



CITY OF WANNEROO

MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 26 MAY 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, 26 MAY 1998

ATTENDANCES

Commissioners:

C T ANSELL	- Chairman	
H MORGAN, AM	- Deputy Chairman	
R M ROWELL		<i>Absent from 1903 hrs to 1905 hrs</i>
		<i>Absent from 1910 hrs to 1911 hrs</i>
M C CLARK-MURPHY		
W BUCKLEY		<i>Absent from 1912 hrs to 1914 hrs</i>

Officers:

Chief Executive Officer:	L O DELAHAUNTY	
Director, Corporate Services:	R E DYMCK	
Director, Strategic Planning:	R FISCHER	
Director, Resource Management:	J B TURKINGTON	<i>Absent from 1903 hrs to 1905 hrs</i>
Director, Technical Services:	R McNALLY	
Director, Development Services:	O G DRESCHER	
Director, Community Services:	C HALL	
Manager, Council Support Services:	M SMITH	
Publicity Officer:	L BRENNAN	
Committee Clerk: J AUSTIN		
Minute Clerks:	L TAYLOR	
	S BRUYN	

APOLOGIES AND LEAVE OF ABSENCE

Nil.

There were 26 members of the Public and 2 members of the Press in attendance.

The Chairman declared the meeting open at 1830 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mr Keith Holmes, were taken on notice at the meeting of Joint Commissioners held on 28 April 1998: 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"?*
- A1. The Commissioners are very aware of the concerns that have been expressed by ratepayers about the dwelling approval for Lot 560 Manakoora Rise.
- 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.*
- A2. The actions undertaken by the Commissioners have been as follows:
- reviewed the reports
 - obtained briefings by Council Officers, Solicitors, and Insurers
 - attended site meetings/inspections
 - met with the owner and some neighbours
 - instigated an independent review of the development for compliance with the Building Code of Australia.
- 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?*
- A3. (a) No. Amelioration was not part of the stop work order.
- (b) The owner has given a number of assurances that the amelioration works will be carried out.
- (c) No. Residential Planning code matters are not enforceable under a stop work order.
- 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?*

- A4. The City of Wanneroo has expended approximately \$50,300 which includes legal, independent advisers, and the \$5,000 excess due under Council's insurance policy.
- 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?*
- A5. Council was constrained in what admissions it could make by the provisions of its insurance policy. Despite this constraint Council worked very hard with the Insurer, its various advisers and the parties directly involved in trying to find an acceptable solution. Council also took action to remedy the breaches of the Building Regulations.
- 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.*
- A6. (a) The Anne Marshall Government Inquiry has not interpreted the Council's height policy correctly there is not a 6m maximum limit.
- (b) The dwelling has been inspected a number of times during the construction process. The building is still not completed. Recently Council engaged an independent expert to make a further inspection to ensure the dwelling conformed with the approved plans.
- 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?*
- A7. The Anne Marshall Inquiry Report noted that the building licence was valid to the extent it was issued under the alter ego rule.

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".*

A8. Council does not have a height limitation policy. Rather, the policy provides for administrative actions when the height of the dwelling (when measured in accordance with the policy) exceeds 6m. The actions include seeking the comments of the owners of affected properties.

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.

A9. Mr Fischer denies that he has "always stated" that this dwelling complies with the R-codes.

The question of whether or not the dwelling complies with the R-codes has not been finally determined due to difficulties experienced with the interpretation of the R-codes.

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".*

A10. Mr Fischer instigated a number of inquiries when the problem became apparent. These included a review of the processing procedures for large multi level dwellings. New checking lists accompanied the revised procedures.

When first reported the investigation was not carried out by Mr Fischer. The person immediately in charge of Building Approvals was another officer who carried out early investigations.

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?

A11. The Commissioners and senior staff understand the concerns and hurt this matter has raised in the community and acknowledge that mistakes were made in processing of the application for this development. Processes have been put in place to minimise such human errors in the future.

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?*

A12. The question of the drive way location was finally investigated by the City Engineer and Council in February 1997 where it resolved its location based on safety consideration (TS1-02/97 refers)

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”.

A13 The CEO emphatically denies that any information was withheld. On occasions the information was provided verbally so as to protect the legal privilege that attached to the various documents. Unfortunately legislation does not provide an environment where information that is or may be subject to litigation and may prejudice Council’s position if obtained under Freedom of Information to prevail.

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”?*

A14. During my involvement with Wanneroo I have no problem with the information being provided to me or the cooperation from staff on matters under consideration.

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.

A15. The Commissioners have responded to the Lawrence Report with respect to the report recommendations and will consider submissions from the officers concerning other matters raised in the report.

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.*

A16 Upon receipt of a detailed report from the staff concerned and any other advice the Joint Commissioners may consider necessary the matter will be given appropriate consideration.

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?*

A17 An answer to Mr Holmes’ letter has been supplied and claims made have been referred to Council’s Insurance Company for comment.

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.

A18 The site has been inspected by the District Building Surveyor who advises it appears that Lot 599 has been disturbed by works on adjacent lots causing minor changes in level. Any "unnatural" changes will be considered when an application to develop the Lot is received.

The following questions, submitted by Mrs A Hine, were taken on notice at the meeting of Joint Commissioners held on 28 April 1998:

Q1 In relation to the suspension of Councillors of 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)

A1 While under suspension, there is no provision for Councillors to incur costs on behalf of the Council. It is understood that the decision to hold public meetings was that taken by Councillors in their private capacities.

Q1(a) Will the Councillors be re-instated as the report states. (Quote Reports) "That Council be re-instated"

A1(a) The re-instatement of suspended Councillors is a decision to be made by the Minister after receiving responses from the Commissioners and Councillors. The Act allows a 35 day period for this to take place.

Q1(b) Will the Councillors be fully paid up to date, from the start of suspension and re-instatement? (Fairness is needed in this instance).

A1(b) Provision of fees under the Local Government Act is for the attendance by Councillors at official Council meetings or representing the Council. As the suspended Councillors were not meeting this requirement while under suspension, fees will not be paid.

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.

A2 The decision to suspend Councillors was made by the Minister based on information in the Royal Commission. This decision did not affect senior staff. The comments made regarding withholding of information in the Panel of Inquiry report provided no detail. This matter will be further investigated by Commissioners.

Q2(a) Is Council still using the same insurers and legal firms as up to this meeting? Who are they? Does the CEO and Treasurer believe they are getting good value for the ratepayers in this instance?

A2(a) Yes. Municipal Liability and McLeod & Company. Yes.

Q3 *Can the Treasurer give me an answer as to how much money is paid to this Council by Homeswest in general rate money.*

A3 1997/98 rates raised for Homeswest owned property and land were as follows:

Improved Properties	\$1,030,688
Vacant Land	<u>\$ 310,398</u>
TOTAL	<u>\$1,341,086</u>

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?*

A4 All staff have been addressed by the Chairman and CEO regarding the proposed split and assured of their job security. Most staff leaving the Council's employment are pursuing career promotions or for personal reasons. All staff leaving undertake an exit interview which supports this information.

Q5 *How many senior staff live in Wanneroo and how does this affect the declaration or disclosure of financial interests? Could some have an added advantage over others? (if not resident in this area of Wanneroo)*

A5 Of those classified as senior officers, three live within the boundaries of the current City and 4 live externally.

A person's place of residence should have no effect on his/her declaration or disclosure of financial interest and there would appear to be no added advantage either way.

Q6 *How many actual copies of NewsExtra are printed each time for distribution? What is the comparison "price wise" between distribution of the NewsExtra by Australia Post and what the Wanneroo Times has offered?*

A6 78,000 copies of NewsExtra are printed. Of those, 77,670 are distributed to households throughout the City of Wanneroo. The remainder - 330 - are taken to the Joondalup Administration Centre where they are forwarded to staff, City of Wanneroo Libraries and local businesses.

It costs Australia Post 7 cents per item to fold and distribute NewsExtra. To distribute 77,670 copies it costs Australia Post \$5,436.90. In comparison, preliminary contact with the Community Newspaper Group revealed a charge of \$45 per \$1000 copies. This figure applies to pamphlets/flyers included in their newspapers. If the Wanneroo Times distributed the NewsExtra, it would cost the Council approximately \$3,500. However, during brief discussions with Community Newspapers, it was admitted that the group could not guarantee delivery to all households, particularly those in remote areas. During investigation, it was noted that the Wanneroo Times is not distributed to all residents in the municipality.

Q6(a) *What was Australia Post's verdict on what went wrong?*

A6(a) Council, on a prior occasion, wrote to Australia Post, outlining the areas that residents said weren't receiving NewsExtra. A representative from Australia Post expressed concern over the residents' claims. As a result, Australia Post set up a team to investigate the allegations. After the investigations, in written correspondence Australia Post said:-

Resident A was pleased with the current delivery person and confirmed she received all articles from Australia Post. She said when she raised the issue at the Council meeting, her comments were more about "costs".

Resident B said he was the person who said he did not receive the December issue, but he did not say that other residents in Stocker Court did not receive a copy. Another resident in Stocker Court confirmed they had received a copy.

Resident C was not in attendance on the day and a card was left in his letterbox. The delivery people for that area were interviewed and confirmed delivery was made.

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?

A7 The City only pays Third Party insurance and recording fees on vehicles/road plant. The Department of Transport has confirmed that the 100% vehicle licence fee concession granted to Local Government agencies will remain.

The City has 493 vehicles to which the Third Party insurance and recording fee applies.

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?

A8 Where questions are received and labelled accordingly, they would normally be printed in the next Agenda for the Meeting of Joint Commissioners.

The following question, submitted by Mr C Isaacs, was taken on notice at the meeting of Joint Commissioners held on 28 April 1998:

Q1 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.

A1 Most instances of land clearing in the City of Wanneroo is associated with the subdivision of land. As the land subdivision process is controlled by the State Government, it is beyond the City's Power to prevent such clearing from occurring. General clearing of Rural land (beyond one hectare in area) requires the approval of the Department of Agriculture. In some specific zones, the clearing of land is controlled via provisions within the City's Town Planning.

The following questions, submitted by Mrs M Zakrevsky, were taken on notice at the Meeting of Joint Commissioners held on 28 April 1998:

Q1 Re: TS79-04/98: Will Terms of Reference be provided to the invited participants of this committee?

A1 Yes

Q2 Will other community groups receive invitations as not everyone reads the Wanneroo Times?

A2 Groups will be invited to attend to provide specific comment on issues.

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?

A3 Meetings will be bi-monthly. Dates are to be determined via Advisory Committee discussion at the initial meeting.

Q4 I ask that a recommendation go from this meeting that these matters are brought up in the future after June 30.

A4 An initial meeting has been programmed for Tuesday 9 June 1998.

Mrs A Hine:

Q1 What has become of Regular Minutes usually to be found in our libraries on Mindarie Regional Council? None have gone to our library since October 97.

A1 Due to an administrative oversight, the Minutes of the Mindarie Regional Council Ordinary meetings have not been placed in the City's Libraries since October 1997. As of Monday 25 May 1998, the Minutes of meetings occurring since October 1997 will be available for inspection at the Joondalup Library.

Q1(a) How many Council Meetings have been held since October 97. Plus Special Council Meetings?

A1(a) The Mindarie Regional Council holds Ordinary Meetings every second month. Since October 1997, Ordinary Meetings have been held on 18 December 1997, 19 February 1998 and 23 April 1998. No Special Council meeting has been held during that period.

Q1(b) Who represents Wanneroo City Council at those meetings?

A1(b) The City of Wanneroo is currently represented on the Mindarie Regional Council by Commissioners Morgan, Rowell, Clark-Murphy and Buckley.

- Q2 Minutes 28/4/98 (6) - On 24/3/98 Question on notice - Q1. I asked a question regarding costs Town Planning Appeal Tribunal currently being heard? At that time in March 1998. The case was I believe, relating to the rights to build a "store"? In Whitfords or Joondalup? We had representation at that hearing.*
- Q2a What was the approximate cost of that case? And has there been a decision made? If so, can we be informed please? (3 wks sitting).*
- A2 The City is one of the respondents in an appeal to the Town Planning Appeal Tribunal with respect to the City's refusal of an application to Commence Development for an expansion to the Whitfords Shopping Centre.
- A2a The City's legal costs for the appeal to date are \$71,891. The value of officer time has not been costed.
- The case is still being heard with the next sitting days to be in mid June.
- Q3 Minutes 28/4/98 (8) - Meeting held 24/3/98 - Q2. Re-Cnr of Wanneroo Road and Church Street.*
- Have "Pointside Pty Ltd" put forward a suitable plan for this site? And who is "Pointside Pty Ltd"?*
- What does Council think of any commercial activity on a site; adjacent to two schools and on a main road?*
- A3 At this stage there has not been an application for development approval, only a request for rezoning. Accordingly no detailed plans have been submitted or requested. The consultants have submitted a concept sketch of their proposal in support of the rezoning request. Pointside Pty Ltd is a private company that has arranged to purchase the site.
- The Development and Planning Services Committee considered the issues relating to this matter at its meeting on 19 May 1998 and recommended to initiate and adopt an amendment to the Scheme to rezone the portion of the site adjacent to the school for medium density housing and the portion adjacent to Wanneroo Road for mixed business uses.
- Q4 What is this Council going to do about a proper tree and environmental policy? Nedlands policy was sent to Council in November 1997. I have heard nothing constructive from Council on that score. Can you PLEASE do something before its too late? Council has a duty to the ratepayers to protect the animal and bird life and their habitat: Does no one care?*
- A4 A report on the options available to Council will be prepared for the August/September 1998 round of meetings.
- Q5 We are having trouble with big obtrusive houses still (DP164-05/98). When will the amendment proposed be law? I am also enclosing a copy from Nedlands on their Policy. Can we learn anything from their document?*

A5 Council's proposed amendment (814) to enable selected applications for single dwellings to require planning approval has been forwarded to the Ministry for Planning for the approval of the Minister. Policies relating to residential development from a number of other local authorities (including Nedlands) were examined prior to the preparation of the amendment. It was considered inappropriate for all applications for single dwellings to require planning approval as would be the case for implementing policies such as the Nedlands.

Q5(a) *Who is the consultant used and quoted by council as RL Fisher? It was in relation to the Special Council Meeting held (approx) 22 December 1994. (The Report was presented to Council in May 1995 (TP145-04/95)*

A5(a) Mr R L Fisher was the design consultant for Mr P Mirandah and G Rose the owners of Lot 40 West Coast Drive, Marmion, who lodged an application to commence development for a group dwelling. He was not a consultant engaged by the City.

(The following questions refer to the land on the corner of Marmion and Ocean Reef Road and have not at this stage been presented to Council)

Q6 *When did Council become aware of the development physically taking place.*

A6 The City's subdivision officers noticed that clearing works were being undertaken on site on 24 April 1998.

Q7 *Re the land situated at corner of Marmion Avenue and Ocean Reef Road, Connolly. I wish to ask whether Council is aware that earthworks have commenced on this site?*

A7 The City is aware that the subject land has now been cleared and earthworks are now being undertaken on site.

Q8 *Who gave permission for these site works to commence?*

A8 The approval of subdivision for the above land was granted by the Western Australian Planning Commission (WAPC) on 19 March 1998. Final Engineering plans were approved on 20 May 1998.

Q9 *Can you confirm that the developers have broken the rules and regulations of this Council inasmuch as they have both disturbed and modified the existing landform vegetation and drainage patterns of this portion of land without the prior approval of the City of Wanneroo?*

A9 It is confirmed that works commenced on site prior to approval of Engineering drawings.

Q10 *If the developers have breached Council regulations, are they liable for prosecution by Council?*

A10 This matter needs to be further investigated in relation to the approval process.

- Q11 *At the 28/4/98 meeting of Joint Commissioners, it was stated that 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 \$5000 where a person is found guilty of an offence under a Town Planning Scheme and 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. In view of this, will council be taking action against the developers, Cape Bouvarde, in the above instance?*
- A11 The subdivision approval over this land was granted by the Western Australian Planning Commission (WAPC) on 19 March 1998. The City's Town Planning Scheme cannot revoke a subdivisional approval or a condition granted by the WAPC as part of the subdivision process.

The earthworks, drainage and road construction which is currently being undertaken is in accordance with the engineering drawings received by the City.

Mrs J Brown:

- Q1 *How much did Wanneroo City Council spend on the consultants who prepared the Clarkson Youth Study?*
- Mrs Brown commented that this was an excellent study with great results but believed that the findings were similar to what others had been suggesting that Council should act upon for the last 3 to 4 years.
- Q2 *Does Council have so little confidence in the suggestions made by ratepayers?*
- Q3 *Could not Council staff have written up a similar report based on such suggestions, thus saving ratepayers vast sums of money?*
- Q4 *Why was Alice's Cafe not included in the appendix under Adult Submission? It was obviously considered, as reference is made to it in the report.*

These questions were taken on notice.

Cr Hollywood:

- Q1 *Last month members of the Wanneroo Commission were asked to nominate for vacancies on the Keep Australia Beautiful Council, the Heritage Council, Local and Government Advisory Board and the National Parks and Nature Conservation Authority. Why did no Commissioner nominate for these positions?*
- A1 *Response by Cmr Ansell:* None of the Commissioners wanted to fill those vacancies.
- Q2 *Could I suggest that as there are a lot of ratepayers who would like to represent Wanneroo Council on these advisory boards, would it be possible to nominate some of the ratepayers to act on your behalf?*
- A2 *Response by Cmr Ansell:* I will look into the legalities of doing that and see if it is possible.

Q3 The first item on the agenda today relates to the legal fees for myself and Cr Lynn. Why were the reasons given rejected?

A3 Response by Cmr Ansell: Commissioners haven't rejected them, we're just unclear as to what the work was for and are receiving clarification of that.

Cr Healy:

Q1 Re: TS91-05/98: I speak on behalf of Mr & Mrs Kotsis who live on a rural property in that location - Lot 16 East Road. Mr Kotsis is concerned regarding a 2.0 metre retaining wall required for a sub-division, with a 1.8 metre high fence on top of the retaining wall. This would mean that there could be developments exceeding 6 to 8 metres in height rising above Mr Kotsis' property. Is this reasonable? I'm asking Commissioners tonight to consider deferring this for one month back to the Committee so that further discussion and correspondence can be progressed.

A1 Response by Cmr Morgan: I met with Mr Kotsis, Mr Healy and two Council officers, (Mr Weymes and Mr Pikor) at Mr Kotsis' property yesterday and explained the situation to him. Before the Committee met last week, a legal opinion was obtained which was designed to clearly set out Council's responsibilities with regard to the subdivision approval given by the Planning Commission. It is apparent from the legal opinion that the retaining wall is part of the subdivision approval. In view of the legal advice and advice received from the developers, there is some urgency in the matter and development is already taking place.

Mr A Hine:

Q1 Re: DP177-05/98: The people who live directly in that area appear to know nothing about the plans for this area. It was previously suggested that HomesWest would build a home for elderly people. What is the urgency with this Council to go ahead with this instead of deferring it and letting the people know what is going on?

Q2 I've asked a question about Pointside Pty Ltd and received the answer that it's a private company. Are they a \$2 company or are they well known in the district and why do they want to develop something commercial on such a dangerous corner?

A1&2 Response by Director, Development Services: Pointside Pty Ltd is a development company. We don't know who the principals are and we don't normally check to see who the individual land owners are. They bought the land from CALM and have requested the City to consider the re-zoning of the land for mixed business and an increase in the residential density to R40. Subject to the Commissioners adopting this report tonight, it will be referred to the Ministry for Planning. If the Minister agrees, it will be advertised for public comment, with signs on the land for a period to be determined by the Minister. At that point the community can then respond and express their point of view.

- Mrs Hine commented on the amount of investigations that had been conducted regarding the Wanneroo townsite and questioned the amount of money spent on consultants.

- Mrs Hine referred to TS91-05/98 and discussions she had with the developer of the sub division and expressed concern at the treatment received by Mr Kotsis.

Cmr Morgan responded that the Town Planning Commission had given approval for the subdivision and that as the subdivision provided the road, water supply, sewerage and drainage, the developers required the retaining wall to maximise their development. Council had no alternative but to approve the application.

- Mrs Hine referred to the legal opinion obtained by Council with regard to TS91-05/98 and queried whether Council was satisfied with this opinion.

Cmr Morgan responded that the legal opinion was obtained from McLeod & Co, who are specialists in this area and Commissioners believed that they were the appropriate legal firm to obtain the opinion. A detailed analysis of the situation was received from McLeod & Co and Commissioners have no reason to believe that it is not an accurate legal opinion.

CONFIRMATION OF MINUTES

C29-05/98 MINUTES OF COUNCIL MEETING, 28 APRIL 1998

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Minutes of the Meeting of Joint Commissioners held on 28 April 1998 be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION

National Sorry Day

I would like to begin by acknowledging "National Sorry Day", a day when aboriginal and non-aboriginal communities commemorate tragic days of the past, such as the separation of aboriginal families.

As part of the "National Sorry Day" we have been flying the aboriginal flag at our Administration building.

We have had a "Sorry Book" available in the library for the past several days and it is now available in the foyer outside for anyone wishing to sign it.

Division of the City of Wanneroo

I would like to report to the ratepayers also about the latest progress between the division of the City of Wanneroo.

Our task force continues to meet with the Commissioners as part of the information gathering exercise.

We are still awaiting the formal Governor's Orders which determine what powers we have and what course we have to take, so at this stage of the game we cannot do anything.

As soon as these Orders are received, their contents will be communicated to the communities of both the new City of Joondalup and the new Shire of Wanneroo.

We will not be making any decisions about the splitting of assets in isolation.

The community will be involved through focus groups and through normal reporting, through committees and through the meetings of Commissioners.

The point I am making is that this is not going to be some sort of a secret arrangement whereby we just sit down and slice up the assets. We will be taking into account the needs of the City and of the Shire, now and in the future, both in terms of an administration, in services and funding for the future and that people, both of the City and the Shire will be involved.

In addition, we will be looking at the boundaries put forward to us by the Minister with a view to making changes on the eastern side of Lake Joondalup, where we see a number of anomalies.

Special Electors' Meeting

We will be holding a special ratepayers' meeting on 17 June 1998, in response to a petition we have received and the Chief Executive Officer will deal with that later on this evening. In particular, the matters that will be discussed at that meeting will be the treatment of the financial reserves of the City, plus any other questions that we can answer regarding the City at that meeting.

DECLARATIONS OF FINANCIAL INTEREST

- | | |
|-------------|---|
| FA94-05/98 | Cmr Rowell declared an interest in this Item as he is the Chairman of Municipal Workcare.

The Director, Resource Management declared an interest in this Item as he is a Board Member of Municipal Workcare. |
| FA98-05/98 | Cmr Rowell declared an interest in this Item as he is the Chairman of Municipal Liability Scheme. |
| DP161-05/98 | Cmr Rowell declared an interest in this Item as his family has an interest in the Mullaloo Plaza Shopping Centre. |
| DP171-05/98 | Cmr Buckley declared an interest in this Item as her husband has a business relationship with the applicant. |
| DP185-05/98 | Cmr Buckley declared an interest in this Item as her husband has a business relationship with the applicant. |

TS84-05/98 In relation to their earlier declarations of interest, Cmr Ansell requested it be noted that both he and Cmr Rowell are acquaintances of the Managing Director of David Gray and Co, but do not have a financial interest.

QUESTIONS WITH DUE NOTICE

Nil

QUESTIONS WITHOUT DUE NOTICE

Nil

C30-05/98 PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 28 APRIL 1998

1 PETITION REQUESTING RESTRICTION TO VEHICLE ACCESS AND PARKING IN RELATION TO PROPOSED LIQUOR STORE, DUNCRAIG - [02351]

A 15-signature petition has been received from residents of Culloden Road, Duncraig requesting that access to the proposed liquor store in the Glengarry Shopping Centre be restricted to pedestrian traffic only and no vehicle access or parking be allowed at or near the premises in Culloden Road, Duncraig.

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

2 PETITION OBJECTING TO THE DEVELOPMENT PROPOSAL FOR LOT 6 (4) WARBURTON AVENUE, PADBURY - [02730]

A 48-signature petition has been received from Padbury residents objecting to the development proposal for Lot 6 (4) Warburton Avenue, Padbury.

This petition will be considered in conjunction with Item DP185-05/98.

3 PETITION EXPRESSING CONCERN IN RELATION TO CAR PARKING PROBLEMS, JOONDALUP CITY NORTH - [07190]

A 56-signature petition has been received from Joondalup City North residents expressing concern in relation to car parking and privacy problems caused by studio apartments in the area.

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

4 PETITION OPPOSING THE CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN ATOLL COURT AND OCEANSIDE PROMENADE, MULLALOO - [14134]

A 37-signature petition has been received from residents of Atoll Court, Mullaloo opposing the closure of the pedestrian accessway between Atoll Court and Oceanside Promenade, Mullaloo.

This petition will be referred to Development Services for action.

5 PETITION OPPOSING THE CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN TEANO PLACE AND HIGHCLERE BOULEVARD, MARANGAROO - [05127]

A 53-signature petition has been received from Marangaroo residents opposing the closure of the pedestrian accessway between Teano Place and Highclere Boulevard, Marangaroo.

This petition will be referred to Development and Planning Services for action.

6 PETITION SEEKING THE REMOVAL OF PLAY EQUIPMENT, AMERY PARK, WANNEROO - [17059]

A 12-signature petition has been received from Wanneroo residents seeking the removal of play equipment in Amery Park, Wanneroo.

This petition will be considered in conjunction with Item TS98-05/98.

7 PETITION SUPPORTING HOME OCCUPATION, LOT 651 (41) CHADSTONE ROAD, CRAIGIE - [09201]

A letter and supporting documentation, including a 30-signature petition, has been received from Mr J Short in relation to the home occupation conducted at Lot 651 (41) Chadstone Road, Craigie.

This letter, supporting documentation and petition will be referred to Development Services for action.

8 PETITION REQUESTING TRAFFIC AND PARKING CONTROLS - PORTMARNOCK CIRCUIT, CONNOLLY - [06520]

A 22-signature petition has been received from Connolly residents, requesting appropriate traffic and parking controls in Portmarnock Circuit, Connolly.

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

9 PETITION REQUESTING FUNDS - EDDYSTONE AVENUE BRIDGE - [12289]

A 157-signature petition has been received from ratepayers of the City of Wanneroo requesting urgent consideration be given to allocating funds towards the total cost of the planned Eddystone Avenue bridge to enable it to be included in the current works programme to extend the Mitchell Freeway to Hodges Drive. The petitioners further request that a submission be made to the State Government for a similar contribution of funds.

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

10 PETITION REQUESTING SPECIAL MEETING OF ELECTORS

A petition of 102 unverified signatures has been received from Mr Leonard Gardiner of Whitfield Drive, Two Rocks requesting a Special Meeting of Electors be convened to discuss:

- “1 *The number and value of the reserve accounts held by the City at the date of the Commissioners appointment.*
- 2 *The estimated number and value of reserve accounts held at the City on 30 June 1998.*
- 3 *Documentation of movements of monies within the reserve accounts from the date the Commissioners were appointed to the date of the meeting.*
- 4 *The completion of all works and services budgeted in the 1998/99 budget.*
- 5 *The estimated value of the under expenditure if all scheduled works from the 1998/99 budget are not completed.*
- 6 *The Commissioners honouring of the budgeted commitments of the elected Council of the City of Wanneroo.*
- 7 *Provision of the details of all assets disposed of since the appointment of the Commissioners.*
- 8 *The use of funds from the reserve accounts facilitating the split of the City.*
- 9 *Other matters that may be raised from the floor of the meeting relating to the proposed abolition of the City of Wanneroo and the creation of two new districts.”*

This petition will be considered in conjunction with Item C32-05/98 - Chief Executive Officer's Report.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that Petitions No 1 - 10 be received and referred to the appropriate business units for action.

The Motion was Put and

CARRIED

BUSINESS REQUIRING ACTION

POLICY SECTION

Items P31-05/98 to P34-05/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Morgan.

P31-05/98 APPLICATION FOR PAYMENT OF LEGAL COSTS SUBMITTED BY COUNCILLORS LYNN AND HOLLYWOOD - [01173]

At the meeting of Joint Commissioners held on 27 January 1998, approval was granted to allow Councillors Lynn and Hollywood to retain independent Counsel in respect to the Inquiry Panel - City of Wanneroo. Both Councillors have now submitted accounts from Kyle and Company for \$590.00.

The accounts appear to cover some work which is outside the scope of the original approval. To enable an informed decision to be made, Kyle and company has been requested to provide details of work carried out.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners do not pay the accounts submitted by Councillors Lynn and Hollywood, but agree to review the decision when a more detailed account is received from Kyle and Company.

The Motion was put and

CARRIED

P32-05/98 LEGAL REPRESENTATION - DR WAYNE BRADSHAW - [13086]

In February 1997 Dr Bradshaw sought approval for funding to pursue a defamation action against the then Mayor, Arnold Dammers. At its meeting of 16 February 1997 Council decided to reject the application as it did not conform to its policy on legal representation.

Dr Bradshaw has now requested the Commissioners to reconsider the earlier decision of Council.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners reject Dr Bradshaw's request for legal assistance.

The Motion was put and

CARRIED

P33-05/98 STATE PLANNING STRATEGY - [02152]

The final State Planning Strategy was released by the Minister for Planning and Western Australian Planning Commission on 20 December 1997 as the blueprint to guide the future planning and development of the State to its bicentenary year of 2029. This report provides an outline of the State Planning Strategy and its implications for the City and the review of the City of Wanneroo's Strategic Plan.

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

- 1 advise the Western Australian Planning Commission that:**
 - (a) it will have regard to the State Planning Strategy as the framework for regional, district and local level planning in Western Australia in undertaking its various planning functions,**
 - (b) the City would be prepared to work in partnership with the WAPC or be a case study for the actions related to local government under Strategy 3 of Section 7.2 Community,**
 - (c) the State Planning Strategy contains conflicting actions regarding the future of the Carabooda area in Section 8.1.1, in that whilst action 11 refers to the importance of protecting Carabooda for agricultural uses, the Perth Planning Region Strategy refers to planning for long term growth in the Carabooda area;**
- 2 request that the Strategic Planning Directorate give due consideration to the suggested modifications to the City's Strategic Plan and the development of policies and/or provisions for incorporation into Town Planning Scheme No 1 and draft District Planning Scheme No 2 to further promote the needs of small business throughout the City.**

The Motion was put and

CARRIED

P34-05/98 POLICY ON HANDLING COUNCIL'S LIABILITY FOR EXPOSURE TO ULTRA-VIOLET RADIATION AT COUNCIL BUILT PLAY CENTRES - [A960-1-1]

This report examines mechanisms for implementing a means of handling Council's liability for exposure to ultraviolet radiation at Council built play centres and recommends that a policy together with all procedures, work instructions, forms, reports and education strategies necessary to implement the policy be developed by the Community Services Directorate and be submitted for the consideration of the Policy Committee at its August meeting.

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

- 1 approve the development of a policy to handle Council's liability for exposure to ultra-violet radiation at Council built or owned play centres together with all procedures, work instructions, forms, reports and education strategies necessary to implement the policy;**
- 2 request the involvement of WAMA in the development of the policy and guidelines, which could be used as the basis for an industry standard, for handling Council's liability for exposure to ultra-violet radiation at Council built or owned play centres;**

The Motion was put and

CARRIED

P35-05/98 STAFF UNIFORMS - AQUATIC CENTRES - [17174]

Recent advice from the Australian Taxation Office relating to fringe benefits tax implications of clothing provided by employers requires that, where uniforms are compulsory, this must be documented in a corporate policy.

As a result of this requirement, it is necessary to again adopt a policy for issuing Uniforms to Aquatic Centre staff.

REPORT RECOMMENDATION: That the Joint Commissioners adopt Policy R13: Uniforms - Craigie Leisure Centre/Aquamotion Staff forming Attachment 1 to Report P35-05/98.

COMMITTEE RECOMMENDATION: That the Joint Commissioners adopt Policy R13: Uniforms - Craigie Leisure Centre/Aquamotion Staff forming Attachment 1 to Report P35-05/98, subject to the following amendment:

Policy R13: Paragraph 2 to the Statement be amended to read:

“The standard uniform for Aquatic Centre Staff may, depending on the nature of duties, include:

Blouse/Shirt
Skirt
Shorts or pants
Track suit
Shoes”

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners adopt Policy R13: Uniforms - Craigie Leisure Centre/Aquamotion Staff forming Attachment 1 to Report P35-05/98, subject to the following amendment:

Policy R13: Paragraph 2 to the Statement be amended to read:

“The standard uniform for Aquatic Centre Staff may, depending on the nature of duties, include:

**Blouse/Shirt
Polo and T Shirts
Skirt
Shorts or pants
Track suit
Shoes”**

Discussion ensued with Cmr Buckley requesting the addition of Polo and T Shirts to Paragraph 2 to the Statement.

The Motion was put and

CARRIED

Appendix I refers

P36-05/98 REVIEW OF POLICY S2 - COMMUNITY FACILITIES: FORMAL ASSESSMENT PROCESS - [07095]

In July 1996 policy S2-Community Facilities: Formal Assessment Process was adopted by Council (Item P67-07/96 refers). This provided a philosophical foundation for the development of a formal assessment process. The review date for this policy was September 1997. This report represents the review of this policy.

Changes include the setting of a clear objective for the policy, a statement that Council is committed to a formal assessment process and a series of beliefs and values that provide a rationale for the assessment of future applications for Council assistance.

In order to enact this policy an administrative assessment process needs to be developed. It is proposed that a Formal Facility Assessment Group be formed to formally assess all proposals for community facilities. Two categories that may require separate processes include facility proposals valued over \$100,000 and proposals that structurally alter the facility, with an estimated project cost under \$100,000. The Formal Facility Assessment Group would also be responsible for the continual development and refinement of each of these assessment processes.

It is recommended that the Joint Commissioners endorse the revised policy S2-Community Facilities: Formal Assessment Process.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners endorse the review and changes of Policy S2 - Community Facilities: Formal Assessment Process forming Attachment 1 to Report P36-05/98.

Discussion ensued with Cmr Buckley emphasising the importance of this policy. It is designed to put in place a more formal assessment process for the delivery of community facilities to the community and for these matters to be dealt with in an ordered fashion rather than on an ad hoc basis.

Cmr Buckley suggested an amendment to Policy S2 - Community Facilities: Formal Assessment Process (Appendix II refers) under heading "Definition - Total Cost":

- the addition of a full stop after the word "facility"
- deletion of "i.e. forty years (40)"

The Motion was put and

CARRIED

Appendix II refers.

Items P37-05/98 and P38-05/98 were Moved by Cmr Buckley and Seconded by Cmr Rowell.

P37-05/98 INJURY MANAGEMENT AND REHABILITATION PROCEDURES - [09883]

Council's workers compensation insurer, Municipal Workcare Scheme, has developed a rehabilitation policy which it requires member councils to endorse as a prerequisite for ongoing insurance.

The policy was generally modelled on the procedure in place in the City of Wanneroo. Council's procedure has been reviewed and updated to reflect the requirement of the Workcare policy.

MOVED Cmr Buckley, SECONDED Cmr Rowell that the Joint Commissioners endorse the procedure relating to Injury Management and rehabilitation and subscribe to the Rehabilitation Policy Statement as requested by Municipal Workcare Scheme.

The Motion was put and

CARRIED

P38-05/98 DELEGATION OF AUTHORITY - HEALTH ACT - [07032]

Section 26 of the Health Act provides that a Local Government may appoint or authorise any person to be its deputy to exercise all or any of the powers and functions of the Local Government for such time and subject to such conditions and limitations (if any) as the Local Government shall see fit. At the December 1997 meeting of Joint Commissioners this authority was delegated to the Manager, Health Services. With the restructure of this area of the Community Services Directorate it is now appropriate that this authority be delegated to the newly appointed Manager, Health and Ranger Services.

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

The Motion was put and

CARRIED

POLICY MATTERS - [18058]

At the Policy Committee meeting held on 19 May 1998, Commissioners queried why items dealing with proposed policies had been included in the Finance and Community Services Committee agenda. Following discussion, Commissioners believed that all such items should in future be referred to the Policy Committee.

FINANCE AND COMMUNITY SERVICES SECTION

Items CS60-05/98 to CS73-05/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan. Cmr Clark-Murphy gave notice of her intention to speak on Item CS61-05/98.

CS60-05/98 VOLUNTARY SEVERANCE - WELFARE SERVICES - [09434]

The Joint Commissioners at their January 1998 meeting approved in principle the restructure of the Welfare Services Business Unit (Item CS05-01/98 refers). The restructure cannot proceed at the present time without an injection of additional funds to create the necessary senior positions under the new structure. As a result of the restructure a number of Coordinator positions are to be abolished including the positions of Community Aged Care Coordinator, Voluntary Services Coordinator and Family Day Care Coordinator. Staff in these positions have indicated that they do not wish to be redeployed and have indicated a preference to negotiate voluntary severance packages. It is considered that negotiating settlements based on voluntary severance packages would be the most effective and preferable option of resolving this situation for both the employees concerned and the business unit. The cost of severance packages for the three workers amounts to an estimated \$88,000 and would require an over budget expenditure.

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

- 1 offer staff holding the positions of Voluntary Services Coordinator, Community Aged Care Coordinator and Family Day Care Coordinator voluntary severance packages at an estimated total cost of \$88,000 and \$22,000 estimated pro rata annual leave and long service leave entitlements to be funded from Council's leave provisions;**
- 2 in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 authorise over budget expenditure of \$88,000 being voluntary severance payments from:**

Account No: 26941	Salaries/Wages, Community Aged Care Packages
Account No: 23201	Salaries/Wages, Family Day Care
Account No: 26208	Salaries/Wages Voluntary Services

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS61-05/98 CLARKSON AREA YOUTH STUDY - [04372]

Council at its meeting of October 1997 (B124-10/97) endorsed the employment of a consultant, Nick Francis and Associates, to assist with the development of a Youth Action Plan for the City of Wanneroo. Stage 1 of the project was to define a role for the City and to present a list of strategies for the period to June 1999. This was endorsed by the Commissioners in March 1998 (CS34-03/98).

Stage 2 of the project was to carry out a feasibility study into the needs of young people in the Clarkson area. This Report summarises the main findings of the study and presents comment and strategies for addressing the issues raised. The main issues being:

- the development of a youth facility
- the management of future facilities and services and
- ongoing consultation and involvement of young people in the development of services

At the Finance and Community Services Committee meeting Cmr Morgan requested a copy of the report be sent to Ms J Brown and Mr B Higgins for their information. Cmr Morgan commended all those involved in the preparation of the report.

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

- 1 endorse the recommendations put forward by Nick Francis and Associates in the report "Clarkson Area Youth Services Study" in which:**
 - (a) a model for involving young people in consultation and the development of facilities and services in the Clarkson area is presented.**
 - (b) an amount of \$792,330 is listed for consideration in the 1998/99 Draft Budget for an appropriate youth facility to be constructed within the Clarkson area.**
 - (c) the proposal by the Northern Suburbs Youth Development Association to use the Wanneroo Wolves Basketball Stadium as a youth facility is not proceeded with at this time.**
- 2 approve, on a pilot basis, the establishment of a youth consultative group to advise the City on the development of facilities and services in the Clarkson area.**
- 3 submit a proposal to the Office of Youth Affairs for funding the establishment of a youth consultative group to advise the City of Wanneroo on developments pertaining to young people in the Clarkson area.**

Cmr Clark-Murphy commended this report and the studies involved.

The Motion was put and

CARRIED

CS62-05/98 DISPOSAL OF SURPLUS EQUIPMENT - [07116]

Approval is sought to donate a Bombara Sail Board at the Ocean Ridge Youth Service to the Two Rocks Sailing Club. The board (Asset No:9051) has a written down value of \$263.00. The Club will make the board and other sailing craft available at no cost to young people in the Two Rocks/Yanchep and St Andrews area.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners approve a donation of a Bombara Sail Board (Asset No:9051) valued at \$263 to the Two Rocks Sailing Club for use by young people in the Yanchep/Two Rocks and St Andrews areas.

The Motion was put and

CARRIED

CS63-05/98 MANAGEMENT OF YOUTH DROP-IN CENTRE ALEXANDER HEIGHTS - [07116]

The Home and Community Care Programme has invited the City of Wanneroo to submit an expression of interest to provide a respite service for young people with disabilities at the purpose built facility at Alexander Heights. It is proposed that the City submits a proposal which includes developing a range of innovative service options with a strong focus on integrating young people into mainstream services. The services will be provided by a range of community organisations with the City taking primarily a role of management and coordination.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners approve the submission of a proposal to the Home and Community Care Programme to assume responsibility for the development and management of a centre for young people with disabilities at Alexander Heights.

The Motion was put and

CARRIED

CS64-05/98 WHITFORD LOCAL DRUG ACTION GROUP - REQUEST FOR DONATION - [08032]

At its June 1997 meeting, Council recommended that a sum of \$1,500.00 be listed in the 1997/98 budget as a donation to the Whitford Local Drug Action Group (WLDAG) to assist with the sponsorship of a school competition (Report CS98-06/97 refers). In December 1997 Council was informed by the Group that it was no longer planning a school competition and an alternative project was being developed. Subsequently WLDAG requested sponsorship for a proposed "Intensity Project". It is proposed that the Commissioners reallocate the previously approved \$1,500.00 towards this project.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners approve the reallocation of a previous donation of \$1,500.00 to the Whitford Local Drug Action Group for the purpose of a contribution to the "Intensity" project recently held at Whitford City Shopping Centre.

The Motion was put and

CARRIED

CS65-05/98 LICENCE AGREEMENT JOONDALUP EDUCATION DISTRICT - [09354]

A request has been received from the Joondalup Education District Office to utilise a section of the Community Services Centre, Merriwa for a 6 month period from 22 June 1998 until 30 December 1998 for the purpose of operating an alternative education programme.

It is proposed that an area of 100 square metres be rented to the Office on a full cost recovery basis which equates to \$145.96 per week.

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

- 1 enter into a licence agreement with the Joondalup Education District Office for sole use of the activity room encompassing an area of 100 square metres at the Community Services Centre, Merriwa for the period 22 June 1998 - 31 December 1998.
- 2 approve a rental of \$145.96 per week for the area.

The Motion was put and

CARRIED

CS66-05/98 REVIEW COMMITTEES - WELFARE SERVICES - [15058]

The Welfare Services Business Unit has carried out a review of Committees previously established by Council for which it had administrative responsibility. It is recommended that the Family Day Care Advisory Committee and Lotteries House Steering Committee be retained with amended Terms of Reference. It is further recommended that meetings of the Multicultural, Youth and Children's Services Advisory Committees be deferred.

REPORT RECOMMENDATION: That the Finance and Community Services Committee:

- 1 defers further meetings of the Children's Services Advisory Committee; Youth Advisory Committee; and Multicultural Advisory Committee
- 2 continues operating the following Committees without Council representation and with the inclusion of a Council Officer:
 - Family Day Care Consultative Committee
Director Community Services (or nominee)
 - Lotteries House Steering Committee
Director Community Services (or nominee)
- 3 adopts the Terms of Reference for the Family Day Care Consultative Committee and Lotteries House Steering Committee as detailed in Attachments 1 and 2 to Report CS66-05/98.

At the Finance and Community Services Committee meeting, Cmr Buckley requested that the Terms of Reference be amended by deleting the word "appointment" in Item 4.3 and replacing it with the word "appointed".

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

- 1 defers further meetings of the Children's Services Advisory Committee; Youth Advisory Committee; and Multicultural Advisory Committee**
- 2 continues operating the following Committees without Councillor or Commissioner representation and with the inclusion of a Council Officer:**

**Family Day Care Consultative Committee
Director Community Services (or nominee)**

**Lotteries House Steering Committee
Director Community Services (or nominee)**
- 3 adopts the Terms of Reference for the Family Day Care Consultative Committee and Lotteries House Steering Committee as detailed in Attachments 1 and 2 to Report CS66-05/98.**

The Motion was put and

CARRIED

Appendix III refers

CS67-05/98 REVIEW OF COMMITTEES - HEALTH AND RANGER SERVICES - [08122]

A review of the various committees and working parties relating to Health and Ranger Services that were previously established by the Council has been undertaken. The report addresses the need to either maintain or abolish the advisory committees.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that:

- 1 the Finance and Community Services Committee:**
 - (a) continues the operation of the Bush Fires Advisory Committee;**
 - (b) defers the Community Security and Safety Advisory Committee and the Urban Animal Management Working Party until 1 July 1998;**
- 2 the Joint Commissioners maintain representation on the Stable Fly Management Committee and the Swan Region Fire Protection Advisory Committee.**

The Motion was put and

CARRIED

CS68-05/98 COMMITTEES AND WORKING PARTIES - RECREATION AND CULTURAL SERVICES - [15058]

The Recreation and Cultural Services Business Unit has carried out a review of Committees previously established by Council for which it had administrative responsibility.

The Joondalup Festival Committee, Wanneroo Eisteddfod Working Party and the Skate Board Facility Working Party have continued to operate without elected representatives since December 1997 (Item CS324-12/97 refers).

It is recommended that:

- 1 As the review of Heritage and Museum Planning Study will commence shortly it is recommended that the Historical Sites Advisory Committee remain suspended pending the outcome of the review.
- 2 further meetings of the Cultural Development Advisory Committee, Luisini Winery Working Party, Buckingham House Management Working Party; and Uniform Pricing Policy for Recreation Facilities Working Party be deferred until July 1998.
- 3 the Perry's Paddock Picnic Day Working Party and the Gloucester Lodge Museum Working Party be re-established with amended Terms of Reference.

A separate report has been submitted this month concerning the Art Collection Working Party which recommends the re-establishment of this working party.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 continue operating the following Committees without Council representation and with the inclusion of a Council Officer:
 - Joondalup Festival Committee
 - Wanneroo Eisteddfod Working Party
 - Gloucester Lodge Museum Working Party
 - Perry's Paddock Picnic Day Working PartyManager Recreation Cultural Services or nominee
- 2 endorses the amended Terms of Reference for Gloucester Lodge Museum Working Party and Perry's Paddock Picnic Day Working Party as detailed in Attachments one and two;
- 3 defers further meetings of:
 - Cultural Development Advisory Working Party;
 - Luisini Winery Working Party;
 - Buckingham House Management Committee; and
 - Uniform Pricing Policy for Recreation Facilities Working Partyuntil July 1998; and
- 4 defer meetings of the Historical Sites Advisory Committee pending the outcome of the Heritage and Museum Planning Study.

At the Finance and Community Services Committee meeting, Cmr Rowell queried the position in relation to the possibility of activating the Historical Sites Advisory Committee in order for members to attend to matters that might be referred to it.

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

1 continue operating the following Committees without Councillor or Commissioner representation and with the inclusion of a Council Officer:

- . Joondalup Festival Committee
 - . Wanneroo Eisteddfod Working Party
 - . Gloucester Lodge Museum Working Party
 - . Perry's Paddock Picnic Day Working Party
- Manager Recreation Cultural Services or nominee

2 endorses the amended Terms of Reference for Gloucester Lodge Museum Working Party and Perry's Paddock Picnic Day Working Party as detailed in Attachments 1 and 2 to Report CS68-05/98;

3 defers further meetings of:

- . Cultural Development Advisory Working Party;
- . Luisini Winery Working Party;
- . Buckingham House Management Committee;
- . Uniform Pricing Policy for Recreation Facilities Working Party; and
- . Historical Sites Advisory Committee

until July 1998.

The Motion was put and

CARRIED

Appendix IV refers

CS69-05/98 AUTHORISATION OF OFFICERS - [00384]

Staff shortages in the Ranger Services Business Unit due to the assignment of one Ranger to perform key security has resulted in the employment of one additional temporary Ranger until 30 June 1998. This officer needs to be authorised by Council to make complaints and act under and enforce the various Acts, Regulations and Local Laws policed by Ranger Services within the City of Wanneroo.

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

Local Government Act 1995;
Dog Act 1976, Regulations and Local Laws thereunder;
Control of Vehicles (Off Road Areas) Act 1978 and Regulations thereunder;
Bush Fires Act 1954, Regulations and Local Laws thereunder;
Litter Act 1979 and Regulations thereunder;
Spearguns Control Act 1955 and Regulations thereunder;
Local Laws Relating to the Parking of Vehicles on Street Verges;

Local Laws Relating to Parking Facilities;
 Local Government (Parking for Disabled Persons) Regulations 1988;
 Local Laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing;
 Local Laws Relating to Removal and Disposal of Obstructing Animals or Vehicles;
 Local Laws Relating to Disused Motor Vehicles and Machinery;
 Local Laws Relating to the Control and Management of Halls, Community Recreation Centres, Multi-Purpose Centres, Equipment and Property;
 Local Laws Relating to Reserves and Foreshores;
 Local Laws Relating to Street Lawns and Gardens.

The Motion was put and

CARRIED

CS70-05/98 PURCHASE OF ARTWORKS - [14158]

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 seven artworks as being worthy of inclusion in the City of Wanneroo Art Collection, recommending purchase of the artworks at a total cost of \$4,150.

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

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
Sue Baker	Still Life XI	Acrylic on Canvas	Galerie Dusseldorf	\$400
Douglas Chambers	Pear Still Life	Oil on Canvas	Galerie Dusseldorf	\$950
Judith Forrest	City Clipper	Oil on Canvas	Galerie Dusseldorf	\$550
Thomas Hoareau	The Beginning of Autumn	Watercolour	Galerie Dusseldorf	\$450
Thomas Hoareau	In the Shade	Watercolour	Galerie Dusseldorf	\$450
Jill Kempson	Temperance III	Oil on Paper	Galerie Dusseldorf	\$750
Kevin Robertson	Bunbury	Oil on Linen	Galerie Dusseldorf	\$600

at a total cost of \$4,150 from Account Number 29471235 - Art Purchases.

The Motion was put and

CARRIED

CS71-05/98 REVIEW OF POLICY R9 ART COLLECTION - [14158]

Over a six year period, Council's Art Collection has developed into a substantial, notable public collection. The management of Council's collection and acquisition procedures have been reviewed.

It is recommended that the Joint Commissioners re establish the Art Collection Working Party and endorse the proposed changes to the management and acquisition procedures for the Art Collection.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 endorse the review and change made to Policy R9 Art Collection, forming Attachment 1 to Report CS71-05/98;
- 2 endorse the Terms of Reference for the Art Collection Working Party;
- 3 by an ABSOLUTE MAJORITY in accordance with the provisions of Section 5.42 (1) of the Local Government Act 1995 delegate authority to the Chief Executive Officer to purchase Artworks that meet the Collection profile and are less than \$1,000 in value on the recommendation of the City's Art Consultant.

At the Finance and Community Services Committee meeting, the Commissioners agreed to amend Policy R9 Art Collection.

Cmr Morgan believed there should be input from Commissioners where possible when purchasing art works under \$1,000. The Manager, Recreation and Cultural Services advised he would take this into consideration when next purchasing art works.

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

- 1 **endorse the review and change made to Policy R9 Art Collection, forming Attachment 1 to Report CS71-05/98, subject to the following amendment:**

The first two sentences under the heading 'Collection Profile' be replaced with the following two sentences:

"The City of Wanneroo Art Collection's first priority will be a collection of good quality artwork by contemporary Western Australian artists.

The Collection's second priority will be a regional focus."

- 2 **endorse the Terms of Reference for the Art Collection Working Party;**
- 3 **in accordance with the provisions of Section 5.42 (1) of the Local Government Act 1995 delegate authority to the Chief Executive Officer to purchase Artworks that meet the Collection profile and are less than \$1,000 in value on the recommendation of the City's Art Consultant.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS72-05/98 DONATIONS - [08032]

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

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners donate \$50, totalling \$400.00, to each of the following persons to assist with the costs of representing Western Australia in their chosen sports.

Alex Seong Hughes	19 Wallangarra Court, Kingsley WA 6026
Alana Donnelly	10 Bennetts Place, Sorrento WA 6020
Lynsey Gee	68 Hilarion Road, Duncraig WA 6023
Jade MacNeeney	7 White Road, Quinns Rocks WA 6030
Kim Gillespie	1 Panjada Place, Heathridge WA 6027
Rachael Duggan	5 Dolphin Way, Beldon WA 6027
Luke Clowes	10 Cringle Street, Ocean Reef WA 6027
Bradley Smith	4 Tornado Road, Ocean Reef WA 6027

The Motion was put and

CARRIED

CS73-05/98 DONATIONS TO ATTEND INTERSTATE SPORTING COMPETITIONS - [08032]

An interim policy to consider applications for financial assistance for persons to attend interstate or international sporting competitions has been developed in response to a request from the Joint Commissioners and consideration of a report on Delegated Authority within the City of Wanneroo.

The interim policy aims to improve administration, delegation of authority and accountability plus address issues of equity and fairness. An interim policy is required due to the complexity of the issues to be resolved in the development of a comprehensive corporate policy on donations.

It is recommended the Joint Commissioners adopt the Interim Policy - Applications for Assistance to Junior Sport and Recreation Representatives and delegate authority to approve applications to the Chief Executive Officer provided all necessary criteria for approval of applications are met.

At the Finance and Community Services Committee meeting, Cmr Clark-Murphy advised that this was an interim policy only and that a comprehensive report would be submitted covering a range of issues relating to donations, in July 1998.

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

- 1 delete Clause Three - Donations to Attend Interstate Sporting competitions of policy R12 - Community Recreation Funding;**
- 2 adopt Interim Policy - Applications for Assistance to Junior Sport and Recreation Representatives to encourage excellence in sport and recreation activities by**

providing financial assistance in a fair and equitable manner to eligible young people;

- 3 in accordance with the provisions of Section 5.42 (1) of the Local Government Act 1995 delegates authority to approve applications to the Chief Executive Officer provided all necessary criteria for approval of applications are met.

The Motion was put and

CARRIED BY AN
ABSOLUTE MAJORITY

CS74-05/98 LEASE, NANOVIK PARK - WANNEROO TROTTING TRAINING CLUB (INC.) - [06436]

Wanneroo Trotting Training Club (Inc.) wishes to renew its lease of Reserve 34616, known as Nanovich Park, in Benmuni Road Wanneroo.

The club also leases a portion of Reserve 19545 and holds a Licence to Occupy on a storage shed adjacent to the trotting track on Reserve 34616. It is recommended the Joint Commissioners renew the lease incorporating these other areas.

At the Finance and Community Services Committee meeting, Cmr Morgan advised that he believed Council should receive a commercial return on all of its assets, with venues warranting concessions to be dealt with as a separate item.

Commissioners queried Council's obligations to maintain the track. The Director, Community Services advised he would seek clarification on Council's responsibility for the area and lease conditions prior to the next Council meeting to be held on 26 May 1998.

REPORT RECOMMENDATION: That the Joint Commissioners renew the lease by Wanneroo Trotting Training Club (Inc.) on Reserve 34616 (Nanovich Park), in Benmuni Road, Wanneroo, subject to:

- lease fee of \$1.00 per annum;
- club to be responsible for all operating and maintenance costs associated with the facility;
- club to pay rates and other costs, as levied by Council each year; and
- club being liable for all costs and charges associated with the preparation of the lease; and
- lease period of five years, with a five year option; and
- incorporation into the lease area the leased portion of Reserve 19545 (expiry 31 December 1998), and the storage shed located adjacent to leased portion of Reserve 34616.

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

Report CS74-05/98 was considered by the Joint Commissioners at Finance and Community Services Committee on 19 May 1998. Clarification was sought to the areas of land to be incorporated into the lease.

- 1 It is proposed to incorporate portion of Reserve 19545 (lease expiry date 31 December 1998) and the storage shed adjacent to the trotting track with the portion of Reserve 34616 as covered by the previous lease. The balance of Reserve 34616, ie inside of the trotting track, remains under the care and control of the City;
- 2 The Manager, Parks Landscaping Services has advised that the year to date expenditure for garden maintenance is \$21,000. Of this, approximately \$10,000 is for reticulation costs, including bore maintenance and other associated charges. Apparently Wanneroo Trotting Club currently have access to Council's bore for watering the trotting track at no charge.

It is considered that the Club's costs for use of the bore should be incorporated into the lease.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners renew the lease by Wanneroo Trotting Training Club (Inc.) on Reserve 34616 (Nanovich Park), in Benmuni Road, Wanneroo, subject to:

- lease fee of \$1.00 per annum;
- club to be responsible for all operating and maintenance costs associated with the facility;
- club to pay rates and other costs including costs for its use of the bore at Nanovich Park, as levied by Council each year;
- club being liable for all costs and charges associated with the preparation of the lease;
- lease period of five years, with a five year option; and
- incorporation into the lease area the leased portion of Reserve 19545 (expiry 31 December 1998), and the storage shed located adjacent to leased portion of Reserve 34616.

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was put and

CARRIED

CS75-05/98 OUTCOMES AND RECOMMENDATIONS OF THE RECREATION DEVELOPMENT FUND ASSESSMENT PANEL MEETING - [03412]

Council in its 1997/98 budget, allocated \$28,000 towards the Recreation Development Fund. Twenty one applications were received for a wide variety of projects. These applications have been assessed by a panel comprising of volunteer community representatives and a Council Officer.

It is recommended the Joint Commissioners endorse the funding recommendations of the Recreation Development Fund Assessment Panel for the 1998/99 funding round.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 endorses the grant allocations determined by the Recreation Development Assessment Panel for the 1997/98 funding round;
- 2 depart from the \$ for \$ guidelines in order to fund the full \$2000 requested for the Northern Suburbs Junior Football League Umpires Association development and accreditation of junior football umpires.

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

- 1 **endorses the grant allocations of \$28,000 determined by the Recreation Development Assessment Panel for the 1997/98 funding round;**
- 2 **depart from the dollar for dollar guidelines in order to fund the full \$2000 requested for the Northern Suburbs Junior Football League Umpires Association development and accreditation of junior football umpires.**

The Motion was put and

CARRIED

CS76-05/98 OUTCOMES AND RECOMMENDATIONS OF THE CULTURAL DEVELOPMENT FUND PEER ASSESSMENT PANEL - [02412]

Council in its 1997/98 budget, allocated \$27,000 towards the Cultural Development Fund. Twenty six applications were received for a wide variety of projects. These applications have been assessed by a panel comprising of volunteer community representatives and a Council Officer.

It is recommended the Joint Commissioners endorse the funding recommendations of the Cultural Development Fund Assessment Panel for the 1998/99 funding round.

REPORT RECOMMENDATION: That the Joint Commissioners endorse the grant allocations of \$24,500 as recommended by the Cultural Development Fund Peer Assessment Advisory Committee for the 1997/98 funding round.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners endorse the grant allocations of \$24,550 as recommended by the Cultural Development Fund Peer Assessment Advisory Committee for the 1997/98 funding round.

Cmr Clark-Murphy advised the figure of \$24,500 was incorrect and should be amended to read \$24,550.

The Motion was put and

CARRIED

Items CS77-05/98 to CS81-05/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Rowell.

CS77-05/98 APPLICATION FOR DEMOLITION - DUDLEY PILBEAM HOUSE, LANDSDALE - [01658]

An application has been received from Gilbert and Rose Consulting on behalf of North Whitfords Estates for a demolition order for Dudley Pilbeam House. This building is located on Lot 2 (17) Priest Road, Landsdale. The House is also known as 'Kevin Leach House'. This building was added to the Municipal Inventory in 1997 as having some cultural heritage significance.

An assessment of the historical significance of the site was conducted. The assessment determined it was no longer "possible" or reasonable to preserve this building due to the general state of disrepair of the structures and the physical impact of development on the structures and the immediate area surrounding the site.

Appropriate documentation of the building has being undertaken in accordance with Section 45 of the Heritage Act to ensure there is no adverse impact on the built environment heritage of Wanneroo by its demolition.

It is recommended that the Joint Commissioners authorise amendment of the Municipal Inventory place record for this site and require the developers to reuse the original bricks into the proposed roundabout nearby and to the south west metres of the site

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

- 1 require Gilbert and Rose Consultants on behalf of North Whitfords Estates as developers of the sub-division to reuse the original bricks from Dudley Pilbeam House into the proposed roundabout nearby and to the south west metres of the site,**
- 2 authorise amendment of the Municipal Inventory place record for this site;**
- 3 endorse the installation of a plaque adjacent to the site to formally recognise its significance; and**
- 4 recommends to the Geographic Names Committee operated by the Department of Land Administration that a nearby street in the subdivision incorporate the name Pilbeam.**

The Motion was put and

CARRIED

CS78-05/98 KINGSLEY COMMUNITY CENTRE - LEASE OR SALE OPTIONS - [00067]

The Council had called for a report on the appointment of a real estate agency firm to evaluate the options of rental or sale of the Kingsley Community Centre. Five real estate firms were invited to submit a fee proposal for this purpose but none of the proposals received were on the basis requested. It is considered that the City's interests would be best served by calling an open tender for the service required.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 advise the Lakes Christian Life Centre that the Kingsley Community Centre is not available for church purposes or community purposes for the time being;
- 2 calls open tenders for consultants to advise the City on the best way to achieve the optimum return on its asset at the Kingsley Community Centre.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that consideration of calling tenders for consultants to advise the City on the best way to achieve the optimum return on its asset at the Kingsley Community Centre be deferred pending a further report being submitted to the June 1998 meeting of the Finance and Community Services Committee on options for utilising the centre.

The Motion was put and

CARRIED

CS79-05/98 NORTH WEST METRO BUSINESS CENTRE - REQUEST FOR BUDGET FUNDING 1998/99 BUDGET - [05103]

The North West Metro Business Centre which promotes local regional economic growth is seeking funding commitment from the City of \$186,120.00 for the 1998/99 financial year.

It proposes a number of projects to compliment its objective of supporting and promoting business in the north west region including development of an Internet site, business database, business development training, salaries and support for the North West Metro Tourism Association.

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

- 1 list the request for a grant for consideration in the draft 1998/99 budget;
- 2 advise the North West Metro Business Centre it expects the availability of funding to limit Council's ability to meet their request, and seek advice as to its project priorities, such advice to contain details of:
 - total project cost,
 - funding sources,
 - implementation timetable, and
 - outcomes.

The Motion was put and

CARRIED

CS80-05/98 CHILD HEALTH CLINICS - [14171]

Council operates a number of child health clinics from Family Centres, which are managed by community groups. The management committees of the various family centres annually request a contribution from Council towards the cost of operating and maintaining that part of the building from which the child health clinic operates for the current financial year. This is in addition to any costs that have arisen during the year and for which they have sought immediate reimbursement.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners authorise a contribution to the Timbertops Family Centre of \$2,916.79 from Account 22116 for costs associated with the Woodvale Child Health Clinic.

The Motion was put and

CARRIED

CS81-05/98 RATE OF INTEREST ON OVERDUE CONTRACT PROGRESS CLAIMS - [09763]

It is proposed that the City continues to follow industry's best practice in the timely processing of contract progress claims. An unreasonable delay in the progress claims payment could result in the payment of a penalty. The Standards Australia's contract documents provide for the penalty to be based on an annual interest rate. The default rate of interest recommended in the Standards is 18%.

It is recommended that the City places a cap on the interest rate of 10%. The City in the past has not delayed the payment of a contract progress claim without just cause.

MOVED Cmr Clark-Murphy, SECONDED Cmr Rowell that the Joint Commissioners approve nominating a penalty for the payment of outstanding contract progress payments where appropriate in the City's contract documents with a cap of 10% interest per annum.

The Motion was put and

CARRIED

FINANCE SECTION

Items FA89-05/98 to FA93-05/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan.

FA89-05/98 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 APRIL 1998 - [09882]

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

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Morgan that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 30 April 1998, certified by the Chairperson of Finance and Community Services Committee and Director Resource Management, and totalling \$18,754,369.20

FUNDS	VOUCHERS	AMOUNT
		\$
Director Resource Management Advance Account	59269 - 60425	7,167,360.92
Municipal	000569 - 000579D	10,367,566.03
Trust	000070	25.00
East Wanneroo Development Area Cell 1	000013	1,672.43
East Wanneroo Development Area Cell 2	000011	194.11
East Wanneroo Development Area Cell 3	905721W	4,279.39
East Wanneroo Development Area Cell 4	905719P	4,664.98
East Wanneroo Development Area Cell 5	000004	335.07
East Wanneroo Development Area Cell 6	000013	9,014.69
East Wanneroo Development Area Cell 7	000011	371.81
East Wanneroo Development Area Cell 8	000009	140.78
Town Planning Scheme 5	905756Q	1,681.20
Town Planning Scheme 7A (B)	905761S	3,045.95
Berkley Road Local Structure Plan	905749H	92,924.83
Reserve Account	000015	1,101,092.01
	TOTAL	18,754,369.20

The Motion was put and

CARRIED

Appendix VI refers

FA90-05/98 AUTHORISATION OF REALLOCATION OF FUNDS - [06511]

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.

ADDITIONAL INFORMATION SUBMITTED TO FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING

A list of budget reallocations was submitted as an addendum to Report No FA90-05/98.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan 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 - 19 May 1998, and Addendum forming Appendix III hereto.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VII refers.

FA91-05/98 FUNDS MANAGEMENT - INVESTMENTS - [10136]

In December 1997 the City formulated a policy on investment of surplus funds pursuant to the provisions of the Trustees Amendment Act 1997. This report considers the implementation of the City's policy in that regard.

It seeks endorsement of the appointment of Grove Investment Services Pty Ltd as independent funds advisors to the City.

REPORT RECOMMENDATION: That the Joint Commissioners endorse the action being taken with regard to the appointment of Grove Financial Services Pty Ltd as independent funds advisors for the City.

At the Finance and Community Services Committee meeting, Cmr Clark-Murphy suggested that a performance review, following a 12 month period, be included in the recommendation.

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

- 1 endorse the action being taken with regard to the appointment of Grove Financial Services Pty Ltd as independent funds advisors for the City;**
- 2 conduct a performance review of Grove Financial Services Pty Ltd following 12 months operation.**

The Motion was put and

CARRIED

FA92-05/98 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.

At the Finance and Community Services Committee meeting, Cmr Morgan requested a column detailing accounts yet to be processed be included in future Cost/Budget Comparisons.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan 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

FA93-05/98 OUTSTANDING GENERAL DEBTORS - 30 APRIL 1998 - [04881]

This report details the outstanding general debtors as at 30 April 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 \$196.00

A recommendation is made to reduce the detail contained in this report, so that, in future, only items of exception and recommended accounts to be written off, will be reported to the Joint Commissioners.

At the Finance and Community Services Committee meeting, the Director, Resource Management advised that further reports relating to outstanding general debtors would be submitted in a new format.

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

- 1 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 \$196.00 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report FA93-05/98;**
- 2 endorse the recommendation that an abbreviated Outstanding Debtors Report be provided in future.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VIII refers

FA94-05/98 1998/99 WORKERS COMPENSATION INSURANCES RENEWAL - [05581]

The City has, since 1 July 1995, been a member of both the local government self insurance schemes - Municipal Workcare and Municipal Liability Schemes.

These organisations provide insurance cover on a self insurance basis to members. Each scheme is operated by independent Boards through the auspices of WAMA. Insurance broker Jardines WA is the Scheme Manager.

The City is now in receipt of the 1998/99 Workers Compensation Insurance renewal from Municipal Workcare. As the renewal terms are attractive, it is suggested the City renews its commitment to the Scheme for the 1998/99 year.

Cmr Rowell declared an interest in Item FA94-05/98, as he is the Chairman of Municipal Workcare.

The Director, Resource Management declared an interest in Item FA94-05/98, as he is a Board Member of Municipal Workcare.

Cmr Rowell and Director, Resource Management left the Chamber at this point, the time being 1903 hrs.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners advise the Municipal Workcare Scheme that they wish to renew the City's 1998/99 membership with the Scheme on the basis that:-

- 1 the premium payable will be calculated at 3.15% of estimated 1998/99 payroll, net of deductions, pursuant to guidelines issued by Workcover WA;**
- 2 the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA94-05/98 be conveyed to the Scheme.**

The Motion was put and

CARRIED

Appendix IX refers

Cmr Clark-Murphy commented that in view of Cmr Rowell's declaration of financial interest in Item FA98-05/98, this Item would be dealt with at this point, during Cmr Rowell's absence from the Chamber.

FA98-05/98 1998/99 PUBLIC LIABILITY AND PROFESSIONAL INDEMNITY INSURANCE RENEWAL - [05581]

The City has, since 1 July 1995, been a member of both the local government self insurance schemes - Municipal Workcare and Municipal Liability Schemes.

These organisations provide insurance cover on a self insurance basis to members. Each scheme is operated by independent Boards through the auspices of WAMA. Insurance Broker Jardines WA is the Scheme Manager.

The City is now in receipt of the 1998/99 Public Liability and Professional Indemnity insurance renewal from Municipal Liability Scheme. As the renewal terms are attractive, it is suggested the City reviews its commitment to the Scheme for the 1998/99 year.

Cmr Rowell declared an interest in Item FA98-05/98, as he is the Chairman of Municipal Liability Scheme. Cmr Rowell was not present in the Chamber at this point, having left earlier prior to discussion on FA94-05/98.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners advise the Municipal Liability Scheme:-

- 1 that it wishes to renew its 1998/99 membership with the Scheme for Public Liability and Professional Indemnity insurance at a fee of \$336,900;**
- 2 of the impending dissolution of the City of Wanneroo and creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998.**

The Motion was put and

CARRIED

Cmr Rowell and Director, Resource Management entered the Chamber at this point, the time being 1905 hrs.

FA95-05/98 1998/99 INSURANCE RENEWAL - GENERAL CLASSES - [05581]

The City has a number of minor classes of insurance (Bush Fire, Fidelity Guarantee, etc) which, due to their value, are exempt from the Local Government (Functions & General) Regulations 1996.

Traditionally, these classes have been placed with the City's preferred ISR insurer following sourcing of quotes recommendation from Council's insurance broker, Aon Risk Services.

REPORT RECOMMENDATION: That the Joint Commissioners accept the GIO's offer to insure the City's minor classes of insurance for the 1998/99 financial year as follows:-

CLASS	1998/99 PREMIUM
Contract Works (Deposit)	\$1,165
Fidelity Guarantee	\$2,750
Bush Fire	\$2,850
Personal Risks	\$2,250
Total Premium	\$9,015

COMMITTEE RECOMMENDATION: That:

- 1 the Joint Commissioners accept the GIO's offer to insure the City's minor classes of insurance for the 1998/99 financial year as follows:-

CLASS	1998/99 PREMIUM
Contract Works (Deposit)	\$1,165
Fidelity Guarantee	\$2,750
Bush Fire	\$2,850
Personal Risks	\$2,250
Total Premium	\$9,015

- 2 the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA95-05/98 be conveyed to the Scheme.

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

Point 2 of the Recommendation be amended to read as follows:

"the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and the creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA95-05/98 be conveyed to the GIO."

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that:

- 1 the Joint Commissioners accept the GIO's offer to insure the City's minor classes of insurance for the 1998/99 financial year as follows:-

CLASS	1998/99 PREMIUM
Contract Works (Deposit)	\$1,165
Fidelity Guarantee	\$2,750
Bush Fire	\$2,850
Personal Risks	\$2,250
Total Premium	\$9,015

- 2 the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and the creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA95-05/98 be conveyed to the GIO.

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was put and

CARRIED

Appendix X refers

FA96-05/98 1998/99 INSURANCE RENEWAL - INDUSTRIAL SPECIAL RISK: MOTOR VEHICLE & PLANT - [05581]

In the past, prior to the introduction of Local Government Act 1995, Council's insurance broker negotiated on behalf of Council the most favourable insurance premiums. The Local Government (Functions and General) Regulations 1996 no longer exclude professional services from the requirements of tender provisions. Accordingly tenders were called on 14 April 1998 for Industrial Special Risks and Motor Vehicle/Plant insurance cover for the financial period 4.00 pm 30 June 1998 to 30 June 1999. The subsequent tenders have been evaluated and recommendations made accordingly.

REPORT RECOMMENDATION: That the Joint Commissioners:-

- 1 accept NZI's tender as valid given the apparent malfunction of Council's procedure;
- 2 accept the tender by GIO Insurance Ltd for Industrial Special Risks Insurance for the 1998/99 financial year at the annual premium of \$157,205.35 subject to end of year adjustments; and
- 3 accept the tender by AMP General Insurance for Motor Vehicle/Plant Insurance for the 1998/99 financial year at the annual premium of \$128,650 subject to end of year adjustments.

COMMITTEE RECOMMENDATION: That the Joint Commissioners:

- 1 accept NZI's tender as valid given the apparent malfunction of Council's procedure;
- 2 accept the tender by GIO Insurance Ltd for Industrial Special Risks Insurance for the 1998/99 financial year at the annual premium of \$157,205.35 subject to end of year adjustments; and
- 3 accept the tender by AMP General Insurance for Motor Vehicle/Plant Insurance for the 1998/99 financial year at the annual premium of \$128,650 subject to end of year adjustments.
- 4 conveys to the Scheme the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA96-05/98.

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

Point 4 of the Recommendation be amended to read as follows:

“conveys to the GIO and AMP the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA96-05/98.”

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

- 1 accept NZI's tender as valid given the apparent malfunction of Council's procedure;**
- 2 accept the tender by GIO Insurance Ltd for Industrial Special Risks Insurance for the 1998/99 financial year at the annual premium of \$157,205.35 subject to end of year adjustments;**
- 3 accept the tender by AMP General Insurance for Motor Vehicle/Plant Insurance for the 1998/99 financial year at the annual premium of \$128,650 subject to end of year adjustments;**
- 4 conveys to the GIO and AMP the details regarding the impending changes in legal entities associated with the dissolution of the City of Wanneroo and creation of the City of Joondalup and Shire of Wanneroo, effective 1 July 1998, contained in Report FA96-05/98.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was put and

CARRIED

FA97-05/98 SUPERANNUATION GUARANTEE CHARGE INCREASE 1 JULY 1998 - [11132]

The Superannuation Guarantee (Administration) Act 1992 provides for those organisations with a payroll exceeding \$1M to increase by 1% their contributions to the Superannuation Guarantee Charge to 7% of payroll. Such increase is a mandatory payment and will be effective 1 July 1998.

This report also indicates the costs and options available to the City in relation to its contributory superannuation liability.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that consideration of Council's contributory superannuation liability be deferred pending receipt of the Governor's Order.

The Motion was put and

CARRIED

FA98-05/98 1998/99 PUBLIC LIABILITY AND PROFESSIONAL INDEMNITY INSURANCE RENEWAL - [05581]

This Item was considered following Item FA94-05/98.

Items FA99-05/98 to FA108-05/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

FA99-05/98 DISPOSAL OF ASSETS AND SURPLUS EQUIPMENT - [07900]

This report details the requirement for the Asset Management Business Unit to conduct asset verifications. Checks have been undertaken with items considered either surplus to requirements or appropriate for disposal being identified and recommended for write off or disposition.

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

- 1 approve the disposal of assets from the asset register as per attachment A to Report FA99-05/98.**
- 2 approve the disposal of surplus equipment as per attachment B to Report FA99-05/98.**

The Motion was put and

CARRIED

Appendix XI refers

FA100-05/98 CAPITALISATION/DEPRECIATION OF FIXED ASSETS - [08881]

The City has, since July 1997, been capitalising assets with an individual value of more than \$500. Prior to that the "threshold" for capitalisation of assets was \$300 in line with the then Local Government Accounting Directions 1985.

It is now considered appropriate to review this amount and authority is sought to increase the amount for capitalisation of assets from \$500 to \$1,000.

The City's auditor Mr Graham McHarrie has indicated his agreement and support for the proposal.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners adopt effective 1 July 1998 a value of \$1,000 as the minimum value for asset capitalisation.

The Motion was put and

CARRIED

Appendix XII refers

FA101-05/98 ANNUAL SUPPLY TENDERS - TENDER NUMBERS 001-98/99, 002-98/99, 003-98/99 004-98/99 - [06982, 07982, 08982, 09982]

This report provides details of Annual Tenders called, for the Supply and Delivery of Goods for the 1998/1999 financial year as follows:

001-98/99	Supply and Delivery of Safety Footwear
002-98/99	Supply and Delivery of Protective Clothing
003-98/99	Supply and Delivery of Oils and Lubricants
004-98/99	Supply and Delivery of PVC Pipe and Subsidiary Fittings

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

1 accept for the 1998/99 financial year the following Tenders 001-98/99, 002-98/99 and 004-98/99 for the supply and delivery of goods and services as outline in Attachments A, B and D to Report FA101-05/98:-

(a) Tender 001-98/99 Supply and Delivery of Safety Footwear

Tenders submitted by Yakka (WA) Pty Ltd and J Blackwood and Sons both be accepted.

(b) Tender 002-98/99 Supply and Delivery of Protective Clothing

King Gee be awarded all items on Attachment B.

(c) Tender 004-98/99 Supply and Delivery of PVC Pipe and Fittings

Tenders submitted by Total Eden and Hugall and Hoile, both be accepted.

2 do not accept Tender 003-98/99 for the supply and delivery of goods and services as outlined in Attachment C to Report FA101-05/98.

The Motion was put and

CARRIED

FA102-05/98 **VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 132-97/98 - [18098]**

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) full forward control mid wheel base vans for Parks & Landscape Services with the trade of the following items of plant:

- 95078 (Ford Econovan)
- 95395 (Ford Econovan)
- 95399 (Ford Econovan)

This report outlines the submissions received in relation to Tender 132-97/98. It recommends purchase of two (2) full forward control mid wheel base vans from Nuford.

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

- 1 accept the tender from Nuford for the purchase of two (2) full forward control mid wheel base vans at a net changeover figure of \$9,144 after trade ins, as detailed in tender 132-97/98;**
- 2 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$2,606 - such expenditure to be funded from the Plant Replacement Reserve Account.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA103-05/98 VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 133-97/98 - [17098]

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

During the City's 1997/98 budget review in March 1998 funds were approved for the purchase of three (3) four cylinder midsize sedans for Statutory Accounting Services, Revenue Accounting Services and Council Support Services.

This report outlines the submissions received in relation to Tender 133-97/98. It recommends purchase of three (3) four cylinder midsize sedans from Skipper Mitsubishi.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept the tender from Skipper Mitsubishi for the purchase of three (3) four cylinder midsize sedans at a net figure of \$77,838, as detailed in tender 133-97/98.

The Motion was put and

CARRIED

FA104-05/98 TENDER 158-96/97 - OUTRIGHT PURCHASE OF PLANT NUMBERS 96571 (INTERNATIONAL 210E REFUSE TRUCK AND 96574 (INTERNATIONAL 1850 REFUSE TRUCK) - [01992]

In April 1997 Council accepted in good faith as part of tender 158-96/97 a submission by Alvito Pty Ltd trading as Stampalia Contractors for the purchase of plant numbers 96571 (International 210E refuse truck) and plant number 96574 (International 1850 refuse truck) at a value of \$114,000.

The City experienced problems with the supplier of the compactor bodies and cancellation of the old contract and letting of a new contract was required. This change extended the delivery time of the new vehicles and subsequent handover of trade vehicles to Alvito Pty Ltd.

Following several unanswered letters and telephone communications it has become obvious that Alvito Pty Ltd has no intention of proceeding with the purchase of the plant.

Notice by facsimile was received from Alvito Pty Ltd on 3 April 1998 stating that due to the time delay in the vehicles becoming available other arrangements had been made and the vehicles were no longer required.

A recommendation from solicitors Watts and Woodhouse was received indicating that the contract be terminated and tenders recalled.

There appears to be no alternative for Council other than to rescind the resolution to sell these items of plant to Alvito Pty Ltd trading as Stampalia Contractors and to offer these items for sale or trade on future purchases of refuse trucks.

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

- 1 in accordance with the provisions of Regulation 10 (2) of the Local Government (Administration) Regulations 1996 rescind part resolution TS110-04/97:

“That Council accepts the following submissions as part of tender number 158-96/97:-

(3) Alvito Pty Ltd trading as Stampalia Contractors for the outright purchase of plant numbers 96571 and 96574 for a total of \$114,000”.

- 2 offer plant 96571 (International 210E refuse truck) and plant 96574 (International 1850 refuse truck) for sale/trade when next calling tenders for refuse trucks.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA105-05/98 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 1998 - [07882]

This monthly report gives a broad overview of the Council's financial position at 30 April 1998.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Financial Report for the period ended 30 April 1998 be noted.

The Motion was put and

CARRIED

FA106-05/98 REVIEW COMMITTEES - LIBRARY SERVICES - [13162]

The Library Services Business Unit has carried out a review of the Children's Book Week Committee, previously established by Council for which it had administrative responsibility. It is recommended that this Committee be further deferred until the City of Joondalup and Shire of Wanneroo are established.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners continue to defer meetings of the Children's Book Week Advisory Committee until the City of Joondalup and Shire of Wanneroo are established.

The Motion was put and

CARRIED

FA107-05/98 VOLUNTARY SEVERANCE - RANGER SERVICES - [09434]

A staff member within Ranger Services has been on sick leave since 10 January 1997. During the time that the Officer was absent from the workplace a total restructure of the Ranger Services Unit was undertaken which inter alia provided the opportunity to multi skill all operational staff to perform the associated duties previously carried out by both Rangers and Patrol Officers.

The position of Patrol Officer in which the officer concerned was previously employed has therefore been abolished and the associated duties are now combined under the position of Ranger. The officer as a consequence of his illness is unable to perform all of the tasks and responsibilities identified in the position description of a Ranger.

In view that the Ranger Services Business Unit has no alternative positions to offer the employee that would fit within his physical capabilities, it is deemed that a severance package is being sought.

Minor savings within the Ranger Services operating budget have been identified as well as increases in operating revenue account numbers 10476 and 10521. The savings and increases in revenue will fund the settlement payout to this employee. The estimated payout would be in the vicinity of \$50,000.

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 employee 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 being maintained within Ranger Services business unit, the package estimated to cost \$50,000 will be funded from the existing budget within Ranger Services and \$24,000 estimated pro rata annual leave and long service leave entitlements to be funded from Council's leave provisions.

The Motion was put and

CARRIED

FA108-05/98 COUNCIL'S INVOLVEMENT IN LABOUR MARKET PROGRAMMES - [08903]

This report details the City's current and planned involvement in labour market programmes which are designed to improve employment and training opportunities and create jobs for people living in the City of Wanneroo. Programmes specifically targeting employment growth for young people are receiving priority attention. The report notes the City's concerns

regarding the application of one of these programmes to Local Government and recommends that action be taken to bring the City's concerns to the attention of the Western Australian Municipal Association.

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

- 1 note the report relating to Labour Market Programmes;**
- 2 make representation to the Western Australian Municipal Association to express the City's concerns regarding the suitability of the Work for the Dole Projects Scheme for Local Government.**

The Motion was put and

CARRIED

TECHNICAL SERVICES SECTION

Cmr Morgan raised a correction to Item TS90-05/98. Items TS84-05/98 to TS100-05/98 were Moved by Cmr Morgan and Seconded by Cmr Buckley. Cmr Morgan gave notice of his intention to speak on Items TS96-05/98, TS98-05/98 and TS99-05/98.

TS84-05/98 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.

MOVED Cmr Morgan, SECONDED Cmr Buckley 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.

The Motion was Put and

CARRIED

TS85-05/98 TECHNICAL SERVICES ANNUAL TENDERS - [01983, 04983, 03983, 00983, 02983]

The supply of materials, works and services for Technical Services operations has been addressed in the past by annual contracts with tenders called in April/May each year. As part of this process, tenders were advertised in April for the annual supply and works services contracts for the 1998/99 financial year. Tenders closed on 15 April. The tenders have been evaluated and the recommendations have been made accordingly.

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

- 1 accept the tenders listed below as detailed on Attachments 1 to 5 to Report TS85-05/98;

Tender 010 -98/99 Pavement Marking in Various Locations

Road and Traffic Services

Tender 013-98/99 - Laying of Brick Paving

Tapps Contracting Pty Ltd

Tender 012-98/99 - Supply and Delivery of Pre-mixed Concrete**BGC Concrete****Tender 007-98/99 - Spray Seal Works & Supply and Delivery of Sealing Aggregate****Pioneer Road Services (for Spray Sealing Works)
Pioneer Concrete (Supply and Delivery Sealing Aggregate)****Tender 011-98/99 - Supply and Delivery of Clay Bricks****Metro Bricks****2 endorse the signing of tender documents.****The Motion was Put and****CARRIED**

Appendix XIII refers

TS86-05/98 FOOTPATH REQUEST - BURNS BEACH ROAD FROM MARMION AVENUE TO OCEAN PARADE - [04594]

A report has been requested on the feasibility of installing a limestone footpath in Burns Beach Road between Marmion Avenue and Ocean Parade, Burns Beach. This facility can be listed for consideration in the Capital Works Forward Plan pending the development of the adjacent southern subdivision stages and dual use path network.

MOVED Cmr Morgan, **SECONDED** Cmr Buckley that the Joint Commissioners list the construction of a stabilised limestone footpath in Burns Beach Road between Ocean Parade and the proposed subdivisional road Delgado Parade for consideration in the Capital Works Forward Plan.

The Motion was Put and**CARRIED****TS87-05/98 QUEENSWAY DUAL USE PATH - CONSTRUCTION AND MINOR LAND ACQUISITION - [08483, 01055]**

The City has part constructed a dual use path in Queensway, from Alexander Drive to Rockdale Pass, Landsdale. The path is incomplete because the proposed alignment conflicts with an existing tree, property boundary and kerb line.

Negotiations have been undertaken with the adjacent land owner to acquire a portion of land for the road reserve to accommodate the path on a safe alignment clear of the existing road kerb. A proposal is that in return for land acquisition, Council would pay the associated survey and transfer fees, compensate the land owner with a new fence and feature wall together with removal of the tree. The cost of these works would be slightly higher than that needed to modify the road if Council was not able to acquire the land.

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

- 1 approve the acquisition of portion of approximately 45 square metre of Lot 70, Queensway Road as detailed on Attachment 3 to Report No TS87-05/98;
- 2 approve the installation of a fence and entry statement up to the value of \$5,800 for Lot 70, Queensway Road to be funded from Account No 33066 - Traffic Improvements - Local Roads;
- 3 approve the removal of a tree in the proposed verge of Queensway Road as shown on Attachment 2 to Report No TS87-05/98;
- 4 approve the authorisation of transfer and land survey fees for the portion of Lot 70, Queensway Road to be funded from Account No 32683 - Land Acquisition - Roads;
- 5 authorise in accordance with the provisions of section 6.8 (1) of the Local Government Act 1995 the additional unbudgeted expenditure of \$5,500 to Account No 31250 for the dual use pathway works in Queensway Road, Landsdale;
- 6 recognise that funding of dual use path works is by saving generated from the following Budget Items:

Account No	Account Name	Amount
31266	Dual Use Path - Cimbrooke Way, Duncraig	\$2,180.70
31265	Dual Use Path - Hepburn Avenue	\$3,319.30
TOTAL		\$5,500.00

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XIV refers

TS88-05/98 TRAFFIC STUDY AND ADDITIONAL ACCESS - HEPBURN HEIGHTS PRECINCT, PADBURY - [08708, 11028, 10105]

Concern has been expressed by residents of the subdivision known as Hepburn Heights, Padbury as to the traffic impact of the proposed development of the community centres located near Fernwood Square. A traffic study has been undertaken and it is recommended to list for funding consideration in the Capital Works Forward Plan a left-in/left-out access from Hepburn Avenue to the Chadlington Drive and Blackwattle Parade roundabout.

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

- 1** monitor traffic speeds, crash data and traffic volumes within the Hepburn Heights Precinct following the Community Centre development in Fernwood Square, Padbury;
- 2** list the sum of \$80,000 for consideration in the Principal Activities Plan as a medium priority for the construction of a left in/left out access from Hepburn Avenue to the existing roundabout at Chadlington Drive/Blackwattle Parade, Padbury;
- 3** advise all interested parties accordingly.

The Motion was Put and

CARRIED

TS89-05/98 SANTA BARBARA PARADE EXTENSION AND PRE-FUNDING AGREEMENT - QUINNS ROCKS SUBDIVISION - [0412]

At two public meetings in 1996, the residents of Quinns Rocks expressed concerns about the traffic impact on Ocean Drive and Tapping Way from the development of the northern subdivision Quinns Beach estate. The extension of Santa Barbara Parade was requested to provide separate access to the estate.

Following negotiations with the adjoining land developers, Council agreed to concur to the co-ordinated extension of Santa Barbara Parade through the various landowner sections and prefund the "middle section" on behalf of Nivlem and Homeswest.

Tenders have been called for the extension of Santa Barbara Parade Project and Council's concurrence to appoint the contractor under the supervision of the developer's Consulting Engineers is sought.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners concur to CSR WA Gravel and Paving undertaking the Santa Barbara Parade extension for the lump sum price of \$769,196 subject to agreement with the other landowners and finalisation of the legal agreement with the respective landowners (Nivlem and Homeswest) for the prefunding of Section B.

The Motion was Put and

CARRIED

TS90-05/98 SUBDIVISIONAL RETAINING WALLS OVER 2.0 METRES IN HEIGHT - LOT 7 HILLARYS STAGE 1 - [03107, 05069]

Wood & Grieve Consulting Engineers and Taylor Burrell Town Planning Consultants, on behalf of Estates Development Company, propose to construct retaining walls which are over 2.0 metres in height and, in one instance, up to 4.8 metres in Harbour Rise Stage 1 of Lot 7 Hepburn Avenue, Hillarys.

The land form and subdivision design suggests that retaining walls over 2.0 metres in height are warranted in this instance. The Joint Commissioners' approval of retaining walls over 2.0 metres ranging up to a nominal height of 5.0 metres is therefore recommended.

REPORT RECOMMENDATION: That the Joint Commissioners authorise the Director of Technical Services and Co-ordinator Building Approvals (Principal Building Surveyor) to approve the retaining walls in excess of 2.0 metres ranging up to a nominal height of 5.0 metres in height as proposed in Stage 1 Lot 7 Hepburn Avenue subdivision, including the future stage to the east, of Estate Development's land holding in Hillarys subject to the following requirements:-

- 1 the developer being required to provide intensive planting of mature trees and landscaping adjacent to the retaining walls within the road verge as a buffer for these walls to reduce their impact of scale to the satisfaction of Manager Parks and Landscaping Services;
- 2 the developer making satisfactory arrangements with the City on implementation of a differential rating system for the residents in order to supplement Council's standard allocation of Maintenance funding;
- 3 approval of retaining walls proposed abutting existing residences will be subject to the consent of the adjoining owners as depicted in the future stage to the east;
- 4 the proposed retaining walls being structurally sound.

Correction

Cmr Morgan advised that the word 'construction' in the first line on point 2 of the recommendation for Item TS90-05/98 is incorrect and should be replaced with the word 'structure'.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners authorise the Director of Technical Services and Co-ordinator Building Approvals (Principal Building Surveyor) to approve the retaining walls in excess of 2.0 metres ranging up to a nominal height of 5.0 metres in height as proposed in Stage 1 Lot 7 Hepburn Avenue subdivision, including the future stage to the east, of Estate Development's land holding in Hillarys subject to the following requirements:-

- 1 the developer being required to provide intensive planting of mature trees and landscaping adjacent to the 3 to 5 metre retaining walls within the road verge as a buffer for these walls to reduce their impact of scale to the satisfaction of Manager Parks and Landscaping Services;
- 2 the developer agreeing to negotiate with the City during the structure planning process on the proposal to implement a differential rating system for the residents in order to supplement Council's standard allocation of Maintenance funding to be applied on the agreed basis to this first stage of development as well as the land subject to the structure plan;
- 3 approval of retaining walls proposed abutting existing residences will be subject to the consent of the adjoining owners as depicted in the future stage to the east;

- 4 the proposed retaining walls being structurally sound and certified by a practising structural engineer.

The Motion was Put and

CARRIED

TS91-05/98 PROPOSED SUBDIVISIONAL RETAINING WALLS ADJACENT LOT 16 EAST ROAD - GRANGE HILL STAGE 4 & 5, PEARSALL - [05032, 13007]

Gutteridge Haskins & Davey Consulting Engineers, on behalf of Australand, proposes to construct retaining walls along the boundary of an abutting existing rural property Lot 16 East Road, Pearsall. The walls are over 1.0 metre in height and, in some instances, up to 2.0 metres in Grange Hill Stage 4 and up to 3.0 metres in Grange Hill Stage 5 subdivisions of Lots 17, 18 and 19 East Road. In accordance with Council's policy on retaining walls, written approval from the abutting landowner of Lot 16 is to be obtained for the proposed retaining walls over 1.0 metre in height along the common boundary. The abutting landowner has written to the City strongly objecting to the retaining walls in any form along the eastern boundary of his property. Apart from those abutting Lot 16, Gutteridge Haskins & Davey has also requested approval of retaining walls in excess of 2.0 metres in height up to a maximum of 3.0 metres in one location within Stage 5 of the subdivision whereby it is recommended that these retaining walls be approved as proposed.

As there is opportunity to redesign the retaining walls proposed along the boundary of Lot 16, it is recommended that the Joint Commissioners rejects the applicant's current retaining wall design along the eastern boundary of Lot 16 and require the applicant to redesign the retaining walls to limit the retaining along this boundary to a maximum of 1.0 metre in Stage 4 and to 1.5 metres in Stage 5.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 do not approve Gutteridge Haskins & Davey current retaining wall design (apart from Wall H-G-F) along the eastern boundary of Lot 16 East Road, Pearsall and require the applicant to redesign the retaining walls to limit the retaining along this boundary to a maximum of 1.0 metre in Stage 4 and to 1.5 metres in Stage 5;
- 2 authorise the Director Technical Services and Director Development Services to liaise with the applicant in order to achieve a design that limits the retaining walls along the boundary with Lot 16 East Road, Pearsall in accordance with the requirements set above in item 1;
- 3 authorise the Co-ordinator Building Approvals (Principal Building Surveyor) to approve the section of retaining wall indicated as Wall H-G-F on Attachment 1 to Report TS91-05/98 proposed over 1.0 metre, along the boundary with Lot 16 East Road, Pearsall, to a maximum of 2.0 metres in height;
- 4 authorise the Co-ordinator Building Approvals (Principal Building Surveyor) to approve the remaining retaining walls proposed within the subdivision over 2.0 metres to a maximum of 3.0 metres in height in Grange Hill Stage 5 of the subdivision of Australand's landholding in Pearsall subject to the retaining walls being structurally sound;

- 5 advise the applicant that no construction work shall encroach onto Lot 16 East Road, Pearsall without the prior approval of the owner.

COMMITTEE RECOMMENDATION: That the Joint Commissioners:

- 1 authorise the Co-ordinator Building Approvals (Principal Building Surveyor) to issue a Building Licence for the retaining walls on Lots 17 and 18 East Road, Pearsall as depicted on Attachment 1 to Report TS91-05/98;
- 2 note the submission on behalf of the owners of Lot 16 East Road, Pearsall.

ADDITIONAL INFORMATION SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS

In accordance with the legal opinion on the approval process for retaining walls, the City must issue a building licence where the wall heights are required for servicing. Therefore, the recommendation is required to be amended.

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

- 1 **authorise the Co-ordinator Building Approvals (Principal Building Surveyor) to issue a Building Licence for the retaining walls on Lots 17 and 18 East Road, Pearsall as depicted on Attachment 1 to Report TS91-05/98 subject to the advice from and in accordance with the recommendation of the Director Technical Services that the height of the walls are necessary to properly service the land being subdivided;**
- 2 **note the submission on behalf of the owners of Lot 16 East Road, Pearsall.**

Cmr Morgan stated he supported the amendment.

The Motion was Put and

CARRIED

Appendix XV refers

TS92-05/98 SUBDIVISIONAL RETAINING WALLS OVER 2.0 METRES IN HEIGHT - MINDARIE KEYS, NEIGHBOURHOOD B : STAGE 1 - [00115]

Sinclair Knight Merz Consulting Engineers, on behalf of the Fini Group, proposes to construct retaining walls which are over 2.0 metres in height and, in some instances, up to 2.5 metres for the subdivision in Mindarie Keys, Neighbourhood B : Stage 1. The land form and subdivision design suggests that the proposed retaining walls over 2.0 metres in height will not have an adverse impact on the amenity of the surrounding area. Council's approval of the retaining walls to a maximum of 2.5 metres in height is, therefore, recommended.

MOVED Cmr Morgan, **SECONDED** Cmr Buckley that the Joint Commissioners authorise the Director of Technical Services and Co-ordinator Building Approvals (Principal Building Surveyor) to approve the retaining walls up to the maximum of 2.5 metres in height as proposed in Neighbourhood B, Stage 1 subdivision of Fini Group's land holding in Mindarie subject to the retaining walls being structurally sound.

The Motion was Put and

CARRIED

TS93-05/98 SECURITY FENCING AROUND PADBURY COMMUNITY HALL - JASON PLACE/CALEY ROAD, PADBURY - [510-1084]

This report examines the circumstances surrounding the closure of the accessway between Jason Place and Caley Road, Padbury and two petitions relating to the closure, and recommends alternative access through the site of Padbury Hall.

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

- 1** receive the 24 signature petition objecting to the closure of the accessway between Jason Place and Caley Road, Padbury;
- 2** request the Director Technical Services to construct a path between the Jason Place corner of the closed accessway and the existing car park adjacent to Padbury Hall.

The Motion was Put and

CARRIED

TS94-05/98 LEASE OF JOONDALUP LIBRARY COFFEE SHOP - TENDERS - [07497]

This matter was deferred (ex TS82-04/98) pending further information being supplied to Joint Commissioners on extending the proposed fit-out of the Joondalup Library Coffee Shop to increase the possibility of attracting a suitable lessee.

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 fit-out by Council to allow for a re-tendering of the area on a more competitive basis.

MOVED Cmr Morgan, **SECONDED** Cmr Buckley that the Joint Commissioners list for consideration the sum of \$95,700.00 for the fit-out of the Joondalup Library Coffee Shop in the 1998/99 Draft Budget.

The Motion was Put and

CARRIED

TS95-05/98 COAST TO COAST '98 CONFERENCE - [14135]

Commissioner W Buckley and Council officers attended the above international conference in Perth from 29 April 1998 to 1 May 1998.

The conference provided an opportunity for officers to investigate and review the current practices and information used within Council. Workshop sessions provided varied topic selections and officers were encouraged to attend sessions of maximum benefit.

Conference papers are available on disk by contacting Dennis Cluning, Manager Parks Landscaping Services.

Council officers extend their thanks to the City for the opportunity to attend this conference.

At the Technical Services Committee meeting, Cmr Buckley stated the conference was most informative, and recommended the papers be viewed, in particular those prepared by Dr Peter Ellyard.

Cmr Buckley requested that an annexure be provided, giving subject headings of available information, to assist persons accessing this information - Appendix IV refers

MOVED Cmr Morgan, SECONDED Cmr Buckley that the information in relation to the Coast to Coast '98 Conference be noted.

The Motion was Put and

CARRIED

Appendix XVI refers

TS96-05/98 ROLLOVER OF PARKS LANDSCAPING SERVICES' ANNUAL TENDERS - [09629, 10035, 00784, 03881, 07973, 03881, 08813, 08813, 09629, 04437]

Annual tenders administered by the Parks Landscaping Services are due for extension for a further 12 month period, subject to agreement by both parties.

All contractors have indicated that they are willing to continue for a further 12 month period with no price variation, with the exception of Treacy Fencing (Tender No 045-96/97 Supply and Installation of Tanolith Treated Pine Post and Rail Fencing).

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

- 1 in accordance with the Tender Specifications, authorise the 36 month extension to Tender No 052-94/95 - Maintenance and General Upkeep of all Grassed and Garden Areas - Carramar Golf Course, Golflinks Drive, Neerabup, awarded to Australian Turf Industries Pty Ltd;**
- 2 authorise the 12 month extension to Tender No 024-97/98 - Supply and Maintenance of Bore Hole Pumping Units, awarded to TurboMaster Pumps Pty Ltd;**

- 3 authorise the 12 month extension to Tender No 025-96/97 - Supply of General Plants, Low Shrubs, Groundcover Plants and Green Plan Plants, awarded to -
Benara Nurseries
Andrew Greaves & Associates (now known as Peedac Pty Ltd);
- 4 authorise the 12 month extension to Tender No 041-96/97 - Removal of Assorted Stumps from Council Controlled Land, awarded to Woodies Stump Removals Pty Ltd;
- 5 authorise the 12 month extension to Tender No 029-96/97 - Supply of Play Equipment Components, awarded to -
Forpark Australia
Miracle Recreation Equipment Pty Ltd;
- 6 authorise the 12 month extension to Tender No 023-97/98 - Construction, Developing and Testing of Bores, awarded to Wintergreene Drilling;
- 7 authorise the readvertising of Tender No 045-96/97 - Supply and Installation of Tanolith Treated Pine Post and Rail Fencing.

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

TS97-05/98 PETITION - SANTA ANA PARK CURRAMBINE (POCKET PARK) - [00884]

Parks Landscaping Services has received a petition from 96 residents in Currumbine requesting redevelopment of Santa Ana Park (also known locally as Pocket Park).

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 authorise redevelopment of Santa Ana Park in Currumbine;
- 2 (a) authorise, BY ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act 1995, the reallocation of \$16,000 from Account No 29336 Christchurch Park to Santa Ana Park for provision of play equipment;

OR

- (b) list provision of play equipment for consideration within the 1998/99 Capital Works Programme;
- 3 advise petitioners of the Joint Commissioners' decision.

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

- 1 authorise redevelopment of Santa Ana Park in Currumbine;**

- 2 authorise in accordance with Section 6.8(1) of the Local Government Act 1995, the reallocation of \$16,000 from Account No 29336 Christchurch Park to Santa Ana Park for provision of play equipment;
- 3 advise petitioners of the Joint Commissioners' decision.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

TS98-05/98 AMERY PARK HOCKING - [17059]

Parks Landscaping Services has received a petition from nine residents of Wattle Mews, Hocking, requesting removal of the play equipment which is located in Amery Park due to antisocial activities.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners initiate a six month trial period for Council's Youth Services Co-ordinator to liaise with local youth and residents to minimise the current conflicts.

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

TS99-05/98 BUS SHELTER GRAFFITI REMOVAL - REALLOCATION OF MUNICIPAL FUNDS. - [15045]

The removal of graffiti from concrete bus shelters is undertaken by Ausmic Environmental Industries (WA) in accordance with graffiti control Tender Number 011-97/98 (Item TS140-05/97 refers). The amount allocated for the removal of the graffiti throughout 1997/98 fiscal year under account 27824 is \$32,000. At the 23 December 1997 meeting of the Joint Commissioners, it was resolved by absolute majority to reallocate \$40,000 from Budget Item "All Night Security - Account Number 22384" to Budget Item "Bus Shelter Graffiti Maintenance - Account Number 27824" after the initial \$32,000 was expended (Item TS321-12/97 refers). Of the total \$72,000 under the Bus Shelter Graffiti Maintenance Account, \$65,939 has been expended to date.

An absolute majority resolution is required to reallocate \$30,000 from Budget Item "Verge Maintenance Control Account - Account Number 71025" to Budget Item "Bus Shelter Graffiti Maintenance - Account Number 27824" to ensure that the graffiti is removed from the bus shelters.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners authorise in accordance with Section 6.8 (1) of the Local Government Act 1995 the reallocation of \$30,000 from Budget Item "Verge Maintenance Control Account - Account Number 71025" to Budget Item "Bus Shelter Graffiti Maintenance - Account Number 27824".

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED BY AN

ABSOLUTE MAJORITY**TS100-05/98 SUPPLY AND CONSTRUCTION OF STORMWATER DRAINAGE WORKS - HODGES DRIVE DUPLICATION - TENDER NUMBER 134-97/98 - [18106]**

As part of Hodges Drive road duplication works from Marmion Avenue to St Michaels Avenue in Connolly, it is proposed to undertake part stormwater drainage works using Contractors. At the close of tenders on 4 May 1998, only one tender was received. It is recommended that the tender from Georgiou Group Pty Ltd for the supply and construction of stormwater drainage in Hodges Drive be accepted.

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

- 1 accept Tender Number 134-97/98 from Georgiou Group Pty Ltd for the amended lump sum price of \$413,555.00 for the supply and construction of stormwater drainage in Hodges Drive, Connolly;
- 2 authorise the signing of the contract documents.

The Motion was Put and

CARRIED

DEVELOPMENT & PLANNING SERVICES SECTION**DP153-05/98 CITY OF WANNEROO COMMUNITY ENVIRONMENTAL GRANT SCHEME - [08111]**

The City includes an allocation in its annual budget to fund its Community Environmental Grant Scheme, the objective of which is to increase awareness within the community of environmental issues. Applications for funding pursuant to the scheme for the 1997/98 year have been sought. A total of 22 applications have been received. These have been assessed and recommendations regarding approval made.

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

1 approve the following grants pursuant to the City of Wanneroo Community Environmental Grant Scheme for the year 1997/98 -

• Bambara Primary School	\$ 500
• Beaumaris Primary School	\$ 2,000
• Camberwarra Primary School	\$ 500
• Duncraig Senior High School	\$ 500
• Edgewater Primary School	\$ 1,000
• Friends of Hepburn & Pinnaroo Bushland	\$ 500
• Friends of Korella Park Bushland	\$ 150
• Hawker Park Primary School	\$ 500
• Kingsway Christian College	\$ 460
• Landsdale Farm School	\$ 1,500
• Lymburner Primary School	\$ 1,313
• Montrose Pre-Primary Centre	\$ 500
• Ocean Reef Primary School	\$ 500
• Ocean Reef Residents Association Inc	\$ 500
• St Simon Peter Catholic Primary School	\$ 500
• St Stephen's School	\$ 850
• Sorrento Primary School	\$ 425
• South Padbury Primary School Parents & Citizens Association	\$ 500
• West Greenwood Primary School	\$ 1,450

2 advise the unsuccessful applicants (Landsdale Gardens Community Care group and Lake Joondalup Baptist College). Also that advice be provided to the Friends of Korella Park Bushland group, the Ocean Reef Residents Association and the Ocean Reef Primary School regarding the outcome of their applications, to include points raised in the assessment of these applications as canvassed in Report DP153-05/98.

Cmr Rowell congratulated the successful applicants under the Community Environmental Grant Scheme.

The Motion was Put and

CARRIED

Appendix XVII refers

**DP154-05/98 SEAWEED ACCUMULATION AT TWO ROCKS MARINA -
[00030, 00780]**

Pressure is being applied for the City to implement remedial action in response to the accumulation of seaweed in the embayment between the Two Rocks marina and Leemans Landing. The Joint Commissioners have previously adopted a strategy for managing seaweed accumulation at Two Rocks that does not entail the removal of seaweed from this embayment. Because of the continuing pressure for remedial action, the City's position regarding the seaweed accumulation has been reviewed. As a result, confirmation of the strategy previously adopted by the Joint Commissioners, and of the progressive implementation of works generally in accordance with the adopted Two Rocks Foreshore Management Plan, is recommended.

ADDITIONAL INFORMATION SUBMITTED AT DEVELOPMENT & PLANNING SERVICES COMMITTEE MEETING

Page 2 of Attachment 6 in relation to Report DP154-05/98, which was inadvertently omitted from the Agenda, was submitted to the meeting - Appendix V refers

REPORT RECOMMENDATION: That the Joint Commissioners confirm endorsement of:

- 1 the strategy for managing seaweed accumulation on beaches to the south of the Two Rocks marina as outlined in City of Wanneroo Report DP291-12/97 and encompassing -
- the accumulated seaweed in the embayment between the Two Rocks marina and Leemans Landing should not be removed;
 - the accumulated seaweed could be removed from the wave reach zone along a section of beach extending up to 500 metres south of Leemans Landing;
 - within the section of beach from which the accumulated seaweed may be removed, disturbance of the sand berm along the eastern extremity of the beach must be avoided;
 - the accumulated seaweed removed from the beach south of Leemans Landing should not be disposed of within the adjacent dunes - it should be placed in a "dumper" bin for periodic collection and disposal;
 - access for machinery to the beach from Leemans Landing would be acceptable;

- the possibility of making the seaweed removed from the beach available to the public for garden mulch and/or the possibility of composting it with other green waste should be investigated.

2 the recommendations for Two Rocks - Sector 2 contained in the Two Rocks-Yanchep Foreshore Management Plans (adopted by the City of Wanneroo on 22 October 1997) and the progressive implementation of works encompassing the following that are generally in accordance with these recommendations -

- development of major sea-side park at Leemans Landing with showers, path access to the beach, carparking, and provision for a kiosk and changerooms and extension to the existing toilet; and
- fencing and protection of areas of dune vegetation from off road vehicles.

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

1 confirm endorsement of:

- (a) **the strategy for managing seaweed accumulation on beaches to the south of the Two Rocks marina as outlined in City of Wanneroo Report DP291-12/97 and encompassing -**
- **the accumulated seaweed in the embayment between the Two Rocks marina and Leemans Landing should not be removed;**
 - **the accumulated seaweed could be removed from the wave reach zone along a section of beach extending up to 500 metres south of Leemans Landing;**
 - **within the section of beach from which the accumulated seaweed may be removed, disturbance of the sand berm along the eastern extremity of the beach must be avoided;**
 - **the accumulated seaweed removed from the beach south of Leemans Landing should not be disposed of within the adjacent dunes - it should be placed in a “dumper” bin for periodic collection and disposal;**
 - **access for machinery to the beach from Leemans Landing would be acceptable;**
 - **the possibility of making the seaweed removed from the beach available to the public for garden mulch and/or the possibility of composting it with other green waste should be investigated.**
- (b) **the recommendations for Two Rocks - Sector 2 contained in the Two Rocks-Yanchep Foreshore Management Plans (adopted by the City of Wanneroo on 22 October 1997) and the progressive**

implementation of works encompassing the following that are generally in accordance with these recommendations -

- development of major sea-side park at Leemans Landing with showers, path access to the beach, carparking, and provision for a kiosk and changerooms and extension to the existing toilet; and
- fencing and protection of areas of dune vegetation from off road vehicles;

2 require a further report to be presented regarding the accumulation of seaweed between the Two Rocks Marina and Leemans Landing, providing further detailed information on the costs and benefits associated with the removal of the accumulated material.

Cmr Rowell advised that the City was indentifying ways to enforce and carry out such management of the seaweed accumulation.

The Motion was Put and

CARRIED

Appendix XVIII refers

Items DP155-05/98 to DP160-05/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Clark- Murphy.

DP155-05/98 **DEVELOPMENT ASSESSMENT UNIT AND DELEGATED AUTHORITY COMMITTEE - [07032]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from to 26 March 1998 to 4 May 1998.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report DP155-05/98.

The Motion was Put and

CARRIED

Appendix XIX refers

DP156-05/98 **VARIOUS AMENDMENTS TO TOWN PLANNING SCHEME NO 1 NOT PROCEEDED WITH - [02183]**

The City of Wanneroo Town Planning Scheme No 1 has had 830 amendments initiated to it, with 73 amendments currently in progress. Of these 73 current amendments there are 12 which are identified as having abnormal delays. It is proposed that the Joint Commissioners resolve to not proceed with these amendments.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners not proceed with the amendments to Town Planning Scheme No 1 set out in the schedule attached to Report DP156-05/98 and the Western Australian Planning Commission and the proponents be advised accordingly.

The Motion was Put and

CARRIED

Appendix XX refers

**DP157-05/98 DRAFT MINDARIE KEYS HARBOURSIDE VILLAGE
STRUCTURE PLAN - [00961]**

Jones Coulter Young, on behalf of Fini Group Ltd have submitted a draft Mindarie Keys Harbourside Village Structure Plan for assessment under Part 10 of the City's Town Planning Scheme No 1. The draft structure plan is proposed to replace the adopted Development Guide Plan for the Marina and differs quite significantly from that plan which was adopted over 13 years ago in 1985. This Draft Structure Plan has been prepared in consultation with officers at the City, the Ministry for Planning and Department of Transport and the proponents have requested that the draft plan be assessed under the provisions of the Community Design Codes. While there is considered to be a number of aspects of the proposal which will require further consideration, it is considered satisfactory for the plan to be advertised for public comment.

At the Development and Planning Services Committee meeting, Cmr Rowell commented that as this was a major harbourside development, it was felt a 60 day advertising period was more appropriate on this occasion.

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 Mindarie Keys Harbourside Village Structure Plan for a period of 60 days for public comment;**
- 2 send a copy of the draft Structure Plan to the Western Australian Planning Commission for its consideration and comment;**
- 3 engage a consultant to determine future cost implementation of the Mindarie Keys Groyne and other groynes which may become the responsibility of the City of Wanneroo.**

The Motion was Put and

CARRIED

**DP158-05/98 HIGHWAY DEVELOPMENT ALONG JOONDALUP DRIVE -
LOT 1 DWYER TURN, JOONDALUP - [02758]**

An application has been received for land zoned for highway uses east of Joondalup Drive that does not conform with the preferred uses and which requires exercise of Council discretion in order to be approved. Modification of the Joondalup City Centre Development Plan and Manual is consequently felt to be appropriate.

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

- 1** exercise discretion under Clause 5.9 of Town Planning Scheme No 1 and approve the uses proposed in the application submitted by Meyer Shircore on behalf of Mr H Dillman for a video store and retail shops on Lot 1 Dwyer Turn;
- 2** in accordance with Clause 10.7 of Town Planning Scheme No 1, adopt and make available for public comment the following draft modification to the Joondalup City Centre Development Plan and Manual:

A1.3 Preferred uses in the Highway/Drive-in area of the Western Business District to read as follows:

Fast food outlets with drive-in facility
Service Stations
Video hire
Take-away food without drive-in facility
Bottleshop with/without drive through.

The Motion was Put and

CARRIED

DP159-05/98

PLANNING LEGISLATION AMENDMENT BILL - [08814]

A Planning Legislation Amendment Bill has been introduced to State Parliament making provision for appeals against amendment decisions, endorsement of plans of survey, fees and charges for planning services, regional planning schemes and regional improvement orders. Local Members of Parliament and the Minister for Planning have been contacted supporting concerns expressed by the Western Australian Municipal Association over some aspects of the Bill.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the action taken by referring correspondence, forwarded by the Western Australian Municipal Association objecting to the implementation of appeal provisions within the current review of the Town Planning and Development Act against the Local Authority's refusal to rezone land, to Members of Parliament within the City of Wanneroo and the Minister for Planning.

The Motion was Put and

CARRIED

DP160-05/98

ADDITIONS AND REVISIONS TO JOONDALUP CITY CENTRE DEVELOPMENT PLAN AND MANUAL - [00152]

Guidelines have been prepared by Landcorp for Lakeside District to be included in the Joondalup City Centre Development Plan and Manual. Landcorp has also withdrawn from involvement in the administration of the approvals process for the City Centre. Various other additions and clarification of the Manual provisions are included and are recommended for advertising for public comment.

MOVED Cmr Rowell, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners, in accordance with Clause 10.7 of Town Planning Scheme No 1, adopt and make available for public comment the following draft modifications to the Joondalup City Centre Development Plan and Manual:

- 1 **add the details listed in Attachment 1 to Report DP160-05/98 as a new section for Lakeside District Guidelines;**
- 2 **modify the Introduction to the Development Manual, the Table facing, and the page 'Applications for Development Approval' to omit the requirement for an applicant to make a submission to Landcorp, as set out in Attachment 2 to Report DP160-05/98;**
- 3 **modify the submission requirements so that a Development Approval is not required for changes of preferred use;**
- 4 **modify Clause A1.3 relating to residential provisions in the Central Business District to read:**

The City may permit residential development up to R100B density code where the City considers that this has been demonstrated to create an appropriate landmark which enhances the overall legibility and amenity of the City Centre.

The provisions of the Residential Planning Codes do not apply to mixed use developments but the provisions for multi-unit developments may be used as a guide.

- 5 **modify Clause A2.3 relating to residential provisions in the Central Business District to read:**

Concessions: The provision of public open space and residential development will not be counted as floorspace towards the plot ratio

- 6 **modify Clause A2.1 relating to residential provisions in City North by the addition of the following:**

The plot ratio provisions in the Residential Planning Codes do not apply to City North.

- 7 **replace Clause A2.2 relating to mixed use developments in City North by the following:**

Any residential development that is provided on mixed use lots shall be exempt from the plot ratio limits applicable to the area. The provisions of the Residential Planning Codes do not apply to mixed-use lots, but the provisions relating to multi unit developments may be used as a guide. For other preferred uses on mixed use lots, buildings may not exceed a maximum plot ratio of 0.5.

8 modify clause A4.1. relating to front residential setback provisions in City North to read:

“1.0m min and 4.5m max, unless the boundary is angled so that a larger setback is necessary.”

The Motion was Put and

CARRIED

Appendix XXI refers

DP161-05/98 **ADDITIONS TO MEDICAL CENTRE: LOT 252 (19) KOORANA ROAD, MULLALOO - [01134]**

An application has been received from Mr J Koh, on behalf of Dr K C Si, for additions to the existing medical centre, Lot 252 (19) Koorana Road, Mullaloo.

The application was incomplete and the applicant has failed to provide the required detail despite several requests. The proposal is recommended for refusal on the basis that the application is incomplete.

Cmr Rowell declared an interest in this Item as his family has an interest in the Mullaloo Plaza Shopping Centre.

Cmr Rowell left the Chamber at this point, the time being 1910 hrs.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners refuse the application submitted by Mr J Koh on behalf of Dr K C Si for an extension to the medical centre at Lot 252 (19) Koorana Road, Mullaloo as despite numerous requests written authorisation from the owner has not been received.

The Motion was Put and

CARRIED

Cmr Rowell entered the Chamber at this point, the time being 1911 hrs.

Items DP162-05/98 to DP170-05/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan.

DP162-05/98 **PROPOSED CONSULTING ROOM, LOT 226 (8) KOOLYANGA ROAD, MULLALOO - [09385]**

An application has been received from J Bertram, on behalf of B & T Hugi, for the demolition of the existing dwelling and the construction of a new dwelling on Lot 226 (8) Koolyanga Road, Mullaloo. The owners intend to live in the dwelling and operate a low scale consulting room from a small portion of the dwelling for the operation of traditional European treatment processes.

The application was advertised on-site for 30 days. Two (2) letters of support, two letters of objection, a thirty (30) signature petition of objection and a thirteen (13) signature petition of objection were received. Objection generally relates to parking, traffic, noise, inappropriateness of use and social issues.

The proposal does not comply with the location or carparking requirements of the City's Consulting Room policy. The use does not however constitute a typical consulting room with respect to the frequency and length of appointments. The proposal is recommended for approval subject to a review in 12 months' time and several strict operating conditions.

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

- 1** approve the application for a Consulting Room as submitted by Mr J Bertram, on behalf of Mr & Mrs Hugi, for Lot 226 (8) Koolyanga Road, Mullaloo subject to the following conditions:
 - (a) the approval being limited to one year only. If the applicants intend to continue operating after this date, a new application is to be lodged with and approved by the City prior to continuing with the use;
 - (b) the approval is limited to Mr and Mrs Hugi only and does not permit anyone other than these two persons to conduct any form of business from this property and only remains valid whilst these two persons are permanently residing at this property;
 - (c) the consulting room shall only operate between the hours of 9.00 am and 5.00 pm on weekdays and shall not operate on weekends or public holidays;
 - (d) the maximum number of clients permitted to visit the premises on any weekday is to be limited to 5;
 - (e) client appointments are to be managed in such a way that does not lead to more than one client vehicle parked on-site at any one time;
 - (f) no client parking is permitted on the street or the road verge;
 - (g) all proposed signage being limited to 0.2 square metres in area, shall be non-illuminated and shall only depict the name of the business, the business logo and the street number;
 - (h) standard and appropriate conditions deemed necessary by the Manager, Approval Services.
- 2** exercise discretion under clause 9.1(1) of Town Planning Scheme No 1 and reduce the carparking requirement for this proposal from 8 bays to five bays in this instance.

The Motion was Put and

CARRIED

DP163-05/98**TWO GROUPED DWELLINGS: LOT 562 (27) AMAROO PLACE, DUNCRAIG - [03672]**

An application has been received from K and C Honner for two grouped dwellings on Lot 562 (27) Amaroo Place, Duncraig. A portion of each proposed dwelling exceeds the building threshold envelope.

The proposal required written justification from the applicant for those portions of the development which exceeded the building threshold envelope. Adjoining landowners were given 14 days to comment on the proposal. One letter of objection was received.

The application complies with the Residential Planning Code requirements with the exception of two minor setback discrepancies and the crossover separation. These matters can be adequately dealt with by conditions of approval. It is not considered that this development unreasonably affects the amenity of the area and an approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners approve the application submitted by C and K Honner for two grouped dwellings on Lot 562 (27) Amaroo Place, Duncraig, subject to:

- 1 the side facing portions of the ground and first floor windows to bedroom 1 of dwelling A not exceeding 1.5 square metres in area;**
- 2 the crossovers being separated by a minimum distance of 6 metres;**
- 3 standard and appropriate conditions as considered appropriate by the Manager, Approval Services.**

The Motion was Put and

CARRIED

DP164-05/98**PROPOSED TWO STOREY DWELLING: LOT 494 (7) LACROSSE RISE, SORRENTO. - [03518]**

A building licence application has been received from J Martin Construction for a two storey dwelling with an undercroft garage on Lot 494 (7) Lacrosse Rise, Sorrento. As the proposal has a three storey section in height, the affected adjoining owners were consulted in accordance with Council policy. The application was received prior to the adoption of the new height policy. One objection has been received from the two owners of an existing group dwelling development. That objection relates to the loss of property value, the overall height and bulk of the proposed dwelling, the detrimental impact on the amenity and over-shadowing.

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

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners having considered the Policy and submission received for the proposed two storey dwelling and undercroft garage on Lot 494 (7) Lacrosse Rise Sorrento authorise the issuing of a building licence.

The Motion was Put and

CARRIED

DP165-05/98

PUBLIC WORSHIP USE - ST MARK'S ANGLICAN COMMUNITY SCHOOL: LOT 5 (20) ST MARK'S DRIVE, HILLARYS - [06377]

An application has been received from the St Mark's Anglican Community School, on behalf of the Anglican Schools' Commission (Inc) for the use of the existing school buildings for public worship.

The proposal was advertised on-site for thirty (30) days. One hundred and nineteen (119) letters of support and three (3) letters of objection were received. The objection related to noise, danger of traffic using the service gate and the opinion that adequate churches exist in the area.

There is no objection in principle to the use of the site for public worship. Adequate carparking exists on site and so long as a restriction is placed on the after hours use of the service access, the proposal is unlikely to affect the amenity of the area. The application is therefore recommended for approval.

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

Director, Development Services advised City has received further letters of objection from the residents of No 10, 8 and 4 St Mark's Drive, Hillarys.

The reason for objection was the noise of the vehicles using the service gate. The recommendation addresses this issue.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners approve the application submitted by the St Mark's Anglican Community School, on behalf of the Anglican Schools' Commission (Inc) for a place of public worship on Lot 5 (20) St Mark's Drive, Hillarys, subject to:

- 1 a maximum of 175 persons attending the site at any one time for the public worship use;
- 2 the public worship use being confined to the Performing Arts Centre and rooms 1, 2, 31, 32 and 33 only, as highlighted in red on the approved plan;
- 3 the service gate to the driveway along the eastern boundary of Lot 5 (20) St Mark's Drive, Hillarys shall be closed and not used for any vehicular traffic, except between the hours of 7.30 am and 5.30 pm, Monday to Friday, excluding public holidays;

- 4 **standard and appropriate conditions as determined by the Manager, Approval Services.**

The Motion was Put and

CARRIED

DP166-05/98 TWO ADDITIONAL POULTRY SHEDS - LOT 18 (15), ASHBY STREET, WANNEROO - [08304 (30/3669)]

An application has been received from Mr Frank Giovenco seeking approval for the construction of two additional poultry (broiler) sheds on Lot 18 (15), Ashby Street, Wanneroo. The broiler sheds measure 90 metres by 18.2 metres and are proposed to be located eight metres to the western side boundary, 25 metres to the eastern side boundary and 20 metres to the rear boundary. There are currently seven poultry sheds on the site generally setback an equivalent distance to the side boundaries as specified above and eighty four metres from the rear boundary.

The proposal complies with the minimum setbacks stipulated under Town Planning Scheme No 1, however does not comply with the Environmental Protection Authority's (EPA) Code of Practice or the Western Australian Planning Commission's Draft Statement of Planning Policy for Poultry Farms in respect of minimum separation distances and setbacks.

Adjoining owners have been notified of the proposal and invited to make comment. Three objections were received. Grounds for objection include non compliance with the EPA's Code of Practice, noise, water run-off, odour and dust nuisance and diminished land values.

While the proposal will incrementally increase noise, dust and odour, it is a use which is consistent with the intent of rural zones and a use which is generally prohibited in all other zones. Impacts relating to dust, noise and the containment of water run-off can, to an extent, be mitigated by appropriate management. Given the land's rural zoning, that it is not affected by any future urbanisation proposals and in the absence of any statutorily binding policy, it is difficult to refuse the application and accordingly conditional approval is recommended.

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

- 1 **approve the application submitted by F Giovenco on behalf of C and F Giovenco to construct an additional two poultry (broiler) sheds on Lot 18 (15), Ashby Street, Wanneroo, subject to:**
- (a) **the type of poultry farm being restricted to broiler only;**
 - (b) **the preparation and implementation of a management plan to the satisfaction of the City aimed at minimising the potential visual, noise, dust and water run-off impact of the poultry farm on the amenity of the area to the satisfaction of the City prior to commencement of the development;**
 - (c) **the provision and ongoing maintenance of landscape screening along the side and rear boundaries of Lot 18 to the satisfaction of the City;**
 - (d) **all waste water and stormwater runoff being contained on site to the satisfaction of the City;**

- (e) operating procedures complying with the Water and Rivers Commission's 'Draft Guidelines for Poultry Sheds';
- (f) a sign to the City's satisfaction being erected at the poultry farm entrance advising of the poultry farm and the possibility of odours, dust, noise, hours of operation and other practices which may create nuisance to nearby landowners;
- (g) approval being granted by the Western Australian Planning Commission prior to the issue of a Building Licence;
- (h) the applicant being advised that this approval relates to conventional (cross ventilated) sheds only and any future conversion of the sheds to tunnel ventilation would require the submission of a fresh application;
- (i) standard and appropriate conditions deemed appropriate by the Manager, Approval Services;

2 advise the Western Australian Planning Commission accordingly.

The Motion was Put and

CARRIED

DP167-05/98

**REPLACEMENT AND RELOCATION OF
TELECOMMUNICATIONS POLE - LOT 164 BEACH ROAD,
WARWICK - [02568]**

An application has been received from Greg Rowe and Associates on behalf of Optus for the relocation and replacement of an existing 25 metre high telecommunications pole with a 30 metre telecommunications pole and the construction of one associated equipment shelter on Lot 164 Beach Road, Warwick.

In accordance with Council policy signs advertising the proposal were erected on site and adjoining and nearby owners notified in writing and invited to make comment. Objections were received from owners of three adjoining properties. Grounds for objection relate to a loss of visual amenity, diminished land values and perceived health risks.

The Western Australian Planning Commission has issued a Planning Bulletin relating to telecommunications infrastructure which indicates that there is no substantiated evidence to suggest that living near a mobile phone tower causes adverse health effects.

The proposal will undoubtedly result in a loss of visual amenity to the adjoining properties. However in considering the proposal, the needs of the greater community must also be taken into account. Such proposals due to their nature are required to be located within close proximity to the user catchment, and the location of the tower within the Warwick transfer station and adjacent to the Mitchell Freeway minimises its impact and is preferable to any other location in the immediate vicinity. Accordingly approval is recommended.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners approve the application by Greg Rowe and Associates on behalf of Optus proposing the construction of an additional equipment shelter and the replacement and relocation of the existing 25 metre high telecommunications pole on Lot 164, Beach Road, Warwick with a 30 metre high telecommunications pole subject to standard and appropriate conditions deemed appropriate by the Manager Approval Services.

The Motion was Put and

CARRIED

DP168-05/98 **REDUCED FRONT SETBACK - CARPORT: LOT 48 (2)**
WANDOO ROAD, DUNCRAIG. - [03823]

A building licence application has been received from Perth Home Improvements for the construction of a carport forward of the existing dwelling with a reduced front setback of 1.520 metres at Lot 48 (2) Wandoo Road Duncraig. The proposal requires the approval of the Council under the Residential Planning Codes. The proposal is not considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on the amenity and streetscape and refusal is recommended.

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

- 1** pursuant to Clause 1.1.4 of the Residential Planning Codes refuse the application for the proposed carport with a reduced front set back of 1.520 meters on Lot 48 (2) Wandoo Close Duncraig because of the detrimental effect on the amenity of the surrounding properties;
- 2** refuse the application for a building licence for the above development.

The Motion was Put and

CARRIED

DP169-05/98 **SUBDIVISION CONTROL UNIT COMMITTEE - 4 APRIL**
1998 TO 4 MAY 1998 - [05961]

This report provides a resumé of the Subdivision Applications processed by the Subdivision Control Unit 4 April 1998 to 4 May 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 Morgan that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report DP169-05/98.

The Motion was Put and

CARRIED

Appendix XXII refers

DP170-05/98 **CLOSE OF ADVERTISING - DESIGN GUIDELINES FOR STAGE 12 LOT M1722 DELAMERE AVENUE, ILUKA - [18066]**

Guidelines for the control of development on Stage 12 Iluka were advertised as draft Planning Policy for public comment for a 21 day period which closed on 21 April 1998. No comments were received. It is therefore recommended that the guidelines should be adopted.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners, pursuant to Clause 5.11 of the City of Wanneroo Town Planning Scheme No 1, adopt the planning policy for the portion of Pt Lot M1722, (proposed Lots 975-980, Miami Beach Promenade and lots 995-1000, Stinson Square), Iluka, as shown in Attachment No 2 to Report DP170-05/98.

The Motion was Put and

CARRIED

Appendix XXIII refers

DP171-05/98 **CLOSE OF ADVERTISING - GUIDELINES FOR SMALL LOT SUBDIVISION - LOTS 52 (20) TOULON CIRCLE, MINDARIE - [03110]**

Development guidelines for Lot 52 (20) Toulon Circle, Mindarie were advertised as draft Planning Policy for public comment for a 21 day period which closed on 21 April 1998. No comments were received. It is therefore recommended that the guidelines should be adopted as Planning Policy.

Cmr Buckley declared an interest in Items DP171-05/98 and DP185-05/98 as her husband has a business relationship with the applicant.

Cmr Buckley left the Chamber at this point, the time being 1912 hrs.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners pursuant to Clause 5.11 of the City of Wanneroo Town Planning Scheme No 1, adopt the development guidelines for Lot 52 (20) Toulon Circle, Mindarie attached to Report DP171-05/98 as planning policy.

The Motion was Put and

CARRIED

Appendix XXIV refers

Item DP185-05/98, was dealt with at this point.

DP185-05/98

**PROPOSED CAR WASH, VIDEO, STORE AND SHOP, LOT 60
(4) WARBURTON AVENUE, PADBURY - [02730]**

An application has been received from Taylor Burrell Town Planning & Design, on behalf of the Marmion Squash Centre Pty Ltd, for a car wash, video store and shop, on Lot 60 (4) Warburton Avenue, Padbury. The Marmion Squash Centre currently exists on the site.

The proposal was advertised by way of on-site sign, the local newspaper and correspondence to adjoining landowners. Thirty-four letters of objection and two petitions of objection have been received, one containing 597 signatures and another containing 243 signatures. One letter of conditional support and one of support were also received.

The squash court development on the subject site is currently run down and the area would benefit from either an upgrade of this facility or redevelopment of the site. The site is however located in close proximity to residential properties and particular care needs to be taken to ensure the amenity of the nearby residents are not adversely affected.

The application proposes an intensification of the current use and the carwash facility in particular, is likely to detrimentally affect the amenity of the adjacent residents. The design of the development does not comply with the City's normal carparking, setback and landscape requirements. The impact of the development on adjoining residents would be reduced by removing the access point to Renou Street and if the commercial building better addressed Renou Street. The application does not adequately address noise, lighting, headlight glare and signage issues.

Some form of commercial redevelopment of the site is not considered inappropriate. The carwash facility is a logical adjunct to the adjacent service station, however due to the likely amenity impacts would normally be considered to be better suited to an area that provides greater buffers to residential areas.

The present application currently has a number of problems that must be addressed prior to consideration of approval. It is recommended that the application be deferred so that these matters can be addressed with the applicant and the community. It is further recommended that the Joint Commissioners delegate authority to the Director, Development Services in consultation with the Chairman of the Development and Planning Services Committee to determine the application once the issues have been resolved.

REPORT RECOMMENDATION: That the Joint Commissioners BY AN ABSOLUTE MAJORITY:

- 1 defer the application submitted by Taylor Burrell Town Planning and Design, on behalf of the Marmion Squash Centre Pty Ltd, for a car wash, video store and shop development on Lot 60 (4) Warburton Avenue, Padbury;
- 2 delegate authority under Clause 3.34 of Town Planning Scheme No 1 to the Director, Development Services in conjunction with the Chairman of the Development and Planning Services Committee to determine the application once the issues raised in this report have been satisfactorily addressed.

At the Development and Planning Services Committee meeting, Cmr Morgan expressed his concern and stated that in view of the fact that this issue was of great importance, not only to the applicants, but to residents in the area; he felt it should be decided upon by all Commissioners.

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

Director, Development Services advised the City has received eight (8) further submissions of objection to the proposal referred to in Item DP185-05/98. These submissions were from residents and business owners in the area who have all previously objected to the proposal. All submissions raised concern regarding the closing date for submissions and wished to ensure their objections had been considered by the City.

A separate submission was also received on 25 May 1998 from Peter Webb and Associates, Consultants in Town Planning and Urban Design, on behalf of the landowners in the vicinity of the subject site. This submission requests an additional 14 days to examine the planning merits and impacts of the proposed redevelopment and to prepare a submission to the City.

A meeting was held on 21 May 1998 between City officers and representatives of the applicant to discuss the issues of concern. A revised plan and proposal was submitted in the late afternoon of 25 May 1998 and after a preliminary assessment appears to address some of the issues previously raised. Further details are however still required from the applicant and, given the late submission date, insufficient time was available to fully assess the revisions prior to the Meeting of Joint Commissioners.

As with previous proposals for the redevelopment of this site, this application has proved to be a particularly contentious one. Given the existing commercialised and rundown nature of the site and its location adjacent to a service station/convenience store, the upgrading or redevelopment of this site has planning merit. Of prime consideration however should be the impact on the amenity of the surrounding area. Although the applicant is anxious to receive an approval, until the amenity issues have been fully assessed it would be inappropriate for the application to be determined. The recommendation to defer the application therefore remains unchanged.

Cmr Buckley declared an interest in this Item as her husband has a business relationship with the applicant.

Cmr Buckley was not present in the Chamber at this point, having left earlier prior to discussion on DP171-05/98.

MOVED Cmr X, SECONDED Cmr Y that the application submitted by Taylor Burrell Town Planning and Design, on behalf of the Marmion Squash Centre Pty Ltd, for a car wash, video store and shop development on Lot 60 (4) Warburton Avenue, Padbury be deferred pending further consideration by the Joint Commissioners.

Cmr Rowell advised that consideration of DP185-05/98 has been deferred until the June Development and Planning Services Committee meeting.

The Motion was Put and

CARRIED

Appendix XXV refers

Cmr Buckley entered the Chamber at this point, the time being 1914 hrs.

Items DP172-05/98 to DP176-05/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

DP172-05/98 **AMENDMENT NO 577 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOTS 15, 16, 17, PT 17, 20 21 AND 209 ELLIOT AND WYATT ROADS, WANNEROO - [15133]**

Amendment No. 577 to Town Planning Scheme No. 1 seeks to rezone Lots 15, 16, 17 Pt 17, 20, 21 and 209 Elliot and Wyatt Roads, Wanneroo from Rural to Residential Development R20. The amendment was initiated in April 1991, advertised for public comment, and adopted for final approval by Council at its meeting of 21 June 1992 subject to the satisfactory resolution of a headwork charges agreement, public open space allocation agreement, an approved local structure plan and flower farm and poultry buffer issues. The proponent has not satisfied these conditions. The purpose of this report is for the modification of the amendment to an Urban Development zoning in lieu of the Residential Development zoning previously proposed. An Urban Development zoning would enable the above conditions to be resolved at the future structure planning stage. Given this, and noting that the land now has an Urban zoning under the Metropolitan Region Scheme, the proposed modified zoning to Urban Development would be consistent with the intentions of the East Wanneroo structure planning project, and is therefore able to be supported.

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

- 1 **note that the issues of a headwork charges agreement, public open space allocation agreement, an approved local structure plan and flower farm and poultry buffer issues relating to Lots 15, 16, 17 Pt 17, 20, 21 and 209 Elliot and Wyatt Roads, Wanneroo to be resolved to the satisfaction of the Department of Environmental Protection and the Western Australian Planning Commission have not been resolved but can be addressed at the future structure planning stage under an Urban Development zoning;**
- 2 **rescind Council's decision G20630 of 21 June 1992 viz:**
 - “1. *adopts Amendment 577 to Town Planning Scheme No 1 to rezone/code Lots 15, 16, Pt 17, 20, 21 and 209 Elliot and Wyatt Roads, Wanneroo from ‘Rural’ to ‘Residential Development R20’;*
 2. *forward the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 577;*
 3. *prior to affixation of the Common Seal to and signing of the amending documents, requires:*

- (a) *the execution entirely at the applicants' expense of a deed whereby the applicants agree to pay the relevant headworks charges which will be determined by the proposed East Wanneroo Development Scheme - Town Planning Scheme No. 21;*
- (b) *either Lot 202 Wattle Mews, Wanneroo (6211m²) be vested as public open space or alternatively, an equivalent area of public open space be set aside adjacent to this lot, with a legal agreement being entered into between the landowner and Council (at the applicants' expense) to ensure that 6211m² will be vested for public open space in the applicants' first stage of subdivision in accordance with the proposed structure plan and at no expense to Council;*
- (c) *acceptance of a satisfactory structure plan for the area;*

4. *subject to (c) above, authorises affixation of the Common Seal to and endorse the signing of the amendment documents."*

3 modify and adopt for final approval Amendment 577 to Town Planning Scheme No 1 to rezone Lots 15, 16, 17 Pt 17, 20, 21 and 209 Elliot and Wyatt Roads, Wanneroo from Rural to Urban Development;

4 following advice that the Minister for Planning is prepared to finally approve the amendment, authorises the affixation of the common seal to, and endorses the signing of, the amendment documents.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

DP173-05/98

**AMENDMENT NO 595 TO TOWN PLANNING SCHEME NO 1
TO REZONE LOTS 2, 7, 8, 31, 34 WANNEROO ROAD, LOTS
14, 15, 16, 17, 18 & 19 EAST ROAD AND LOT 19 ARCHER
ROAD, WANNEROO - [14133]**

Amendment No 595 to Town Planning Scheme No 1 seeks to rezone Lots 14, 15, 16, 17, 18 & 19 East Road, Lots 2, 7, 8, 31 & 34 Wanneroo Road and Lot 19 Archer Road, Wanneroo from Rural to Residential Development R20. The amendment was initiated in February 1992, advertised for public comment, and adopted for final approval by Council at its meeting of 22 June 1994 subject to the satisfactory resolution of a local structure plan, landowner/developer contributions agreement, and poultry farm buffer issues. The proponent has not satisfied these conditions. The purpose of this report is for the modification of the amendment to an Urban Development zoning in lieu of the Residential Development zoning previously proposed. An Urban Development zoning would enable the above conditions to be resolved at the future structure planning stage. Given this, and noting that the land now has an Urban zoning under the Metropolitan Region Scheme, the proposed modified zoning to Urban Development would be consistent with the intentions of the East Wanneroo structure planning project, and is therefore able to be supported.

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

- 1** note that the issues of the satisfactory resolution of a local structure plan, landowner/developer contributions agreement and poultry farm buffer issues relating to Lots 14, 15, 16, 17, 18 & 19 East Road, Lots 2, 7, 8, 31 & 34 Wanneroo Road and Lot 19 Archer Road, Wanneroo to be resolved to the satisfaction of the Department of Environmental Protection and the Western Australian Planning Commission, have not been resolved but can be addressed at the future structure planning stage under an Urban Development zoning;

- 2** rescind Council's decision I20631 of 22 June 1994 viz:
 - "1. finally adopts Amendment No 595 to Town Planning Scheme No 1 to rezone Lots 14, 15, 16, 17, 18 & 19 East Road, Lots 2, 7, 8, 31 & 34 Wanneroo Road and Lot 19 Archer Road, Wanneroo from 'Rural' to 'Residential Development R20';*
 - 2. forwards the submissions received to the Hon Minister for Planning seeking final approval of Amendment No 595;*
 - 3. prior to affixation of the Common Seal to the amending documents, requires:*
 - (a) that a local structure plan has been approved by Council and the Department of Planning and Urban Development;*
 - (b) arrangements to the satisfaction of the City and the State Planning Commission being in place to ensure an equitable contribution is made by the landowner towards the provision of arterial roads and their associated underpasses and dual use paths, public open space, primary school sites and drainage facilities required for the proper servicing of the neighbourhood cell of which this application forms part;*
 - (c) the applicant to demonstrate to Council that the land affected by the Environmental Protection Authority buffer requirements for Poultry Farms can be dealt with to the satisfaction of the Department of Planning and Urban Development and the Environmental Protection Authority;*
 - 4. subject to 3 above:*
 - (a) authorises affixation of the Common Seal to, and endorse signing of, the amending documents;*
 - (b) forwards Amendment 595 to the Hon Minister for endorsement of final approval and publication in the Government Gazette;*
 - 5. advises Taylor and Burrell, on behalf of the numerous landowners, the requirements as set out in 3 above."*

- 3 **modify and adopt for final approval Amendment 595 to Town Planning Scheme No 1 to rezone Lots 14, 15, 16, 17, 18 & 19 East Road, Lots 2, 7, 8, 31 & 34 Wanneroo Road and Lot 19 Archer Road, Wanneroo from Rural to Urban Development;**
- 4 **following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorses the signing of, the amendment documents.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

DP174-05/98

**AMENDMENT NO 634 TO TOWN PLANNING SCHEME NO 1
TO REZONE SWAN LOCATION 3071 DUNDEBAR ROAD &
GRIFFITHS ROAD, WANNEROO - [16133 (790-634)]**

Amendment No 634 to Town Planning Scheme No 1 seeks to rezone Swan Location 3071 Dundebur Road and Griffiths Road, Wanneroo from Rural to Residential Development R20 and Special Residential. The amendment was initiated in November 1992, advertised for public comment, and adopted for final approval by Council at its meeting of 23 February 1994 subject to the satisfactory resolution of a local structure plan, landowner/developer contributions agreement, and poultry farm buffer issues. The purpose of this report is for the modification of the amendment to an Urban Development zoning in lieu of the Residential Development zoning previously proposed. The land now has an Urban zoning under the Metropolitan Region Scheme and the proposed modified zoning to Urban Development would be consistent with the intentions of the East Wanneroo structure planning project, and is therefore able to be supported.

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

- 1 **note that the issues of the satisfactory resolution of a local structure plan, landowner/developer contributions agreement and poultry farm buffer issues relating to Swan Location 3071 Dundebur Road and Griffiths Road, Wanneroo have now been resolved to the satisfaction of the Department of Environmental Protection and the Western Australian Planning Commission;**
- 2 **rescind Council's decision I20226 of 23 February 1994 viz:**
- "1. notes the submission received during the advertising period;*
- 2. prior to adopting Amendment No 634:*
- (a) requests the applicant to demonstrate to Council that the land affected by the Environmental Protection Authority buffer requirements for poultry farms can be dealt with to the satisfaction of the Department of Planning and Urban Development and the Environmental Protection Authority;*
- (b) requires arrangements, to the satisfaction of the City and the State Planning Commission being in place to ensure an equitable*

contribution is made by the land owner towards the provision of arterial road and their associated underpasses and dual use paths, public open space, primary school sites and drainage facilities required for the proper servicing of the neighbourhood cell of which this application forms part;

3. *following the resolution of the above issues, finally adopts Amendment No 634 to Town Planning Scheme No 1;*
4. *authorises affixation of the Common Seal to, and endorses the signing of, the amending documents."*

3 modify and adopt for final approval Amendment 634 to Town Planning Scheme No 1 to rezone Swan Location 3071 Dundobar Road and Griffiths Road, Wanneroo from Rural to Urban Development;

4 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorses the signing of, the amendment documents.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

DP175-05/98

**AMENDMENT NO 688 TO TOWN PLANNING SCHEME NO 1
TO REZONE LOT 6 KINGSWAY, LANDSDALE - [16103]**

Amendment No 688 to Town Planning Scheme No 1 seeks to rezone Lot 6 Kingsway, Landsdale from Rural to Residential Development R20 and R40. The amendment was initiated by Council at its meeting of 21 September 1994, advertised for public comment, and adopted for final approval by Council at its meeting of 19 April 1995 subject to the satisfactory resolution of a local structure plan, a headworks charges agreement, local distributor road charges agreement and public open space contributions agreement. The proponent has not satisfied these conditions. The purpose of this report is for the modification of the amendment to an Urban Development zoning in lieu of the Residential Development zoning previously proposed. An Urban Development zoning would enable the above conditions to be resolved at the future structure planning stage. Given this, and noting that the land now has an Urban zoning under the Metropolitan Region Scheme, the proposed modified zoning to Urban Development would be consistent with the intentions of the East Wanneroo structure planning project, and is therefore able to be supported.

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

- 1 note that the issues of the satisfactory resolution of a local structure plan, a headworks charges agreement, local distributor road charges agreement and public open space contributions agreement relating to Lot 6 Kingsway, Landsdale to be resolved to the satisfaction of the Department of Environmental Protection and the Western Australian Planning Commission, have not been resolved but can be addressed at the future structure planning stage under an Urban Development zoning;

2 rescind Council's decision TP133-04/95 of 19 April 1995 viz:

- "1. *finally adopts Amendment No 688 to Town Planning Scheme No 1, subject to the satisfactory resolution of the following:*
- (a) *an approved local structure plan for the area bounded by Wanneroo Road, Mirrabooka Avenue alignment, Ocean Reef Road and the eastern extension of urbanisation;*
 - (b) *a letter of undertaking being submitted from the subject landowners stating that they will make the necessary infrastructure contributions for the subject area, as set out in the State Planning Commission's letter to Council dated 3 May 1994;*
 - (c) *satisfactory arrangements being in place to ensure the landowners obligations for the acquisition, dedication and construction of the proposed local distributor road located along the eastern boundary of Lot 6 within Reserve 28058;*
2. *authorises the affixation of the Common seal to and endorses the amendment documents;*
3. *advises the consultant that with regard to the 10% public open space (POS) contribution as specified in the State Planning Commission 3 May 1994 letter, it is the city's intention that the subject landowner will still be required to make a contribution of land (lots) in lieu of the 10% POS provision."*

3 modify and adopt for final approval Amendment 688 to Town Planning Scheme No 1 to rezone Lot 6 Kingsway, Landsdale from Rural to Urban Development;

4 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorses the signing of, the amendment documents.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

DP176-05/98

**AMENDMENT NO 762 TO TOWN PLANNING SCHEME NO 1
TO REZONE VARIOUS LOTS IN LANDSDALE - [17133 (790-
762)]**

Amendment No 688 to Town Planning Scheme No 1 seeks to rezone Lots 1, 2, 3, 4, 5, 6 and 20 Kingsway, Lots 28, 29, 32, 33, 47, 48 and 49 Landsdale Road and Lots 8, 10, 34, 35, 45, 46 Evandale Road, Landsdale from Rural to Residential Development R20. The amendment was initiated by Council at its meeting of 27 March 1996, modified to include an additional lot at Council's meeting of 28 August 1996, advertised for public comment, and adopted for final approval by Council at its meeting of 27 November 1996 subject to the satisfactory resolution of pig and poultry farm buffer issues. The proponent has not satisfied these conditions. The purpose of this report is for the modification of the amendment to an Urban Development

zoning in lieu of the Residential Development zoning previously proposed. An Urban Development zoning would enable the above conditions to be resolved at the future structure planning stage. Given this, and noting that the land now has an Urban zoning under the Metropolitan Region Scheme, the proposed modified zoning to Urban Development would be consistent with the intentions of the East Wanneroo structure planning project, and is therefore able to be supported.

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

- 1 **note that the issue of the satisfactory provision of pig and poultry buffer issues relating to the rezoning of Lots 1, 2, 3, 4, 5, 6 and 20 Kingsway, Lots 28, 29, 32, 33, 47, 48 and 49 Landsdale Road and Lots 8, 10, 34, 35, 45, 46 Evandale Road Landsdale, to be resolved to the satisfaction of the Department of Environmental Protection and the Western Australian Planning Commission have not been resolved but can be addressed at the future structure planning stage under the Urban Development zoning.**

- 2 **rescind Council's decision TP276-11/96 of 27 November 1996 viz:**

"That Council, subject to the applicants demonstrating that the land within 500 metres of the poultry farm located on Lot 24 Kingsway and pig farm located on Lot 18 Kingsway will not be adversely affected, to the satisfaction of the Ministry for Planning and the Department of Environmental Protection:
 1. *finally adopts Amendment No 762 to Town Planning Scheme No 1 to rezone Lots 1, 2, 3, 4, 5, 6, and 20 Kingsway, Lots 28, 29, 32, 33, 47, 48 and 49 Landsdale Road and Lots 8, 10, 34, 35, 45 and 46 Evandale Road, Landsdale from Rural to Residential Development R20;*
 2. *authorises the affixation of the Common Seal to, and endorses the signing of, the amendment documents;*
 3. *advises the Western Australian Planning Commission that it has previously requested an amendment to the Metropolitan Region Scheme to rezone the land subject to Amendment No 762 from Urban Defferred to Urban and that this should be finalised prior to gazettal of Amendment No 762."*

- 3 **modify and adopt for final approval Amendment 762 to Town Planning Scheme No 1 to rezone Lots 1, 2, 3, 4, 5, 6 and 20 Kingsway, Lots 28, 29, 32, 33, 47, 48 and 49 Landsdale Road and Lots 8, 10, 34, 35, 45, 46 Evandale Road Landsdale from Rural to Urban Development;**

- 4 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorses the signing of, the amendment documents.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

DP177-05/98

PROPOSED AMENDMENT 803 TO TOWN PLANNING SCHEME NO 1 TO REZONE AND RECODE LOT 132 (977) WANNEROO ROAD (CNR CHURCH STREET), WANNEROO FROM RESIDENTIAL DEVELOPMENT R20 TO RESIDENTIAL DEVELOPMENT R40 AND MIXED BUSINESS, AND LOT 1 (973) WANNEROO ROAD (CNR SHAW ROAD), WANNEROO FROM RESIDENTIAL DEVELOPMENT R20 TO MIXED BUSINESS - [00776 (790-803)]

An application has been submitted by Chappell & Lambert on behalf of Pointside Pty Ltd, seeking to rezone and recode Lot 132 (977) Wanneroo Road, Wanneroo from Residential Development R20 to Residential Development R40 and Mixed Business, and Lot 1 (973) Wanneroo Road, Wanneroo from Residential Development R20 to Mixed Business. The subject land is within the area covered by the draft Wanneroo Town Centre Structure Plan. Council has previously considered recoding amendments for the subject site, however this application seeks to initiate a Mixed Business zoning adjoining Wanneroo Road. It is recommended that the Joint Commissioners resolve to initiate the amendment.

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

- 1 **rescind Council's decision DP205-09/97 of 23 September 1997 viz:**
- “1. *in accordance with Section 7 of the Town Planning and Development Act initiates Amendment No 803 to Town Planning Scheme No 1 to recode Lot 132 (977) Wanneroo Road (cnr Church Street), Wanneroo from Residential Development R20 to Residential R40;*
 2. *advises the applicant that prior to finalisation of the amendment, a concept development plan for the site is to be submitted incorporating the guidelines included for Lot 132 in the Wanneroo Town Centre Study and draft Wanneroo Town Centre Structure Plan to the satisfaction of Council.”*

- 2 in accordance with Section 7 of the Town Planning and Development Act initiates an amendment to Town Planning Scheme No 1 to rezone Lot 132 (977) Wanneroo Road and Lot 1 (973) Wanneroo Road, Wanneroo from Residential Development R20 to Residential Development R40 and Mixed Business and adopts Amendment No 803 accordingly.

Cmr Rowell spoke to the Motion.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Items DP178-05/98 to DP184-05/98 inclusive and Item DP186-05/98 were Moved by Cr Rowell and Seconded by Cmr Buckley.

DP178-05/98 **CLOSE OF ADVERTISING: AMENDMENT NO 815 TO TOWN PLANNING SCHEME NO 1 TO REZONE LOT 4 (1) LANCASTER ROAD (CNR WANNEROO ROAD), WANGARA FROM SPECIAL ZONE (RESTRICTED USE) RETAIL NURSERY TO MIXED BUSINESS AND LOCAL RESERVE - PARKS AND RECREATION - [03382]**

Amendment 815 to Town Planning Scheme No 1 was advertised for public comment for a period of 42 days which closed on 7 April 1998. The amendment seeks to rezone Lot 4 Lancaster Road (cnr Wanneroo Road) Wangara from Special Zone (Restricted Use) Retail Nursery to Mixed Business and Local Reserve - Parks and Recreation. Two submissions were received as a result of the advertising, both of which raised no 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, pursuant to Town Planning Regulation 17 (2):

- 1 adopt Amendment No 815 to Town Planning Scheme No 1 to rezone Lot 4 Lancaster Road (cnr Wanneroo Road), Wangara from Special Zone (Restricted Use) Retail Nursery to Mixed Business and Local Reserve - Parks and Recreation;
- 2 authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

DP179-05/98 **APPEAL DETERMINATION - LOTS 106 AND 107 AQUANITA PLACE, WANNEROO - [02179]**

Mr and Mrs Kitto lodged an application to realign the boundary between their property at Lot 107 and the adjoining Lot 106 Aquanita Place. Council's officers did not support the proposal, as the proposed lot sizes were contrary to the 1 hectare minimum lot size and the approved Development Guide Plan for the locality, as specified within the provisions of the Special Rural Zone No.2 within Council's Town Planning Scheme No.1.

On the basis of Council's advice the Western Australian Planning Commission refused the application. However, the applicants appealed to the Minister for Planning who upheld the appeal and permitted the proposed subdivision.

At the Development and Planning Services Committee meeting, Cmr Morgan queried whether once the Minister upheld an appeal it was necessary for the Commissioners to approve or reject the application.

Director, Development Services advised no decision making was entered into by the City; it accepted the Minister's determination.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the information in relation to appeal determination in respect to Lots 106 and 107 Aquanita Place, Wanneroo be recorded and noted in respect of any future applications.

The Motion was Put and

CARRIED

DP180-05/98 APPEAL DETERMINATION - LOT 4 LAKEVIEW STREET, MARIGINIUP - [01071]

Council received the proposed subdivision referral from the Western Australian Planning Commission in August 1997, which involved the subdivision of an existing 4.1759 hectare lot into two lots approximately 2 hectares. Council's officers did not support the proposal as it was not in accordance with Council's Rural Subdivision Policy.

The application was refused by the Western Australian Planning Commission. The Hon Minister considered the appeal which he upheld.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the information in relation to appeal determination in respect to Lot 4 Lakeview Street, Mariginiup be recorded and noted in respect of any future applications.

The Motion was Put and

CARRIED

DP181-05/98 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN MEAKERS WAY AND PANSELL WAY, GIRRAWHEEN - [08059]

A request to close the pedestrian accessway between Meakers Way and Pannell Way, Girrawheen has been received. The application is made on the grounds of vandalism and anti social behaviour. The proposal was advertised to gauge the opinions of the residents in the vicinity and no objections to the closure have been received during the advertising period. Closure of the accessway should be supported.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners support the closure of the pedestrian accessway between Meakers Way and Pannell Way, Girrawheen. subject to the adjoining property owners agreeing to purchase the land and meeting the associated costs and requests the Department of Land Administration to close the accessway.

The Motion was Put and

CARRIED

DP182-05/98

**REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN EVANS PLACE AND MACQUARIE
AVENUE,PADBURY - [01765]**

The owners of Lot 491 MacQuarie Avenue have applied to close the pedestrian accessway between MacQuarie Avenue and Evans Place, Padbury on the grounds of anti social behaviour. The proposed closure was advertised and at the close of the advertising period three written objections were received. Closure of the accessway could be supported because sufficient alternative routes are available to residents.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners agree to the closure of the pedestrian accessway between Evans Place and MacQuarie Avenue, Padbury subject to the benefiting adjoining property owners agreeing to meet all of the associated costs.

The Motion was Put and

CARRIED

DP183-05/98

**UNAUTHORISED LANDFILL AND OPEN STORAGE OF
MATERIALS : LOT 10 (117) DUFFY TERRACE, WOODVALE
- [02287]**

On 8 January 1998 the City was advised of unauthorised open storage and landfill taking place on Lot 10 (117) Duffy Terrace, Woodvale.

The owner of the property when spoken to on 13 January 1998 admitted to placing the landfill on the property and was given 21 days to remove the fill and open storage of materials from the site. The owner failed to satisfy the City's requests to remove all the open storage and unauthorised landfill.

It is recommended that legal action be initiated against the owner of Lot 10 should the open storage and remaining landfill not be removed from the property within a further 14 days' notification.

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

- 1 advise the owner of Lot 10 (117) Duffy Terrace, Woodvale, Mr Raymond Duffy, that by carrying out landfill on the property without Council approval, he has breached the City's Town Planing Scheme No 1;
- 2 advise the owner of Lot 10 (117) Duffy Terrace, Woodvale that by using the vacant area of the land for the open storage of metal and other materials he has also breached the City's Town Planning Scheme No 1;
- 3 advise the owner of Lot 10 (117) Duffy Terrace, Woodvale that the unauthorised landfill, including the yellow sand is to be removed from the property within 14 days' notification, along with the metal and other materials. The removal of landfill and materials to be to the satisfaction of the Manager, Approval Services;

- 4 authorise the Chief Executive Officer, to initiate legal action against the owner of Lot 10 (117) Duffy Terrace, Woodvale should the direction contained in 3 above not be resolved in the time period required.

The Motion was Put and

CARRIED

DP184-05/98 UNAUTHORISED HOME OCCUPATION : LOT 249 (65) LORIAN ROAD, GNANGARA - [04506]

On 7 June 1996 the City approved a home occupation for an administration office (Electrical Contractor) for the owners of Lot 249 (65) Lorian Road, Gngangara, Mr and Mrs D'Adamo.

At its meeting of 18 December 1996, Council rescinded the home occupation approval to the owners, Mr and Mrs D'Adamo, on the grounds that they had breached the approval conditions on a regular basis.

The owners of Lot 249 continue to operate two businesses from the property, (ie L & A Electrical and Active Plant Hire) without Council approval.

There is sufficient evidence to initiate legal action against the owners of Lot 249 (65) Lorian Road, Gngangara for breach of the City's Town Planning Scheme No 1 in operating a business from the Special Rural property without approval. It is recommended that legal action be initiated regarding this matter.

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

- 1 advise the owners of Lot 249 (65) Lorian Road, Gngangara, Mr and Mrs D'Adamo that they are operating a business from their property in breach of the City's Town Planning Scheme No 1;
- 2 advise the owners of Lot 249 (65) Lorian Road, Gngangara that Council intends to initiate legal action against them for breach of the City's Town Planning Scheme No 1;
- 3 authorise the Chief Executive Officer to initiate legal action as in 2 above and any time thereafter should a business operate from Lot 249 (65) Lorian Road, Gngangara without Council approval.

The Motion was Put and

CARRIED

DP185-05/98 PROPOSED CAR WASH, VIDEO, STORE AND SHOP, LOT 60 (4) WARBURTON AVENUE, PADBURY - [02730]

This Item was considered earlier in the meeting, following DP171-05/98.

DP186-05/98 ROYAL AUSTRALIAN PLANNING INSTITUTE NATIONAL CONGRESS 6-9 JULY, 1988 - [09047]

The Royal Australian Planning Institute National Congress is to be held in Brisbane 6-9 July, 1998. The Congress theme is "Embracing Change", which is particularly relevant to the City of

Wanneroo. The Congress aims to challenge delegates to consider the ways in which the world is changing, how these changes will affect the shape of urban settlements, and the implications for the planning profession.

The Human Services Planning Coordinator has had a paper accepted for presentation at the Congress. The paper will demonstrate the role the City has in the planning and provision of human services in newly developing residential areas. It is recommended that the Human Services Planning Coordinator attend the Congress.

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

- 1 endorse the attendance of the Human Services Planning Coordinator at the Royal Australian Planning Institute National Congress to be held at the Brisbane Convention and Exhibition Centre from 6-9 July 1998;**
- 2 authorise the payment of the Congress registration fee, accommodation and airfares from Allocation No 41206 - Conference Expenses.**

The Motion was Put and

CARRIED

Appendix XXVI refers

REPORT OF THE CHIEF EXECUTIVE OFFICER**C31-05/98 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]**

Document:	Financial Agreement
Parties:	City of Wanneroo and Commonwealth Bank
Description:	Senior Pay Person, City of Wanneroo - Diamond Services Schedule
Date:	27.3.98
Document:	Transfer of Land
Parties:	City of Wanneroo and Quain Pty Ltd and P P and J A Kwiatkowski
Description:	Lot 16 Uppill Place, Wangara
Date:	28.4.98
Document:	Transfer of Land
Parties:	City of Wanneroo and B W and M L Anderson
Description:	Lot 3 Uppill Place, Wangara
Date:	28.4.98
Document:	Deed
Parties:	City of Wanneroo and Australian Kiosk Enterprises Pty Ltd and Classic Asset Pty Ltd
Description:	Lease Agreement
Date:	4.5.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 766
Date:	14.5.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 826
Date:	14.5.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 813
Date:	14.5.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 823
Date:	14.5.98

- Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 825
Date: 14.5.98
- Document: Transfer of Land and Easements in Gross
Parties: City of Wanneroo and W D Duffy
Description: Lot 127 Timely Hostess Mews and Lot 67 Via Vista Drive, Mariginiup
Date: 18.5.98
- Document: Deed
Parties: City of Wanneroo and Woodland Joint Ventures Pty Ltd
Description: Lot 3 Belridge Medical Centre, Cnr Ocean Reef Road and Eddystone Avenue
Date: 18.5.98
- Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 811
Date: 18.5.98
- Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 769
Date: 18.5.98
- Document: Scheme Amendment
Parties: City of Wanneroo and Minister for Planning
Description: TPS No 1 - Amendment No 798
Date: 18.5.98
- Document: Deed
Parties: City of Wanneroo and Citywing Nominees Pty Ltd
Description: Lot 6 Kingsway, Landsdale
Date: 18.5.98
- Document: Variation of Lease
Parties: City of Wanneroo and Sorrento Surf Lifesaving Club
Description: Reserve 20561, West Coast Drive, Sorrento
Date: 18.5.98

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Schedule of Documents Executed by means of Affixing the Common Seal be received.

The Motion was Put and

CARRIED

C32-05/98 REQUEST FOR A SPECIAL MEETING OF ELECTORS - [05386, 08122]**SUMMARY**

A request has been made for a Special Meeting of Electors on a form containing 102 unverified signatures. Research indicates that not all those who have signed the request are electors of the City as defined by the Local Government Act 1995.

The matters to be discussed at the proposed electors' meeting appear to be of concern to those who have made the request. The Local Government Act 1995 allows for one third of the Council members to convene a Special Meeting of Electors. It is recommended that this occur.

BACKGROUND

A request for a Special Meeting of Electors containing 102 unverified signatures was received on 18 May 1998 from Leonard Gardiner of 47B Whitfield Drive, Two Rocks, to discuss:

- 1 *The number and value of the reserve accounts held by the City at the date of the Commissioners appointment.*
- 2 *The estimated number and value of reserve accounts held at the City on 30 June 1998.*
- 3 *Documentation of movements of monies within the reserve accounts from the date the Commissioners were appointed to the date of the meeting.*
- 4 *The completion of all works and services budgeted in the 1998/99 budget.*
- 5 *The estimated value of the under expenditure if all scheduled works from the 1998/99 budget are not completed.*
- 6 *The Commissioners honouring of the budgeted commitments of the elected Council of the City of Wanneroo.*
- 7 *Provision of the details of all assets disposed of since the appointment of the Commissioners.*
- 8 *The use of funds from the reserve accounts facilitating the split of the City.*
- 9 *Other matters that may be raised from the floor of the meeting relating to the proposed abolition of the City of Wanneroo and the creation of two new districts."*

DETAILS

Section 5.28 of the Local Government Act 1995 states:

- (1) *A special meeting of the electors of a district is to be held on the request of not less than:*
- (a) *100 electors or 5% of the number of electors, whichever is the lesser number;*
- or*
- (b) *one third of the number of Council members;*
- (2) *The request is to specify the matters to be discussed at the meeting and the form or content of the request is to be in accordance with the regulations;*
- (3) *The request is to be sent to the mayor or president;*
- (4) *A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which he or she received the request.*

The Local Government Act 1995 states that an elector may be one of the following:

- a resident owner or occupier enrolled to vote at State elections;
- an owner of rateable property (eg an absentee land owner or an owner of business premises, vacant land or other non-residential property);
- an occupier of rateable property (eg a tenant of business premises or other non-residential property)

In order to satisfy Section 5.28(1)(a) of the Act, a search has been carried out of Council's records (rating system and 1997 Electoral Roll) and information sought from the WA Electoral Commission.

Of the 102 signatures received, the following is noted:

Persons confirmed to be electors within the City of Wanneroo	78
Persons not resident within the City of Wanneroo	2
Persons unable to be confirmed as electors within the City of Wanneroo	22

Where a Special Meeting of Electors is to be held, Section 5.29 of the Local Government Act 1995 requires:

- “(1) *The Chief Executive Officer is to convene an electors' meeting by giving:*
- (a) *at least 14 days' local public notice; and*
- (b) *each council member at least 14 days' notice,*
- of the date, time, place and purpose of the meeting.”*

COMMENT/FUNDING

Whilst the request to hold a Special Electors Meeting does not strictly comply with the requirement of the Local Government Act 1995 in that the requirement of 100 electors was not met, it is considered that the matters that have been requested to be discussed are of importance to those who have raised the request, whether they are strictly electors of the City or not. The Local Government Act 1995 allows for one third of the number of Council members to request that a Special Meeting of Electors be held. It is therefore suggested that the Joint Commissioners resolve to hold a Special Meeting of Electors in accordance with Section 5.28(1)(b) to discuss those matters raised by Mr Leonard Gardiner.

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

- 1** in accordance with Section 5.28 of the Local Government Act 1995, convene a Special Meeting of Electors to be held at 7.00 pm on Wednesday 17 June 1998 in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup to discuss those matters raised by Mr Leonard Gardiner;
- 2** in accordance with Section 5.29 of the Local Government Act 1995, give public notice of the date, time, place and purpose of the meeting;
- 3** advise Mr Leonard Gardiner of 47B Whitfield Drive, Two Rocks accordingly.

The Motion was put and

CARRIED

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

MOTIONS FOR FURTHER ACTION

Nil.

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **6.30 pm** on **TUESDAY 23 JUNE 1998**

QUESTION TIME**Mr B Higgins:**

- Mr Higgins referred to a question submitted by Mrs Hine which had been taken on notice following the Joint Commissioners meeting held on 28 April 1998 regarding distribution of the NewsExtra by Australia Post and disputed the answer given by Australia Post in relation to 'Resident C', which administration had earlier confirmed related to himself. He requested Commissioners to reserve judgment on this issue pending receipt of further communication from him.
- Mr Higgins referred to Item CS61-05/98 - Clarkson Area Youth Study and in particular to a comment made by Cmr Morgan at the Finance and Community Services Committee meeting held on 19 May 1998 that it was his view this recommendation, if adopted, should be approached with haste. As the recommendation had been adopted, Mr Higgins queried whether the Commissioners agreed it should be approached with haste and if so, would the Commissioners do everything in their power to see that this proposal is fast tracked.

Cmr Ansell responded in the affirmative.

- Mr Higgins referred to a previous edition of the NewsExtra and commented on an item on the back page of the publication titled "Developments Around the City (April, May and June) which detailed proposed schemes, constructions and road works for that three month period. Mr Higgins noted that of the 28 developments for the period, only 4 were in the proposed area for the Shire of Wanneroo and queried whether this was coincidence.

Cmr Ansell responded that the City was following the plan of action that had been approved in previous budgets.

Q1 Re: the last full Council meeting for the City of Wanneroo. As it will be an historical occasion, would Commissioners give consideration to supplementing the usual supper, coffee and tea after that meeting with perhaps an alternative?

A1 Response by Cmr Ansell: Yes, the Commissioners are looking at having some celebrations for the new local governments and for the demise of the old City.

- Mr Higgins referred to a report recently released by the Minister for Local Government concerning the split of the City of Wanneroo and believed that the elected members were not being given a fair deal. He advised that he was quite confident that the Commissioners would more than adequately handle the task and wished them well in this regard.

Cr V Hancock:

Q1 Re: House built by Robert Holl in 1991 and included in Chapter 10 of the Royal Commission. I am asking that in your considerations you look at Chapter 10 of the Royal Commission and also the latest enquiry and note who it was that rubber stamped the original plans. Mr Candido's name seems to appear on a number of stamps of questionable plans, including this one. Could you please address these situations in public. I ask that Mr Kostopolous is dealt with fairly, honestly and sympathetically before the split of the City.

A1 Response by Cmr Ansell: I understand that Mr Candido is no longer employed by the City. There is no excuse for not replying to Mr Kostopolous' requests but the reason is that we were replying to the Ombudsman and people from local government and believed we had solved the situation.

Response by Cmr Rowell: Council will have to check on the comment made by Cr Hancock and we will report back on that particular situation. We have endeavoured to reply to Mr Kostopolous with the information we have and with legal advice that we have received.

Mrs Judith Hughes:

Q1 I have heard that there is a possibility of Girrawheen Library being closed down. Can somebody enlighten me on this?

A1 Response by Director, Community Services: I am not aware of any information that would indicate that the library is to be closed down. There are plans that are being looked at to locate the library in Alexander Heights eventually but there has been no decisions made as yet.

Q2 Reading in the NewsExtra I saw that quite a bit of money was going to be spent in the Warwick and Beaumaris areas. I was wondering if we could get some of our parks reticulated, as we have at least 3 parks within a small vicinity which have no reticulation and as \$300,000 is going to be spent on an already good facility.

This question was taken on notice.

Q3 Re: the splitting of the Council. With the proposed upgrade for the Koondoola and Girrawheen area, is this still going ahead?

A3 Response by Cmr Ansell: Yes. That is being initiated by Homeswest and Council is supplementing the project.

Q4 Re: brickwork at Hainsworth Plaza. The brickwork has been completed but I believe the job was only half done. Behind the footpath is still all sand and there is no access into the plaza so could the maintenance crew return and put in a couple of pedestrian accessways into the plaza itself.

This question was taken on notice.

Mrs Julie Blencowe, Graffiti Co-ordinator for the Koondoola Progress Association:

Q1 Re: Graffiti Programme: Who do we liaise with to co-ordinate purchasing the green paint for fences?

A1 Response by Director, Technical Services: The Commissioners have agreed to the creation of a Council task force, which will be operated from Mirrabooka and the current co-ordinator there will be co-ordinating both programmes so your question should be addressed to Mr Matthews.

Q2 Re: TS99-05/98 - Bus Shelter Graffiti Removal: I noticed that \$32,000 has been removed from a Verge Improvement Account. Can I request that we have money re-allocated back to the Verge Improvement Account so that we can actually improve our verges or can we have some sort of by law to force people to improve their properties?

A2 Response by Director, Technical Services: Council has contractors that remove graffiti from bus shelters and as there has been an increase in the number of 'hits', the funds have been supplemented with this transfer. The transfer is from a specific programme dealing with verges as a trial measure. The issue of verges is being addressed by the Verge Landscaping Working Party and a policy is being evolved in this regard.

Response by Cmr Morgan: In the past year the provision in the Verge Maintenance Control Account was \$232,000, with the \$30,000 remaining in this account. I will discuss with the Director, Technical Services steps that can be taken in the coming year and take into account the comments that you have made.

Response by Cmr Rowell: The Junior Council met today, and some of the members were very interested in the graffiti programme with regard to school involvement. Two Junior Councillors from Girrawheen and Koondoola were discussing the possibility of being involved in actual painting and restitution. The Council will need to look at involving more of our youth in that graffiti programme.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1937 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
 MORGAN
 ROWELL
 CLARK-MURPHY
 BUCKLEY