meaning of the word.

In respect to the proposed home for foster children, on planning grounds the City is not so much concerned with whether the proposal constitutes a business but rather the actual landuse involved. Under the City’s Town Planning Scheme the proposed landuse falls within the use class ‘Institutional Home’. Under the City’s Town Planning Scheme an ‘Institutional Home’ means:

“...a building appropriately designed and operated to provide accommodation which the Council considers acceptable in a residential neighbourhood or rural area for children, the aged or infirm, state wards, orphans or persons who are physically or mentally handicapped.”

Q3 What set of criteria does Council apply in judging whether an “Institutional Home” fulfils the necessary requirements to be approved in a case such as the Warringah Close proposal?

A3 In considering an application for approval to commence development, the City must consider the following matters:

- (a) the provisions of any Town Planning Scheme affecting the land the subject of the application or affecting land in the vicinity;
- (b) the nature of the proposed development in relation to the development of any land within the vicinity of the subject land;
- (c) the size, shape and character of the parcel of land to which the application relates and the nature and the siting of the proposed development, and the effect on the amenity of the surrounding area;

- (d) any representations which may be made by any statutory authority and any submissions received from surrounding residents;
- (e) the existing and the likely future amenity of the neighbourhood including (without limiting the generality of the foregoing) the question of whether the proposed development is likely to cause injury to such amenity;
- (f) the height of any building or structure, and;
- (g) such other matters as the Council considers relevant.

Q4 What are the Council's obligations in the enforcement of the provisos in regard to the number of residents and the manner of operation?

A4 The City's Town Planning Scheme provides power to revoke an approval, if the conditions of approval are not fulfilled or complied with. The Town Planning and Development Act provides for a penalty of up to \$50 000, plus a daily penalty of up to \$5 000 where a person is found guilty of an offence under a Town Planning Scheme.

The City is obliged to enforce the provisions of its Town Planning Scheme and where relevant, the provisions of the Town Planning and Development Act.

Q5 In the light of the above and the information in the attached letter the residents request a further 60 day consultation period to ensure all parties are correctly informed. Will Council endorse this request?

A5 The proposal was advertised on site for thirty days. Two signs were erected, one on the lot's Warringah Close frontage, the other on the lot's Dampier Avenue frontage. Plans and all supporting documentation outlining the proposal have been available at the City's office since the commencement of the advertising period for any interested persons to view. At the close of advertising 148 letters and a 193 signature petition had been received by the City. It appears from the number of submissions received that the proposal was sufficiently advertised. The proposal has not changed since the advertising period commenced. There appears to be no justification for a further period of advertising.

Dr Marion Milton:

Q1. Who will remove the 400mm of soil from the block, and what checks will be in place to ensure this will happen?

Q2. Will the 400mm of soil be removed from the whole block, and what checks will be in place to ensure this will happen?

A1&2 The new proposal is not to remove 400mm of the soil from the surface area of the lot, but to lower the finished floor level of the Ground Floor level of the proposed dwelling by 400mm thus lowering the overall height of the building. The finished floor level of the undercroft area (study, billiards room etc) will be lowered by 400mm resulting in some increased excavation through this area. The rear private open space will be lowered by 400mm resulting in the lowering of the retaining walls at the rear of the property.

It is the builder's responsibility to ensure that the dwelling is located at the approved level. A mandatory footing inspection will be carried out by the area surveyor when the construction commences.

Q3. What will be done with the soil? Will it be used for further fill on the site?

A3. Any suitable soil will most likely be used on site where required for backfilling and earthworks by the builder.

Mr Martin Watkins:

Q I would like to ascertain what the Council's policy is over large and obtrusive housing applications.

Is it fair to say that the Council's main concern is that new houses must be in harmony with the existing housing stock and that it will not allow houses to be constructed that infringe on the privacy or the quality of life of people who have already built in the immediate area?

A Under Council's recently adopted Height of Buildings in Residential Areas Policy, applicants for buildings which exceed defined parameters will be requested to provide written justification for aspects of the development including the height and location of the building on the amenity of nearby landowners and the surrounding area generally. This information will then be considered together with any comments received from adjoining landowners prior to the issue of planning approval.

It is important to point out that Council does not have a domestic policy in this situation. It enforces R-Codes and Building Codes which are adopted by the State Government and are enforceable statewide. All Joint Commissioner decisions in this area are appealable to the appropriate Minister and in that situation the decision made by the Council could be overturned by the Minister.

The following questions, submitted by Mrs A Hine, were taken on notice:

Q1 In relation to the suspension of Councillors of the City of Wanneroo. Will the Councillors be allowed to claim some costs towards adverts put in local paper and the hire of four (4) halls at the request of public opinion and disquiet? (They requested more clear information).

Q1A Will the Councillors be reinstated as the report states (Quote reports) "That Council be reinstated".

- Q1B Will the Councillors be fully paid up to date from the start of suspension and reinstatement? (Fairness is needed in this instance).*
- Q2 Why were senior staff not suspended at the same time as Councillors? The report appears to say that "vital information" was withheld from Councillors (via staff). Why was this? Why did Council allow itself to be blackmailed by the insurers? "Quote" You had to keep quiet and say or admit nothing.*
- Q2A Is Council still using the same insurers and legal firms as up to this meeting? Who are they? Does the Chief Executive Officer and Treasurer believe they are getting good value for the ratepayers in this instance?*
- Q3 Can the Treasurer give me an answer as to how much money is paid to this Council by Homeswest in general rate money?*
- Q4 Civic minded people are worried at so many of our "dedicated staff" are leaving. What is being done to encourage them to stay in Wanneroo?*
- Q5 How many senior staff live in Wanneroo and how does this affect the declaration of disclosure of financial interests? Could some have an added advantage over others? (If not resident in this area of Wanneroo).*
- Q6 20th February. Reply from January 1998. Question 2. Supplementary question to this (unanswered).*

How many actual copies of NewsExtra are printed and posted each time for distribution? Comparison is needed pricewise as to what the Wanneroo Times have offered, considering many people were being left out by Australia Post.

- Q6A What was their verdict to Council. What went wrong?*
- Q7 Can the Treasurer tell us how much extra it will cost to pay the extra registration on vehicles owned by Council? How many vehicles do we own or lease?*
- Q8 Refer back to questions on notice.*

When questions are answered, the person is sent the answer, but can Council point out to me where are these answers inserted in the minutes or are they omitted?

The following questions, submitted by Mr Keith Holmes, were taken on notice:

Re: Lot 560 Manakoora Rise, Sorrento.

- Q1 Are the five Commissioners aware that a large number of ratepayers are absolutely disgusted with the performance of most suspended Councillors and Senior Officers of the City of Wanneroo concerning what Anne Marshall called in her September 1997 Inquiry Report as "gross incompetence"?*
- Q2 Will Mr Ansell now please state what action the new Commissioners have undertaken since becoming involved to see that the dwelling conforms with all the building codes that Anne Marshall refers to in her report.*

Q3 When the stop work order on this building was lifted in late 1996:

- (a) Were any ameliorations requested to be carried out prior to accepting a lifting of the Stop Work Order?*
- (b) If so, is Council going to enforce the ameliorations and when?*
- (c) If so, will Council now issue a Stop Work Order until such ameliorations are carried out?*

Q4 Will the Council please provide a summary of the full amount spent by all Government bodies on this matter including legal and QC advice, independent advisers such as Ken Adams, the cost of the Anne Marshall Inquiry, the cost of the Craig Lawrence Inquiry?

Q5 As the Anne Marshall inquiry provided 83 negative findings in relation to the approval process of this dwelling, many a complete embarrassment to any Government body, why didn't the Council have the decency to act:

- (a) in and for the interests of honest ratepayers by admitting its errors, enforcing the building codes and saving the high cost of legal undertakings?*
- (b) if the building did not comply, endeavour to have the home made to comply in the first place with the building codes?*

Q6 A Hine in question 13 on 28 May 1997 asked "why construction is able to continue on this dwelling?" - Council responded by saying "the builder has a valid approval issued under the provisions of Local Government that permits the construction of the dwelling and the retaining walls. Firstly, what is the Council's comment to the following finding from the Anne Marshall Government Inquiry?

"The approval to build the proposed dwelling on Lot 560 in excess of 6 metres in height was invalid". Provisional approval for Lot 560 was apparently invalidly given". "There was no formal record that the plans and specifications for Lot 560 had been received with the application for a building licence". "There is no record that the plans for Lot 560 were ever rechecked to determine their compliance with the R Codes, the BCA and Council policies as part of the formal application procedure". "It is arguable that the Grant of the Building Licence was invalid since Mr Candido has no delegated authority to issue it".

Secondly, when will Council begin to undertake a full and professional inspection and see that all aspects of the construction conforms with all the building codes.

Q7 In view of the above, the Craig Lawrence Inquiry, compensation pay out decisions, how is the Council now to act if, in fact, this dwelling does not have a valid building/construction licence?

Q8 What is Council's, in particular Mr Fischer's, comments to the comment on Page 27 of the Anne Marshall Government Inquiry report that says "Consequently it appears that the approval to build in excess of the standard height on Lot 560 Manakoora Rise was not validly given" and "the approval to build the proposed dwelling on Lot 560 in excess of 6 metres in height was invalid".

Q9 Why has Mr Fischer always stated to me that this dwelling complies with the R Codes when the Anne Marshall Inquiry Report states:

Page 32: "There is no record that the plans for Lot 560 were ever rechecked to determine their compliance with the R Codes, the BCA and Council policies".

Page 41: The possibility exists that none of the required checks under the R Codes were carried out on the plans for Lot 560.

Q10 What is Council's response to Page 36 of the Anne Marshall Inquiry Report that states "Mr Fischer failed to carry out a thorough investigation of the Lot 560 approval application process as soon as the problems became apparent".

Q11 Do the Commissioners and Senior Council staff have any idea of the hurt, emotion and disgust that I, as a ratepayer, could have when told for so long that:

(1) I was wrong.

(2) Frequently have my questions to a government department unanswered behind the excuse of legal advice; and then:

(2.1) have the City of Wanneroo's own R Code expert, Mr Adams, find that I am right;

(2.2) have the Anne Marshall Inquiry in September 1997 find 83 most embarrassing negative findings and;

(2.3) have, as reported in the Sunday Times on 5 April 1998 the following as result of the Craig Lawrence Inquiry:

(3.1) "Wanneroo City staff should be damned for their role in allowing a \$2 million mansion in Sorrento"

(3.2) "At the very least the officers involved should be called to account for their actions the Lawrence Report says "

(3.3) "We consider that if anyone is to be damned for the affair it should be the staff"

(3.4) In reference to the staff "It appears to us that they were more intent on protecting themselves by seeking ways to justify the validity of the Building Licence than to correct the problem".

When can the ratepayers of the City of Wanneroo see some resulting action with respect to the senior staff at this Council?

Q12 I and others in the area are most concerned about the safety aspect of the driveway being on the corner where Newby Place joins Manakoora Rise. If this is not to be corrected, will City of Wanneroo now accept full responsibility for any accident occurring as a result of positioning of this driveway location?

Q13 As you all would be aware, over the past two (2) years this topic has been of a huge concern to many ratepayers and answers were constantly being sought because of the obvious urgency, amount of monies involved and importance for accuracy on the different aspects. Can Mr Delahaunty please comment on the following point which was in the summary of the recent Craig Lawrence Inquiry and which states:

“We consider that the Chief Executive Officer, Mr Delahaunty, erred in deciding to withhold certain information from members of Council”.

Q14 Mr Ansell, following on from question 13, with your experience on Boards of Public listed companies, what is your opinion on the aspect of “information being withheld”?

Q15 Mr Ansell, what now are you going to undertake in relation to the following comments in the Craig Lawrence Report concerning the Senior City of Wanneroo staff?:

- (1) “The staff appear to have adopted the policy of telling the councillors as little as possible” (Page 33)*
- (2) “by refusing to deal with the matter on any basis other than that determined by the insurers, Council effectively handed over the government of an important aspect of the City’s affairs, albeit at least involving only a few residents, to an unelected third party” (Page 34)*
- (3) “This legal advice was, on our understanding, never made available to Councillors in other than a verbal summary by staff” (Page 35)*
- (4) “We consider that the Chief Executive Officer, Mr Delahaunty, erred in deciding to withhold certain information from members of the Council” (Page 35)*
- (5) “It appears to us that they were more intent on protecting themselves by seeking to find ways to justify the validity of the building licence than to correct the problem” (Page 37)*

All very serious comments when talking about senior staff in a government body representing the interests of ratepayers and more important, questioning ratepayers.

Q16 Mr Ansell, as we are dealing with a Government body that is to be totally open to its ratepayers and to its Councillors, what action can we expect you to take with the persons concerned regarding these most serious quotes from the Craig Lawrence Inquiry.

- Q17 Mr Ansell, as you would understand, I, like too many other ratepayers, am most frustrated and concerned about the inactions on the part of the City of Wanneroo. When I write to Mr Rob Rowell (3 February 1998) about aspects that are extremely important to my wife and I, that after phone calls and a meeting, why do I still not receive a reply. Can you please undertake that I receive a proper response and answers to all questions?*
- Q18 Could we please have comment on Lot 560 use of the adjoining Lot 559 during the past two or so years of construction as this block has steadily been subjected to unnatural height increases to a great extent. I understand that this is not allowed and it has occurred, to my knowledge, with no action from the City of Wanneroo to prevent it.*

Mr B Higgins:

Q1 In relation to your first announcement tonight and also an article in the Wanneroo Times which relates to the splitting of the City. You are quoted as saying that you did not anticipate the need for any increase in rates. Have you been quoted correctly there?

A1 Response by Cmr Ansell: No.

Q2 Could I ask what the situation is in relation to the likelihood of increases in rates, apart from those that you mentioned in your announcement in line with the CPI, that will be a consequence of the split of the City?

A2 Response by Cmr Ansell: What I said in my preliminary statement was that we will be aiming to keep rate increases at CPI and that is still the position.

- Mr Higgins referred to a question he had asked at the October 1997 Council meeting as to whether the City had submitted any projects to the Commonwealth government for funding under the Work for the Dole Scheme and requested an update on this matter.

Director, Community Services responded that the second round of funding had been advertised extensively and application packages have been requested from the Department concerned. Discussions are presently being held with the WA Department of Training concerning the development of other labour market programmes and traineeship programmes for development in the region.

Mr Higgins sought assurance that the deadline for this round would be met and Cmr Ansell responded that it would be.

Q3 Re: TS76-04/98. It states that at the Technical Services Committee meeting Cmr Rowell declared an interest in this item as he is a friend of the tenderer. My reading of the recommendation indicates that there are two tenders. Do the Commissioners think it would be prudent if that declaration was more specific?

A3 Response by Cmr Ansell: That particular matter is to be deferred as we will not have a quorum tonight, as two Commissioners have a conflict of interest.

Q4 Would the situation also apply to TS77-04/98 where there is a similar declaration that is not specific?

A4 *Response by Cmr Rowell:* Only one tender was received and at the Committee meeting, I advised that I was a friend of the principal of the tenderer.

Mrs Jill Brown

- In reference to the recent community summit on crime, Mrs Brown queried why members of the community had not been allowed to attend.

Cmr Ansell responded that people who represented a group from the community had been invited and there had been a cut off point to ensure a number that could be easily handled in the facilities provided.

- Mrs Brown referred to the media statement on the summit which advised that community participation would be required and asked how people interested in youth affairs would be allowed to participate.

Director, Community Services responded that the organising committee, which consisted of representatives from the City, the Joondalup Regional Community Policy Crime Prevent Committee and the Joondalup District Police would be meeting on 29 April 1998. It is intended to establish 3 regional task forces and expressions of interest will be called from members of the public and from organisations.

Cr Lynn O'Grady:

- Cr O'Grady referred to a question she had asked in January as to whether the Commissioners resigned from their positions because they knew that they would be at the City for more than 3 months. She refuted the answer given to her as she believed the Commissioners had been fully aware at the time that they would be at the City for at least 2 years. Cr O'Grady requested this question be answered honestly.

Cmr Ansell responded that he believed the question had been answered honestly and advised that as far as he was aware, no-one had been guaranteed they would be here for any more than until the Inquiry ceased and made its findings.

Q1 Re: P30-04/98: I think Commissioners have a pecuniary interest and I'd like to ask did you take legal advice?

A1 *Response by Cmr Ansell:* Yes and no. We took our own advice and also took the advice of Cmr Buckley, who is a barrister.

Q2 Re: DP116-04/98: The Mindarie Community Group will be holding a meeting and they will be writing to ask that Council send representation to the meeting to explain the structure plan. Can I have an undertaking that when the meeting takes place, an officer will be there?

A2 *Response by Cmr Rowell:* The matter is open for public comment and residents are welcome to come and ask any questions they may have. At the close of the period, the issue will be reviewed by the planning department as to whether the structure plan will be accepted. If a group has some problems with the structure plan, they should contact us now, before public submission close, so that the value of their submissions is recognised.

- In reference to Item DP138-04/98 - Draft Policy - Bayport Circuit, Mindarie Building Height Limit, Cr O'Grady believed this recommendation had come too late as there was already a double storey property being built in the area.
- Cr O'Grady advised that on 2 March a letter was sent from the Two Rocks Residents Association querying whether Lehmanns Landing was finished. She stated that there were grave concerns about the pathway for disabled people to get down to the beach and requested that a letter be sent back to the Association clarifying what is happening there.
- Cr O'Grady referred to the damage done by horses and vehicles to the pedestrian track leading from St Andrews to Yanchep and requested it be repaired. She also requested a notice be placed advising that the track was only for pedestrians and cyclists.
- Cr O'Grady queried the present position in relation to the access to the beach from Sovereign Drive.

Response by Director, Development Services: The City has been dealing with the Department of Land Administration on the question of the beach erosion which has caused the pathway to subside or fall. There is a report on this month's agenda which recommends that the City ascertains from the Minister for Lands who is responsible for the stabilisation of the beach on the northern side of the Two Rocks Marine. In the intervening period, no action will be taken regarding the walkway as erosion will reoccur. The first step is to fix the beach, and then see where the best place is for the Sovereign Drive pathway connection down to the coast.

- In relation to the bulk pick up in Two Rocks and Yanchep, Cr O'Grady requested more notice be given to residents of pick-up and that volunteer groups be notified as they assist with the gardening and pruning for older residents.

Cmr Ansell stated that Commissioners had recently visited Two Rocks and are giving consideration to increasing the number of pick-ups from the area.

- Cr O'Grady requested another bin be placed at the oval at the Recreation Centre as she believed two small bins were insufficient.

Mr C Isaacs:

Q1 *In my experience as a union president and seeing the Work for the Dole schemes, I would like to know how many committee members here are prepared to work for the dole for the end of their term, because it isn't productive at all.*

A1 Mr Isaacs requested to see a show of hands from the Commissioners - no hand was raised.

- Q2 The Prime Minister went to Kyoto and said that in order to give out licences to pollute, he said that he was stopped clearing land in Australia. I'd like to know if Council could report to me on how much land is being cleared in the City of Wanneroo since John Howard went to Kyoto and made such a statement and what are you doing to stop land clearing in order to follow an international agreement.*
- A2 Response by Cmr Ansell: I think that is a very difficult question to measure how much land was cleared during the period while the Prime Minister has been away.*
- Mr Isaacs requested that when the Metropolitan Regional Scheme considers the new laws to be implemented about the use of water in the City of Wanneroo, that such laws are not made to the detriment of aboriginal people and the community, who should have a share and fair equitable amount of water for sustaining a good quality of life in the City of Wanneroo.

Mrs Glynis Monks:

Q1 The Wanneroo town site and the surrounding area has been neglected over the past few years. When the asset and the infrastructures of the two new Councils are distributed, will this be taken into account? Can the Commissioners assure the residents of the new Shire of Wanneroo that they will receive a fair distribution of all assets and will not once again be left the Cinderella of the north.

A1 Response by Cmr Ansell: I don't think we will be looking at any neglect or alleged neglect of the past. We will be looking at what will happen in the future and what the needs are of Wanneroo and Joondalup, and we have no interest in favouring one against the other.

Ms Phyllis Robertson:

- In relation to TS79-04/98 - Advisory Committees - Parks Landscaping Services Issues, Ms Robertson queried why her name was followed by the word 'transferred' in the report and also why her name did not appear in the recommended composition of the Committee.

Cmr Buckley advised that her recollection of the committee meeting was that Commissioners had been advised that Ms Robertson was meant to be on this committee but due to her absence she had not been able to be contacted to confirm her availability to serve on the committee.

Following Ms Robertson advising that she would be available to sit on the committee, Cmr Buckley advised that this would be attended to on consideration of this matter later in the meeting.

Mr Ken Bullock:

- Q1 Re: DP110-04/98 - Regarding the proposed building that is going next door to me on the vacant block, we faxed all our questions in and they were also handed in at 9.00 am this morning. Was the fax machine out of order or were we isolated? Also does the Council intend on allowing the building to go ahead in its present form regardless of the strong neighbourhood protests?*
- A1 Response by Cmr Rowell: No, but we have had a site meeting and were able to persuade the builder to move the building 1 metre closer to Ranford Way and to sink the building by 400 mm. We then asked the builder to construct a rear fence on the retaining wall above the sewer line and felt that we had achieved as much as we could with the builder on a building which does comply with normal building requirements.*
- Q2 At the last building meeting we asked if we could be present at the meeting and it was agreed to. Why was it then that nobody at all even got in touch with us?*
- A2 Response by Cmr Rowell: I apologise if we had promised for you to attend. I know that there was an immediate attempt to set up a meeting as quickly as possible and the available meeting date was 9.00 am, of which I was informed of on the afternoon of the previous day.*
- Q3 If the plans are passed at this meeting, have the ratepayers and residents of Ranford Way any other avenues?*
- A3 Response by Cmr Rowell: No, there is no third party appeal process in Western Australia.*

Mr Vic Parin:

- Mr Parin referred to the answers to questions he had asked at the March Council meeting in relation to an audit of Scheme 6 and advised he was perturbed by the answers received as he believed them to be contradictory and misleading. He also believed that officers responsible for the administration of Scheme 6 had been incompetent and/or dishonest and requested that the Commissioners recommend to the Minister for Local Government that a full inquiry be conducted into the administration of Scheme 6.

Cmr Ansell suggested that an appointment be made between Mr Parin, one of the Commissioners and officers from the City to discuss this issue prior to further action being taken.

Mr Parin agreed to participate but requested that a representative from the Ministers Office be also invited to the meeting. Cmr Ansell could give no guarantee in this regard.

Jane (no surname given), on behalf of North Shore Residents Group:

- In reference to the proposed foster home at Warringah Close, Jane referred to a 131-signature petition she had received from residents who were not satisfied that the structure and modus operandi of the proposed home had been fully investigated. She expressed concern at the number of discrepancies in terms of information regarding this

matter and requested that the matter be deferred for 60 days to enable the three parties to further consider this matter.

Cmr Ansell advised that he would request Cmr Rowell to address these matters when the item came up for consideration during the agenda.

C25-04/98 MINUTES OF COUNCIL MEETING, 24 MARCH 1998

Correction

- 1 The following be included in the response to questions raised by Cr John Hollywood on Page 7:: *“The Chairman advised that the Code will be reviewed by the Commissioners and can be changed by incoming Councillors”.*

- 2 Item DP71-04/98: The following comment to be inserted at the top of page 23: *“Cmr Rowell felt that an acceptable position had been reached for both the applicant and for the Wanneroo community but stated that this recommendation did not set a precedent for future applications”*

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Minutes of the Meeting of Joint Commissioners held on 24 March 1998, amended as above, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

DECLARATIONS OF FINANCIAL INTEREST

- TS76-04/98**
- Cmr Ansell declared an interest in this Item as Mr David Gray of David Gray & Company Pty Ltd is a personal friend.

 - Cmr Rowell declared an interest in this Item as he is a friend of the tenderer.

Cmr Ansell stated that, in the event of declarations of financial interest in relation to TS76-04/98 being made by Cmr Ansell and Cmr Rowell, there would be a lack of quorum. Therefore, consideration of this matter was required to be deferred.

- TS77-04/98** Cmr Rowell declared an interest in this Item as he is a friend of the principal of the only tenderer.
- FA87-04/98** Cmr Clark-Murphy declared an interest in this Item as a family member has an interest in Fujitsu Australia Limited.

QUESTIONS WITH DUE NOTICE

Nil

QUESTIONS WITHOUT DUE NOTICE

Nil

C26-04/98 PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 28 APRIL 1998

- 1 PETITION SEEKING THE PLANTING OF TREES IN SEASIDE GARDENS AND THE COVE, MULLALOO - [08787, 09787]

A 17-signature petition has been received from Mullaloo residents requesting the planting of trees on verges adjacent to Seaside Gardens and The Cove, Mullaloo.

This petition will be referred to Parks Landscaping Services for action.

- 2 PETITION REQUESTING INSTALLATION OF PLAY EQUIPMENT - POCKET PARK, CURRAMBINE - [00884]

A 147-signature petition has been received from Currambine residents requesting the installation of play equipment and a grass area for children, following the proposed clearing of a pocket park in Currambine.

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

- 3 PETITION REQUESTING THE CLOSURE OF PEDESTRIAN ACCESSWAY, NILE COURT AND GIBSON AVENUE, PADBURY - [06994]

A 10-signature petition has been received from Padbury residents requesting the closure of the pedestrian accessway between Nile Court and Gibson Avenue, Padbury.

The petitioners are concerned with ongoing problems caused by anti-social behaviour in the accessway.

This petition will be referred to Development Services for action.

4 PETITION SUPPORTING THE PROPOSAL TO LOCATE A BARBARELLAS SHOP AT UNIT 11, 115 GRAND BOULEVARD AND REID PROMENADE, JOONDALUP - [05064]

A 65-signature petition has been received from residents supporting the application submitted by Barb Investments to locate a Barbarellas Shop at Unit 11, 115 Grand Boulevard and Reid Promenade, Joondalup.

This petition will be considered in conjunction with Item DP123-04/98.

5 PETITION OPPOSING THE DEVELOPMENT APPLICATION AT LOT 86 (44) RANFORD WAY, HILLARYS - [05237, 00055]

A 19-signature petition has been received from Hillarys residents opposing the issuing of a building licence for a proposed dwelling at Lot 86 (44) Ranford Way, Hillarys.

This petition will be considered in conjunction with Item DP110-04/98.

6 PETITION SUPPORTING PROPOSED CINEMA DEVELOPMENT AT CURRAMBINE SHOPPING CENTRE - [00128]

A petition containing approximately 2402 unverified signatures in support of the development of the proposed cinema complex at Currambine was presented on behalf of the Grand Theatre Co to the Development and Planning Services Committee meeting held on 21 April 1998.

This petition will be considered in conjunction with Item DP152-04/98.

7 PETITION OPPOSING PROPOSED CINEMA DEVELOPMENT AT CURRAMBINE SHOPPING CENTRE - [00128]

A petition containing approximately 633 unverified signatures opposing the development of the proposed cinema complex at Currambine was presented on behalf of Armstrong Jones Pty Ltd to the Development and Planning Services Committee meeting held on 21 April 1998.

This petition will be considered in conjunction with Item DP152-04/98.

MOVED Cmr Rowell, SECONDED Cmr Buckley that Petitions No 1 - 7 be received and referred to the appropriate business units for action.

The Motion was Put and

QUESTIONS WITH DUE NOTICE

Nil

QUESTIONS WITHOUT DUE NOTICE

Nil

BUSINESS REQUIRING ACTION

POLICY SECTION**P28-04/98****REPORT OF THE INQUIRY PANEL - CITY OF WANNEROO**
- [07302]

Section 8.19(1)(a) of the Local Government Act empowers the Minister to suspend a Council where he thinks that -

- (i) the seriousness or duration of a suspected failure of the Council to ensure that the local government performs its functions properly; or
- (ii) such other factors as the Minister considers relevant,

makes it inappropriate for the Council to continue to act as the governing body of the local government.

By order made on 12 November 1997, the Minister for Local Government, the Hon Paul Omodei MLA, issued such order and appointed Commissioners in accordance with Sec. 8.28 (1) to oversee the affairs of the City.

A panel of Inquiry was appointed in accordance with Sec. 8.16 of the Act by the Minister by notice dated 28 November 1997 to inquire into certain aspects of the local government and report its findings on or before 9 February 1998.

The nature of the Inquiry was:-

- 1 To enquire into the following matters:-
 - (i) the Report of the Royal Commission into the City of Wanneroo, dated September 1997
 - (ii) The report dated 8 January 1997 by the Department of Local Government of an investigation of the amendment in 1995 to the Contract of Employment of the Town Clerk of the City of Wanneroo.
 - (iii) The report dated 9 September 1997 of an inquiry by the Department of Local Government into the handling by the Council of the City of Wanneroo of a development application for Lot 560 Manakoora Rise, Sorrento;

and any other matters which arise during the course of the inquiry concerning the government of the City of Wanneroo, for the purpose of reporting on the extent to which there is failure to provide good government to the persons in the City of Wanneroo.

The panel to make recommendations in accordance with Sec 8.22 of the Act regarding the dismissal or re-instatement of the Council.

REPORT RECOMMENDATION That the Joint Commissioners acknowledge receipt of the Inquiry Panel Report into the City of Wanneroo and indicate to the Minister that the following actions are recommended in response to the Report findings:-

- 1 recognise the need to monitor the progress of major initiatives outlined in the City's adopted Strategic Plan with particular emphasis being placed on the continued focus on a strong customer service ethos and the adoption of a regular reporting framework to monitor progress towards established objectives and compliance regime.
- 2 At the completion of the current functional review of Business Units and the adoption of suitable staff structures for the two local governments created by the division of the City of Wanneroo that positions designated "Senior Employees" be publicly advertised.
- 3 In recognition of the service provided to the City by the former Town Clerk, he be requested to accept the gifts and money he previously returned to the City.
- 4 A response be requested from the Council staff involved with the Manakoora Rise building compensation matter on comments made by the Inquiry panel.
- 5 That comment be sought from the Director of Development Services and an external consultant on the changes implemented to the approvals process together with avenues available to the Council to remove or change a building/structure erected illegally.
- 6 Mr Parin be requested to comment on his progress towards implementing amelioration measures agreed to on his house in Manakoora Rise.
- 7 An independent consultant be authorised to thoroughly inspect the dwelling at 3 Manakoora Rise to ensure it conforms with approved plans in all respects.
- 8 The Minister be requested to address the matters raised by the Inquiry suggesting anomalies exist in the current Local Government Act pertaining to the role of Mayor and the appointment of senior officers.
- 9 The Joint Commissioners do not agree with the recommended extension of the Statutory Corporations (Liability of Directors) Act 1996 to include local government members and senior employees, However, alternatively that the Minister consider appropriate amendments to the Local Government Act to achieve similar aims.
- 10 The Joint Commissioners support the introduction of postal voting for Council elections and encourage the Minister to address the disincentives which currently exist in the Act with the monopoly enjoyed by the Electoral Commission and the "Special Majority" required to change the mode of election.

At the Policy Committee meeting Commissioners indicated their wish to only address the recommendations of the Inquiry Report at this stage. Cmr Buckley submitted a Report for consideration by the Joint Commissioners.

COMMITTEE RECOMMENDATION That the Joint Commissioners:

- 1 receive the Chief Executive Officer's Report P28-04/98;
- 2 adopt the report submitted by Cmr Buckley, as amended;
- 3 acknowledge receipt of the Inquiry Panel Report into the City of Wanneroo and indicate to the Minister that the following actions are being taken or will be taken in response to the Report findings:

Recommendation 1:

The functional review of the business units is proceeding and should be completed within four weeks.

If there were no plans to split the City, the Joint Commissioners would proceed to publicly advertise the "senior employee" positions once that review was completed.

In light of the announcement of the split of the City, the Joint Commissioners must first consider the appropriate staff structures and requirements of the two local governments to be created before proceeding to advertisement of positions.

Recommendation 3:

The Joint Commissioners intend to take all necessary steps to introduce postal voting at the next elections held in both the City of Joondalup and Shire of Wanneroo.

Recommendation 4:

The Joint Commissioners have engaged external consultants to advise as to how an appropriate system of risk management and compliance auditing can be developed. Their report has been received and is currently under consideration.

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

- 1 **receive the Chief Executive Officer's Report P28-04/98;**
- 2 **adopt the report submitted by Cmr Buckley, as amended, and forming Appendix VIII hereto;**
- 3 **acknowledge receipt of the Inquiry Panel Report into the City of Wanneroo and respond to the Minister on the following basis:**

In accordance with Section 8.23(4)(a) of the Act, the Joint Commissioners must now advise the things that have been done or are proposed to be done to give effect to the recommendations of the Report.

Recommendations 2 and 5 of the Inquiry Report do not require any action by the Joint Commissioners to give effect to the recommendations.

Notwithstanding that, with respect to Recommendation 2, the Joint Commissioners are of the view that as this matter affects the industry as a whole it should be considered by the Minister for Local Government. As this matter falls outside the Joint Commissioners' obligations under Section 8.23(4)(a) of the Local Government Act 1995 the Joint Commissioners will make a submission to the Minister for Local Government in due course.

The following actions are being taken or will be taken in response to the report recommendations:

Recommendation 1:

The functional review of the business units is proceeding and should be completed within four weeks.

If there were no plans to split the City, the Joint Commissioners would proceed to publicly advertise the "senior employee" positions once that review was completed.

In light of the announcement of the split of the City, the Joint Commissioners must first consider the appropriate staff structures and requirements of the two local governments to be created before proceeding to advertisement of positions.

Recommendation 3:

The Joint Commissioners intend to take all necessary steps to introduce postal voting at the next elections held in both the City of Joondalup and Shire of Wanneroo.

Recommendation 4:

The Joint Commissioners have engaged external consultants to advise as to how an appropriate system of risk management and compliance auditing can be developed. Their report has been received and is currently under consideration.

Cmr Buckley spoke to the Motion and raised an amendment to Point 3.

The Motion was put and

CARRIED

Appendix VIII refers.

Items P29-04/98 and P30-04/98 were Moved by Cmr Buckley and Seconded by Cmr Clark-Murphy.

P29-04/98

REVIEW OF LOCAL LAWS

Section 3.16(1) requires a local government to review its local laws at least once each eight years.

The review involves giving statewide notice on two occasions and allowing a 12 week public submission period.

It is proposed that all local laws relating to parking be reviewed and consolidated.

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

- 1 review the Parking Facilities Local Laws and the Parking of Vehicles on Street Verges Local Laws;
- 2 give statewide notice of their intention to review local laws relating to parking.

The Motion was put and

CARRIED

P30-04/98

LEGAL REPRESENTATION IN RESPECT TO THE REPORT OF THE INQUIRY PANEL - CITY OF WANNEROO - [07302]

Mayor Brian Cooper has sought approval, on behalf of himself and other Councillors, to retain the services of Mr Peter Kyle to prepare a response to the Minister on the report of the Inquiry Panel - City of Wanneroo. Under Council's policy on legal representation it is open for the Joint Commissioners to grant approval for legal representation. The policy provides for approvals to be for amounts up to \$3,000.

REPORT RECOMMENDATION THAT the Joint Commissioners approve the granting of legal assistance to the Mayor and Councillors to enable them to make a conjoint submission to the Minister for Local Government. In accordance with Council's policy on legal representation, the grant be limited to \$3,000.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that the Joint Commissioners do not approve the granting of legal assistance to the Mayor and Councillors to enable them to make a conjoint submission to the Minister for Local Government as the application for legal representation does not fall within the terms of the policy.

The Motion was put and

CARRIED

POLICY MANUAL REVIEW - [18058]

Cmr Buckley queried the current position in relation to the review of the Policy Manual. Chief Executive Officer will investigate this matter and report accordingly to Commissioners.

REVIEW OF REPORTING PROCEDURES - [08122]

Discussion ensued in relation to the review of reporting procedures and areas of delegation currently being carried out by a consultant. Chief Executive Officer advised that a report will be submitted to Commissioners in May 1998. Commissioners requested the opportunity to view the draft documentation and provide their input prior to finalisation of the report.

FINANCE AND COMMUNITY SERVICES SECTION

Items CS43-04/98 to CS46-04/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

CS43-04/98

**PROJECTS OFFICER FOR THE CLOSED CIRCUIT
TELEVISION SECURITY SYSTEM IN THE JOONDALUP
CENTRAL BUSINESS DISTRICT - [09360]**

This report contains information and recommendations on the funding of a projects officer to develop and implement a plan for the Closed Circuit Television surveillance system for the Joondalup Central Business District.

With numerous business units already engaged in this project it is proposed that the Ranger Services business unit co ordinate and develop an implementation plan. This plan will have an objective of defining a clear direction and execution of the project phases. It is envisaged that this process will initially take until 30 June 1998 with a report being submitted to the Joint Commissioners in the July round of meetings.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 endorses the proposal for Ranger Services business unit to co ordinate and develop an implementation plan on the Joondalup Central Business District Closed Circuit Television surveillance system by 30 June 1998.

- 2 authorises, BY ABSOLUTE MAJORITY in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$8,000 from account number 22384 All Night Security to Ranger Services operating expenses Salaries/Wages.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$8,000 from account number 22384 All Night Security to Ranger Services operating expenses Salaries/Wages and implement a study to be coordinated and developed by Ranger Services of the Joondalup Central Business District Closed Circuit Television surveillance system.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS44-04/98

**APPOINTMENT OF HONORARY PARKING INSPECTOR -
[05051]**

The Managing Agents for Newpark Shopping Centre have written to Council requesting the re-authorisation of an Honorary Parking Inspector.

It is recommended this authorisation be approved by the Joint Commissioners.

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

- 1 in accordance with Section 9.10 of the Local Government Act 1995 appoint Julian Edward Jay as Honorary Parking Inspector for the Newpark Shopping Centre;
- 2 in accordance with the provisions of the Justices Act 1902 authorise the withinmentioned Honorary Parking Inspector to act under and enforce the Parking Local Laws for the City of Wanneroo only within the boundaries of the Newpark Shopping Centre.

The Motion was put and

CARRIED

CS45-04/98 LIBRARIES GRAPHICS WORK - [240-2]

The Libraries have produced a range of signage, brochures, posters and displays to promote and facilitate access to library services within the City of Wanneroo. Following a report to the March 1998 meeting of Council, this work will be sold on a self funded basis to interested Local Government Authorities. A charge to cover resources required for variations to the standard product was inadvertently omitted from the recommendation at the March 1998 meeting. The need to charge for postage and packing where this is required has also been identified.

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

- 1 authorise, pursuant to the provisions of Section 6.16 of the Local Government Act 1995 the following additional charges for the external sale of library graphics work:

Variation to standard size or text	\$3.50
Postage and packaging - under 500gms	\$5.00
- over 500gms	\$6.50

- 2 advertise the proposed charges in accordance with Section 6.19 of the Local Government Act 1995
- 3 introduce the schedule of charges for variations to standard library graphics work effective 18 May 1998

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS46-04/98

LOCAL LAW AMENDMENT RELATING TO THE KEEPING OF PIGEONS - [00432]

SUMMARY OF PURPOSE AND EFFECT (as read aloud at Meeting of Joint Commissioners by person presiding)

The purpose of this report is to re-commence proceedings under the Local Government Act 1995 to revoke Council's Health Act Model By Laws Series 'A', Clause 29B "The Keeping of Pigeons" which were replaced by Council's "Local Laws Relating to the Keeping of Pigeons" under the Local Government Act 1995 on 27 February 1998.

This proposal will also incorporate some other minor amendments to Council's Local Health Laws which were previously notified by the Health Department of Western Australia, but were never officially adopted by this City.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners in accordance with Section 3.12 of the Local Government Act 1995, give statewide notice of their intention to revoke current Local (Health) Local Law 29B in relation to the keeping of pigeons and to adopt a new local law as described in Attachment 1 to Report CS46-04/98.

The Motion was put and

CARRIED

Appendix I refers.

Items CS47-04/98 to CS58-04/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

CS47-04/98

NOISE - AIR CONDITIONER AT 6 GLORIANA VIEW, OCEAN REEF - [06256]

This Report seeks the Joint Commissioners' endorsement of a Pollution Abatement Notice dated 3 April 1998 issued to the owner/occupiers of 6 Gloriana View, Ocean Reef. The Pollution Abatement Notice resulted from the failure to attenuate the noise of an air conditioner unit to within the assigned noise levels set out in the Environmental Protection (Noise) Regulations 1997.

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

- 1 endorse the service of the Pollution Abatement Notice of 3 April 1998 upon Mr Johannes Hendrikes Van Rooyen and Maria Bernadette Van Rooyen as joint owner/occupiers of 6 Gloriana View, Ocean Reef;**
- 2 authorise the instigation of legal action should a breach of the above Pollution Abatement Notice occur.**

The Motion was put and

CARRIED

CS48-04/98

**NOISE - STEREO MUSIC FROM 42 PITCHFORD GLADE,
CLARKSON - [03205]**

This Report seeks the Joint Commissioners' endorsement of a Pollution Abatement Notice issued on 3 April 1998 to the owner/occupiers of 42 Pitchford Glade, Clarkson. The Notice was the result of many complaints concerning music emanating from the premises. Sound level assessment of the music on 13 February 1998 confirmed that the intrusive noise exceeded the provisions of the assigned noise levels of the Environmental Protection (Noise) Regulations 1997 and was therefore deemed unreasonable noise.

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

- 1 endorse the service of the Pollution Abatement Notice of 3 April 1998 upon Mr Pieter Johannes de Rijcke and Lavetta Catherine de Rijcke as joint owner/occupiers of 42 Pitchford Glade, Clarkson;**
- 2 authorise the instigation of legal action should a breach of the above Pollution Abatement Notice occur.**

The Motion was put and

CARRIED

CS49-04/98

DELEGATION OF AUTHORITY - HEALTH ACT - [07032]

This report provides a resume of Notices served under the Health Act 1911, as amended under the powers of delegation conferred on the Manager, Health Services per Council Resolution P118-12/97 of 23 December 1997.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners endorse the action taken by the Manager, Health Services in relation to the matters described in Report No CS49-04/98.

The Motion was put and

CARRIED

Appendix II refers.

CS50-04/98

**REQUEST FOR DONATION - VOID - (VICTORY OVER
ILLEGAL DRUGS) - [07116]**

The Victory Over Illegal Drugs Group is seeking a donation from Council toward the production of a drug awareness video. Following research by Youth Services staff into the proposal it is being recommended that this request be rejected.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners advise they are unable to provide funds to the Victory Over Illegal Drugs Group to assist with the development of a drug education video.

The Motion was put and

CARRIED

CS51-04/98

IMPLEMENTATION OF RESTRUCTURE RECREATION AND CULTURAL SERVICES - [01321]

Implementation of the re-organisation of Recreation and Cultural Services has been proceeding. As part of the implementation process further opportunities to improve the potential efficiency and effectiveness of the Unit through amending the organisational structure have been identified.

These changes alter the organisational structure as originally submitted to Council in October 1997 (Item CS294-10/97 refers). It is recommended the Joint Commissioners note the information submitted in this report.

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

- 1 **endorses the amended organisational structure for recreation services;**
- 2 **notes progress towards implementing the restructure of Recreation and Cultural Services.**

The Motion was put and

CARRIED

CS52-04/98

KINGSWAY SPORTS ASSOCIATION - [04376]

Council, at its meeting of 27 August 1997, endorsed the continuation of the management of the Football Clubrooms, Kingsway by the Wanneroo Football and Sporting Club until 31 March 1998 by which time the Kingsway Sports Association was to have been established and lease conditions for the Clubrooms finalised (Item CS258-08/97 refers).

This report updates progress towards formation of the Kingsway Sports Association, which will assume management responsibility for the Football Clubrooms, Kingsway Sporting Complex.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners note the progress report on the formation of the Kingsway Sports Association.

The Motion was put and

CARRIED

CS53-04/98

DONATIONS - [08032]

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

At the Finance and Community Services Committee meeting, Cmr Clark-Murphy advised that a report on general donations would be submitted in the near future.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners donates \$50, totalling \$1,050, to each of the following persons to assist with costs of representing Western Australia in their chosen sports.

Brodie Cullen	44 Mint Circuit, Neerabup WA 6031
Ric Steele	10 Kilarney Heights, Kallaroo WA 6025
Hayley Rutherford	12 Partlett Road, Duncraig WA 6023
Daniel Rutherford	12 Partlett Road, Duncraig WA 6023
Felicity Pishos	14 Carew Place, Greenwood WA 6024
Priscilla Hill	22 Charlton Court, Kingsley WA 6026
April Rhodes	8 Scott Place, Hillarys WA 6025
Alice Ostrowski	59 Balanus Way, Heathridge WA 6027
Matthew Fussell	2 Pinney Crescent, Marmion WA 6020
Richard Marian	17 Grevillea Court, Wanneroo WA 6065
Krystyna Hajnisz	8 Dollis Way, Kingsley WA 6026
Ben Godridge	6 Lytham Mews, Connolly WA 6027
Tasha Nykyforak	13 Robin Avenue, Sorrento WA 6020
Brooke Niven	50 Porteous Road, Sorrento WA 6020
Sarah Jamieson	2 Lanrick Place, Girrawheen WA 6064
Casey Blundell	21 Adenmore Way, Kingsley WA 6026
Aurelia Gliwski	40 Rawlinson Drive, Marangaroo WA 6064
Jillian Sweeney	50 Harford Way, Girrawheen WA 6064
Jodie Thompson	32 Backhouse Road, Kingsley WA 6026
David Berry	9 Cypress Court, Greenwood WA 6024
Anica Wilson	31 Castella Way, Mullaloo WA 6027

The Motion was put and

CARRIED

CS54-04/98

PUBLIC ART PROJECT - MARMION SCULPTURE - [03153]

As part of Council's Public Art Programme, the City of Wanneroo has engaged local artist Albie Herbert to create and construct a sculpture that represents the whaling history of Marmion since the 1800's.

Mr Herbert was selected by a panel of people with expertise in coastal planning, public art and visual art. It is recommended that his sculpture design be endorsed.

At the Finance and Community Services Committee meeting Cmr Buckley queried recognition for Eric Schneider. The Manager, Recreation and Cultural Services advised he would provide information on this matter prior to the next Council meeting to be held on 28 April 1998.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners endorse Albie Herbert's appointment as artist and his design for the Marmion Sculpture Public Art Project.

The Motion was put and

CARRIED

CS55-04/98

PURCHASE OF ARTWORKS - [06879]

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

The Consultant Ms Rie Heymans has submitted six art works as being worthy of inclusion in the City of Wanneroo Art Collection, recommending purchase of the Artworks at a total cost of \$5,050.

REPORT RECOMMENDATION: That the Joint Commissioners purchase the following works for the City of Wanneroo Art Collection:

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
Lorraine Sutherland	Bend to Karragullen	Oil on board	Gomboc Gallery	\$175
Lorraine Sutherland	Old Packing Shed	Oil on board	Gomboc Gallery	\$175
Lorraine Sutherland	Drago's Orchard	Oil on board	Gomboc Gallery	\$175
Lorraine Sutherland	The road past Drago's Shed	Oil on board	Gomboc Gallery	\$175
Bjorn Dolva	People in the Park	Oil on Canvas	Gomboc Gallery	\$2,000
Barbara Bolt	Blue Houses in Scarborough	Oil on canvas	New Collectables	\$450

at a total cost of \$3,150 from Account Number 29471235 - Art Purchases.

ADDITIONAL INFORMATION SUBMITTED TO THE FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING

The following item of artwork which was recommended for purchase was inadvertently omitted from Report CS55-04/98.

Jeremy Kirwan- Vertical Blind Acrylic on Perth Galleries \$1,900
Ward aluminium

At the Finance and Community Services Committee meeting the Manager, Recreation and Cultural Services advised that he would arrange a meeting between the Consultant and Cmr Morgan to enable the Consultant to outline the reasons for acquisition of the art works. Further discussion ensued as to the possibility of Cmr Morgan chairing a sub-committee to investigate future acquisitions of art works.

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

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
Lorraine Sutherland	Bend to Karragullen	Oil on board	Gomboc Gallery	\$175

Lorraine Sutherland	Old Shed	Packing	Oil on board	Gomboc Gallery	\$175
Lorraine Sutherland	Drago's Orchard		Oil on board	Gomboc Gallery	\$175
Lorraine Sutherland	The road past Drago's Shed		Oil on board	Gomboc Gallery	\$175
Bjorn Dolva	People in the Park		Oil on Canvas	Gomboc Gallery	\$2,000
Barbara Bolt	Blue Houses in Scarborough		Oil on canvas	New Collectables	\$450
Jeremy Kirwan-Ward	Vertical Blind		Acrylic aluminium	on Perth Galleries	\$1,900

at a total cost of \$5,050 from Account Number 29471235 - Art Purchases.

The Motion was put and

CARRIED

CS56-04/98 LEISURE POLICY - [07879]

A Leisure Policy has been developed to guide the provision of Leisure services, facilities and programmes in the achievement of the City of Wanneroo's mission, vision, and strategic objectives.

This exciting initiative places the City of Wanneroo at the forefront of leisure management practice in Local Government. It will assist in ensuring equitable financial and community outcomes for users of Council facilities and services and residents and ratepayers. It is recommended that the Joint Commissioners endorse the Leisure Policy.

REPORT RECOMMENDATION: That the Joint Commissioners adopt the Leisure Policy forming attachment 1 to Report CS56-04/98 to guide the provision of Leisure services, facilities and programmes to assist in the achievement of the City of Wanneroo's mission, visions, and strategic objectives.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners adopt the Leisure Policy forming attachment 1 to Report CS56-04/98 to guide the provision of Leisure services, facilities and programmes to assist in the achievement of the City of Wanneroo's mission, visions, and strategic objectives, subject to the following amendment:

Bullet point 3 under heading 'Beliefs and Values' to read:

"All people should have the opportunity to participate in leisure regardless of age, ability, discretionary income, ethnicity, gender and geographical location".

The Motion was put and

CARRIED

Appendix III refers.

CS57-04/98

VOLUNTARY SEVERANCE - RANGER SERVICES - [09434]

A staff member within the business unit of Ranger Services has been adversely affected by the restructuring process and the amalgamation of the positions of Patrol Officer and Ranger.

This person has indicated a preference to negotiate a voluntary severance package rather than accept re-deployment or rehabilitation which may enable the person to perform the duties of this new position.

Savings have been identified within the current Ranger Services budget that would fund a settlement payout to this affected person. The estimated payout would be in the vicinity of \$16,500.

It is considered that negotiating a settlement based on a voluntary severance package would be the most effective and preferable option of resolving this situation for both the person involved and the Unit.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners offer a voluntary severance package to the existing Patrol Officer currently employed within Ranger Services business unit, the value of the package being estimated at \$16,500 to be funded from within the existing budget for Ranger Services and \$19,000 estimated pro rata annual leave and long service leave entitlements to be funded from Council's funds for leave provisions.

The Motion was put and

CARRIED

CS58-04/98

VOLUNTARY SEVERANCES - RECREATION AND CULTURAL SERVICES - [09434]

Staff at Warwick Leisure Centre, Sorrento Duncraig Recreation Centre and Ocean Ridge Community Centre who have been affected by the restructuring occurring within the Recreation and Cultural Services Business Unit have indicated they would prefer to negotiate a voluntary severance package rather than accept redeployment within the City.

Savings have been identified within the current Recreation and Cultural Services budget that would fund a settlement payout to affected staff, estimated in total excluding any award entitlements to be \$15,000.

It is considered negotiating a settlement would be a preferable option for both parties.

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

- 1 offer staff at Warwick Leisure Centre and cleaning staff at Sorrento Duncraig Recreation Centre and Ocean Ridge Community Centre a voluntary severance package at an estimated total cost of \$15,000;**

2 in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 authorise overbudget expenditure of \$15,000 being voluntary severance payments from:

- Account No. 29501 - Salaries/Wages, Warwick Leisure Centre
- Account No. 29615 - Building Operating, Sorrento Duncraig Recreation Centre
- Account No. 30115 - Building Operating, Ocean Ridge Community Centre

such expenditure to be funded from Account No. 29601 Salaries/Wages, Sorrento Duncraig Recreation Centre.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Items FA59-04/98 to FA86-04/98 inclusive, and Item FA88-04/98 were Moved by Cmr Clark-Murphy and Seconded by Cmr Rowell. Cmr Clark-Murphy stated that Item FA87-04/9 would be considered following Item FA88-04/98.

FA59-04/98 USE OF THE COUNCIL CHAMBER - [07030]

Last year Council requested that the possibility of hiring the Council Chamber and associated meeting rooms to various bodies, be investigated.

The meeting rooms at the Joondalup Library appear to be adequately catering for the immediate demand. The City is currently planning the split of the City. This will require some staff being located in Conference Room 3. Due to the additional pressure that will be placed on Conference Room 2 it is suggested that the Joint Commissioners reaffirm the existing policy but consider the matter in the future when demand increases.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners reaffirm Policy EM4- Use of Council Chamber, being:

“The Council Chamber shall not be used for any purpose other than the conduct of Council meetings, Committee meetings and citizenship ceremonies, unless the prior consent of the Mayor is obtained.”

The Motion was put and

CARRIED

FA60-04/98 REFURBISHMENT OF WANNEROO WAR MEMORIAL - [01077, 08032, 03399]

This submission seeks support for the refurbishment of the Wanneroo War Memorial and approval for the reallocation of funds to the amount of \$1,220 to supplement a grant received by the Wanneroo/Joondalup Sub-Branch of the Returned and Services League for the refurbishment works.

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

- 1 support the refurbishment of the Wanneroo War Memorial by supplementing a grant received by the Wanneroo/Joondalup Sub-Branch of the Returned and Services League;**
- 2 approve in accordance with Section 6.8 (1) of the Local Government Act 1995, the reallocation of \$1,220.00 from Account No. 28222 - Building Construction - Wanneroo Community Arts Centre.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA61-04/98**PROPOSED LOTTERIES HOUSE - LOCATION - [01113]**

The design of the Joondalup Lotteries House is progressing with tenders to be called in May/June 1998 by the Lotteries Commission through Contract and Management Services. During the design phase, concerns about its location west of the Joondalup Administration building were raised. A revised location in the general vicinity of the previous location has been agreed as suitable between the Consultants, Lotteries Commission, Lotteries House Steering Committee and Council officers. It is recommended that the Joint Commissioners endorse the revised location of the proposed Lotteries House.

In addition progress has been made on the lease arrangements so that is proposed there are two documents, an Agreement to Lease and Agreement for Lease. The Lotteries House Inc would be responsible for all costs of operating, maintenance and management of the Lotteries House in exchange for a annual lease fee of \$1.00. These arrangements will accord with the objective of provision of accommodation for not for profit, community based organisations.

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

- 1 note the revisions to the master plan as prepared by Hames Sharley at attachment 4 to Report FA61-04/98;
- 2 endorse the revised location of the proposed Lotteries House on Lot 496 Boas Avenue.

The Motion was put and

CARRIED

Appendix IV refers.

FA62-04/98**OFFER TO PURCHASE LOT 5 UPPILL PLACE, WANGARA - PEK NOMINEES PTY LTD AS TRUSTEE FOR THE LEECE FAMILY TRUST NO 8 - [09901]**

Following the public auction of sixteen light industrial lots in Wangara, held on 8 October 1997, a private treaty offer on Lot 5 Uppill Place at the price of \$314 250 has been received.

The price is equal to the current market value of the land as assessed by the Valuer General's Office.

Before the Joint Commissioners can accept the offer the requirements of Section 3.58 of the Local Government Act 1995 must be complied with.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners authorise the giving of public notice of the proposal to sell Lot 5 Uppill Place, Wangara to PEK Nominees Pty Ltd as Trustee for the Leece Family Trust No 8 at the price of \$314 250, in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

The Motion was put and

CARRIED

FA63-04/98**OFFER TO PURCHASE LOT 6 UPPILL PLACE, WANGARA - SAMAR INVESTMENTS PTY LTD OR NOMINEE, SAMAR INVESTMENTS PTY LTD AS TRUSTEE FOR SARICH SUPERANNUATION FUND - [08901]**

Following the public auction of sixteen light industrial lots in Wangara, held on 8 October 1997, a private treaty offer on Lot 6 Uppill Place at the price of \$208 250 has been received.

The price is equal to the current market value of the land as assessed by the Valuer General's Offices.

Before the Joint Commissioners can accept the offer the requirements of Section 3.58 of the Local Government Act 1995 must be complied with.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners authorise the giving of public notice of the proposal to sell Lot 6 Uppill Place, Wangara to Samar Investments Pty Ltd or Nominee, and Samar Investments Pty Ltd as Trustee for Sarich Superannuation Fund at the price of \$208 250, in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

The Motion was put and

CARRIED

FA64-04/98**OFFER TO PURCHASE LOTS 10, 11, 12 AND 13 UPPILL PLACE, WANGARA - JETSILVER HOLDINGS PTY LTD, ATF COX INVESTMENT TRUST AND JETSILVER HOLDINGS PTY LTD AND ATF STRIBLING INVESTMENT TRUST - [00902, 03902, 01902, 02902]**

Following the public auction of sixteen light industrial lots in Wangara, held on 8 October 1997, private treaty offers on Lots 10, 11, 12 and 13 Uppill Place at the aggregate price of \$876 250 have been received.

The price is equal to the current market value of the land as assessed by the Valuer General's Office.

Before the Joint Commissioners can accept the offers the requirements of Section 3.58 of the Local Government Act 1995 must be complied with.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners authorise the giving of public notice of the proposal to sell Lots 10, 11, 12 and 13 Uppill Place, Wangara to Jetsilver Holdings Pty Ltd, ATF Cox Investment Trust and Jetsilver Holdings Pty Ltd and ATF Stribling Investment Trust at the aggregate price of \$876 250 in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

The Motion was put and

CARRIED

FA65-04/98

WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 MARCH 1998 - [09882]

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

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 31 March 1998, certified by the Chairperson of Finance and Community Services Committee and Director Resource Management, and totalling \$19,419,127.80.

FUNDS	VOUCHERS	AMOUNT
		\$
Director Resource Management Advance Account	58142 - 59268	6,799,281.72
Municipal Trust	000554 - 000568	10,731,425.76
East Wanneroo Development Area Cell 1	000067 - 000069	636.00
East Wanneroo Development Area Cell 2	000012	3,715.86
East Wanneroo Development Area Cell 3	000010	468.23
East Wanneroo Development Area Cell 4	905721V	5,466.29
East Wanneroo Development Area Cell 5	9057190	15,638.19
East Wanneroo Development Area Cell 6	000003	41.17
East Wanneroo Development Area Cell 7	000012	19,621.11
East Wanneroo Development Area Cell 8	000010	1,817.20
Town Planning Scheme 5	000008	350.42
Town Planning Scheme 7A (B)	905756P	2,195.78
Berkley Road Local Structure Plan	905761R	3,309.71
Reserve Account	905749G	13,346.94
	000014 - 000014A	1,821,813.42
	TOTAL	19,419,127.80

The Motion was put and

CARRIED

Appendix V refers.

FA66-04/98 **FINANCIAL REPORT FOR THE PERIOD ENDED 31 MARCH 1998 - [07882]**

This monthly report gives a broad overview of the Council's financial position at 31 March 1998.

At the Finance and Community Services Committee meeting, the Director, Resource Management was requested to provide information on governance prior to the next Council meeting to be held on 28 April 1998.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Financial Report for the period ended 31 March 1998 be noted.

The Motion was put and

CARRIED

FA67-04/98 **AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

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

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, amendments to the "revised budget figures" of the 1997/98 Budget as detailed in the Schedule of Budget Reallocation Requests - 21 April 1998.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA68-04/98 **MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [00883]**

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

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners receive the information regarding Major Capital Projects - Cost/Budget Comparison, and that it be noted.

The Motion was put and

CARRIED

FA69-04/98 **OUTSTANDING GENERAL DEBTORS - 31 MARCH 1998 - [04881]**

This report details the outstanding general debtors as at 31 March 1998 and outlines the action being taken to effectively control those debtors which have been outstanding for in excess of 90 days. It recommends a write off of debts totalling \$273.50.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners, in accordance with the provisions of Section 6.12.(I)(c) of the Local Government Act 1995 write out of the General Debtors Ledger an amount of \$273.50 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report FA69-04/98.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VI refers.

**FA70-04/98 TRUST FUND INVESTMENTS - ESTATE OF C SALPIETRO -
[07886]**

Changes in the Local Government Act 1995 require interest earned on moneys invested from Trust Fund to be paid to the recipient of the trust. The City has been holding the sum of \$9,297.01 on behalf of the Estate of C Salpietro, but has not accrued interest earned on the investment. To rectify this situation the City is required to pay the estimated interest on this sum and to invest these moneys in a specific interest bearing bank account.

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

- 1 approve the establishment of a separate interest bearing bank account, with the Commonwealth Bank of Australia to accommodate Trust Account No T0005963 (Estate of Carmelo Salpietro);**
- 2 authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, the necessary budget adjustments to allocate the estimated interest earned - \$987.25 (1996/97 \$594.08 and 1997/98 to 31 March \$393.17) from the Municipal Fund to the Trust Fund in the name - Estate of Carmelo Salpietro.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**FA71-04/98 DELINEATION OF VALUATION BOUNDARIES FOR THE
1998/99 RATING YEAR - [06881]**

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

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

This report identifies lots (currently rated on an UV basis) in both the proposed City of Joondalup and the Shire of Wanneroo, which it is anticipated will be subdivided during the 1998/99 financial year and seeks the Minister's approval to change them to a GRV basis for rating purposes.

At the Finance and Community Services Committee meeting, Cmr Rowell requested that further investigation be conducted into differential rating. The Director, Resource Management advised he would investigate this matter.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners, in accordance with the provisions of Section 6.28 of the Local Government Act 1995, request the Minister for Local Government to realign the gross rental/unimproved valuation boundaries for the 1998/99 rating year for both the proposed City of Joondalup and the Shire of Wanneroo, as outlined on the plan laid on the table.

The Motion was put and

CARRIED

FA72-04/98 1998/99 RATES INCENTIVE SCHEME - [05881]

It has been customary over past years for the City to offer donated prizes for payment of rates within 21 days of issue of the rate notice. It is considered appropriate due to past success in attracting ratepayers to pay rates early that this scheme again be offered for the 1998/99 year. With the proposed dissolution of the City of Wanneroo and the creation of the City of Joondalup and Shire of Wanneroo, it is recommended both local governments be involved.

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

- 1 undertake a Rate Incentive Scheme for the 1998/99 year for both the proposed City of Joondalup and Shire of Wanneroo;**
- 2 adopt the conditions of entry and drawing of winners to the 1998/99 Rate Incentive Scheme as outlined in Report FA72-04/98;**
- 3 commence negotiations with prospective donors for prizes for the 1998/99 rate incentive schemes.**

The Motion was put and

CARRIED

Appendix VII refers.

FA73-04/98 CONCESSIONAL RATES FOR RESIDENTS OF GLENGARRY RETIREMENT VILLAGE - [00104]

Council is in receipt of a 53 signature petition from residents of Glengarry Retirement Village, seeking pensioner concessions on leasehold properties within the village. The residents of the Village occupy the units on a lifetime lease arrangement. Ownership of the units is with Capital Cove Pty Ltd. The provisions of the Rates and Charges (Rebates and Deferments) Act 1992 requires the persons to own the land in fee simple or have relevant interest in the land. Consequently, the residents of the Glengarry Retirement Village are ineligible for a rebate on their rates under the Rates and Charges (Rebates and Deferments) Act 1992, as they do not meet the requirements of the Act.

At the Finance and Community Services Committee meeting, Cmr Clark-Murphy requested a report be submitted outlining the position regarding retirement villages and the ramifications of granting pensioner concessions to residents within the City of Wanneroo.

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

- 1 advise the residents of Glengarry Retirement Village that they are ineligible for a concession under the Rates and Charges (Rebates and Deferments) Act 1992 as they are not owners of the land and do not have a relevant interest in the land; and
- 2 encourage the residents to seek having the Rates and Charges (Rebates and Deferments) Act 1992 amended to accommodate their specific circumstances.

The Motion was put and

CARRIED

FA74-04/98 RATES OUTSTANDING 3 YEARS AND OVER - [06285]

Sections 6.64 and 6.68 of the Local Government Act 1995 permit a local government to exercise power of sale for recovery of rates and charges outstanding for 3 or more years.

This report details 30 properties on which rates and charges are outstanding for a period of 3 years and over and recommends action to be taken for the recovery of rates by sale of six of these properties.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners, in accordance with the provisions of Section 6.64 of the Local Government Act 1995 initiate proceedings for the sale of:

- (1) 25 Mullaloo Drive, Mullaloo
- (4) 38 Flotilla Drive, Heathridge
- (14) 38 Lynas Way, Quinns Rocks
- (16) 76 Walyunga Boulevard, Clarkson
- (17) 19 Renshaw Boulevard, Clarkson
- (21) 22 Shadford Way, Girrawheen

for non payment of rates.

The Motion was put and

CARRIED

FA75-04/98 EAST WANNEROO DEVELOPMENT SCHEME - ACCOUNTING PROCEDURES - [07881]

In May/June 1996 the City resolved to create and establish separate locations for each Cell of the East Wanneroo Development Scheme. Separate bank accounts were established to ensure correct accounting treatments were undertaken.

This reports seeks approval to increase the overdraft limits for the East Wanneroo Development Scheme Cells 1 and 6 by an additional \$50,000 for Cell 1 and \$250,000 for Cell 6.

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

- 1 in accordance with the provisions of Section 6.20 (1) and (2) of the Local Government Act 1995 authorise the increase in overdraft limits for the East Wanneroo Development Scheme as follows:-

East Wanneroo Development Scheme Cell 1 from \$250,000 to \$300,000
East Wanneroo Development Scheme Cell 6 from \$1,500,000 to \$1,750,000

- 2 in accordance with the provisions of Section 6.20 (2) (a) of the Local Government Act 1995 give one month's local public notice of the increase in overdraft limits for the East Wanneroo Development Scheme Cells 1 and 6.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA76-04/98 DISPOSAL OF SURPLUS EQUIPMENT - [07900]

A request for assistance in the donation of surplus items has been received. The Wanneroo branch of the St John Ambulance Service has sought donation of a fire proof metal cabinet. This cabinet, which was never registered as an asset, is of little value to the City and is currently housed in the City's asset store at the Depot.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners donate to St John Ambulance Service, Wanneroo Branch, one fire proof metal cabinet located at the City's Depot Asset Store.

The Motion was put and

CARRIED

**FA77-04/98 VEHICLE PURCHASE - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 102-97/98 - [09881]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) Skid Steer Loader for Engineering Construction and Maintenance Services with the trade of plant 98500 (Mustang 960 Skid Steer Loader).

This report outlines the submissions received in relation to Tender 102-97/98. It recommends purchase of one (1) Skid Steer Loader from Houghton Tractor and Machinery.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners accept the tender from Houghton Tractor and Machinery for the purchase of one (1) Skid Steer Loader at a net changeover figure of \$21,478 after trade in, as detailed in tender 102-97/98.

The Motion was put and

CARRIED

FA78-04/98**VEHICLE PURCHASE - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 103-97/98 - [00882]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) Road Sweeper 5-6M³ for Engineering Construction and Maintenance Services with the trade of plant 98687 (Ford Road Sweeper).

This report outlines the submissions received in relation to Tender 103-97/98. It recommends purchase of one (1) Road Sweeper 5-6M³ from E & MJ Rosher Pty Ltd.

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

- 1 accept the tender from E & MJ Rosher Pty Ltd for the purchase of one (1) Road Sweeper 5-6M³ at a net changeover figure of \$180,500 after trade in, as detailed in tender 103-97/98;
- 2 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$10,500 - such expenditure to be funded from the Plant Replacement Reserve Account.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA79-04/98**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 110-97/98 - [01882]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) Purpose Built HACC Bus for Welfare Services with the trade of plant 95042 (Toyota Coaster Bus).

This report outlines the submissions received in relation to Tender 110-97/98. It recommends the rejection of all submissions in relation to Tender 110-97/98 and the recalling of tenders for a purpose built HACC bus at the next run of tenders.

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

- 1 reject all tenders and offers received in relation to tender 110-97/98; and
- 2 recall tenders after specifications of the HACC Bus are reviewed.

The Motion was put and

CARRIED

FA80-04/98**TENDER 120-97/98, SIDE LOADING REFUSE AND RECYCLING COLLECTION VEHICLE FOR 120 AND 240 LITRE DIVIDED MGB CARTS - [07928]**

The January 1998 meeting of Joint Commissioners considered a divided recycling cart trial. Tender 120-97/98 calls for the purchase of a side loading refuse and recycling collection vehicle to collect 120 and 240 litre divided MGB carts to accommodate this trial. This report outlines the submissions received in relation to Tender 120-97/98. It recommends purchase of one (1) side loading refuse and recycling vehicle from Skipper Trucks.

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

- 1 accept the tender from Skipper Trucks for the purchase of one (1) side loading refuse and recycling collection vehicle at a net changeover figure of \$239,384 as detailed in tender 120-97/98;**
- 2 authorise the provision of appropriate funds in the 1998/99 Budget.**

The Motion was put and

CARRIED

FA81-04/98**VEHICLE PURCHASE - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NO 124-97/98 - [02929]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) 6 cylinder 4WD Cab Chassis for Ranger Services with the trade of plant 95114 (Toyota Landcruiser Fire Unit).

This report outlines the submissions received in relation to Tender 124-97/98. It recommends purchase of one (1) 6 cylinder 4WD Cab Chassis from Big Rock Toyota.

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

- 1 accept the tender from Big Rock Toyota for the purchase of one (1) 6 cylinder 4WD Cab Chassis at a net changeover figure of \$19,975 after trade in, as detailed in tender 124-97/98;**
- 2 authorise in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$1,775 - such expenditure to be funded from the Plant Replacement Reserve Account.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA82-04/98**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 125-97/98 - [03929]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of four (4) 1600/1800cc Sedans for various Business Units with the trade of the following items of plant:

- 99006 (Hyundai Lantra Sedan)
- 99087 (Hyundai Lantra Sedan)
- 99141 (Nissan Pulsar LX Sedan)
- 99292 (Hyundai Lantra Sedan)

This report outlines the submissions received in relation to Tender 125-97/98. It recommends purchase of four (4) 1600/1800cc Sedans from Morley City Hyundai.

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

- 1 accept the tender from Morley City Hyundai for the purchase of four (4) 1600/1800cc Sedans at a net changeover figure of \$13,572 after trade ins, as detailed in tender 125-97/98;
- 2 authorise in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$572 - such expenditure to be funded from the Plant Replacement Reserve Account.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA83-04/98**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 126-97/98 - [04929]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) 1600/1800cc Station Wagon for Welfare Services with the trade of plant 99002 (Mitsubishi Lancer Station Wagon).

This report outlines the submissions received in relation to Tender 126-97/98. It recommends the rejection of all submissions in relation to Tender 126-97/98 and the recalling of tenders for a midsize four cylinder station wagon at the next run of tenders.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners reject all tenders and offers received in relation to tender 126-97/98.

The Motion was put and

CARRIED

FA84-04/98**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 127-97/98 - [05929]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) One Tonne Dual Cab Utility for Parks and Landscape Services with the trade of plant 95403 (Mitsubishi Triton Utility).

This report outlines the submissions received in relation to Tender 127-97/98. It recommends purchase of one (1) One Tonne Dual Cab Utility from Skipper Mitsubishi.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners accept the tender from Skipper Mitsubishi for the purchase of one (1) Mitsubishi Triton Utility at a net changeover figure of \$2,193 after trade in, as detailed in tender 127-97/98.

The Motion was put and**CARRIED****FA85-04/98****VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 128-97/98 - [06929]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of two (2) Midsize Four Cylinder Sedans for Asset Management and Development Services with the trade of plant 99702 (Hyundai Lantra Sedan) and one new purchase.

This report outlines the submissions received in relation to Tender 128-97/98. It recommends purchase of two (2) Midsize Four Cylinder Sedans from Wanneroo Mitsubishi.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Rowell that the Joint Commissioners accept the tender from Wanneroo Mitsubishi for the purchase of two (2) Midsize Four Cylinder Sedans at a net changeover figure of \$33,660 after trade in, as detailed in tender 128-97/98.

The Motion was put and**CARRIED****FA86-04/98****VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 129-97/98 - [07929]**

Council's 1997/98 Budget provided for the purchase of vehicles, as detailed in the Plant Additional Programme & funded from Capital Purchases - Plant Additional.

The City's 1997/98 budget provided for the purchase of one (1) Box Trailer for Building and Fleet Maintenance Services with the trade of plant 98015 (Powell Box Trailer).

This report outlines the submissions received in relation to Tender 129-97/98. It recommends purchase of one (1) Box Trailer from Polmac Trailers.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners accept the tender from Polmac Tractors for the purchase of one (1) Box Trailer at a net changeover figure of \$2,250 after trade in, as detailed in tender 129-97/98.

The Motion was put and

CARRIED

FA87-04/98 FINANCIAL SYSTEM REPLACEMENT - [00192]

This Item was considered following Item FA88-04/98.

FA88-04/98 PAYMENT OF OCR MARKET RATE INCREASE TO SENIOR OFFICERS - [08103]

Organisational Consulting Resources Pty Ltd has advised that market movement in salary payments for Senior Officers was 4% in the 1996/97 financial year.

As a result of the recent enterprise agreement, a 2% increase was paid to all employees paid under the Local Government Officers Award.

Authorisation is now being sought to pay Senior Officers on negotiated salaries, other than those on salary maintenance and newly appointed Senior Officers on current market rates a further 2% increase effective from 1 July 1997 and pro rata for those Senior Officers whose commencement date followed 1 July 1997.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners authorise the payment of a 2% salary increase to Senior Officers on negotiated salaries, other than those on salary maintenance and newly appointed Senior Officers on current market rates. The further 2% increase to be effective from 1 July 1997 and pro rata for those Senior Officers whose commencement date followed 1 July 1997.

The Motion was put and

CARRIED

FA87-04/98 FINANCIAL SYSTEM REPLACEMENT - [00192]

The Financial Systems Replacement Working Party finalised its evaluation of potential replacements to Council's existing financial management and accounting systems. A full report to Council at its meeting of 24 February 1998 (Report No FA33-02/98) recommended that the Fujitsu Australia Limited/Oracle Systems Australia Pty Ltd/PSDA Maximo Asset Management System be accepted. A final decision by the Joint Commissioners was deferred pending further investigation of tenders.

Chevron and Fujitsu were invited to undertake a scoping exercise of their respective solutions. The services of Coopers and Lybrand were retained to assist Council staff in the process.

This report sets out the results of the scoping exercise and the benefits to the City in implementing the Fujitsu Australia Limited/Oracle Systems Australia Pty Ltd/PSDA Maximo Asset Management System.

It is recommended that the proposal by Fujitsu Australia Limited/Oracle Systems Australia Pty Ltd be accepted at a cost of \$1,737,356.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 accept the Fujitsu Australia Ltd response to Tender No 055-97/98 for the Supply of Financial Management and Accounting System subject to the deletion of the Mat-man Plant Management System and its replacement with PSDI's Maximo Works and Infrastructure Asset Management System as documented in the Financial System replacement scoping at a cost of:

Capital	\$143,732
Operating	\$1,593,624;

- 2 authorise the Director, Resource Management to enter into negotiations with Fujitsu Australia Limited and Oracle Financial Systems with a view to formalising a contract for the replacement of the Financial Management and Accounting System subject to statutory and financial reports being developed for the Council at no additional cost;
- 3 authorise the Director, Resource Management to allocate additional resources for the implementation of the replacement system as identified in the Financial System replacement scoping.

At the Finance and Community Services Committee meeting, the Director, Resource Management and Ms G Rainford provided an overview of the proposed replacement for the Financial Management and Accounting System.

Cmr Clark-Murphy declared an interest in this item as a family member has an interest in Fujitsu-Australia Limited, and left the Chamber at this point, the time being 1940 hrs.

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

- 1 **accept the Fujitsu Australia Ltd response to Tender No 055-97/98 for the Supply of Financial Management and Accounting System subject to the deletion of the Mat-man Plant Management System and its replacement with PSDI's Maximo Works and Infrastructure Asset Management System as documented in the Financial System replacement scoping at a cost of \$1,737,356;**
- 2 **authorise the Director, Resource Management to enter into negotiations with Fujitsu Australia Limited and Oracle Financial Systems with a view to formalising a contract for the replacement of the Financial Management and Accounting System subject to statutory and financial reports being developed for the Council at no additional cost;**
- 3 **authorise the Director, Resource Management to allocate additional resources for the implementation of the replacement system as identified in the Financial System replacement scoping.**

Discussion ensued, with the Director Resource Management speaking in support of the proposed financial system. He stated that costs were approximately \$500,000 more than other systems; however he believed that was a proven, integrated system which fitted into Council's strategic direction for information technology.

In relation to the additional costs, Cmr Ansell added that an independent firm of accountants had been requested to look at the pricing and scoping and give its view of whether this system was value for money, and he was pleased to say that this was the case.

The Motion was put and

CARRIED

Cmr Clark-Murphy entered the Chamber at 1942 hrs.

TECHNICAL SERVICES SECTION

Items TS57-04/98 to TS75-04/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Rowell.

TS57-04/98 STATE UNDERGROUND POWER PROGRAMME - [04396]

In early 1998, the Hon Colin Barnett MLA, Minister for Energy, announced the State Underground Power Programme and invited initial applications for funding by 30 April 1998. As part of the application requirements, Local Authority funding and local community acceptance are important issues that need to be addressed.

In view of the significant areas of the City that require Underground Power, it is proposed that consultants be commissioned in the 1998/99 financial year to assist with the prioritising of precincts, establishing financial criteria and undertaking community liaison.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 decline to submit an application for the 1998 Underground Power of a Major Residential Suburb Project;
- 2 list for consideration as a high priority in the 1998/99 Draft Budget funding allocation to engage Consultants to assist in the evaluation and submitting of applications for Underground Power projects.

ADDITIONAL INFORMATION SUBMITTED TO THE TECHNICAL SERVICES COMMITTEE MEETING

As part of the Homeswest Urban Renewal Project for Girrawheen, the Project Managers have indicated that in Stage 1, Girrawheen Avenue is listed to be upgraded with underground power and new street lighting. While the application details need to be addressed with the Project Managers, it is considered that this project can initially be registered for funding in the 1998 Localised Enhancement Project section of the State Underground Power programme.

The report recommendation requires amending to include:

- “3 register a submission for the undergrounding of power in Girrawheen Avenue for the Localised Enhancement Project section of the State Underground Power Programme subject to agreement with the Project Managers on the application details.”

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

- 1 **decline to submit an application for the 1998 Underground Power of a Major Residential Suburb Project;**

- 2 list for consideration as a high priority in the 1998/99 Draft Budget funding allocation to engage Consultants to assist in the evaluation and submitting of applications for Underground Power projects.
- 3 register a submission for the undergrounding of power in Girrawheen Avenue for the Localised Enhancement Project section of the State Underground Power Programme subject to agreement with the Project Managers on the application details.

The Motion was put and

CARRIED

TS58-04/98 METROPOLITAN REGIONAL ROAD PROGRAMME
1999/2000 TO 2003/2004 - [08559]

Main Roads WA has sought submissions for the five year rolling Metropolitan Regional Road Programme. The Improvement and Rehabilitation projects for 1999/2000 - to 2003/04 are required to be submitted by 1 May 1998.

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

MOVED Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners submit the following projects to Main Roads WA for consideration for funding as part of the Metropolitan Regional Road Programme:

ROAD IMPROVEMENT PROJECTS

YEAR	ROAD	SECTION
1999/2001	Marmion Avenue	Hester Avenue to Baltimore Parade Duplication
	Alexander Drive	Gnangara Road to Landsdale Road Duplication
2001/2004	Whitfords Avenue	Endeavour Road to Flinders Avenue Duplication
	Shenton Avenue	Joondalup Drive to Marmion Avenue Duplication
	Hodges Drive	Marmion Avenue to Ocean Reef Road Duplication

ROAD REHABILITATION PROJECTS

ROAD	SECTION	WORKS
Hodges Drive	Marmion Avenue to Joondalup Drive (northern carriageway - various sections)	Standard Asphalt overlay
Warwick Road	Marmion Avenue to Wanneroo Road (northern carriageway - various sections)	Asphalt overlay
Hepburn Avenue	Mitchell Freeway to West Coast Drive (various sections)	Asphalt overlays of varying thickness
West Coast Drive	Beach Road to Hepburn Avenue	Standard Asphalt overlay
Whitfords Avenue	Wanneroo Road to Endeavour Road (various sections)	Standard Asphalt overlay
Craigie Drive	Marmion Avenue to Coyle Road	Asphalt overlay
Two Rocks Road	Yanchep Beach Road to Lisford Avenue	Stone chip reseal

The Motion was put and

CARRIED

TS59-04/98

TRAFFIC SITUATION - HODGES DRIVE/CONSTELLATION DRIVE INTERSECTION, OCEAN REEF - [00151, 08131]

For some time concern has been expressed at the queuing being experienced by vehicles wishing to turn right from Constellation Drive, Ocean Reef into Hodges Drive during the morning peak. The traffic is heavily influenced by the location of several schools in the area and the problem is limited to the morning peak in school time. The future dualling of this carriageway will assist with this traffic situation and those works can be listed for funding consideration in the Main Roads Metropolitan Regional Road Programme.

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

- 1 apply for Metropolitan Regional Road Program Funding for the construction of the second carriageway of Hodges Drive, west of Marmion Avenue to Ocean Reef Road;**
- 2 advise all interested parties accordingly.**

The Motion was put and

CARRIED

TS60-04/98 **VERGE TREATMENTS - PROTECTIVE DEVICES - [06080]**

An increasing number of Commercial property owners are requesting approval to install protective barrier devices within the City's road reserve to prevent damage by parked vehicles to grass verges and reticulation. In the past this has only been allowed when a verge prohibition was in place. It is now recommended to delegate authority to the Chief Executive Officer to approve the installation of bollards in the road reserve adjacent to Commercial premises.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners adopt policy number TS-ID-7 as shown at Attachment 2 to Report No TS60-04/98.

The Motion was put and

CARRIED

Appendix IX refers.

TS61-04/98 **CHRISTCHURCH PARK, CURRAMBINE -PROPOSED 40 BAY CAR PARK AND ACCESS ROAD - [07066]**

The corner of Christchurch Terrace and Broadmoor Green has been the proposed site for a car park and clubroom facility since the Currambine Structure Plan was approved in August 1988. The site is part of Christchurch Park which is an active reserve catering for sports and recreational activities.

Council has received objections to the designed car park layout particularly the proposed entry/exit on Christchurch Terrace. The design is based upon the approved reserve development plan which was available for public viewing.

At their meeting on 17 March 1998, the Joint Commissioners authorised the documentation and calling of tenders for the toilet block on Christchurch Park in accordance with the approved reserve layout.

Approval is now sought for the car park layout so that it may be constructed to match the design/construction schedule for the toilet block.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners reiterate Council's decision to construct a car park on Christchurch Park with access points from Christchurch Terrace and Broadmoor Green.

The Motion was put and

CARRIED

TS62-04/98 **GNANGARA ROAD/HARTMAN DRIVE - FEASIBILITY OF A ROUNDABOUT - [08024, 07024]**

At its March 1997 meeting, Council requested that the possibility of installing a roundabout at the intersection of Gngangara Road and Hartman Drive be investigated. Due to LandCorp's proposed short term programme for the realignment of Hartman Drive as part of the Enterprise Park Cell works, it is recommended that consideration of a roundabout at the existing Gngangara Road and Hartman Drive intersection be deferred for two years.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners defer consideration of a roundabout treatment at Gngangara Road/Hartman Drive, Landsdale, for two years.

The Motion was put and

CARRIED

TS63-04/98 **JOONDALUP PRIMARY SCHOOL - JOLSTRA CRESCENT
PARKING STRATEGY - [01711]**

At its August 1997 meeting, Council considered a report in relation to verge treatment adjacent to Joondalup Primary School in Jolstra Crescent. Council resolved to consider a 50% contribution towards a hardstanding treatment to the road verge provided it formed part of an approved parking strategy for the school. Concomitant with this, Council requested the Traffic Management Section to develop an overall parking strategy for the Joondalup Primary School in Jolstra Crescent. The proposed parking strategy is now presented for consideration.

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

- 1** **list the construction of the Joondalup Primary School Jolstra Crescent parking strategy for consideration in the 1999/2000 Traffic Management at Schools programme subject to a 50% funding contribution from the Education Department;**
- 2** **advise the school accordingly.**

The Motion was put and

CARRIED

TS64-04/98 **PARKING PROHIBITIONS - GOOLLELAL DRIVE GALAXY
DRIVE-IN - [05472, 06777]**

Residents who live in Goollelal Drive next to the Galaxy Drive-In have complained about vehicles being parked on the verge and the occupants engaging in anti-social behaviour during the screening times of this facility. Parking prohibitions are proposed for this section of Goollelal Drive to minimise parking adjacent to the resident's village.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners install 'NO STANDING ANYTIME CARRIAGEWAY OR VERGE 6.00PM-6.00AM FRIDAY TO MONDAY' signs on both sides of Goollelal Drive from Hocking Road to the cul de sac at Whitfords Avenue as shown on Attachment 1 to Report No TS64-04/98.

The Motion was put and

CARRIED

Appendix X refers.

TS65-04/98 **VERGE PARKING PROHIBITION - DOVERIDGE DRIVE,
DUNCRAIG - [09708]**

A group of residents on Doveridge Drive, Duncraig, have requested the City install a formal verge parking ban to prohibit parent parking and improve safety on the residential side of Doveridge Drive opposite St Stephen's School. The proposed parking prohibition is submitted for consideration.

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

- 1 approve the installation of 'NO STANDING ON VERGE, 8:00-9:00AM, 3:00-4:00PM, MONDAY-FRIDAY' signs on the residential side of Doveridge Drive from Curbur Road to house number 91 as shown on Attachment 3 to Report No TS65-04/98;
- 2 advise the residents and school accordingly.

The Motion was put and

CARRIED

Appendix XI refers.

TS66-04/98 **VERGE PARKING PROHIBITION - BELRIDGE SHOPPING CENTRE, BELDON - [01304]**

The Property Manager of the Belridge Shopping Centre has requested the City install a verge parking ban to prohibit verge parking adjacent to the Centre in Gwendoline Drive and Cumberland Way, Beldon. The proposed verge parking prohibition is submitted for consideration.

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

- 1 approve the installation of 'NO STANDING ANYTIME ON VERGE' signs adjacent to the Belridge Shopping Centre in Gwendoline Drive and Cumberland Way, Beldon as shown on Attachment 1 to Report No TS66-04/98;
- 2 authorise the Belridge Shopping Centre Management to install pine bollards on the adjacent verges of Gwendoline Drive and Cumberland Way to the satisfaction of the Director Technical Services;
- 3 advise the Property Manager of Belridge Shopping Centre accordingly.

The Motion was put and

CARRIED

Appendix XII refers.

TS67-04/98 **VERGE PARKING PROHIBITION - KINROSS DRIVE AND EDINBURGH AVENUE, KINROSS SHOPPING CENTRE, KINROSS - [03380]**

The Property Manager of the Kinross Shopping Centre has requested the City install a verge parking ban to prohibit verge parking adjacent to the Centre in Kinross Drive and Edinburgh Avenue. The proposed verge parking prohibition is submitted for consideration.

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

- 1 approve the installation of a 'NO STANDING ANYTIME ON VERGE' signs adjacent to the Kinross Shopping Centre in Kinross Drive and Edinburgh Avenue, Kinross, as shown on Attachment 1 to Report No TS67-04/98;
- 2 authorise the Property Manager of Kinross Shopping Centre to install pine bollards on the adjacent verges of Kinross Drive and Edinburgh Avenue to the satisfaction of the Director Technical Services;
- 3 advise the Property Manager of Kinross Shopping Centre accordingly.

The Motion was put and

CARRIED

Appendix XIII refers.

TS68-04/98 **VERGE PARKING PROHIBITION - OCEAN REEF ROAD, BELBRIDGE SENIOR HIGH SCHOOL - [00374]**

The Traffic and Safety Committee of Belridge Senior High School has requested the City to install a formal carriageway and verge parking ban to prohibit parking and improve safety adjacent to the school on Ocean Reef Road, Beldon. The proposed parking prohibition is submitted for consideration.

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

- 1 approve the installation of 'NO STANDING ANYTIME CARRIAGEWAY OR VERGE' signs on Ocean Reef Road, adjacent to Belridge Senior High School, Beldon, as shown on Attachment 1 to Report No TS68-04/98;
- 2 advise the Traffic and Safety Committee accordingly.

The Motion was put and

CARRIED

Appendix XIV refers.

TS69-04/98 **SPEED ZONING - TWO ROCKS ROAD, TWO ROCKS - [02010]**

Main Roads Western Australia has sought the City's comments in relation to a proposal to increase the speed zone from 60 km/h to 70 km/h on Two Rocks Road, from Blaxland Avenue to Gage Road. The proposed change to the speed zoning is supported.

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

- 1 concur with the Main Roads WA proposal to increase the speed zone from 60 km/h to 70 km/h on Two Rocks Road, from Blaxland Avenue to Gage Road;
- 2 advises Main Roads WA accordingly.

The Motion was put and

CARRIED

TS70-04/98 **SPEED ZONING - SHENTON AVENUE, CURRAMBINE - [04115]**

Main Roads Western Australia has sought the City's comments in relation to a proposal to increase an existing speed zone of 60 kms per hour to 70 kms per hour on Shenton Avenue, Currumbine. The proposed change to the speed zoning is supported.

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

- 1 **concur with the Main Roads WA proposal to speed zone Shenton Avenue from Marmion Avenue to 450m east of Marmion Avenue (east of Delamere Avenue) at 70 kms per hour;**
- 2 **advise Main Roads WA accordingly.**

The Motion was put and

CARRIED

TS71-04/98 **CLARKSON COMMUNITY HIGH SCHOOL - BUS EMBAYMENT MODIFICATIONS WALYUNGA BOULEVARD - [04486]**

The City has received a request to modify the existing bus embayment in Walyunga Boulevard. The modifications are requested to improve the operational safety and capacity of the embayment at the School. The improvement works are proposed to be listed for funding consideration in the 1998/99 Draft Budget Traffic Management programme.

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

- 1 **approve the kerbing modifications for the bus embayment adjacent to Clarkson Community High School in Walyunga Boulevard as shown on Attachment 1 to Report No TS71-04/98;**
- 2 **approve installation of the 'BUS ZONE, 8:00-9:00AM, 2:00-4:00PM, MONDAY-FRIDAY' signs as shown on Attachment 2 to Report No TS71-04/98;**
- 3 **list for consideration in the 1998/99 Draft Budget Traffic Treatment At Schools programme the provision of funds for improvements to the embayment in Walyunga Boulevard;**
- 4 **advise Path Transit and Clarkson Community High School accordingly;**
- 5 **request a \$1,300 contribution from the Education Department for the kerbing modifications for the bus embayment adjacent to Clarkson Community High School in Walyunga Boulevard as shown on Attachment 1 to Report No TS71-04/98.**

The Motion was put and

CARRIED

Appendices XV and XVI refer.

TS72-04/98

REMOVAL OF GRAFFITI - [09907]

In response to community concern the City is in the process of developing and implementing a broad range of initiatives under its Community Security and Safety Action Plan in order to improve security and safety for the residents of the City of Wanneroo.

Concomitant with the above there has also been community concern with the amount of graffiti appearing on private fences and walls abutting roads, pedestrian accessways and parks. Currently the Council only removes graffiti from its assets comprising bus shelters, underpasses, playground equipment and Council buildings

Graffiti vandals are now targeting private and commercial face brick structures because of a reluctance by some property owners to remove it, particularly from estate walls. The Graffiti Program and the City of Stirling have recently joined forces to remove graffiti from fences and walls abutting public open space and private property.

The City has agreed to participate in the removal of graffiti from private fences and walls abutting roads, pedestrian accessways and parks and therefore needs to give consideration to approving the expenditure to finance the scheme. Council also needs to decide whether it will operate its Anti Graffiti Program from the Kevin Smith Centre in Mirrabooka with co-ordination provided by the Stirling Graffiti Program or establish its own operations centre in Joondalup.

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

- 1** establish jointly with the State Government an anti-graffiti task force to assist with the removal of graffiti for a trial period of twelve (12) months commencing operations on 1 July 1998 which is to be accommodated at the Kevin Smith Centre in Mirrabooka subject to the State Government's level of assistance being to the satisfaction of the Council;
- 2** approve in accordance with section 6.8 (1) of the Local Government Act 1995, a reallocation of funds totalling \$123,000 from account 22384 "All Night Security" to new account "Removal of Graffiti";
- 3** authorise the purchase and where necessary invite tenders for the capital equipment required to establish the Wanneroo Anti-Graffiti Task Force estimated to cost \$123,000 as listed hereunder:

CAPITAL EQUIPMENT	UNIT COST	QUANTITY	TOTAL COST
VEHICLE - OPERATIONS (4 WHEEL DRIVE CREW CAB)	26,000	3	78,000
VEHICLE - SUPERVISION & OBTAINING WAIVERS	24,000	1	24,000
TRAILER	1,000	1	1,000
BLASTING UNIT	2,600	3	7,800
ATTACHMENTS	300	3	900
WATER TANK (200 - 800 LITRE)	600	2	1,200
WATER PUMP	500	2	1,000
MOBILE PHONE	170	4	680
CAMERA	100	3	300
COMPUTER, MODEM & LINK	3,000	1	3,000
TELEPHONE (COMMANDER AT MIRRABOOKA)	5,000	1	5,000
			\$122,880

- 4** list for consideration in the 1998/99 Draft Budget an amount of \$140,000 to fund the operating expenditure for the Wanneroo Anti-Graffiti Task Force.

SCHEDULE 1**GRAFFITI REMOVAL - COST COMPARISON TO ESTABLISH THREE TEAMS**

DESCRIPTION	COST	QUANTITY	OPTION 3	OPTION 2	OPTION 1
			OPERATED FROM WANNEROO NO GOVERNMENT SUPPORT	OPERATED FROM WANNEROO WITH GOVERNMENT SUPPORT	OPERATED FROM MIRRABOOKA WITH GOVERNMENT SUPPORT
CAPITAL EQUIPMENT					
VEHICLE - OPERATIONS (4 WHEEL DRIVE CREW CAB)	26,000	3	78,000	78,000	78,000
VEHICLE - SUPERVISION & OBTAINING WAIVERS	24,000	1			24,000
TRAILER	1,000	1	1,000	1,000	1,000
BLASTING UNIT	2,600	3	7,800	7,800	7,800
ATTACHMENTS	300	3	900	900	900
WATER TANK (200 - 800 LITRE)	600	2	1,200	1,200	1,200
WATER PUMP	500	2	1,000	1,000	1,000
MOBILE PHONE	170	4	680	680	680
CAMERA	100	3	300	300	300
COMPUTER, MODEM & LINK	2,000	1	2,000	2,000	3,000
ACCOMMODATION:					
FURNITURE & FITTINGS	2,800	2	5,600	5,600	
FAX MACHINE	2,000	1	2,000	2,000	
TELEPHONE (COMMANDER AT MIRRABOOKA)	180	1	180	180	5,000
			100,660	100,660	122,880
OPERATING EXPENSES					
VEHICLE DEPRECIATION	1,400	3	4,200	4,200	4,200
VEHICLE FUEL & MAINTENANCE	5,500	3	16,500	16,500	16,500
FIELD STAFF WAGES	27,000	2 or 6	162,000	54,000	54,000
OFFICE RENT- SURVEILLANCE ROOM	30,000	1	30,000	30,000	
JOONDALUP ADMINISTRATION OFFICER	31,000	1 or 1.5 or 2	62,000	46,500	31,000
EQUIPMENT MAINTENANCE	1,000	1	1,000	1,000	1,000
TRAINING	150	1.5 or 2	300	225	
CONSUMABLES:					
PAINT	3,500	3	10,500	10,500	10,500
BRUSHES & TOOLS	400	3	1,200	1,200	1,200
CHEMICALS	2,750	3	8,250	8,250	8,250
BLASTING MEDIUM	390	3	1,170	1,170	1,170
SAFETY EQUIPMENT	300	6	1,800	1,800	1,800
FIRST AID	50	3	150	150	150
ADMINISTRATIVE:					
ADVERTISING FOR STAFF	500	1	500	500	
STATIONERY	300	1	300	300	300
MAIL	150	1	150	150	150
TELEPHONE (1300 NUMBER)	1,300	1	1,300	1,300	200
PHOTOCOPIER	75	1	75	75	75
FAX / PRINTER	75	1	75	75	75
ON ROAD SUPERVISION:					
VEHICLE DEPRECIATION	1,400	1	1,400	1,400	1,400
VEHICLE FUEL & MAINTENANCE	5,500	1	5,500	5,500	5,500
SALARY	40,000	1	40,000	40,000	
TRAINING	150	1	150	150	
MOBILE PHONE	35	1	35	35	35
CAMERA	20	1	20	20	
			348,575	225,000	137,505
			TOTAL COSTS	325,660	260,385

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

The Western Australian Municipal Association is seeking a financial contribution from metropolitan coastal municipalities to enable it to host a regional Coastal Facilitator. This facilitator will represent the Metropolitan and Central Coast areas and will be one of 5 facilitators within this State that the Commonwealth Government is part funding for the next 2 years.

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

- 1 support the inclusion of \$2,500 in the 1998/99 Draft Budget and an additional \$2,500 in the 1999/2000 year of the 5 year budget, as Grant contributions toward the service provision of a Metropolitan and Central Coast Regional Coastal Facilitator;**
- 2 before making any further financial commitment, assess at the end of 1999 whether this initiative has been successful in securing higher levels of Commonwealth funding for foreshore management projects.**

The Motion was put and

CARRIED

TS74-04/98 YANCHEP LAGOON SAND ACCRETION - [01717]

The Two Rocks Residents' Association has expressed concern over the increasing sand accumulation that it perceives is occurring in Yanchep Lagoon as a result of the Club Capricorn groyne. A coastal engineering consultant was engaged to investigate and report on this matter and this assessment process was completed during March. The primary finding was that sand accumulation in Yanchep Lagoon is occurring but the Club Capricorn Groyne is not a contributing factor.

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

- 1 support the initiative to carry out quarterly foreshore and nearshore surveys at Yanchep Lagoon utilising annual Engineering Maintenance Operating funding for at least a 2 year period;**
- 2 endorse the current initiative to seek Western Australian Municipal Association action to conclusively determine the responsible sphere of government and agency responsible for unvested groynes such as the Club Capricorn Groyne;**
- 3 take no further action in relation to the Club Capricorn Groyne unless Western Australian Municipal Association advises that the City of Wanneroo has a statutory responsibility or duty of care responsibility determined by common law precedent, to maintain this groyne;**

- 4 support the proposal for the Environment Minister to be advised of the current situation accordingly.

The Motion was put and

CARRIED

TS75-04/98 RECYCLING TRIAL - [09104]

The Waste Minimisation Study undertaken by Council identified significant public support for the introduction of carts to replace the current bag recycling system. The most popular option was for a voluntary (user pay) system but there is no other similar system operating in Australia. As the introduction of a cart recycling system could involve up to \$9m in expenditure, a twelve month Recycling Trial is proposed to provide detailed information on which to base a decision. The estimated nett cost of the trial is \$204,000. Parameters and costs for the proposed trial are detailed in the report and it is recommended that a trial be undertaken commencing on 30 November 1998.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners authorise the conducting of a Recycling Trial at an estimated nett cost of \$204,000 using divided 240L carts as detailed in Report No TS75-04/98 with funding to be included in the 1998/99 and 1999/2000 Budgets.

The Motion was put and

CARRIED

Appendix XVII refers.

Cmr Buckley advised that Items TS76-04/98 and TS77-04/98 would be considered later in the meeting.

TS76-04/98 TENDER 119-97-98 SUPPLY OF MOBILE GARBAGE BINS AND DIVIDED RECYCLING BINS - [09104, 09928]

This item was considered later in the meeting, following Item TS83-04/98.

TS77-04/98 TENDER 118-97/98 SUPPLY OF SORTING SERVICES OF RECYCLABLE MATERIALS - [08928, 09104]

This item was considered later in the meeting, following Item TS76-04/98.

Items TS78-04/98 to TS83-04/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Clark-Murphy. Cmr Buckley gave notice of her intention to move an amendment to Item TS79-04/98.

TS78-04/98 DUNDEBAR ROAD/COLES CAR PARK RECYCLING AREA - [09104, 05074]

Council's involvement in the recycling area at Dundebur Road has increased over the years from community facilitation to collecting paper bins and daily cleaning of the whole area. The public is mainly depositing cardboard in the paper bins and there is no longer a market for the cardboard and mixed paper. It is recommended that Council totally withdraw from the site.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve the closure of the paper recycling collection service at the Dundobar Road recycling area in Wanneroo since the material being collected cannot be recycled.

The Motion was put and

CARRIED

TS79-04/98

ADVISORY COMMITTEES - PARKS LANDSCAPING SERVICES ISSUES - [02573, 00472, 00908]

Council previously operated various community advisory committees to provide input into the development and maintenance of specific areas of Public Open Space designated for conservation. It is recommended that these committees be reformed into one specific committee to provide information and assistance during the 1998/99 financial year.

RECOMMENDATION: That the Technical Services Committee:

- 1 disbands the Koondoola Regional Bushland Advisory Committee, Hepburn Heights Advisory Committee and Green Plan Advisory Committee;
- 2 authorises the establishment of a Conservation Advisory Committee, incorporating members of the Koondoola Regional Bushland Advisory Committee, Hepburn Heights Advisory Committee and Green Plan Advisory Committee as follows:
 - Mr D Cluning, Manager Parks Landscaping Services or nominee
 - Ms R Murray, Conservation Officer
 - Ms T Davies, Facility Manager, Hainsworth Leisure Centre
 - Mr M Norman, Community Representative
 - Mrs M Zakrevsky, Community Representative
 - Mr R Dixon, Community Representative
 - Mr T Morald, Community Representative
 - Mr J McMahon, Community Representative
 - Mr D Pike, Community Representative
 - Ms C Tauss, Community Representative
 - Mr J Lavers, Community Representative
- 3 authorise the Manager Parks Landscaping Services to liaise with members and prepare a revised Terms of Reference for the advisory committee formed.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that the Technical Services Committee:

- 1 disbands the Koondoola Regional Bushland Advisory Committee, Hepburn Heights Advisory Committee and Green Plan Advisory Committee;
- 2 authorises the establishment of a Conservation Advisory Committee, incorporating members of the Koondoola Regional Bushland Advisory Committee, Hepburn Heights Advisory Committee and Green Plan Advisory Committee as follows;

Mr D Cluning, Manager Parks Landscaping Services or nominee
Ms R Murray, Conservation Officer
Ms T Davies, Facility Manager, Hainsworth Leisure Centre
Mr M Norman, Community Representative
Mrs M Zakrevsky, Community Representative
Mr R Dixon, Community Representative
Mr T Morald, Community Representative
Mr J McMahon, Community Representative
Mr D Pike, Community Representative
Ms C Tauss, Community Representative
Mr J Lavers, Community Representative
Ms P Robertson, Community Representative

- 3 authorise the Manager Parks Landscaping Services to liaise with members and prepare a revised Terms of Reference for the advisory committee formed.

Cmr Buckley requested that the recommendation be amended to include Ms P Robertson.

The Motion was put and

CARRIED

TS80-04/98

**ENHANCED LANDSCAPE AND GUIDELINES FOR
LANDSCAPE AND COMMUNITY INFRASTRUCTURE
REPORT - [02903]**

The Median and Verge Landscape Working Party engaged Peppa Pty Ltd (Mr P Luff) to prepare a comprehensive report on the current practices and future options regarding enhanced landscape features.

Peppa Pty Ltd has presented this report to the Joint Commissioners for their consideration.

It is recommended that the Joint Commissioners accept this report and refer the document to the appropriate business units, the Urban Development Institute of Australia and participating residential associations for comment.

At the Technical Services Committee meeting, the Director Technical Services advised he would provide a copy of the report presented by Peppa Pty Ltd to the Joint Commissioners.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that:

1 the Joint Commissioners: -

- (a) receive the report as prepared by Peppa Pty Ltd on the examination of subdivisions and the preparation of guidelines for landscape and community infrastructure development and maintenance procedures;
- (b) authorise distribution of the report to the Urban Development Institute of Australia and participating organisations, requesting comments;

2 the Technical Services Committee:

- (a) reconvene the Median and Verge Landscape Working Party with representation consisting of:-

Chairman Technical Services Committee;
 Director Technical Services
 Manager Infrastructure Design Services
 Manager Engineering Construction/Maintenance Services
 Manager Parks Landscaping Services
 Parks Landscaping Services Technical Officer

- (b) authorise the Median and Verge Landscape Working Party to evaluate this report and submit recommendations to the Joint Commissioners for consideration.

The Motion was put and

CARRIED

TS81-04/98

DISPOSAL OF SURPLUS ASSETS (PLAY EQUIPMENT) - [09900]

Parks Landscaping Services has accumulated various old play structure items which are surplus to requirements. These items are unable to be reused within Public Open Space due to manufacturing changes, age and design.

Disposal via public tender is recommended.

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

- 1 disposal of surplus play structure items via public tender;
- 2 removal of the items from Council's Assets Register.

The Motion was put and

CARRIED

TS82-04/98

LEASE OF JOONDALUP LIBRARY COFFEE SHOP - TENDERS - [07497]

Tenders were called and closed 1 April 1998 for the fit out and lease of the Joondalup Library Coffee Shop without any tenders being received. Advice indicates that the cost of fit out is too expensive for the risk involved. This report addresses the cost of a minimum fit out by the City to allow for a retendering of the area on a more competitive basis.

REPORT RECOMMENDATION That the Joint Commissioners list for consideration in the 1998/99 Draft Budget the sum of \$46,650.00 for the fit out of the Joondalup Library Coffee Shop.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that consideration of the fit out of the Joondalup Library Coffee Shop be deferred pending further information being supplied to the Joint Commissioners.

The Motion was put and

CARRIED

TS83-04/98

WHITFORD CITY SHOPPING - ESTABLISHMENT OF KIOSK 12 CUSTOMER SERVICE CENTRE - [02496]

The establishment of the Kiosk 12 Customer Service Centre at the Whitford City Shopping Centre as the first extension of the City's administrative services to the public and ratepayers is viewed as a matter of priority and is being pursued in a manner which could see the facility operational by the end of the 1997/98 financial year.

This has meant a fast track approach to all aspects of this project and approval in principle is sought for the funding, design, leasing and order of events proposed in its procurement.

REPORT RECOMMENDATION that the Joint Commissioners:

- 1 secure Kiosk 12 within the Whitford City Shopping Centre so as to provide a new Customer Service Centre in the South West Ward of the City;
- 2 negotiate and sign the Whitford City Shopping Centre lease agreement where the landlord is Permanent Trustee Australia Limited;
- 3 authorise BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995, the reallocation of \$64,587.00 from Account No. 45631, Computer Maintenance, Licences and Software, to Account No 41044, Buildings - One Stop Shop, for the capital and equipment purchases required for this project;
- 4 accept that Marshall Kusinski Design Consultants as part of their commission for the Joondalup Administration Centre refurbishment work undertake for a fee of 6% of the project cost the design, documentation and management of the project;
- 5 accept that Marshall Kusinski Design Consultants engage their existing sub consultants Norman Disney & Young (electrical & mechanical) and Wohlneck Design Pty Ltd (design & signage) to undertake for a combined fee of \$6,821.00 the design and documentation of their respective service portions of the project;
- 6 engage Vangren Tecnology Pty Ltd for the fee of \$1,250.00 to provide a security risk assessment service and manual for the running of the Kiosk;
- 7 engage the consultant firm Woodlind Industries Pty Ltd to oversee the establishment of the security monitoring equipment to service the Kiosk for its fee of \$1,250.00 (estimated);
- 8 accept that the works will be constructed by Bridan Projects as the principal contractor with this work being a variation to the signed contract 173-96/97 for the Joondalup Administration Centre refurbishment in Boas Avenue Joondalup.

ADDITIONAL INFORMATION SUBMITTED TO THE TECHNICAL SERVICES COMMITTEE MEETING

The recommendation to Report TS83-04/98 is required to be amended as follows:

- 1 Point 3 to be deleted as this matter of funding for the works is being addressed within the allowances and reallocation of funds in Report FA67-04/98;

The operation funding for the Joondalup Administration Centre Ground Floor and Whitford City Shopping Centre Customer Service Centres will come from a combined account and any funding presently allotted to Account No 41044 will be journalised to this new account.

- 2 A further point be added to read: "authorise a feasibility study be undertaken to upgrade the facilities at Wanneroo Town Site to provide the same level and range of services provided by the proposed Customer Service Centre at Whitford City".

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

- 1 **secure Kiosk 12 within the Whitford City Shopping Centre so as to provide a new Customer Service Centre in the South West Ward of the City;**
- 2 **negotiate and sign the Whitford City Shopping Centre lease agreement where the landlord is Permanent Trustee Australia Limited;**
- 3 **accept that Marshall Kusinski Design Consultants as part of their commission for the Joondalup Administration Centre refurbishment work undertake for a fee of 6% of the project cost the design, documentation and management of the project;**
- 4 **accept that Marshall Kusinski Design Consultants engage their existing sub consultants Norman Disney & Young (electrical & mechanical) and Wohlneck Design Pty Ltd (design & signage) to undertake for a combined fee of \$6,821.00 the design and documentation of their respective service portions of the project;**
- 5 **engage Vangren Tecnology Pty Ltd for the fee of \$1,250.00 to provide a security risk assessment service and manual for the running of the Kiosk;**
- 6 **engage the consultant firm Woodlind Industries Pty Ltd to oversee the establishment of the security monitoring equipment to service the Kiosk for its fee of \$1,250.00 (estimated);**
- 7 **accept that the works will be constructed by Bridan Projects as the principal contractor with this work being a variation to the signed contract 173-96/97 for the Joondalup Administration Centre refurbishment in Boas Avenue Joondalup;**

- 8** authorise a feasibility study be undertaken to upgrade the facilities at Wanneroo Town Site to provide the same level and range of services provided by the proposed Customer Service Centre at Whitford City.

The Motion was put and

CARRIED

TS76-04/98 **TENDER 119-97-98 SUPPLY OF MOBILE GARBAGE BINS AND DIVIDED RECYCLING BINS - [09104, 09928]**

Tenders were called for the supply of divided recycling carts for the proposed Divided Cart Recycling Trial as well as the supply of refuse carts for the coming year. The various carts and lid systems are discussed and separate suppliers recommended for rubbish and recycling carts. The estimated value of the contracts is \$757,000.

RECOMMENDATION That the Joint Commissioners:

- 1 accept Tender 119-98/99 from David Gray & Company Pty Ltd for the supply of Otto carts and components per submitted tender at an estimated total value of \$167,000 for the period 1 July 1998 to 30 June 1999;
- 2 accept Tender 119-98/99 from Brickwood Holdings Pty Ltd for the supply of Brickwood carts and components per submitted tender at an estimated total value of \$590,000 for the period 1 July 1998 to 30 June 1999;
- 3 agree to the signing of the contract documents.

At the Technical Services Committee meeting the following declarations of interest were made:

- *Cmr Ansell declared an interest in this item as Mr David Gray of David Gray & Company Pty Ltd is a personal friend.*
- *Cmr Rowell declared an interest in this item as he is a friend of the tenderer.*

MOVED Cmr Buckley, SECONDED Cmr Rowell that consideration of Tender 119-98/99 be deferred for one month.

In the event of declarations of financial interest being made at the meeting of Joint Commissioners by Cmr Ansell and Cmr Rowell, there would be a lack of quorum. Therefore, consideration of this matter was required to be deferred.

The Motion was put and

CARRIED

TS77-04/98 **TENDER 118-97/98 SUPPLY OF SORTING SERVICES OF RECYCLABLE MATERIALS - [08928, 09104]**

The contract for sorting recyclables at Badgerup Road Recycling Sorting Plant has expired. Tenders were called and it is recommended that the contract be let to the lowest tenderer, Recycling Company of WA. The estimated value of the contract is \$450,000 over 14 months.

Cmr Rowell declared an interest in this item as he is a friend of the principal of the only tenderer.

Cmr Buckley raised an amendment to the wording of the declaration of financial interest made by Cmr Rowell.

Cmr Rowell left the Chamber at 1945 hrs.

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

- 1 accept Tender 118-97/98 from The Recycling Company of WA for the Supply of Sorting Services of Recyclable Materials, at an estimated value of \$450,000 for a 14 month period to 30 June 1999 with an option to extend the unit rate contract period for an additional twelve (12) months, to 30 June 2000 if agreeable to both parties;**
- 2 agree to the signing of the contract documents.**

The Motion was put and

CARRIED

Cmr Rowell entered the Chamber at 1947 hrs.

DEVELOPMENT & PLANNING SERVICES SECTION

DP109-04/98

CLOSURE OF THE ACCESS ROAD TO THE BEACH AT PINNAROO POINT - CONSIDERATION OF PUBLIC SUBMISSIONS - [02093]

The public submission period in respect of the proposal to close the access road to the beach at Pinnaroo Point, Hillarys closed on 6 March 1998. This proposal was primarily considered in order to stop four-wheel driving on, and jet skiing from, the beach. The City received two petitions and 51 submissions. While the petitions and 35 submissions opposed the proposal, 14 submissions supported the closure. Two other submissions suggested modifications to the proposed closure.

As a majority of the submissions oppose the subject proposal, and considering that the beach is extensively used for other recreational purposes, it is recommended that the City increases its patrolling service and improves signage, to stop four-wheel driving/parking and jet skiing at Pinnaroo Point.

REPORT RECOMMENDATION: THAT the Joint Commissioners, after careful consideration of the submissions made by the public in regard to a proposal to close the access road to the beach at Pinnaroo Point, Hillarys to stop four-wheel driving and jet skiing:

- 1 do not close the access road;
- 2 include in the review of the City's local laws the matter of preventing the launching of jetskis from the beach;
- 3 increase the patrolling service and improve signage to stop four-wheel driving/parking and jet skiing at Pinnaroo Point beach.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners, after careful consideration of the submissions made by the public in regard to a proposal to close the access road to the beach at Pinnaroo Point, Hillarys to stop four-wheel driving and jet skiing:

- 1 do not close the access road;
- 2 include in the review of the City's local laws the matter of preventing the launching of jetskis from the beach;
- 3 increase the patrolling service and improve signage to stop four-wheel driving/parking and jet skiing at Pinnaroo Point beach;
- 4 review the Management Plan for Pinnaroo Point by discussing it with appropriate users of this beach area.

Cmr Rowell spoke in support of the Motion.

The Motion was Put and

CARRIED

DP110-04/98

**PROPOSED THREE STOREY DWELLING: LOT 86 (44)
RANFORD WAY, HILLARYS. - [05237]**

A building licence application has been received from Seacrest Homes for a three storey dwelling on Lot 86 (44) Ranford Way Hillarys. As the proposed dwelling is three storeys in height, the affected adjoining owners were consulted in accordance with Council policy. Five objections have been received, which relate to the loss of privacy, perceived loss of property value, the height of the building and a view that the proposed dwelling will be out of character with the existing dwellings in the area.

A petition has also been received with 19 signatories indicating concern with the amenity of the surrounding area.

The proposal is, however, considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes), particularly in relation to the impact on the streetscape of the area. Approval is therefore recommended.

ADDITIONAL INFORMATION SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING

Director, Development Services advised a letter has been received from the builder of the proposed dwelling, Seacrest Homes, requesting that the additional information contained in this letter (Appendix XVIII refers) is taken into account when the matter is discussed at the Development and Planning Services Committee.

This does not affect the recommendation contained in this report.

REPORT RECOMMENDATION: THAT the Joint Commissioners, having considered the Policy and submissions received for the proposed three storey dwelling on Lot 86 (44) Ranford Way Hillarys, issue a building licence.

At the Development and Planning Services Committee, the members of the Committee requested that a site meeting be convened by affected persons to discuss this matter prior to the meeting of Joint Commissioners to be held 28 April 1998.

ADDITIONAL INFORMATION SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS

A site meeting was held on Thursday 23 April 1998 at 9.00 am and attended by Cmr R Rowell, Co-ordinator, Building Approvals, Mr R Scarce, Senior Building Surveyor, Mr F Boardman, Mr Mark Basso, Seacrest Homes and Director Development Services, Oscar Drescher.

Following the site meeting, amended plans were provided showing the finished floor level of the proposed dwelling lowered by 400mm and the building moved forward on the lot by 1.0 metre, as agreed on-site with all parties in attendance.

The overall primary front setback complies with the requirements of the Residential Building Codes. This does not affect the original report recommendation.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the Policy and submissions received for the proposed three storey dwelling on Lot 86 (44) Ranford Way Hillarys, issue a building licence.

Cmr Rowell apologised for the misleading wording "a site meeting *be convened by affected persons*" and stated that the intention of the on-site meeting was for administration to discuss the matter with the builder to attempt to modify areas of the structure and assist the immediate neighbours. Cmr Rowell spoke in support of the modifications to the plans.

Cmr Buckley was concerned that adjoining land owners will have their privacy affected by this proposal, but stated that there was no planning ground on which the application could be refused, and that a refusal would give rise to an appeal to the Minister which will be upheld.

The Motion was Put and

CARRIED

Appendix XVIII refers

Items DP111-04/98 to DP114-04/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

DP111-04/98

CROSS-REGIONAL TRANSPORT LINKS - BEGIN GROUP PROPOSAL - [02004]

The BEGIN Group has prepared a draft report relating to the need for major Cross Regional Transport Links. The draft report (Cross Regional Transport) concludes that four northern metropolitan cross regional links utilising light rail systems should be pursued with the relevant State Government agencies. It is recommended that the Joint Commissioners advise the BEGIN Group that while the City supports the principle of developing cross regional public transport linkages, it is unable to support the proposed routes and light rail mode of transport proposed in the absence of detailed transport usage data, cost-benefit analysis and consideration of alternative modes of transport. BEGIN should also be advised that the City would be pleased to consider the matter further and to include in the report consideration of long term plans for the cross regional transport options to address the rapidly growing areas in the northern parts of the City of Wanneroo.

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

- 1** advise the BEGIN Group that while the City supports the principle of developing cross regional public transport linkages, it is unable to support the proposed routes and light rail mode of transport proposed in the absence of detailed transport usage data, cost-benefit analysis and consideration of alternative modes of transport;
- 2** would be pleased to consider the matter further and to include in the report consideration of long term plans for the cross regional transport options to address the rapidly growing areas in the northern parts of the City of Wanneroo.

The Motion was Put and

CARRIED

DP112-04/98**REQUEST FOR REMOVAL OF EMBANKMENT BETWEEN
HODGES DRIVE AND CONNOLLY SHOPPING CENTRE,
CONNOLLY - [01731]**

Mr Paul Filing MP has requested consideration of the City removing the embankment located on the northeast corner of Hodges Drive and Country Club Boulevard as poor visibility of the Connolly Shopping Centre is considered to have resulted in the decreasing viability of local business within this centre.

There are several factors affecting the visibility of the site, these being the embankment on the undeveloped community purpose site adjoining the shopping centre and the levels of the shopping centre. Removal of the embankment alone is unlikely to increase visibility of the shopping centre as the problem related to the shopping centre levels will remain. It is recommended that Mr Filing be advised that while the City has a part in promoting local business the City considers that removal of the embankment will not significantly increase visibility due to the level of Hodges Road in relation to the shopping centre levels. However, it may be appropriate that the situation be reviewed as part of development of the adjoining community purpose site.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners advise Mr Paul Filing MP that while the City has a part in promoting viability of the Connolly Shopping Centre it is considered that removal of the embankment will not significantly increase visibility due to the level of Hodges Drive in relation to the shopping centre, though the situation shall be reviewed as part of development of the adjoining community purpose site.

The Motion was Put and**CARRIED****DP113-04/98****DEVELOPMENT ASSESSMENT UNIT AND DELEGATED
AUTHORITY COMMITTEE 25 FEBRUARY 1998 TO
25 MARCH 1998 - [07032]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 25 February 1998 to 25 March 1998.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report DP113-04/98.

The Motion was Put and**CARRIED**

Appendix XIX refers.

**DP114-04/98 STRUCTURE PLAN FOR CLARKSON DISTRICT CENTRE -
[790-784 05385]**

A Structure Plan has been prepared for the District Centre of Clarkson by Hames Sharley and Chappell and Lambert on behalf of Landcorp. The land concerned is the subject of a recently approved amendment to create land use zonings for which a Structure Plan is required to control development. The accompanying document complies with the requirements of the Scheme in respect of a Structure Plan and is recommended to be advertised for public comment.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Clause 10.4 of the City of Wanneroo Town Planning Scheme No 1, adopt the draft Structure Plan for the Clarkson District Centre attached to Report No DP114-04/98 and make it available for public comment.

The Motion was Put and

CARRIED

Appendix XX refers.

**DP115-04/98 WANNEROO TOWN CENTRE STRUCTURE PLAN STUDY -
[290-15 06188]**

A report to the Commissioners on the progress of the public consultation process that stems from the Wanneroo Town Centre Study. A working party has been formed to explore design options and a Community Consultative Committee is recommended.

ADDITIONAL INFORMATION SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING

Director, Development Services presented a revised Attachment 2 (Appendix XXI refers)

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners invite public expressions of interest for membership of a Community Consultative Committee to review proposals for the Wanneroo Town Centre Study area representing the interests of the local community.

Cmr Rowell spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix XXI refers

**DP116-04/98 DRAFT MINDARIE KEYS LOCAL STRUCTURE PLAN -
[00961]**

Chappell and Lambert Planning Consultants on behalf of Fini Group Ltd have submitted a draft revised Local Structure Plan for Mindarie Keys for assessment under Part 10 of the City's Town Planning Scheme No 1. The proposed design differs quite significantly from the last Local Structure Plan adopted for Mindarie Keys in 1989 and has been prepared by the landowner after considerable consultation with officers at the City and the Ministry for Planning. The Fini Group has also undertaken its own public consultation to evaluate local community response to their proposal which would appear to be favourable.

Residential development at Mindarie Keys has been ongoing since the late 1980's and the draft Local Structure Plan largely addresses the undeveloped parts of the suburb. While there are aspects of the draft local structure plan which should still be addressed, it is felt that the design has merit and it is now considered appropriate to advertise the draft plan for public comment under Part 10 of the City's Town Planning Scheme.

ADDITIONAL INFORMATION SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING

Director, Development Services advised that at Development and Planning Services Committee briefing session held 20 April 1998 the question was asked whether the advertising period of 42 days could be varied or whether it is a statutorily fixed period.

The circumstances were such that the Fini Group was advised that the City would look at the possibility of reducing the advertising period to 30 days however, in view of the size of the area within the structure plan and some of the environmental issues to be considered, it was considered prudent to maintain the advertising period to six weeks (42 days) which has been the norm for advertising land development structure plans.

The Fini Group was not given any commitment that the advertising period would be reduced, however, if the Joint Commissioners wish to vary the advertising period they could reduce it to 30 days, but that would be inconsistent with Council's normal approach.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, pursuant to Part 10 of the City of Wanneroo Town Planning Scheme:

- 1 **advertise the draft revised Mindarie Keys Local Structure Plan for a period of 42 days for public comment;**
- 2 **send a copy of the draft Plan to the Western Australian Planning Commission for its consideration and comment.**

Cmr Rowell asked that any submissions be made prior to end of the public submission period, and stated that should any person or group wish to discuss the matter, or required advice, the City would be happy to assist.

The Motion was Put and

CARRIED

Items DP117-04/98 to DP121-04/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Clark-Murphy.

DP117-04/98 TWO ROCKS MARINA - EROSION OF THE NORTHERN COAST - [07166]

Council at its meeting of 22 October 1997 (DP219-10/97 refers) adopted the Two Rocks Yanchep Foreshore Management Plan. One of the provisions of this plan is to close the southern beach accessway (boardwalk) off Sovereign Drive, Two Rocks and to reconstruct the northern beach accessway (boardwalk) to a suitable gradient. The southern beach accessway leads to the beach adjoining the northern breakwater where seaweed accumulates and at times emits a foul

smell. As a result the beach goers do not tend to use this accessway. The northern beach accessway has collapsed due to coastal erosion.

The adopted plan was advertised for public information and, as a consequence, Two Rocks residents have requested the City to restore the northern beach accessway.

The Crown has leased Swan Location 8796 known as the Two Rocks marina to Yanchep Sun City Pty. Ltd. Since the coastline to the north and south of the marina has experienced change, as per the lease deed, the Minister for Lands requested the lessee to conduct a study of the coasts to the north (2km) and south (1km) of the marina breakwaters. The study concluded that the northern coast will continue to erode and therefore appropriate remedial measures should be undertaken. Since the Crown lease stipulates that the "lessor" should restore the eroding coast, the advice of the Department of Land Administration (DOLA) was sought. DOLA has subsequently advised that it is the responsibility of the City to restore this part of the coast.

It is considered unreasonable to expend Council funds to restore the coast damaged by the marina, therefore, it is recommended that the City writes directly to the Minister for Lands on this matter.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners advise the Minister for Lands of the circumstances surrounding this matter and seek confirmation that the Crown will resolve the matter of restoring the coast to the north of Two Rocks marina which is eroding and is likely to continue eroding due to the Two Rocks marina as reported by the consultants of Yanchep Sun City Pty Ltd.

The Motion was Put and

CARRIED

DP118-04/98

EAST WANNEROO NOMENCLATURE - [08009, 09163]

Council at its special meeting of 10 September 1997 resolved, in part, to name the locality bounded by the new Skeit Road alignment, Gngangara Road alignment, Wanneroo Road and Hepburn Avenue as Kingsway or Waldeck. Although Geographic Names Committee (GNC) approved the name Kingsway, it has now advised that this name is likely to cause some confusion with the locality Kingsley and therefore it has requested consideration of another name. The Joint Commissioners at their meeting of 17 February 1998 renamed the locality adjacent to the subject locality as Darch although it was originally named and approved by GNC as Madeley. Hence it is recommended that the subject locality be named Madeley.

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

1 rescind 4 (b) of item SC47-09/97 viz:

“(b) that a locality named either Kingsway or Waldeck be created in respect of the area bounded by the new Skeit Road alignment, Gngangara Road alignment, Wanneroo Road and Hepburn Avenue;”

2 advise the Geographic Names Committee that a locality named Madeley be created in respect of the area bounded by the new Skeit Road alignment, Gngangara Road alignment, Wanneroo Road and Hepburn Avenue.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

DP119-04/98

**CRAIGIE OPEN SPACE - PROPOSED GOLFING FACILITIES
- CONSIDERATION OF SUBMISSIONS - [06312]**

The public consultation period on the "preferred preliminary concept plan" of the proposed golfing facility at Craigie Open Space closed on 17 February 1998. The City received sixteen submissions including one from the City's Parks Landscaping Services, and a 34-signature petition. The submissions outlined the lack of bushland within the Perth Metropolitan Region and requested the City to preserve the bushland at Craigie. The Department of Environmental Protection advised that due to the regional significance of this reserve, it is likely that this proposal will be considered as environmentally unacceptable. Noting that the Western Australian Planning Commission may not grant development approval in view of the DEP's advice, it is recommended that the City does not pursue the development of Craigie Open Space as proposed in the preferred preliminary concept plan.

REPORT RECOMMENDATION: THAT the Joint Commissioners, after careful consideration of the submissions received from the public and the Department of Environmental Protection, and the regional significance of the Craigie Open Space, do not take further action on the matter of utilising the Craigie Open Space for further recreational facility as proposed in the preferred preliminary concept plan.

MOVED Cmr Rowell, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners defer consideration of utilising the Craigie Open Space for further recreational facility pending further discussions to assess the possibility of vegetation retention for this project.

The Motion was Put and

CARRIED

DP120-04/98

**ASSESSMENT OF THE LAND CNR SYDNEY ROAD AND
GNANGARA ROADS, WANGARA - CONSIDERATION OF
SUBMISSIONS FROM SHORT-LISTED CONSULTANTS -
[04136]**

The North-West Corridor Structure Plan (NWCSP) released in 1992 by the then Department of Planning and Urban Development, set out areas for Future Urban, Industrial and Mixed Business, Parks and Recreation, etc. Amendments to the Metropolitan Region Scheme (MRS) were carried out to give statutory effect to the NWCSP proposals. To date various land-holdings within the City of Wanneroo have already been rezoned.

However, the land situated at the north-western corner of Sydney Road and Gnangara Road in Wangara has remained zoned "Rural" in the MRS. In the NWCSP this land has been identified as Parks and Recreation Reserve. Since this land has numerous issues affecting it, particularly the wetland situated therein, it is proposed that the City engage the services of a consultant to evaluate this land.

An amount of \$20 000 has been budgeted for the 1997/98 financial year. Under the Local Government (Functions & General) Regulations 1996, tenders are not required for contracts less than \$50 000.

The City invited registrations of interest. Of the six submissions received, three were short-listed. It is recommended that the consultancy be awarded to Kabay Rehabilitation Environmental and Biological Consultants.

REPORT RECOMMENDATION: THAT the Joint Commissioners, after careful consideration of the detailed submissions received from the short-listed consultants relating to the proposed assessment of the land situated at the corner of Sydney Road and Gngangara Road, Wangara, award the consultancy to Kabay Rehabilitation Environmental and Biological Consultants, not to exceed an amount of \$20,000.

MOVED Cmr Rowell, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners, after careful consideration of the detailed submissions received from the short-listed consultants relating to the proposed assessment of the land situated at the corner of Sydney Road and Gngangara Road, Wangara, award the consultancy to Kabay Rehabilitation Environmental and Biological Consultants, not to exceed an amount of \$15,000.

The Motion was Put and

CARRIED

DP121-04/98

LOT 6 KINGSWAY, LANDSDALE: COUNCIL CONTRIBUTIONS TOWARDS 50% OF SUBDIVISIONAL ROAD CONSTRUCTION COSTS. - [08090]

A request has been received by Council for a 50% contribution towards the cost of constructing a local subdivision road abutting Lot 6 Kingsway, Landsdale. The subdivision was not supported by the City but approved on appeal by the Minister for Planning in November 1995. The Minister conditioned the approval to require the original owner to contribute towards only 50% of the road upgrade and construction, thereby passing the obligation for the other 50% of the construction costs onto Council. The Minister is not empowered to direct Council to expend funds for this purpose and in light of prior negotiations between the original owner and the City relating to the construction of this road it is recommended that Council not support the applicant's request.

ADDITIONAL INFORMATION (1) SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING

On the 6 April 1998 the City received two letters from the applicant (Appendices XXII, XXIII and XXIV refer) in which several issues relating to the subdivision of this landholding were raised. The following information and comments are provided.

The applicant's first letter (Appendix XXII refers) relates primarily to the issue of clearances. The third paragraph of this letter implies that an early resolution to this matter is required to enable the issue of titles and settlement on 15 pre-sold lots. It must be reiterated however, that the subject matter has in no way delayed the issue of the City's clearance. Clearly, the WAPC's subdivision condition relating to the owner making a 50% contribution toward the cost of the subject road has been fully satisfied as this road has now been constructed. The fact that the owner is now pursuing the recouping of costs from the City is totally separate.

The Joint Commissioners will note however, that at the time of writing this memorandum, the City's clearance for the subject subdivision had not been issued as there were other outstanding

obligations relating to payment of supervision fees and infrastructure contributions for the East Wanneroo Cell No 6.

The second letter (Appendix XXIII refers) criticises Council for referring to an undertaking from the original owner that accepted he would pay the total cost of the subject road. The applicant has suggested that as the City did not accept this written undertaking it was rendered null and void.

It must be noted that the City did not “resurrect” this undertaking on the basis that it represented a binding agreement. Clearly, the City shares the view that this written undertaking was not binding. This is the primary reason why it asked the original owner to enter into a legal agreement as such an agreement would be binding on the original and all future owners. In any case, although the written undertaking is not binding, it does highlight the City’s long standing and consistent view on this issue.

The applicant’s letter also states that the Council’s Planning Department attempted to “block” the excision of the reserve. In response, it must be noted that the City was not blocking the excision of the reserve but was simply conveying the Council’s position. The original Council resolution on this road issue had not been resolved satisfactorily by the applicant and accordingly, the City could not support the excision of the reserve and dedication of the land for road purposes. In this regard, the action taken by the City is no different to the action it would take in relation to any other road or PAW closure, ie; if the applicant is not prepared to meet all associated costs, then a closure proposal is not supported.

ADDITIONAL INFORMATION (2) SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING

Director, Development Services referred to discussions on the above matter at the Commissioners’ briefing meeting on 20 April 1998. Attached (Appendix XXV refers) is a copy of a facsimile from the original Project Manager and a File Note (Appendix XXVI refers) placed on file by the Manager, Development Management Services, Mr Roman Zagwocki.

The attachment clearly indicates that the relocation of the road from within the subdivisional area was at the Project Manager’s instigation on the clear understanding that the obligation to meet the total road cost lay with the developer.

Mr Diggins also indicated that the purchasers were given the full details of the negotiations at the time of purchase by the vendor’s agent which would be the normal requirement.

This extra information is submitted to assist the Commissioners in their deliberations on this matter.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners do not support the request by Taylor Burrell for the City to contribute towards the 50% cost of upgrading and constructing the north-south local distributor road which abuts Lot 6 Kingsway, Landsdale.

The Motion was Put and

CARRIED

Appendices XXII, XXIII, XXIV, XXV and XXVI refer.

DP122-04/98

**PROPOSED HOME FOR FOSTER CHILDREN : LOT 111 (49)
WARRINGAH CLOSE, KALLAROO - [03104]**

An application has been received from Oldfield Knott Architects on behalf of Parkerville Children's Home for a large family home which will be used to accommodate an average of 4 and up to a maximum of 6 foster children. The home is proposed to be constructed at Lot 111 (49) Warringah Close, Kallaroo.

The application was advertised on-site for thirty days. One hundred and one (101) letters of objection, a petition of objection with one hundred and ninety-three (193) signatures, and forty-seven (47) letters of support were received. The neighbouring properties were also given fourteen days to comment on the proposed 3.5 metre-high retaining walls. No comments were received.

The proposal complies with the requirements of the City of Wanneroo Town Planning Scheme No 1 (TPS1) and the setback requirements of the Residential Planning Codes. The proposal is recommended for approval.

REPORT RECOMMENDATION: THAT the Joint Commissioners approve the application submitted by Oldfield Knott Architects on behalf of Parkerville Children's Home, for a home for foster children on Lot 111 (49) Warringah Close, Kallaroo, subject to:

- 1 the premises only being used for the purposes of residential accommodation -foster home;
- 2 a maximum of six (6) foster children plus the carers' family residing at the premises at any one time;
- 3 the premises being the sole place of residence for each of the foster children;
- 4 the disabled access ramp being designed and constructed to minimise the impact of the structure and the use of the structure on the adjacent residents.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve the application submitted by Oldfield Knott Architects on behalf of Parkerville Children's Home, for a home for foster children on Lot 111 (49) Warringah Close, Kallaroo, subject to:

- 1 the premises only being used for the purposes of residential accommodation - foster home;
- 2 a maximum of six (6) foster children including the carers' family (comprising of up to two children) residing at the premises at any one time;
- 3 the premises being the sole place of residence for each of the foster children;
- 4 the disabled access ramp being designed and constructed to minimise the impact of the structure and the use of the structure on the adjacent residents.

Cmr Rowell spoke in support of the Motion, and stated there was a considerable need for such foster homes within the community.

During discussion on this item, Cmr Buckley recommended that the word "including" in Point 2 be amended to read "and". The Mover and Seconder to the motion had no objection to this minor amendment.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve the application submitted by Oldfield Knott Architects on behalf of Parkerville Children's Home, for a home for foster children on Lot 111 (49) Warringah Close, Kallaroo, subject to:

- 1 the premises only being used for the purposes of residential accommodation - foster home;
- 2 a maximum of six (6) foster children and the carers' family (comprising of up to two children) residing at the premises at any one time;
- 3 the premises being the sole place of residence for each of the foster children;
- 4 the disabled access ramp being designed and constructed to minimise the impact of the structure and the use of the structure on the adjacent residents.

The Motion was Put and

CARRIED

Items DP123-04/98 to DP151-04/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

DP123-04/98

RESTRICTED PREMISES (BARBARELLA'S RETAIL STORE), LOT 2 (11/115) GRAND BOULEVARD, CNR REID PROMENADE, JOONDALUP - [05064]

An application has been received from Barb Investments to open a Barbarella's retail store at Lot 2 (11/115) Grand Boulevard, corner Reid Promenade, Joondalup. The application has been advertised for public comment. A petition containing 876 signatures and 13 individual letters have been received objecting to the proposal. A further petition containing some 65 signatures and one individual letter has also been received in support of the proposal. The use is consistent with the planning for the Joondalup City Centre, notwithstanding the City's now dated policy on adult book stores and sex shops which seeks to refuse all such applications. The proposal is recommended for approval.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the policy, submissions and petition received, approve the application from Barb Investments to open a restricted premises (Barbarella's retail store) at Lot 2 (11/115) Grand Boulevard, corner Reid Promenade, Joondalup, subject to:

- 1 no restricted merchandise being visible from outside the store;
- 2 standard and appropriate conditions as deemed appropriate by the Manager Approval Services.

The Motion was Put and

CARRIED

DP124-04/98 **PROPOSED THIRD STOREY ADDITION: LOT 562 (71) ASHMORE WAY, SORRENTO - [03759]**

A building licence application has been received from Mr & Mrs Brislin for the construction of a third storey addition to Lot 562 (71) Ashmore Way, Sorrento. As the proposal is for a third storey addition, the affected adjoining owners were consulted, in accordance with Council policy. Two objections have been received, which relate to the loss of privacy, the height of the building and a perception that the proposed addition on the eastern elevation is out of character with the existing dwellings in the area.

The proposal is, however, considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes), particularly in relation to the impact on the streetscape of the area. Approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the Policy and submissions received for the proposed third storey addition on Lot 562 (71) Ashmore Way, Sorrento issue the building licence subject to the satisfactory resolution of outstanding construction matters.

The Motion was Put and

CARRIED

DP125-04/98 **PROPOSED CONSTRUCTION OF PERGOLA FORWARD OF THE DWELLING: LOT 1819 (31) VICTORSEN PARADE, CLARKSON - [01904]**

A building licence application has been received from the owners of Lot 1819 (31) Victorsen Parade, Clarkson for the construction of a pergola attached to the front of the existing dwelling, and forward of the building line. The proposal conflicts with Council's policy J3/4 on outbuildings, which states "*Buildings in front of a dwelling shall be limited to garages and carports only*". The proposal is, however, acceptable in terms of the objectives of the Residential Planning Codes (R-Codes), particularly in relation to the impact on the amenity and streetscape. Approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners authorise the Principal Building Surveyor to issue a building licence for the proposed Pergola at Lot 1819 (31) Victorsen Parade, Clarkson, as it is considered the proposal will have no impact on the adjoining property.

The Motion was Put and

CARRIED

DP126-04/98 **PROPOSED PARAPET WALLS: LOT 15 (3) WARRIGAL WAY GREENWOOD. - [02756]**

A building licence application has been received from Suco Pty Ltd to construct additions at Lot 15 (3) Warrigal Way, Greenwood. The proposed additions include construction of parapet walls on the northern and southern boundaries with a setback of 10.165 and 15.0 metres respectively from the front boundary. The parapet wall on the northern boundary is 6.660 metres long and 3.343 metres high with the wall on the southern boundary being 4.300 metres long and 3.086 high. The proposal complies with section 1.5.8 (f) of the Residential Planning Codes (R-Codes) which states that "walls not exceeding 3.0 metres average and 4.0 metres maximum height can be built to a maximum of one quarter of the length of the boundary".

In accordance with section 1.5.10(a) of the R-Codes "Where a proposal to vary building setbacks may significantly affect the amenity of an adjoining property "the written comments of adjoining owners is to be sought. Following a letter of objection from the adjoining owner, the owners of the subject lot have requested the matter be placed before Council for consideration. It is considered that the height and appearance of the proposed parapet wall will not be detrimental to the amenity of the adjoining property and approval is recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners authorise the Principal Building Surveyor to issue a building licence for the proposed parapet walls on the southern and northern boundaries of Lot 15(3) Warrigal Way Greenwood, with the following conditions :

- 1 the proposed parapet walls are to be built entirely on the subject lot;
- 2 the existing fence between Lots 15 (3) & 14 (5) Warrigal Way is not to be removed at any time for the construction of the proposed parapet wall;
- 3 the owner of Lot 15 (3) Warrigal Way is to liaise with the owner of Lot 14 (5) Warrigal Way regarding finish and colour of the parapet wall on the adjoining owner's side;
- 4 the footings of the proposed parapet wall are to be founded below the lower ground level as indicated in the submitted plans, together with the thickening up to the base of the parapet wall.

The Motion was Put and

CARRIED

DP127-04/98

GARAGE EXTENSION - LOT 957 (8), NERIDA PLACE, SORRENTO - [09090]

An application has been received from Mr and Mrs Geddes seeking approval to convert an existing single garage on Lot 957 (8) Nerida Place, Sorrento into a double garage. The proposal requires the construction of a parapet wall on the boundary and the adjoining owners have been consulted in accordance with Council policy. An objection has been received from the adjoining owner (Lot 958) whose boundary will be affected by the parapet wall on the basis that the proposal will have a significant impact on visual amenity and detract from the presentation of his property. There has been ongoing dispute between the applicant and this adjoining owner regarding development on each of their respective lots. It is unlikely that a mutually acceptable compromise can be reached. Further due to design and policy constraints it is not possible to redesign the proposal. Given this and the unacceptable impact of the proposal on the streetscape and adjoining owners amenity, refusal is recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners refuse the application seeking to convert the existing single garage on Lot 957 (8), Nerida Place, Sorrento into a double garage for the following reasons:

- 1 the proposal does not comply with minimum setback requirements;
- 2 the visual impact of the proposal does not sympathetically address the character of the street and if approved would adversely affect the existing amenity of the streetscape;

- 3 the proposal will result in an unacceptable loss of amenity to adjoining owners.

The Motion was Put and

CARRIED

**DP128-04/98 PROPOSED REDUCED FRONT SETBACK TO GARAGE:
LOT 345 (2) VERTICORDIA PLACE, GREENWOOD - [03672]**

A building licence application has been received from the owners of Lot 345 (2) Verticordia Pace, Greenwood for the construction of a garage forward of the existing dwelling with a reduced front setback of 1.5 metres. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes) particularly in relation to the impact on the amenity and streetscape.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners exercise discretion under clause 1.5.5(b) of the Residential Planning Codes and issue a building licence for the proposed construction of the proposed garage with a reduced front setback of 1.5 metres at Lot 345 (2) Verticordia Place, Greenwood, as the amenity of the surrounding lots and streetscape is not unduly affected.

The Motion was Put and

CARRIED

**DP129-04/98 REDUCED SIDE BOUNDARY SETBACK: LOT 96 (14)
BOLOKA RISE, KINGSLEY - [01787]**

A building licence application has been received from the owners of Lot 96 (14) Boloka Rise, Kingsley for the construction of dwelling additions with a reduced side boundary setback of 1.100 metres at the rear of the existing dwelling. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes) particularly in relation to the impact on the amenity of the affected adjoining property.

**ADDITIONAL INFORMATION SUBMITTED TO THE DEVELOPMENT AND
PLANNING SERVICES COMMITTEE MEETING**

The applicant has requested that the report be deferred as he now intends to modify the current proposal.

REPORT RECOMMENDATION: THAT the Joint Commissioners exercise discretion under clause 1.5.7 of the Residential Planning Codes and issue a building licence for the proposed additions at Lot 96 (14) Boloka Rise, Kingsley with a reduced side setback of 1.1 metres, given that the affected adjoining owners have no objection and the amenity of the surrounding lots and streetscape will not be unduly affected.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that consideration of the issuing of a building licence for the proposed additions at Lot 96 (14) Boloka Rise, Kingsley with a reduced side setback of 1.1 metres be deferred pending the receipt of a modified proposal from the applicant.

The Motion was Put and

CARRIED

DP130-04/98 FENCING: LOT 833(7) MOSMAN COURT, KALLAROO - [09366]

Mr & Mrs R W & J L Hopkins, the owners of the above property, have caused non-complying work to be carried out at the above property in that barbed wire has been attached to a common boundary fence contrary to Council's Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that the Joint Commissioners issue a Notice, pursuant to Section 13.2 of Local Law F1, to the owners directing them to bring the fence into compliance with the requirements of Council's Local Law F1.

At the Development and Planning Services Committee meeting, Cmr Clark-Murphy queried the similarities between Items DP130-04/98, DP131-04/98 and DP132-04/98.

Director, Development Services advised the common issue in each case was barbed wire attached to fencing, with the applicants being concerned about their privacy and security.

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

- 1 **in accordance with Section 13.2 of Local Law F1 "Fencing and Private Tennis Court Floodlighting" instruct Council's solicitors to issue a Notice to the owner of Lot 833 (7) Mosman Court, Kallaroo to bring the fence into compliance with Local Law F1;**
- 2 **should the owners fail to bring the fence into compliance with Local Law F1:**
 - (a) **enter upon the land and bring the fence into compliance at the expense of the owners;**
 - (b) **recover the amount of that expense from the owner in a Court of Competent jurisdiction;**
- 3 **instruct Council's solicitors to instigate prosecution proceedings against the owners for being in breach of Local Law F1 should the notice be ignored.**

The Motion was Put and

CARRIED

DP131-04/98 FENCING: LOT 832 (5) MOSMAN COURT, KALLAROO - [04316]

Mr Nabbs, the owner of the above property, has caused non-complying work to be carried out at the above property in that barbed wire has been attached to a common boundary fence contrary to Council's Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that the Joint Commissioners issue a Notice, pursuant to Section 13.2 of Local Law F1, to the owners directing them to bring the fence into compliance with the requirements of Council's Local Law F1.

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

- 1 **in accordance with Section 13.2 of Local Law F1 "Fencing and Private Tennis Court Floodlighting" instruct Council's solicitors to issue a Notice to the owner of Lot 832 (5) Mosman Court, Kallaroo to bring the fence into compliance with Local Law F1;**

- 2 **should the owners fail to bring the fence into compliance with Local Law F1:**
- (a) **enter upon the land and bring the fence into compliance at the expense of the owners;**
 - (b) **recover the amount of that expense from the owner in a Court of Competent jurisdiction;**
- 3 **instruct Council's solicitors to instigate prosecution proceedings against the owners for being in breach of Local Law F1 should the notice be ignored.**

The Motion was Put and

CARRIED

DP132-04/98 FENCING: LOT 834 (9) MOSMAN COURT, KALLAROO - [08366]

Mr & Mrs J A & M C Combes, the owners of the above property, have caused non-complying work to be carried out at the above property in that barbed wire has been attached to a common boundary fence contrary to Council's Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that the Joint Commissioners issue a Notice, pursuant to Section 13.2 of Local Law F1, to the owners directing them to bring the fence into compliance with the requirements of Council's Local Law F1.

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

- 1 **in accordance with Section 13.2 of Local Law F1 "Fencing and Private Tennis Court Floodlighting" instruct Council's solicitors to issue a Notice to the owner of Lot 834 (9) Mosman Court, Kallaroo to bring the fence into compliance with Local Law F1;**
- 2 **should the owners fail to bring the fence into compliance with Local Law F1:**
- (a) **enter upon the land and bring the fence into compliance at the expense of the owners;**
 - (b) **recover the amount of that expense from the owner in a Court of Competent jurisdiction;**
- 3 **instruct Council's solicitors to instigate prosecution proceedings against the owners for being in breach of Local Law F1 should the notice be ignored.**

The Motion was Put and

CARRIED

DP133-04/98

UNTIDY OPEN STORAGE ON LOT 19 (5) HENTY COURT, TWO ROCKS AND RESIDENTIAL LOT 18 (3) HENTY COURT, TWO ROCKS - [01526, 03812]

The City was made aware of the untidy nature of vacant Lot 19 (5) Henty Court, Two Rocks and Residential Lot 18 (3) Henty Court, Two Rocks as early as February 1994.

Repeated requests by the City's Ranger Services, Health Services and Approval Services to the owner to clean up the vacant property and residential lot has failed to resolve the situation.

It is recommended that Council initiates legal action against the owners of Lot 19 (5) Henty Court, Two Rocks for failing to remove the open storage of materials from the site. It is further recommended that should residential Lot 18 (3) Henty Court, Two Rocks not be free of open storage of materials within 30 days, legal action be initiated.

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

- 1 **advise the owners of Lot 19 (5) Henty Court, Two Rocks and Lot 18 (3) Henty Court, Two Rocks, Mr J Pendlebury and Mrs J Lengkeek that the open storage of materials and general rubbish on both sites is in breach of the City's Town Planning Scheme No 1;**
- 2 **advise the owners of Lot 19 (5) Henty Court, Two Rocks that Council intends to initiate legal action against them for use of the residential property for open storage of vehicles, metal, wood and general rubbish in breach of the City's Town Planning Scheme No 1;**
- 3 **advises the owners of Lot 18 (3) Henty Court, Two Rocks that the open storage of materials in the front setback area of the property (Lot 18) and outside the shed on the property is to be removed within 30 days of notification. Failure to remove the open storage on a permanent basis within the time period requested will result in legal action;**
- 4 **authorise the Chief Executive Officer to initiate legal action against the owners of Lot 19 (5) Henty Court, Two Rocks in the directions contained in 2, 3, and 4 above and thereafter at all times for any further breaches involving open storage on the properties.**

The Motion was Put and

CARRIED

DP134-04/98

UNAUTHORISED HOME OCCUPATION, OPEN STORAGE AND COMMERCIAL VEHICLE PARKING IN RESIDENTIAL AREA : LOT 397 (15) BARDSLEY AVENUE, GIRRAWHEEN - [01523]

The City received an initial written complaint on 29 July 1996 as to the parking of at least three commercial vehicles and the open storage of materials within the front setback area of Lot 397 (15) Bardsley Avenue, Girrawheen.

Investigation by the City revealed an unauthorised landscaping, sand supply business being operated from the property by the owners.

After seven written requests and numerous verbal requests to the owners of Lot 397 (15) Bardsley Avenue, Girrawheen by the City to comply with the City's Commercial Vehicle Parking Policy and apply for a home occupation, the matter has not been resolved.

It is recommended that legal action be initiated against the owners of Lot 397 (15) Bardsley Avenue, Girrawheen for operating a business from the property in breach of the City's Town Planning Scheme No 1. It is also recommended that no approvals be granted to the owners of Lot 379 to park a commercial vehicle on the property at any time and that all open storage of materials be removed from the front setback of the site on a permanent basis.

REPORT RECOMMENDATION: THAT the Joint Commissioners:

- 1 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the use of the property for business purposes without Council approval is in breach of the City Town Planning Scheme No 1;
- 2 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the Council intends to initiate legal action against them for use of Lot 379 (15) Bardsley Avenue, Girrawheen for business purposes without Council approval;
- 3 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that all commercial vehicles are to be removed from the property on a permanent basis and that no commercial vehicle is to be returned to the property at any time without the written approval of Council. Legal action is to be initiated against the owners of Lot 379 should a commercial vehicle be returned to the property without Council approval;
- 4 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the open storage of materials are to be removed from the front setback area and verge adjoining the property within 7 days' notification and on a permanent basis;
- 5 authorise the Chief Executive Officer to initiate legal action against the owners of Lot 379 (15) Bardsley Avenue, Girrawheen in directions contained in 2, 3 and 4 above and thereafter at all times for any further breaches involving the unauthorised use of the property for business purposes, commercial vehicle parking and open storage without Council approval.

COMMITTEE RECOMMENDATION That the Joint Commissioners:

- 1 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the use of the property for business purposes without Council approval is in breach of the City Town Planning Scheme No 1;
- 2 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the Council intends to initiate legal action against them for use of Lot 379 (15) Bardsley Avenue, Girrawheen for business purposes without Council approval; this action will be initiated if matters have not been rectified after 30 days of written advice;

- 3 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that all commercial vehicles are to be removed from the property on a permanent basis and that no commercial vehicle is to be returned to the property at any time without the written approval of Council. Legal action is to be initiated against the owners of Lot 379 should a commercial vehicle be returned to the property without Council approval;
- 4 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the open storage of materials are to be removed from the front setback area and verge adjoining the property within 7 days' notification and on a permanent basis.

ADDITIONAL INFORMATION SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS

As per the request by the Joint Commissioners at the Development and Planning Services Committee on 21 April 1998, an inspection was carried out of Lot 397 (15) Bardsley Avenue, Girrawheen on the morning of 28 April 1998 by the City's Approval Services Liaison Officer. The inspection revealed open storage of several wooden pallets still within the front setback area of Lot 397. The owners of the property have advised the City that the pallets will be removed on the afternoon of 28 April 1998.

The owners of Lot 397 also advised the Liaison Officer on 28 April 1998 that they intended to apply for a home occupation to operate an 'office' from the property sometime next week.

The Liaison Officer does not believe that the matter concerning the open storage, unauthorised home occupation and parking of one commercial vehicle on the property has been resolved at this time.

It is therefore recommended that the owners of Lot 379 (15) Bardsley Road, Girrawheen be advised, as part of the resolution, that no commercial vehicle parking will be approved for the property until the matter of open storage and unauthorised business regarding the property is resolved to the satisfaction of the City.

Part 3 of the resolution should be modified to read as follows:

3. advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that all commercial vehicles are to be removed from the property within 7 days' notification and that no commercial vehicle is to be returned to the property without written approval of the Director, Development Services. The Director, Development Services is to be satisfied that all open storage has been removed from the property and that a home occupation for an office to operate a business has been approved for the site before permission is granted for the return of a commercial vehicle. Legal action is to be initiated should a commercial vehicle be returned to Lot 379 without written approval by the Director, Development Services.

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

- 1 **advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the use of the property for business purposes without Council approval is in breach of the City Town Planning Scheme No 1;**

- 2 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the Council intends to initiate legal action against them for use of Lot 379 (15) Bardsley Avenue, Girrawheen for business purposes without Council approval; this action will be initiated if matters have not been rectified after 30 days of written advice;
- 3 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that all commercial vehicles are to be removed from the property within 7 days' notification and that no commercial vehicle is to be returned to the property without written approval of the Director, Development Services. The Director, Development Services is to be satisfied that all open storage has been removed from the property and that a home occupation for an office to operate a business has been approved for the site before permission is granted for the return of a commercial vehicle. Legal action is to be initiated should a commercial vehicle be returned to Lot 379 without written approval by the Director, Development Services;
- 4 advise the owners of Lot 379 (15) Bardsley Avenue, Girrawheen that the open storage of materials are to be removed from the front setback area and verge adjoining the property within 7 days' notification and on a permanent basis.

The Motion was Put and

CARRIED

DP135-04/98

UNAUTHORISED TRANSPORT DEPOT AND MOTOR REPAIR STATION IN SPECIAL RURAL AREA : LOT 103 (193) LENORE ROAD, WANNEROO - [07052, (30/2195, 1183/103/193)]

On 28 May 1996 the City was made aware of the unauthorised use of a Special Rural zoned lot, Lot 103 (193) Lenore Road, Wanneroo, for the storage/repairs to commercial vehicles on site.

Investigation by the City and an interview with the owner of the property revealed that Lot 103 was being used by him as a transport depot, motor repair station and transport business centre.

Requests by the City to the owner and his solicitors to cease the unauthorised transport depot and vehicle repairs has failed to resolve the situation within a reasonable time period. A further three months' extension has been requested by the owner of the property to continue the unauthorised use. However no definite date to discontinue the use has been obtained.

It is recommended that the owners of Lot 103 (193) Lenore Road, Wanneroo be given a final 28 days to cease the use of the property as a Transport Depot/Motor Repair Station/business purposes. It is further recommended that only one commercial vehicle be permitted to be parked on the property at any time and that any business operating from the site requires a home occupation approval.

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

- 1 advise Mr T Seragusana, the owner of Lot 103 (193) Lenore Road, Wanneroo that the use of the property as a Transport Depot, Motor Repair Station and transport business office without Council approval is in breach of the City's Town Planning Scheme No 1;
- 2 advise Mr Seragusana that Council is prepared to allow him to park one commercial vehicle including trailer on Lot 103 (193) Lenore Road, Wanneroo providing the following provisions are satisfied at all times:
 - (a) the approved and nominated one commercial vehicle and trailer, parked on Lot 103 (193) Lenore Road, Wanneroo, is used as an essential part of the lawful occupation of the occupant of the home;
 - (b) the commercial vehicle is driven on/off Lot 103 (193) Lenore Road, Wanneroo by the occupant of the home on site at all times;
 - (c) the commercial vehicle is not to be manoeuvred on Lot 103 (193) Lenore Road, Wanneroo between the hours of 10.00 pm and 6.00 am the next following day, 7 days per week;
 - (d) no major servicing of the commercial vehicle or trailer is to be carried out on Lot 103 (193) Lenore Road, Wanneroo at any time and the shed on the property is not to be used in breach of the original approval or as a Motor Repair Station in connection with the commercial vehicle;
- 3 advise Mr Seragusana that any business operating from Lot 103 (193) Lenore Road, Wanneroo requires Council approval in the form of a home occupation. Any approval will be for office use only with the standard provisions pertaining to home occupations;
- 4 advise Mr Seragusana that any breach of the above provisions or breach of the City's Town Planning Scheme No 1 involving the use of the site for Commercial Vehicle Parking/Motor Repair Station or unauthorised business will result in legal action being initiated;
- 5 advise Mr Seragusana that the matter concerning the commercial vehicle parking on Lot 103 (193) Lenore Road, Wanneroo is to be resolved within 28 days of notification;
- 6 authorise the Chief Executive Officer to initiate legal action should the requests in 2 (a), (b), (c), (d), 3, 4, and 5 above not be satisfied in the time period given;
- 7 remind Mr Seragusana that he was given due notice, expiring some 5 months ago, to cease the unauthorised activities on the site.

The Motion was Put and

CARRIED

DP136-04/98 SATELLITE DISH : LOT 41 (6B), JUTLAND RISE, OCEAN REEF - [04531]

An application has been received from Witan Satellite Systems for the erection of a satellite dish on Lot 41 (6b) Jutland Rise, Ocean Reef. The proposed dish will be mounted on a 3.4 metre high pole and will be three metres in diameter. The dish will be angled so that the overall height of the structure will be around 5 metres. In accordance with Council policy adjoining owners have been notified of the proposal and invited to make comment. One objection from the rear adjoining owner has been received. The grounds of objection relate to the loss of visual amenity, scale and potential for noise in high wind. An inspection of the objector's property has revealed that the dish would be highly visible from the rear of the residence and outdoor entertaining area. While the impact of the dish may be lessened by the provision of landscape screening along the rear boundary and the marginal lowering of the support pole it will still be visible from the rear adjoining property. Council policy (Policy G3-42) indicates that only where adequate landscape screening and no objection is raised by residents in the immediate vicinity is it likely that Council will favourably consider such proposals. Given this and the strenuous objections of the rear adjoining owner, refusal is recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners refuse the erection of a satellite dish on Lot 41 (6b), Jutland Rise, Ocean Reef as the proposal would detract from and result in a loss of visual amenity to adjoining properties.

The Motion was Put and

CARRIED

DP137-04/98 SUBDIVISION CONTROL UNIT COMMITTEE - 25 FEBRUARY 1998 TO 3 APRIL 1998 - [290-1]

This report provides a resumé of the Subdivision Applications processed by the Subdivision Control Unit 25 February 1998 to 3 April 1998. All applications were dealt with in terms of Council's delegation of subdivision control powers to the Chief Executive Officer at its April 1997 meeting. The Chief Executive Officer subsequently delegated to the Director, Development Services, the authority to deal with these applications.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described Report DP137-04/98.

The Motion was Put and

CARRIED

Appendix XXVII refers.

DP138-04/98 CLOSE OF ADVERTISING: DRAFT POLICY - BAYPORT CIRCUIT, MINDARIE BUILDING HEIGHT LIMIT - [04330]

Council's Draft Policy - Bayport Circuit, Mindarie Building Height Limit was advertised for comment for a period of 21 days which closed on 18 March 1998. The aim of the policy is to provide guidance to limit the development of buildings to single storey. Six letters of submission in addition to a fourteen signature petition against the proposed policy were received as a result of the advertising period. Of those submissions received four were objections and two were in support of the proposed Draft Policy for Bayport Circuit, Mindarie. It is

recommended that the Joint Commissioners resolve not to adopt the Draft Policy - Bayport Circuit, Mindarie Building Height Limit.

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

- 1 pursuant to Clause 5.11 (b)(ii) of the Town Planning Scheme No 1, not proceed with Draft Policy 'Bayport Circuit, Mindarie - Building Height Limit';
- 2 advise those who submitted comments in regard to the Draft Policy of the Joint Commissioners' resolution.

The Motion was Put and

CARRIED

DP139-04/98 CLOSE OF ADVERTISING - GUIDELINES FOR CARINE GLADES MEWS ESTATE - [740-102233 06089]

Guidelines for the control of development on lots 710-738, Carine Glades Estate were advertised as draft Council policy for public comment for a 30 day period which closed on 18 March 1998. No comments were received. It is therefore recommended that the guidelines should be adopted as planning policy.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners pursuant to Clause 5.11 of the City of Wanneroo Town Planning Scheme No 1, adopt the design guidelines for Carine Glades Mews Estate attached to Report No DP139-04/98 as a planning policy.

The Motion was Put and

CARRIED

Appendix XXVIII refers.

DP140-04/98 MODIFICATIONS: AMENDMENT 628 TO TOWN PLANNING SCHEME NO 1 TO REZONE PT LOC 883 GNANGARA ROAD, GNANGARA FROM RURAL TO SPECIAL RURAL - [03723]

Council has been advised by the Western Australian Planning Commission that the Hon Minister for Planning has withheld final approval of Amendment 628 to Town Planning Scheme No 1 to rezone Pt Loc 883 (465) Gnangara Road, Gnangara from Rural to Special Rural, until such time as a number of modifications are effected. It is recommended that the Joint Commissioners endorse the modifications accordingly.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, pursuant to Regulation 21 (2) of the Town Planning Regulation 1967 (as amended), approve the following modification to Amendment 628 to Town Planning Scheme No 1 to rezone Pt Loc 883 (465) Gnangara Road, Gnangara from Rural to Special Rural in accordance with the requirement of the Minister for Planning:

- 1 the Development Guide Plan being modified by replacing the words 'Land to be Acquired for Metropolitan Region Scheme Parks and Recreation Purposes' with the words 'Public Open Space' and 'Acquired' (for Gnangara) being spelt correctly;

- 2 Special Provision 1 being modified to replace 'shall' with 'should' between subdivision and generally.

The Motion was Put and

CARRIED

DP141-04/98 **CLOSE OF ADVERTISING: AMENDMENT 769 TO TOWN PLANNING SCHEME NO 1 TO REZONE LAND BETWEEN WANNEROO ROAD, PINJAR ROAD AND CLARKSON AVENUE, WANNEROO FROM RURAL TO URBAN DEVELOPMENT - [07148]**

Amendment No 769 to Town Planning Scheme No 1 was advertised for public comment for a period of 60 days which closed on the 24 March 1998. The amendment seeks to rezone land between Wanneroo Road, Pinjar Road and Clarkson Avenue, Wanneroo from Rural to Urban Development. Five submissions were received as a result of the advertising period, four of which were non objections to the proposal and one submission was information and advice from a referral authority. It is therefore recommended that the Joint Commissioners resolve to adopt the amendment for final approval without further modification.

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

- 1 pursuant to Town Planning Regulation 17 (2) adopt Amendment No 769 to Town Planning Scheme No 1 to rezone the land between Wanneroo Road, Pinjar Road and Clarkson Avenue, with the exclusion of Reserve 8121, Locations 10668, 7848 and 8027 from Rural to Urban Development without further modification;
- 2 authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

DP142-04/98 **CLOSE OF ADVERTISING: AMENDMENT 798 TO TOWN PLANNING SCHEME NO 1 TO REFLECT AMENDED METROPOLITAN REGION SCHEME - [08121]**

Amendment No 798 to Town Planning Scheme No 1 was advertised for public comment for a period of 42 days which closed on 3 March 1998. The amendment seeks to suitably zone an unzoned portion of the Mitchell Freeway Reserve at Connolly to Local Reserve - Parks and Recreation and amalgamated with adjoining reserved land. Seven submissions were received as a result of the advertising period, all of which were non objections to the proposal. It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without modifications.

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

- 1 pursuant to Town Planning Regulation 17 (2) adopt Amendment 798 to Town Planning Scheme No 1 to rezone portion of Pt Loc. 9974 Mitchell Freeway, Connolly from unzoned to Local Reserve - Parks and Recreation without modification;

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

The Motion was Put and

CARRIED

DP143-04/98 **CLOSE OF ADVERTISING: AMENDMENT NO 812 TO TOWN PLANNING SCHEME NO. 1 TO REZONE LOT 9 KINGSWAY ROAD, LANDSDALE FROM RURAL TO URBAN DEVELOPMENT - [01301]**

Amendment No. 812 to Town Planning Scheme No 1 was advertised for public comment for a period of 42 days closing 24 March 1998. The amendment seeks to rezone Lot 9 Kingsway Road, Landsdale from Rural to Urban Development. Two submissions were received as a result of the advertising period, one of which raised a number of concerns regarding the development proposal. It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without modification.

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

- 1 pursuant to Town Planning Regulations 17 (2) adopt Amendment No 812 to Town Planning Scheme No 1 to rezone Lot 9 Kingsway Road, Landsdale from Rural to Urban Development without modification;
- 2 authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

DP144-04/98 **CLOSE OF ADVERTISING: AMENDMENT NO 811 TO TOWN PLANNING SCHEME NO. 1 TO RECODE PORTION OF PT LOT 38 WANNEROO ROAD (CNR EAST ROAD), HOCKING FROM RESIDENTIAL DEVELOPMENT R40 TO RESIDENTIAL DEVELOPMENT R20 - [00119]**

Amendment 811 to Town Planning Scheme No 1 was advertised for public comment for a period of 42 days which closed on 31 March 1998. The amendment seeks to recode portion of Pt Lot 38 Wanneroo Road, Hocking from Residential Development R40 to Residential Development R20. No submission was received as a result of the advertising. It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without modifications.

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

- 1 pursuant to Town Planning Regulation 17 (2) adopt Amendment No 811 to Town Planning Scheme No 1 to recode portion of Pt Lot 38 Wanneroo Road, Hocking from Residential Development R40 to Residential Development R20 without modification;
- 2 authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

DP145-04/98 **CLOSE OF ADVERTISING: AMENDMENT NO 819 TO TOWN PLANNING SCHEME NO 1 - SWAN LOCATION 12008 ELLERSDALE AVENUE, WARWICK FOR RESIDENTIAL USE - [09381]**

Amendment No 819 to Town Planning Scheme No 1 was advertised for public comment for a period of 28 days which closed on 24 March 1998. The amendment seeks to rezone Swan Location 12008 Ellersdale Avenue, Warwick from Local Reserve - Public Use to Residential R20. Four submissions were received as a result of the advertising period, two of which were objections to the proposal. It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without modification.

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

- 1 **pursuant to Town Planning Regulation 17 (2) adopt Amendment No 819 to Town Planning Scheme No 1 to rezone Swan Location 12008 Ellersdale Avenue, Warwick from Local Reserve - Public Use to Residential R20 without modification;**
- 2 **authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.**

The Motion was Put and

CARRIED

DP146-04/98 **APPEAL DETERMINATION - LOT 10 (362) BADGERUP ROAD, GNANGARA - [08750]**

Mr & Mrs Christovitsis requested the Western Australian Planning Commission (WAPC) approval to subdivide their rural land at Lot 10 (362) Badgerup Road, Gnangara. As this proposal was not consistent with Council's Rural Subdivision Policy, the City did not support it and on this basis the WAPC did not grant approval. However, the applicants appealed to the Minister for Planning who upheld the appeal and permitted the proposed subdivision.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the information in relation to appeal determination in respect to Lot 10 (362) Badgerup Road, Gnangara be recorded and noted in respect of any future applications.

The Motion was Put and

CARRIED

DP147-04/98 **APPEAL DETERMINATION: LOT 36 TRICHET ROAD, JANDABUP - [740-103951 (02563)]**

An application to subdivide Lot 36 Trichet Road, Jandabup into two lots of approximately 2 hectares each was received by the City of Wanneroo in May 1997. The land contains two dwellings which are strata titled. The City did not support the freehold subdivision of this land and the Western Australian Planning Commission subsequently refused the application as it was considered to be contrary to their Rural Smallholdings Policy. The applicant appealed the decision to the Hon. Minister for Planning who rejected the appeal.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the information in relation to appeal determination (Lot 36 Trichet Road, Jandabup) be recorded and noted in respect of any future applications.

The Motion was Put and

CARRIED

DP148-04/98 APPEAL DETERMINATION - LOT 13 (69) GOLFVIEW PLACE GNANGARA - [00227]

Mr & Mrs Williams requested the Western Australian Planning Commission (WAPC) approval to subdivide their rural land at Lot 13 (69) Golfview Place, Gnangara. As this proposal was not consistent with Council's Rural Subdivision Policy, the City did not support it and on this basis the WAPC did not grant approval. However, the applicants appealed to the Minister for Planning who upheld the appeal and permitted the proposed subdivision.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the information in relation to appeal determination in respect to Lot 13 (69) Golfview Place, Gnangara be recorded and noted in respect of any future applications.

The Motion was Put and

CARRIED

DP149-04/98 CLOSURE OF A PORTION OF MERRIFIELD PLACE, MULLALOO - [00292]

The owners of Lot 3 Merrifield Place, Mullaloo have requested Council to close the road reserve which adjoins their property. The road reserve serves little purpose and is apparently being used as an area for youths to congregate. The Joint Commissioners at their meeting on 23 December 1997 supported the closure of the road reserve in principle and agreed to the proposal being advertised. At the close of the 35 day advertising period four submissions objecting to the closure have been received. Despite the objections it is considered that closure should still be supported.

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

- 1 agree to the closure of the road reserve adjoining Lot 3 Merrifield Place, Mullaloo and the subsequent disposal of half of the land to the adjoining property and the balance of the road reserve being amalgamated with Parks and Recreation reserve No 39497;**
- 2 request the Minister for Lands to close the portion of Merrifield Place road reserve adjoining Lot 3 Merrifield Place, Mullaloo in accordance with the provisions of Section 288A of the Local Government Act (Miscellaneous Provisions).**

The Motion was Put and

CARRIED

DP150-04/98 RENEWAL OF LEASES - COMMUNITY PRE PRIMARY CENTRES - [08515]

The leases by which Pre School Committees occupy and operate the Lake Joondalup, Padbury, Kallaroo, Burbridge and Mullaloo Pre Primary Centres expired in January 1998. The existing leases are for a period of five years and it would be appropriate to renew the leases for a further five year term.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners approve the renewal of the leases over the Lake Joondalup Pre School, Wanneroo, Padbury Pre School, Padbury, Kallaroo Pre School, Kallaroo, Burbridge Pre School, Koondoola and the Mullaloo Pre School, Mullaloo for a five year term at an annual rental of \$1.00.

The Motion was Put and

CARRIED

DP151-04/98 REDUCED FRONT SETBACK TO GARAGE: LOT 138 (21) URBAHNS WAY HILLARYS - [08405]

A building licence application has been received from the owners of Lot 138 (21) Urbahns Way, Hillarys for the construction of a garage forward of the existing garage, with a reduced front setback of 2.564 metres. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes) particularly in relation to the impact on the amenity and streetscape.

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

- 1 exercise discretion under clause 1.5.5(b) of the Residential Planning Codes and authorise The Principal Building Surveyor to` approve the proposed Garage at Lot 138 (21) Urbahns Way Hillarys with a reduced front setback of 2.564 metres, as the amenity of the surrounding lots and streetscape is not unduly affected;
- 2 advise the owners that the existing screen wall on the front boundary is to be brought into compliance with Council's Local Law F1 - Fencing and Private Tennis Court Floodlighting by either:
 - (a) truncating the screen wall 1500 x 1500 at the property boundary, or
 - (b) the screen wall is to be reduced to a maximum height of 1000 for a distance of 1500 from the crossover.

The Motion was Put and

CARRIED

DP152-04/98 SIX CINEMA COMPLEX - LOT 929 (1244) MARMION AVENUE, CNR SHENTON AVENUE, CURRAMBINE - [00128]

An application has been received for Stage 2 of the Currambine District Centre involving a six (6) cinema complex (seating capacity 1,550), speciality shop (240 square metres) and an additional car parking area to accommodate 51 car bays (access off Marmion Avenue). The cinema building, containing the speciality shop, extends north of the existing shopping centre currently occupied by Woolworths.

Support is also requested for an overall structure plan for the area bounded by Marmion Avenue, Shenton Avenue and Delamere Avenue.

The cinema proposal has been advertised for public comment. An 1,156 signature petition and 39 letters objecting to the proposal have been received as well as a 608 signature petition and 624 letters in support of the proposal.

The proposal has been approved by the Western Australian Planning Commission under the terms of the Metropolitan Region Scheme. The proposal complies with the requirements of the City's Town Planning Scheme, with the exception of carparking. A reduced carparking requirement is however considered appropriate in this instance.

Approval of the cinema complex proposal is recommended. However, it is considered premature to support the overall structure until the Western Australian Planning Commission has finalised the Metropolitan Centres Policy.

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

- 1 **approve the development application submitted by Coney Stevens Project Management/Hames Sharley on behalf of the owners, Davidson Pty Ltd and the Roman Catholic Archbishop for Stage 2 namely, six (6) cinemas; speciality shop (240m²); on Lot 929 (1244) Marmion Avenue, Currambine subject to:**
 - (a) **the provision of a minimum of 677 on-site carparking bays**
 - (b) **all site levels including finished floor levels shall be shown to integrate with the proposed development to the existing retail building; surrounding land; car parking; and future stages within the Currambine District Centre to the satisfaction of the City;**
 - (c) **standard and appropriate conditions as determined by the Manager Approval Services**
- 2 **exercise discretion under clause 9.1.1 of the City of Wanneroo Town Planning Scheme and accept in this instance, a reciprocal parking arrangement (of 226 car parking bays) to the extent that Stages 1 and 2 would require the provision of 677 car parking bays;**
- 3 **advise the applicant that consideration of the structure plan is considered premature until the Western Australian Planning Commission has finalised the review of the Metropolitan Centres Policy.**

Cmr Rowell advised he did not support the Motion.

The Motion was Put and

CARRIED

Cmr Rowell requested that his name be recorded as voting against the recommendation.

REPORT OF THE CHIEF EXECUTIVE OFFICER**C27-04/98****SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document:	Deed
Parties:	City of Wanneroo and Ian Murray
Description:	Copyright Agreement
Date:	23.3.98
Document:	Deed
Parties:	City of Wanneroo and Dr Gerald Jones
Description:	Copyright Agreement
Date:	23.3.98
Document:	Deed
Parties:	City of Wanneroo and Mary Harrington
Description:	Copyright Agreement
Date:	23.3.98
Document:	Deed
Parties:	City of Wanneroo and Paul and Frank Znidarsic
Description:	Copyright Agreement
Date:	23.3.98
Document:	Deed
Parties:	City of Wanneroo and Antonio and Maria Rose Loca
Description:	Copyright Agreement
Date:	23.3.98
Document:	Lease in Triplicate
Parties:	City of Wanneroo and Minister for Education
Description:	Blackmore Pre-Primary Centre
Date:	23.3.98
Document:	Application - New Title
Parties:	City of Wanneroo
Description:	Vacant Crown Land, Newlyn Place, Yanchep (former PAW)
Date:	27.3.98
Document:	Contract of Sale
Parties:	City of Wanneroo and B W and M L Anderson
Description:	Lot 3 Uppill Place, Wangara
Date:	27.3.98
Document:	Contract of Sale
Parties:	City of Wanneroo and Wisegold Holdings Pty Ltd
Description:	Lot 8 Uppill Place, Wangara
Date:	27.3.98

Document:	Contract of Sale
Parties:	City of Wanneroo and Kete Pty Ltd
Description:	Lot 9 Uppill Place, Wangara
Date:	31.3.98
Document:	Lease in Triplicate
Parties:	City of Wanneroo and Minister for Education
Description:	Lot 5 Poimena Mews, Kingsley - Yagan Pre-School
Date:	31.3.98
Document:	Contract of Sale
Parties:	City of Wanneroo and Quain Pty Ltd and P P and J A Kwiatkowski
Description:	Lot 16 Uppill Place, Wangara
Date:	31.3.98
Document:	Instrument of Agreement
Parties:	City of Wanneroo and Clayton Utz
Description:	Provision of Legal Services
Date:	31.3.98
Document:	Easement
Parties:	City of Wanneroo and Minister for Lands, Telstra and Western Power
Description:	Public Rec Res No 42290 - Moondarra Way, Joondalup
Date:	7.4.98
Document:	Transfer of Land
Parties:	City of Wanneroo and Wisegold Holding Pty Ltd
Description:	Lot 8 Uppill Place, Wangara
Date:	7.4.98
Document:	Transfer of Land (2)
Parties:	City of Wanneroo and Water Corporation
Description:	Lot 10 Wattle Avenue, Nowergup
Date:	7.4.98
Document:	Easement in Gross
Parties:	City of Wanneroo and Alinta Gas
Description:	Lot 14 Wanneroo Road, Neerabup
Date:	14.4.98
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and J T Bloor, J G Donovan and B J Hall
Description:	Part of Lot 15 Holland Way, Kingsley
Date:	20.4.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 797
Date:	20.4.98

Document: Deed
 Parties: City of Wanneroo and Bellridge Nominees P L, Landrow Limited, Crosscut P L, Sanctus Nominees, Schaffer Properties P L, Chalet Nominees P L, The Sports Cafe Australia P L, Chasmann Properties P L, M D and S K Sillence and Tam Thorogood
 Description: Lot 695 Rio Marina Way, Mindarie
 Date: 20.4.98

Document: Scheme Amendment
 Parties: City of Wanneroo and Minister for Planning
 Description: TPS No 1 - Amendment No 814
 Date: 23.4.98

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Schedule of Documents Executed by means of Affixing the Common Seal be received.

The Motion was Put and

VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - LOCAL GOVERNMENT ADVISORY BOARD - [02011]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Local Government Advisory Board.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit nominations for one metropolitan member, one non-metropolitan member and two deputy members to the Local Government Advisory Board.

The functions of the Advisory Board are specified in Section 2.45 of the Local Government Act 1995, viz:

"2.45 (1) The functions of the Advisory Board include:

- (a) considering and, if required by this Act, inquiring into any proposal made to it under this Act that an order be made to do any or all of the matters in Section. 2.1, 2.2, 2.3, 2.18(1) or 2.18(3);*
- (b) making recommendations to the Minister on those proposals;*
- (c) carrying out any other inquiries the Minister may direct; and*
- (d) considering whether as a consequence of any recommendation the Board proposes to make to the Minister, the making of an order to do any or any other of the matters in Section 2.1, 2.2, 2.3, 2.18(1) or 2.18 (3) in respect of a relevant district is or may be necessary;*

(2) *In subsection (1)(d):*

“relevant district” means a district to which the proposed recommendation relates or an adjoining district.

(3) *If the Advisory Board considers that the making of an order referred to in Subsection (1)(d) is or may be necessary, the Board is to consider or inquire into the making of any such order as if it had received a proposal that such an order be made.”*

The term is for two years commencing 1 July 1998. Meetings are held fortnightly on the first and third Thursday of each month (from 11.00 am to 2.00 pm) at the Department of Local Government.

There is a meeting fee of \$4,800 per annum.

The Advisory Board membership comprises:

- Chairman (nominated by the Minister)
- 2 WAMA representatives
- 1 IMM representative
- 1 Department of Local Government representative.

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

No nomination was submitted.

VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - NATIONAL PARKS AND NATURE CONSERVATION AUTHORITY - [02011]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the National Parks and Nature Conservation Authority.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit nominations for member to the National Parks and Nature Conservation Authority.

The Committee's terms of reference is for the:

- development of Management Plans for conservation reserves vested in the Authority
- development of Regional Management Plans
- examination of proposals for recreational and tourism use of National Parks and other reserves
- review of proposals which may impinge on the natural resources of vested lands.

The serving term is one year. Meetings are held on the second Friday of each month (commencing at 9.15 am) at the Department of Conservation and Land Management, Hackett Drive, Crawley.

There is a meeting fee of \$4,800 pa, paid quarterly in arrears.

Membership comprises 15 members: 11 nominated by the Minister for the Environment from sections of the community specified in the CALM Act and appointed by the Governor (two of which are elected members of Local Government) and four ex officio members from CALM.

No nomination was submitted.

C28-04/98 COUNCIL/COMMITTEE MEETING CYCLE - MAY AND JUNE 1998 - [08122]

SUMMARY

Due to the need to set a timetable for meetings to be held during May and June 1998, it is suggested that the Joint Commissioners adopt the following meeting dates:

RECOMMENDATION That the Joint Commissioners adopt the following meeting dates for the months of May and June 1998:

Tuesday 19 May 1998

11.00 am	Policy Committee (not open to public)
12 noon	Finance and Community Services Committee
3.00 pm	Technical Services Committee
5.00 pm	Development and Planning Services Committee

Tuesday 26 May 1998

6.30 pm	Meeting of Joint Commissioners
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Tuesday 16 June 1998

11.00 am	Policy Committee (not open to public)
12 noon	Finance and Community Services Committee
3.00 pm	Technical Services Committee
5.00 pm	Development and Planning Services Committee

Tuesday 23 June 1998

6.30 pm	Meeting of Joint Commissioners
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MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners adopt the following meeting dates for the months of May and June 1998:

Tuesday 19 May 1998

11.00 am	Policy Committee (not open to public)
1.00 pm	Finance and Community Services Committee
3.00 pm	Technical Services Committee
5.00 pm	Development and Planning Services Committee

Tuesday 26 May 1998

6.30 pm Meeting of Joint Commissioners

Tuesday 16 June 1998

11.00 am	Policy Committee (not open to public)
1.00 pm	Finance and Community Services Committee
3.00 pm	Technical Services Committee
5.00 pm	Development and Planning Services Committee

Tuesday 23 June 1998

6.30 pm Meeting of Joint Commissioners

Cmr Clark-Murphy believed it appropriate that those Committee which were open to members of the public be grouped together; and that the Finance and Community Services Committee should commence at 1.00 pm.

The Motion was Put and

CARRIED

VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - HERITAGE COUNCIL OF WA - [02001]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Heritage Council of WA.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit nominations for member to the Heritage Council of WA.

The Heritage Council's Terms of Reference is to advise the Minister in matters relating to places of cultural heritage significance and to the conservation, preservation and use of such places.

The serving terms is at the discretion of the Minister. Meetings are held on the second Friday of each month (commencing at 9.00 am) at 108 Adelaide Terrace, East Perth.

There is a meeting fee of \$3,750 per annum (with mileage paid for Country members).

Membership comprises:

- Member of Heritage Council of WA (Chair)
- nominee of National Trust of Australia (WA)
- Local Government Representative
- Owners Representative
- Professional Organisations Representative
- 4 Representatives having qualifications or expertise or experience in matters within functions of the Heritage Council.

No nomination was submitted.

VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER AND DEPUTY - KEEP AUSTRALIA BEAUTIFUL COUNCIL OF WA - [02011]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Keep Australia Beautiful Council of WA.

BACKGROUND

The Western Australian Municipal Association has invited member Councils to submit nominations for member and deputy member to the Keep Australia Beautiful Council of WA.

The Committee's terms of reference is to:

- Educate to reduce litter (Schools and Community Programmes)
- Develop community pride (Tidy Towns and Litter removal)
- Promote litter law enforcement (Ranger of the Year Award)

The serving term is for three years, commencing on 9 November 1998. Meetings are held at 4.00 pm on the Third Tuesday of the month at 56 Walcott Street, Mt Lawley.

No meeting fee is paid.

Membership comprises:

- Conservation Council of WA - 1 representative
- Consumers Association - 1 representative
- Ministerial Appointee - 1 representative
- CALM - 1 representative
- Trades and Labour Council - 1 representative
- CSCA - 1 representative
- Local Government Association - 1 representative
- Soft Drinks Manufacturers Association of WA - 1 representative

- Chamber of Commerce - 4 representatives
- Director General of Education

No nomination was submitted.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

MOTIONS FOR FURTHER ACTION

Nil

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **6.30 pm** on **TUESDAY 26 MAY 1998**

QUESTION TIME

Mrs M Zakrevsky:

Mrs Zakrevsky raised the following points:

- Q1 Re: TS79-04/98: Will Terms of Reference be provided to the invited participants of this committee?*
- Q2 Will other community groups receive invitations as not everyone reads the Wanneroo Times?*
- Q3 Will the meetings and times be on a regular basis. Will they be monthly or bi-monthly and of sufficient duration. Will they also be pre-determined for a whole year on a regular basis as are full council and other committee meetings?*
- Q4 I ask that a recommendation go from this meeting that these matters are brought up in the future after June 30.*

Q1 to 4 were taken on notice.

- Q5 With regard to the community environmental grant scheme that closes for submission on 30 April, can Council speed up the process so that groups can oversee these grants before the winter rains cease?*
- A5 Response by Cmr Ansell: Yes, we will speed up the process.*
- Q6 Can the matter of overfill on 52 Korella Street, which is impacting on No 50, be treated in a similar manner to that of Manakoora Rise, so that the problems related to the dividing fence and wall between these two properties can be resolved?*

A6 *Response by Cmr Ansell:* It was suggested to Mr & Mrs Veness that if they were not satisfied with what had been done, they should get an engineers' report, as their neighbour had an engineers' report saying that there was nothing wrong with the fence. As to the overfill, it may well have been filled illegally in the past but Council has approved it subsequently, so it can't be undone.

Dr Marion Milton:

- In reference to DP110-04/98 - Proposed Three Storey Dwelling: Lot 86 (44) Ranford Way, Hillarys, Dr Milton expressed concern at not being contacted regarding the site meeting held to discuss this matter as she had been promised by Cmr Rowell that she would be advised when the meeting was to be held. She therefore believed that the site meeting and decision on this matter was invalid.

Cmr Rowell explained that as the meeting had been arranged at the earliest conceivable time, he had received little notice himself and apologised that she had not been present at the meeting. He advised that the meeting was valid and that the building conformed to requirements.

- Dr Milton referred to forthcoming height restrictions and believed that buildings such as this were being pushed through to beat such restrictions. She suggested that in order to comply with the spirit of the code, that the Commissioners should take careful consideration of the feelings of people affected by these large buildings.

Cmr Rowell responded that since becoming a Commissioner in Wanneroo, he had been trying to institute precinct studies and height restrictions. Within local government requirements, if a building application was not processed within 60 days, it was deemed a refusal. The Minister could then intervene and as the building complies with the Town Planning Scheme and the R Codes, any appeal would be upheld.

Mr Craig Haarlens:

- In reference to Item DP152-04/98 - Six Cinema Complex - Lot 929 (1244) Marmion Avenue, Cnr Shenton Avenue, Currabine, Mr Haarlens questioned the need to build a cinema in Currabine and cited the following reasons and concerns against the proposal:
 - Delamere Drive is too narrow to sustain intended traffic;
 - forthcoming opening of Joondalup cinemas, which will have all the necessary facilities;
 - possible anti-social behaviour;
 - residents not informed prior to buying their land;
 - possible devaluation of house prices.

Mr Haarlens referred to the petitions which had been presented for and against the proposal and questioned how these petitions were viewed as he was concerned that a lot of people signing the petition for the proposal lived outside the area. He also queried what other steps could be taken by residents objecting to the cinemas.

Cmr Ansell responded that in relation to petitions, people sign them for different reasons and in reaching a decision, little consideration was placed on the fact that more people petitioned for it rather than against it. Council was precluded from making a judgement based on commercial viability and therefore the Commissioners relied on the State Planning's definition of where cinemas are placed, and they have advised that Currumbine is the sort of area that can sustain, or can include, cinemas.

Cmr Rowell advised as there was no third party appeal process in Western Australia, the only other avenue would be to contact a local politician and for them to query the State Planning Commission's support for cinemas in Currumbine.

Cr S Magyar:

Q1 Re: TS75-04/98 - Recycling Trial: If this trial of the recycling programme is successful, can you guarantee the people of Wanneroo that you will bring on stream the full recycling service to everyone that wants it within the timeframe that the previous Council attempted to bring it in?

A1 Response by Cmr Ansell: I can guarantee you that the people of Wanneroo will receive an appropriate recycling service in the time previously advised.

Mrs A Hine:

Mrs Hine raised the following points:

- *Re: Height Restrictions. Mrs Hine queried why Council had taken four years to come to making amendments in relation to height restrictions.*
- Re: Questions on notice. Mrs Hine requested that her questions be read out to the public as she believed they were in the public interest and should not be hidden in the agendas. Cmr Rowell said that the answers to Mrs Hines' questions were on Page 5 of the agenda and believed it pointless to read questions when the answers were not available.*
- *Re: In relation to questions she had previously asked, Mrs Hine advised these had not related to Burrarah Way but were in relation to the store being built between either Whitford or Joondalup.*
- Mrs Hine raised her concern at responses given to previous question.
- Mrs Hine expressed concern at the removal of a large tree on Wanneroo Road. She also expressed concern at disturbance to the bird life caused by land clearing and suggested high rise car parks could be used to limit further clearing.
- In reference to the sale of Greenwood Primary School, Mrs Hine believed that this would come to Council for it to be rezoned and expressed concern at the possible clearing of the tuart and jarrah trees on the land.

Mr R Phillips:

- Mr Phillips commented that he would welcome the day that the ratepayers of Wanneroo could again elect their own Council.

Cr L O'Grady:

Q1 Could I ask you Cmr Rowell, were you chairman of the insurance board at the time when Wanneroo was trying to get some information and the recommendation was that the Councillors shouldn't be given the information?

A1 *Response by Cmr Rowell* I have been the chairman of the Local Government Insurance Board since its inception, but that doesn't mean to say that I tell the officers or the insurance managers what to say. When the insurance group did an inquiry into the Manakoora Rise situation, not all of that information was given to me as the Chairman because a lot of that information was done on a confidential basis and that report hasn't even been made available to the Royal Commission.

- Cr O'Grady referred to the public meetings held by Councillors to explain the split of the City of Wanneroo and was disappointed that no reply had been received to the invitation issued to the Commissioners to attend these meetings.

Mrs A Hine:

Q1 In the report into Wanneroo, it says that the Councillors and, I presume, staff were all warned not to speak or tell anybody about what was going on because if they had spoken out it would have stopped the payment to those people. Is that true?

A1 *Response by Cmr Ansell:* One of the reasons we haven't addressed many of the items that were raised, but were not part of the recommendation, is that we wanted to get the recommendation part out of the way first, because everyone was entitled to know what our recommendations were on the recommendations from the report. The other matters will be addressed in a logical manner and you will be informed of the outcome.

Response by the Chief Executive Officer: Once a claim was lodged with the insurance company, the insurance company had to run with that claim and it was their prerogative.

Response by Cmr Rowell: It had nothing to do with how Manakoora Rise obtained its building licence or how it was constructed. The insurance company was only concerned with whether compensation was warranted and that is the insurance companies business, not the City of Wanneroo's.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 2047 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
 ROWELL
 CLARK-MURPHY
 BUCKLEY