



CITY OF WANNEROO

MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 23 JUNE 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, 23 JUNE 1998

ATTENDANCES

Commissioners:

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

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Strategic Planning:	R FISCHER
Director, Resource Management:	J B TURKINGTON
Director, Technical Services:	R McNALLY
Director, Development Services:	O G DRESCHER
Director, Community Services:	C HALL
Acting Manager, Financial Planning and Management Accounting:	B PERRYMAN
Manager, Council Support Services:	M SMITH
Manager, Executive Services:	K ROBINSON
Publicity Officer:	L BRENNAN
Acting Committee Clerk:	L TAYLOR
Minute Clerk:	S BRUYN

In Attendance:

Mr R Johnson, MLA - Member for Hillarys

APOLOGIES AND LEAVE OF ABSENCE

Nil.

There were 50 members of the Public and 2 members of the Press in attendance.

The Chairman declared the meeting open at 1830 hrs.

PRESENTATION TO CITY OF WANNEROO

Mr Rob Johnson, MLA presented to the City, on behalf of the Minister for Local Government, its 'Certificate of Merit' for the preparation of its 1997/98 Budget.

He advised that the City of Wanneroo had progressively improved its level of performance since the initial review of local government budgets in 1995/96 and commended the City on its improvement to a budget document that provides appropriate information to all readers of the document.

Mr Johnson personally commended the Director, Resource Management - Mr John Turkington and his staff for their role in assisting the City to achieve this Award.

PUBLIC QUESTION TIME

The following questions submitted by Mrs J Brown were taken on notice at the Joint Commissioners Meeting held on 26 May 1998:

Q1 How much did Wanneroo City Council spend on the consultants who prepared the Clarkson Youth Study?

A1 Response by Director, Community Services: A total of \$26,000 was spent on the development of the Youth Action Plan which included the Clarkson Youth Services Study as Stage 2.

Q2 Does Council have so little confidence in the suggestions made by ratepayers?

A2 Response by Director, Community Services: Council has confidence in the suggestions made by ratepayers. However, Council has a responsibility to assess the opinions of all sectors of the community and for this reason the study was commissioned. It was especially important that a process be implemented to ensure input by young people. The Consultant consulted widely in this particular project to gauge the opinions of all ratepayers including professionals, young people and interested individuals. An advertisement was placed in the 'Wanneroo Times' seeking submissions. This is standard procedure for formal consultation. Any individual was invited to submit comments whether they were new issues or those that had been raised in other forms.

Q3 Could not Council staff have written up a similar report based on such suggestions, thus saving ratepayers vast sums of money?

A3: Response by Director, Community Services: The scope of the consultation required for the study was not possible with existing staff resources.

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.

A4 *Response by Director, Community Services:* The appendix refers to actual written submissions received by the consultant through the advertisement and interviews from individuals who attended the focus groups. The issue of the Alice's Cafe concept was communicated to the consultant at the beginning of the study by Officers of the City.

The following questions submitted by Mrs J Hughes were taken on notice at the Joint Commissioners Meeting held on 26 May 1998:

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.*

A2 *Response by Manager, Parks Landscaping Services:* Without knowing the specific parks I can only advise that \$350,000 of capital works is listed for consideration in the 1998/99 Parks Landscaping Services Budget submissions relating to Girrawheen.

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.*

A4 *Response by Director, Technical Services:* The brickpaving at Hainsworth Plaza has been completed between the footpath and the kerb along the shopping centre frontage. This is the limit of verge paving normally undertaken in such circumstances. However, two cast insitu concrete footpath connections between the footpath and the car park have been arranged to ensure that the local community can exit the shopping centre in a safe manner. Your suggestions on this matter have been a valuable contribution and there will be prompt implementation of the path connections in accordance with the City's strong commitment to this community need.

The following question submitted by Cr J Hollywood was taken on notice at the Joint Commissioners Meeting held on 26 May 1998:

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.

Response by Chief Executive Officer: The Western Australian Municipal Association (WAMA) has member positions on various boards and committees. Appointment onto these Boards and Committees as a WAMA Member is conditional upon the delegate/nominee being an elected member or serving officer of a local government.

The following questions, submitted by Mrs A Hine, for Meeting of Joint Commissioners - 23 June 1998:

Mrs Hine asked Question 1 at the meeting of Joint Commissioner's on 28 April 1998 and was supplied an answer as detailed below. Mrs Hine has requested an explanation on the further investigation by the Joint Commissioners.

Q1

(28.4.98) *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.*

A1

(28.4.98) 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.

A

(23.6.98) The comment made by the Panel of Inquiry regarding withholding information was made with no evidence to substantiate such a statement. There was no suggestion that any offence was committed by staff or recommended any action be taken. There is no suggestion that the Council allowed itself to be blackmailed by the insurers. The matter has been further investigated by the Joint Commissioners under P39-06/98.

Q2

Could you tell me the procedure in relation to the development of the piece of land corner of Marmion Avenue/Ocean Reef Road? We had a Council meeting on 19th May and on the 20th I'm told it was approved (DAU - Technical Services). I asked where was it documented in the full Council meeting the week later? I was told it was not there for the record. Is this true? I was told it didn't have to go through full Council either. I am getting more stunned in the ways of procedure in this Council. If this is all true.

A2

The City is required under the provisions of the Town Planning and Development Act 1928 (as amended) to respond to the Western Australian Planning Commission (WAPC) within 42 days of receiving a referral. Council previously resolved to vest the authority for dealing with subdivision applications in the Director of Development Services to improve the City's response time to the WAPC and avoid situations where a subdivision application might be determined by the WAPC without the appropriate comments or conditions.

Q3

The stipulation from WAPC in towns stated drainage sumps are not to be located within Public Open Space area without the prior agreement of the local Council authority.

Q4

Plans for any proposed development of Public Open Space are to be submitted to and approved by the City of Wanneroo "prior" to the commencement of works.

- Q5 The existing landform, vegetation and drainage patterns of proposed Public Open Space not to be disturbed or modified without prior approval of the City of Wanneroo.*
- A3,4&5 It is noted that points 3, 4 and 5 of your letter are extracts from the WAPC subdivision approval footnotes and these requirements have been discussed with the Technical Services Directorate and the engineering plans subsequently approved.
- Q6 (a) May I have the full documentation on the history of ownership of this land? It has a long history and reports were done on it in Council some time ago.*
- A6(a) The information sought is rather open ended and will require considerable research to supply the relevant details. It is suggested that Mrs Hine liaise with Director, Development Services for this information.
- (b) Could I know what the previous proposals were, how many and why they were knocked back? Why did the land end up in WAPC's hands? Why could Council not handle this themselves?*
- A6(b) This land is privately owned and not in the hands of the WAPC as suggested in your letter. The WAPC is the determining authority for all subdivisions as outlined in the provisions of the Town Planning and Development Act. It should be noted that the City does not have the authority to determine subdivision applications and can only provide recommendations to the WAPC in regard to applications and likely conditions which it would like to have imposed.
- 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?*
- Q8 Who gave permission for these site works to commence?*
- Q9 Can you confirm that the developers have broken the rules and regulations of this Council, in as much 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?*
- Q10 If the developers have breached Council regulations, are they liable for prosecution by Council?*
- 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 & Development Act provides for a penalty of up to \$50,000 plus a daily penalty of up to \$5,000 where a person is found guilty of an offence under a Town Planning Scheme and the City is obliged to enforce the provisions of its Town Planning Scheme and where relevant, the provisions of the Town Planning & Development Act. In view of this, will Council be taking action against the developers, Cape Bouvarde, in the above instance?*

Answers to Questions 7, 8, 9, 10 and 11 from 19 May 1998 to Commissioners have been responded to as described in the Council Minutes of 26 May 1998.

Q12 Why are these and other developers allowed to clear fell land as they wish?

A12 A developer has received approval for both the subdivision and the subsequent engineering and building approvals for the earthworks and retaining walls.

Q13 Can Council bring up a proper policy to save native bushland?

A13 The City's Strategic Plan provides for the preparation of a Local Conservation Strategy with priority to address, amongst other things, Bushland and wetlands (New Initiative 1.5). This forms part of the Local Agenda 21 process which is now underway. It should be noted that any Council policy to save native bushland will be significantly constrained by decisions made at State Government level concerning designation of land for urban and other development purposes through planning strategies and the Metropolitan Region Scheme.

Q14 Where are the animals expected to go or locate to?

A14 Where development takes place and fauna is unable to move into the adjacent land, it is the responsibility of the developer to effectively trap and relocate such animals.

Q15 Has anyone in power on Council got a feeling for the protection of our wildlife as all their habitats are being legally destroyed?

A15 The Council will attempt to discuss this matter further with Conservation and Land Management (CALM) on feasible ways to overcome these problems.

Mrs Hine submitted a copy of an article written by Jenny Proctor of Mullaloo, titled 'Human greed ruins planet'

The following facsimile, submitted by Cr S Magyar for Meeting of Joint Commissioners - 23 June 1998:

Q1 I refer to Item P42-06/98 on the agenda for tonight's meeting of the Joint Commissioners.

The recommendation to the Policy Committee is in error because this item should not have been referred to the committee. The account should have been paid without reference to the Commissioners.

At the meeting of the Joint Commissioners held 27/01/98, approval was granted to retain legal representation of my choice, subject to an expenditure limit of \$3,000. No restrictions were placed on the approval. As the \$3,000 limit has not been exceeded the account should be paid.

As the commissioners may recall the resolution of the Commissioners for Item P10-01/98 was:

MOVED Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners endorse the Chief Executive Officer's decision to grant interim approval to allow Councillor Magyar to retain legal representation of his choice, subject to an expenditure limit of \$3,000.

Cmr Buckley spoke in support of the motion.

The Motion was put and **CARRIED**

This resolution contrasted with the resolution for other Councillors' legal representation, P11 to 14-01/98. For example, P11-01/98:

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

- 1 endorse the interim approvals granted by the Chief Executive Officer to Mayor Cooper and Councillors O'Grady, Hollywood and Wight subject to a maximum of \$3,000;
- 2 limit legal representation to the following:
 - (a) necessary preliminary work, including an attendance by the applicant upon his or her solicitor;
 - (b) attendance of counsel at the enquiry whilst his client is giving evidence;
 - (c) preparation of any submissions which are reasonably necessary to protect the standing and reputation of the applicant.

Cmr Buckley spoke in support of the motion.

The Motion was put and **CARRIED**

The resolutions for the Joint Commissioners to grant me approval without any restrictions created an implied right to allow me to pursue avenues to redress any adverse outcomes of my suspension. Not being reinstated in a timely manner according to Section 8.24 (4) of the Local Government Act 1995 could be considered an adverse outcome of the inquiry process. Therefore I was left with no option but to seek advice on further action to address a perceived wrong.

The possible proceedings discussed on 28/04/98 with Mr Kyle were in relation to the discharge of my official responsibilities as a Councillor of the City of Wanneroo. As no adverse findings have been made by the Inquiry Panel, I believe that the Invoice Breakdown from Kyle and Company, dated 27/05/98 qualifies under 4.4 of Policy A2-12.

As stated in my fax dated 04/06/98, I have decided not to proceed with the writ.

- A1 The approval was based on a very specific request which was reported in the following terms:

“Councillor Magyar advised that he had been summonsed to appear before the Inquiry Panel - City of Wanneroo on Monday, 12 January 1998. He requested approval to retain the services of Mr Peter Kyle to represent him.”

On the basis of the approval granted it was not appropriate to pay an account for legal advice canvassing the option of taking legal action against the Minister for Local Government.

Ms J Brown:

- Q1 *In relation to the responses to the questions read out, you have given an answer regarding Ocean Reef/Marmion Avenue stating that where the development takes place and fauna is unable to move into the adjacent land, it is the responsibility of the developer to effectively trap and relocate such animals. Does Council have a policy which ensures that developers do relocate these animals in an appropriate and proper way?*

- A1 *Response by Director, Development Services:* This is a question which should be addressed to the Western Australian Planning Commission with respect to conditions imposed on subdivisions. If the City were able to impose these types of conditions, the development industry could be required to catch and relocate animals. It is certainly an issue that CALM should address to see whether there is any opportunity to carefully and calmly relocate animals affected by urban development. A policy could be introduced but I do not believe it would be enforceable. It could possibly be done by way of a local law and this is something that Council will consider.

- Q2 *Is it possible that when bushland is being cleared that Council and CALM could get together with the developers to make sure that relocations do occur? Also could Council form some kind of policy to make sure that where bushland is being disturbed that the native animals are properly relocated?*

- A2 *Response by Cmr Ansell:* Your comments are noted.

Mr T Trefry of Roberts Day Group:

- Q1 *Re: DP194-06/98 - Draft Neerabup Local Structure Plan: I understand that the deferment of this issue is based upon concerns raised by Carramar residents in relation to issues of the structure plan and advertising. A lengthy discussion period with Council staff has occurred in relation to concerns raised during the public advertising period, which have affected a number of changes to the plan. In addition, the concerns raised regarding the advertising period relate specifically to another amendment that is introducing specific controls for special residential zone - Amendment 732. We are requesting that if the deferment relates to issues that have already been dealt with, could the item be dealt with tonight?*

A1 *Response by Cmr Rowell:* I do not believe that this matter can be dealt with tonight. In good faith, it was felt that some of the concerned residents did appear to have some argument as to what the process had been. It has been recommended that this item be deferred for one month, to clarify those issues.

Cr L O'Grady:

- Cr O'Grady referred to the gentleman who was video taping the meeting and queried why this was being done? She also queried the cost of the previous video made by the City of Wanneroo.

Response by Cmr Ansell: The meeting is being video taped as it is an historic evening and the City would like to keep a record of tonight's occurrences.

Cr S Magyar:

Q1 *Can the Chief Executive Officer or any other person tell me where in Policy A2-12 that deals with legal representation, does it state that a Councillor cannot and should not seek legal advice to address a problem that resulted from the fact that they served the community as a Councillor. I note that under the new policy EM-15 I would be excluded from doing this, but under the old policy I can find nothing to exclude my right to try to address a wrong.*

A1 *Response by Cmr Buckley:* Your application requested that the City agree in principle to pay the costs incurred in having Mr Kyle act on your behalf at the local government inquiry. The application that you made did not extend to investigating other areas of concern to you and that is what has persuaded me that the application should not be supported.

Mrs A Hine:

- Mrs Hine referred to the status of the proposed Shire of Wanneroo and queried whether it would be possible to change the status to that of a City.
- Mrs Hine also queried the official position in relation to the termination of the Councillors terms of appointment.

Response by Cmr Ansell: These matters will be addressed later in the meeting. (Announcements by the Chairman)

Q1 *What are you going to do to recognise publicly the considerable contribution that our present Councillors have made to the community of Wanneroo? In the normal course of events had they retired or been defeated at an election, they would have been given due recognition with a dinner and perhaps a gift.*

A1 *Response by Cmr Ansell:* These matters will be addressed later in the meeting. (Announcements by the Chairman)

CONFIRMATION OF MINUTES**C33-06/98 MINUTES OF COUNCIL MEETING, 26 MAY 1998**

MOVED Cmr Morgan, **SECONDED** Cmr Buckley that the Minutes of the Meeting of Joint Commissioners held on 26 May 1998 be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION

I would like to welcome you to this last meeting of the City of Wanneroo.

It is an historic occasion, the end of one era and the beginning of another.

PROPOSAL FOR DIVISION OF THE CITY OF WANNEROO

We have seen the draft of the Governor's Orders to divide the City.

They include, amongst other things:

- provision for the assets of the City of Wanneroo to be vested in the City of Joondalup, awaiting the allocation by Commissioners;
- the transfer of all employees to the City of Joondalup as an interim measure until the staffing requirements of the two new local governments are established;
- the City of Joondalup will be responsible for providing all works and services for the Shire of Wanneroo during 1998 and 1999;
- actions and legal proceedings brought (or that could be brought) by or against the City of Wanneroo, will be responded to by the two new local governments jointly;
- the rights and liabilities of the former City of Wanneroo under any contract will continue, in respect of both new local governments. In 1998/99, the City of Joondalup will be responsible for the management of all contracts;
- the electors of the former City of Wanneroo will be deemed to be electors of the relevant new local governments;
- that Rangers/Patrol Officers and the like will continue to be authorised to act in the districts of Joondalup and Wanneroo;

FUTURE COUNCIL MEETINGS

In terms of Council meetings, it is intended to hold meetings initially at Joondalup, with meetings being held twice a month for both the City of Joondalup and the Shire of Wanneroo.

Consequently, there will be no need for committee meetings and the representations and questions which are addressed presently at committee meetings, will now be addressed at full Council meetings.

CEREMONIES - 1 JULY 1998

A full day of ceremonies is planned for 1 July, culminating in the first meetings for the new City of Joondalup and the new Shire of Wanneroo, with the Minister for Local Government accepting an invitation to swear in the Commissioners.

We extend an open invitation for interested members of the public to attend those ceremonies.

This open invitation will be further publicised in the Wanneroo Times.

RECOGNITION OF PAST COUNCILLORS

In addition, we are also investigating the ways of recognising the past Councillors' contributions.

DECLARATIONS OF FINANCIAL INTEREST

DP217-06/98 **Cmr Buckley declared an interest in this Item as her husband has a business relationship with the applicant.**

QUESTIONS WITH DUE NOTICE

Nil.

QUESTIONS WITHOUT DUE NOTICE

Nil.

PETITIONS

C34-06/98 **PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 23 JUNE 1998**

1 **PETITION REFUTING A COMPLAINT BY A NEIGHBOUR IN RELATION TO A BARKING DOG - [16423]**

An 8-signature petition has been received from Alexander Heights residents living in the vicinity of Farringdon Place, refuting a complaint made in relation to the behaviour of two dogs in Farringdon Place, Alexander Heights.

This petition will be referred to Ranger Services for action.

2 PETITION REQUESTING SUPPORT FOR A BMX TRACK IN THE YANCHEP REGION - [17015, 01096]

An 85-signature petition has been received from Iain MacLean, Member for Wanneroo on behalf of residents of the City of Wanneroo requesting support for a BMX-style track in the Yanchep area.

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

3 PETITION REQUESTING PARKING CONTROLS AND APPROPRIATE SIGNAGE - REGENCY COURT, CURRAMBINE - [06472]

A 16-signature petition and accompanying correspondence has been received from Currumbine residents requesting the installation of appropriate parking prohibition signage in Regency Court, Currumbine.

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

4 PETITION EXPRESSING CONCERN IN RELATION TO THE UNKEMPT CONDITION OF THE NATURE RESERVE PARK AND VERGE BEAUMARKS COURT, MINDARIE BEACH - [11395]

A 13-signature petition has been received from Mindarie residents expressing concern in relation to the unkempt condition of the Nature Reserve Park and Verge Beaumarks Court, Mindarie Beach.

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

5 PETITION REQUESTING FUNDS - EDDYSTONE AVENUE BRIDGE - [05763, 06763]

A 45-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.

6 PETITION OPPOSING THE CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN FAIRWAY CIRCLE AND INDOOROPILLY PLACE, CONNOLLY - [03142]

A 21-signature petition has been received from Connolly residents opposing the closure of the pedestrian accessway between Fairway Circle and Indooroopilly Place, Connolly.

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

7 PETITION REQUESTING CHANGES TO VERGE - BECONTREE WAY, JOONDALUP - [19855]

An 11-signature petition has been received from Becontree Way, Joondalup residents in relation to the lack of adequate street parking on Becontree Way and requesting changes to the verge to alleviate the problem.

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

8 PETITION REQUESTING THE CLOSURE OF PEDESTRIAN ACCESSWAYS BETWEEN PANNELL WAY AND MEEKERS WAY, GIRRAWHEEN AND BETWEEN PANNELL WAY AND TENDRING WAY, GIRRAWHEEN - [08059, 12848]

A 42-signature petition has been received from Girrawheen residents requesting the closure of the pedestrian accessways between Pannell Way and Meekers Way, Girrawheen and also between Pannell Way and Tendring Way, Girrawheen.

The petitioners are concerned with ongoing problems caused by anti-social behaviour in these accessways.

This petition will be referred to Development Services for action.

9 PETITION OPPOSING THE CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN MACQUARIE AVENUE AND EVANS PLACE, PADBURY - [17140]

A 61-signature petition has been received from Padbury residents opposing the closure of the pedestrian accessway between MacQuarie Avenue and Evans Place, Padbury.

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

MOVED Cmr Morgan, SECONDED Cmr Buckley that Petitions No 1 - 9 be received and referred to the appropriate business units for action.

The Motion was Put and

CARRIED

10 PETITION REQUESTING IMPROVEMENTS TO THE WANNEROO SHOPPING CENTRE - [05074]

Cmr Rowell submitted a 2391-signature petition addressed to the owners and agents of the Wanneroo Shopping Centre from supporters of the commercial tenants, shopkeepers and small business people of the Wanneroo Shopping Centre requesting them to improve and upgrade the amenity, maintenance and commercial occupancy of the shopping centre.

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

MOVED Cmr Rowell, SECONDED Cmr Buckley that this petition be received and referred to Development and Planning Services for action.

The Motion was put and

CARRIED

11 PETITION OBJECTING TO THE PROPOSED SIX LANE HIGHWAY THROUGH WANNEROO - [08087]

Cmr Rowell submitted a 1219-signature petition addressed to the Legislative Council of Western Australia, from Western Australian residents requesting the government to amend plans for a six lane highway through Wanneroo to Burns Beach Road.

This petition will be referred to Technical Services for action.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that this petition be received and referred to Technical Services for action.

The Motion was put and

CARRIED

BUSINESS REQUIRING ACTION

POLICY SECTION

REQUIREMENT FOR ABSOLUTE MAJORITY VOTE

The Chairman, Cmr Ansell stated that for the purpose of this meeting, where a simple majority vote was taken, such vote would be considered to be an Absolute Majority vote.

Items P39-06/98 to P47-06/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Morgan. Cmr Buckley gave notice of her intention to speak on Items P40-06/98 and P42-06/98.

P39-06/98**COMMENT ON INQUIRY PANEL REPORT -
DEVELOPMENT APPROVAL LOT 560 (3) MANAKOORA
RISE, SORRENTO - [06034]**

Part of the report of the Inquiry Panel into the City of Wanneroo considered in part the Inquiry by the Department of Local Government into the development of a dwelling at Lot 560 (3) Manakoora Rise, Sorrento. The Inquiry Report raised a number of issues when dealing with this matter that are not reflected in the recommendations but nonetheless give rise for concern.

Unfortunately the Inquiry Panel only chose to seek limited evidence. Other than information on Council records, no legal information or Insurance Company findings were presented. The lack of this information certainly would have restricted the Inquiry Panel findings. (Comments from the City's solicitor and Council's insurer are attached).

The issues include the failure of the Local Government Act to provide an avenue for Local Government staff to comment on the Inquiry Report issues, the need to clarify legislation to enable Local Government to refuse a building licence on planning grounds, adjustments to legislation to enable planning matters to be considered when dealing with building appeals, and serious concerns with the adequacy of the Residential Planning Codes.

REPORT RECOMMENDATION: That the Joint Commissioners write to:

- 1 the Minister for Local Government seeking;**
 - (a) consideration for appropriate amendments to the Local Government Act to provide for anyone named adversely in an Inquiry Report to have the opportunity to make comment prior to the final decisions being made in accordance with the principles of natural justice;**
 - (b) amendments to the Local Government (Miscellaneous Provisions) Act so as to make it quite clear that a local government when deciding whether or not to issue a building licence may take account of the question whether or not a proposed building complies with the standards and requirements of the R-codes. Furthermore it must be made clear that a**

local government may refuse to issue a building licence if the proposed building does not comply with the standards and requirements in any local government planning scheme, or does not comply with conditions of development approval.

- 2 the Minister for Town Planning seeking the expediting of a review of the R-codes, and in particular, the right of developers to exercise discretion to vary R-codes setback standards in the development of single houses.**

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

- 1 the Minister for Local Government seeking;
 - (a) consideration for appropriate amendments to the Local Government Act to provide for anyone named adversely in an Inquiry Report or any other investigations to have the opportunity to make comment prior to the final decisions being made in accordance with the principles of natural justice;
 - (b) amendments to the Local Government (Miscellaneous Provisions) Act so that a local government when deciding whether or not to issue a building licence may refuse the licence when taking account of the question whether or not a proposed building complies with the standards and requirements of the R-codes. Furthermore it must be made clear that a local government may refuse to issue a building licence if the proposed building does not comply with the standards and requirements in any local government planning scheme, or does not comply with conditions of development approval.
- 2 the Minister for Town Planning seeking the expediting of a review of the R-codes, and in particular, the right of developers to exercise discretion to vary R-codes setback standards in the development of single houses.

The Motion was Put and

CARRIED

P40-06/98

**CODE OF CONDUCT 1998 - REVIEW OF CLAUSE 2.2.3
GIFTS, DONATIONS AND BRIBERY - [09358]**

Clayton Utz were commissioned in April 1998 to review Clause 2.2.3 Gifts, Donations and Bribery in the Code of Conduct 1998. Their legal opinion has now been received. This report recommends that the Joint Commissioners wait until the Local Government Act 1995 is amended to reflect the new regulations on gifts and benefits before a further review is undertaken on Clause 2.2.3.

REPORT RECOMMENDATION: That the Joint Commissioners wait until the Local Government Act 1995 is amended to reflect the new regulations on gifts and benefits before a further review of the Code of Conduct 1998 is undertaken.

COMMITTEE RECOMMENDATION: That the Joint Commissioners delete part 2.2.3 - Gifts, Donations and Bribery of the City's Code of Conduct and replace with:

2.2.3 Gifts, Donations and Bribery

Councillors, committee members and staff shall not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward, donation, inducement or benefit (other than gifts of a token kind or moderate acts of hospitality) for themselves or for any other person or body, relating to their status with the Council, or their performance of any duty or work which touches or concerns the Council.

Notwithstanding the preceding paragraph, the Mayor (Chairman of Commissioners) and/or the Chief Executive Officer may accept acts of hospitality for local community related events and where neither can attend, may designate an appropriate person to attend in their place.

All token gifts and moderate acts of hospitality accepted must be promptly recorded in the relevant register kept by Council.

All gifts not of a token kind and all offers of immoderate acts of hospitality must be:

- (a) promptly returned (except in the case of acceptances by the Mayor or Chief Executive Officer referred to above) or, at the Chief Executive Officer's discretion, donated to charity and in either case, a letter of explanation must be sent to the donor; and
- (b) promptly recorded in the relevant register kept by Council.

Councils, committee members and the Chief Executive Officer (or staff to whom any power or duty has been delegated under Part 5. Division 4 of the Local Government Act) must disclose in an annual return:

- (c) the description of any gift received by them at any time during the return period; and
- (d) the name and address of the person who made each gift to which paragraph (a) applies unless the amount of the gift does not exceed \$500.00 or was received from a relative.

No company or individual with a proprietary or beneficial interest may pay or contribute to any expenses associated with the inspection, evaluation or trial of any goods or services which the Council may or may not wish to acquire, provided however that the Council may require the payment of those expenses as a standard condition applicable to all parties with an interest in providing the required goods or services to the Council.

Councils, committee members or staff may, at their discretion, disclose in any return any gift, reward, donation, inducement or benefit which they may not be obliged to disclose by reason of this Code or otherwise but which they consider may appear to raise a conflict between their private interests and their duty in relation to Council.

MOVED Cmr Buckley, **SECONDED** Cmr Morgan that the Joint Commissioners delete part 2.2.3 - Gifts, Donations and Bribery of the City's Code of Conduct and replace with:

2.2.3 Gifts, Donations and Bribery

Councillors, committee members and staff shall not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward, donation, inducement or benefit (other than gifts of a token kind or moderate acts of hospitality) for themselves or for any other person or body, relating to their status with the Council, or their performance of any duty or work which touches or concerns the Council.

Notwithstanding the preceding paragraph, the Mayor (Chairman of Commissioners) and/or the Chief Executive Officer may accept acts of hospitality for local community related events and where neither can attend, may designate an appropriate person to attend in their place.

All token gifts and moderate acts of hospitality accepted must be promptly recorded in the relevant register kept by Council.

All gifts not of a token kind and all offers of immoderate acts of hospitality must be:

- (a) promptly returned (except in the case of acceptances by the Mayor or Chief Executive Officer referred to above) or, at the Chief Executive Officer's or designated appropriate person's discretion, donated to charity and in either case, a letter of explanation must be sent to the donor; and
- (b) promptly recorded in the relevant register kept by Council.

Councillors, committee members and the Chief Executive Officer (or staff to whom any power or duty has been delegated under Part 5, Division 4 of the Local Government Act) must disclose in an annual return:

- (c) the description of any gift received by them at any time during the return period; and
- (d) the name and address of the person who made each gift to which paragraph (a) applies

unless the amount of the gift does not exceed \$500.00 or was received from a relative.

No company or individual with a proprietary or beneficial interest may pay or contribute to any expenses associated with the inspection, evaluation or trial of any goods or services which the Council may or may not wish to acquire, provided however that the Council may require the payment of those expenses as a standard condition applicable to all parties with an interest in providing the required goods or services to the Council.

Councillors, committee members or staff may, at their discretion, disclose in any return any gift, reward, donation, inducement or benefit which they may not be obliged to disclose by reason of this Code or otherwise but which they consider may appear to raise a conflict between their private interests and their duty in relation to Council

The Motion was Put and

CARRIED

P41-06/98

REVIEW OF DELEGATED AUTHORITY - [07032]

In April 1998, a consultant Ms Jan Grimoldby was commissioned by the Chief Executive Officer to review the Council's delegated authorities. The objective of the review was to identify matters which may legally be delegated to the Chief Executive Officer and/or Directors where appropriate so that the Council Agenda can focus more closely on strategic planning, policy development and directing the Council's affairs and functions.

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

- 1 receive the report reviewing the City's delegated authorities as presented to the June 1996 meeting of the Policy Committee;
- 2 approve 'Applications for Assistance to Junior Sport and Recreation Representatives' policy implemented at Council meeting 26 May 1998.
- 3 delegates authority to the Chief Executive Officer to appoint persons or classes of persons for the purposes of enforcing the various Acts, Regulations and Local Laws provided for within City's Register of Delegations, adopted at Council meeting 24 March 1998.
- 4 note, delegation to Chief Executive Officer to accept tenders up to \$100,000 provided for within the City's Register of Delegations, adopted at Council meeting 24 March 1998.
- 5 note the 1998/99 budget is to be adopted at a higher level with less detailed budget allocations.
- 6 request a further report preparing a policy on disposal of assets to be prepared for the Joint Commissioners consideration.
- 7 endorse the revised Outstanding Debtors reporting format adopted for June 1998 Finance and Community Services Committee Agenda.
- 8 approve that the Overtime Report submitted monthly to the Finance and Community Services Committee be discontinued and prepared as a management report.
- 9 approve that the appointment of staff representatives on external committees is an administrative procedure.

- 10 request a further report be presented reviewing the practice of seeking Council approval to instigate legal action under the Health Act and Noise Regulations.
- 11 note that the changes to parking conditions is to be reviewed by Local Law Review Working Party.
- 12 agree to the Parks Monthly Report being included in the Desk of the CEO publication, for information.
- 13 agree to the Works in Progress Monthly Report being included in the Desk of the CEO publication for information.
- 14 request a further report reviewing that delegation be granted to the Chief Executive Officer to close Pedestrian Accessways subject to no objections being received.
- 15 not support the delegation for the administration of all local laws to Directors and Business Unit Managers..
- 16 request a further report detailing the preparation of a policy relating to the instituting of legal proceedings relating to Council local laws.
- 17 **agree to Corporate Services Directorate maintaining a 'watching brief' on items prepared to the Council in relation to areas where delegation is in place but not being utilised or where delegation could free up Elected Members' time to debate more significant issues.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

P42-06/98

**COUNCILLOR MAGYAR - REQUEST TO PAY LEGAL
EXPENSES - [01173]**

Councillor Magyar has requested that the City pay an account for \$350 rendered on him by Kyle and Company. The account is for legal services related to investigating the possibility of serving a Writ of Mandamus on the Minister for Local Government.

The matter is generally related to the Report of the Inquiry Panel - City of Wanneroo. However as the expenditure relates to the possibility of commencing a legal action, it is not covered by Council's policy A2-12, Legal Representation for Present and Former Councillors and Staff of the City.

MOVED Cmr Buckley, SECONDED Cmr Morgan that as the request does not conform to Council Policy A2-12, the Joint Commissioners refuse Councillor Magyar's application to pay legal expenses amounting to \$350.

Cmr Buckley spoke on the Motion.

The Motion was Put and

CARRIED

P43-06/98

**APPLICATIONS FOR PAYMENT OF LEGAL COSTS,
INQUIRY PANEL - CITY OF WANNEROO - [01173]**

At the meeting of Joint Commissioners held on 26 May 1998, applications for legal representation from Councillors Lynn and Hollywood were deferred pending the receipt of more detailed accounts from Kyle and Company. Similar accounts have now been submitted by Mayor Cooper and Councillors Tippett, O'Grady, Ewen-Chappell, Magyar and Wight.

Kyle and Company has provided details of the work carried out in respect to the Inquiry Panel - City of Wanneroo.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners agree to the requests submitted by Mayor Cooper and Councillors Lynn, Hollywood, Tippett, O'Grady, Ewen-Chappell, Magyar and Wight to pay legal expenses associated with the Inquiry Panel - City of Wanneroo which total \$4,720.

The Motion was Put and

CARRIED

P44-06/98

**LEGAL ADVICE IN RESPECT TO COUNCIL'S POLICY ON
LEGAL REPRESENTATION - [01173]**

The City of Wanneroo established a policy to provide clear guidelines and rules in regard to the extent of legal representation for present and former elected members and staff. The policy was developed as a result of the Royal Commission into the City, with the need for elected members and staff to give evidence.

Much discussion has ensued over recent times relating to the clarity of some of the clauses within the policy. As a result of the confusion, advice has been sought from Clayton Utz on:-

- internal consistency;
- legal and commercial efficacy;
- clear English

Advice from Clayton Utz has been received which details changes to the policy.

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

- 1 delete existing Policy EM15 - Legal Representation for Present and Former Elected Members and Staff of the City;
- 2 adopt amended Policy EM15 - Legal Representation for Present and Former Elected Members and Staff of the City as detailed in Appendix 1.

The Motion was Put and

CARRIED

Appendix I refers

P45-06/98 **CADETSHIPS - [03499]**

Since January 1981 the City of Wanneroo has embraced the concept of cadetships. Whilst the cadet administrator scheme has served both the industry and the organisation well, it is no longer considered appropriate. The training and induction of new employees will be more effectively achieved through the provision of traineeships.

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

- 1 agree to delete policy Cadet Administrator B2-05 and discontinue the current cadetship program;**
- 2 endorse the proposal to employ trainees where appropriate and to enter into training agreements;**
- 3 agree to the continued employment of the City's current cadets until such time as they either leave the organisation or they receive a promotion to a higher position with the organisation.**

The Motion was Put and

CARRIED

P46-06/98 **PUBLIC OPEN SPACE POLICY - [18809]**

The Council has previously resolved to prepare a policy on public open space provision in new residential areas (TP143-06/96 refers), and subsequently to defer consideration of the matter pending the release of the Community Code (TP313-12/96 refers). The Western Australian Planning Commission has recently released the Liveable Neighbourhoods - Community Design Code for a trial period of twelve months for testing and review. The Code raises some concerns for the City in that it promotes the provision of quite small pocket parks in specific circumstances. It is recommended that the City seek a workshop involving representatives of the City and the Ministry for Planning to address the planning of Public Open Space in new residential areas (particularly in light of the release of the Community Code) prior to development of a draft POS Policy.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners request a workshop involving representatives of the City of Wanneroo and the Ministry for Planning to address the planning of public open space in new residential areas (particularly in light of the release of Liveable Neighbourhoods - Community Design Code) prior to development of a draft public open space policy.

The Motion was Put and

CARRIED

P47-06/98 **REVIEW OF RETAINING WALLS POLICY J3.11 - [05575]**

The City in 1996 adopted the policy on Retaining Walls J3-11 as outlined in Attachment No 1 with respect to domestic and subdivisional retaining walls constructed within the City (Item P39-05/96 refers).

The policy assumed that the City Engineer granted final approval to the construction of subdivisional retaining walls and the Building Surveyor approved retaining walls where a building licence was required. Recent legal advice to the City has indicated that a building licence is required for all retaining walls and as such the policy needs review to ensure that the delegated authority granted by the policy is consistent and in line with the requirements of the City.

It is recommended that the existing policy be replaced.

COMMITTEE RECOMMENDATION: That the Joint Commissioners:

- 1 delete their existing Policy J3-11 - Retaining Walls;**
- 2 adopt the Retaining Wall Policy as outlined in Attachment No 2 to Report P47-06/98.**

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

- 1 delete existing Policy J3-11 - Retaining Walls;**
- 2 adopt the Retaining Wall Policy as outlined in Appendix II to Report P47-06/98.**

The Motion was Put and

CARRIED

Appendix II refers

FINANCE AND COMMUNITY SERVICES SECTION

Items CS82-06/98 to CS100-06/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

Items FA109-06/98 to FA134-06/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

Cmr Clark-Murphy advised in relation to FA109-06/98 and FA131-06/98 that these two Items involved significant amounts of money in regard to the replacement of the property system and the items contained in the information technology strategic directions plan. This approach is partly to resolve the problems associated with the nearing of the Year 2000 and partly to put Council's information technology and computing systems on the best possible footing for the future.

CS82-06/98 **AUSTRALIAN SERVICES NURSES NATIONAL MEMORIAL**
- [08032]

The Returned Services League has requested the Council to make a donation towards the Australian Services Nurses National Memorial which will be constructed in Canberra in 1999. Whilst a worthy project, this report recommends that the Joint Commissioners resolve to not make a donation.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners do not make a donation towards the Australian Services Nurses National Memorial.

The Motion was Put and

CARRIED

CS83-06/98 **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 SC5-01/98 refers.) As a result of the restructure the position of Co-ordinator Youth Services has been abolished. Given the limited possibility of this staff person being offered a comparable position it is being recommended that a voluntary severance be offered. The estimated cost of the severance payout will be \$8,158 with an additional \$4,890 in accumulated leave entitlements.

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

- 1 offer the Co-ordinator Youth Services a voluntary severance package at an estimated cost of \$8,158 and an estimated \$4,890 in annual leave entitlement to be funded from Council's leave provision;
- 2 in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 authorise over budget expenditure of \$8,158 being voluntary severance payment from Account No. 26711 - Salaries/Wages Youth Services.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

CS84-06/98 **CHANGE OF COMMUNITY SERVICES DIRECTORATE
AND BUSINESS UNIT TITLES - [08763]**

This report, which is provided for information purposes only, details changes to the titles of the Community Services Directorate and two business units of the directorate which will take effect from 1 July 1998. The title of the Community Services Directorate will change to the Community Development Directorate and the titles of the Recreation and Cultural Services business unit and Welfare Services business unit will change to Leisure Services and Community Services respectively.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that information in relation to the change of titles of the Community Services Directorate and Recreation and Cultural Services and Welfare Services business units be noted.

The Motion was Put and

CARRIED

CS85-06/98 **SPONSORSHIP PROPOSAL FOR THE CONSTABLE CARE
CHILD SAFETY PROJECT WITHIN THE CITY OF
WANNEROO - [022707]**

A sponsorship proposal has been received by the City from the WA Community Policing Crime Prevention Council Inc for its Constable Care Child Safety Project.

The proposal would involve the City sponsoring a roving Puppet Show which encourages childrens' safety by the use of puppet characters. The Puppet Show would travel to 86 primary schools within the City of Wanneroo and promote child safety to children from Pre Primary to Year 4.

The Puppet Show will cost \$35,760 for the production and performance of 206 shows during the 1998/99 financial year and is anticipated to reach approximately 20,080 children during this period. It is recommended that the project be sponsored by the City as a one-off project. Funds are available within Ranger Services operating expenses to sponsor this proposal.

The sponsorship proposal outlined in this report is considered to be consistent with the commitment by the City to implement a Community Security and Safety Action Plan within the municipality. Conditions of the sponsorship proposal would include that the City receive appropriate public recognition for its financial support of the initiative and that at the conclusion of the 206 puppet shows the Community Policing Crime Prevention Council Inc. will provide the City with a comprehensive evaluation of the effectiveness of the project and audited financial statement of the funds provided by the City.

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

- 1 **agree to sponsor the Constable Care Child Safety Project's "Respect Crime Prevention through Education" Puppet Shows by providing funds to the Constable Care Office of the Community Policing Crime Prevention Council Inc. to the value of \$35,760 subject to the Constable Care Office agreeing to the following conditions:**

- (a) the City's sponsorship be a one-off financial contribution;
- (b) the Constable Care Office return to the City by 30 October 1999 any unused funds which have been provided by the City;
- (c) the City receive appropriate public recognition for its financial support of the project throughout the sponsorship period;
- (d) the effectiveness of the puppet shows be comprehensively evaluated by the Constable Care Office in order to assess its impact and effectiveness and that quarterly written progress reports be provided to the City and a final written evaluation report be provided to the City by 31 July 1999;
- (e) the Constable Care Office provide the City with an audited financial statement by 30 October 1999 for funds which have been provided by the City;
- (f) the Constable Care Office be willing to negotiate changes to the script of the "Respect" theme of the puppet show subject to the changes to the script being to the satisfaction of the City.

2 authorise, in accordance with Section 6.8 (1) of the Local Government Act 1995 the reallocation of \$35,760 from account 22384 "All Night Security" to new account "Constable Care Child Safety Project Sponsorship"

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS86-06/98

CARINE PARENT GROUP - [07116]

At the Joint Commissioners meeting of 24 March 1998 a petition was tabled from a group of parents seeking funding for a Youth Outreach Worker for young people attending Carine Senior High School. This report details strategies undertaken by youth services staff and recommendation for future action.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners endorse the strategies put forward in Report CS86-06/98 to address the needs of young people attending the Carine High School.

The Motion was Put and

CARRIED

Appendix III refers

CS87-06/98

**MEMBERSHIP OF JOONDALUP REGIONAL COMMUNITY
POLICING CRIME PREVENTION COMMITTEE - [06169]**

The Joondalup Regional Community Policing Crime Prevention Committee is a committee of the State Council of the Community Policing Crime Prevention Council of Western Australia Inc. The Committee recently auspiced the Regional Community Summit on Crime Prevention,

Security and Safety in conjunction with the City and the Joondalup Police District and is in the process of taking on a higher profile and stronger role in co-ordinating regional efforts to combat and prevent crime in the region. This report recommends that the City seek to again have formal representation on the Joondalup District Regional Committee.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners nominate Cmr Clark-Murphy and the Director Community Services or nominee as representatives of the City for the purpose of making application for membership of the Joondalup Regional Community Policing Crime Prevention Committee of the Community Policing Crime Prevention Council of Western Australia

The Motion was Put and

CARRIED

CS88-06/98

DELEGATION - NOISE POLLUTION ABATEMENT NOTICES - [04393]

The submission of Noise Pollution Abatement Notices to the Finance and Community Services Committee and then to the Council has traditionally been undertaken subsequent to the notice being served. It would appear that this process has occurred because Council Policy E3-04 'Notices Served- Advice to Council' requires the Manager Health and Ranger Services to provide full details of all notices served pursuant to the provisions of the Health Act 1911-79.

The Chief Executive Officer of the Department of Environmental Protection on 9 June 1989 under Delegation No's 7 and 8 conferred all the powers and duties to any person for the time being holding or acting in the Office of Town Clerk or Shire Clerk under the Local Government Act 1960, where noise is being emitted from any premises, to serve a pollution abatement notice under s 65 of the Environmental Protection Act 1986 and then to institute a prosecution when non-compliance with the notice occurs.

The need to submit notification of noise pollution abatement notices has been targeted for specific exemption in an attempt to further reduce the material contained in the formal agenda for the Finance and Community Services Committee and the Council.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners endorse the delegated authority to the Chief Executive Officer for the serving of a Noise Pollution Abatement Notice and where required the institution of legal proceedings for an offence for non-compliance without the necessity to formally advise the Council of the actions taken.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS89-06/98

FUNDING ALLOCATION TO THE SAFETY HOUSE PROGRAM WITHIN THE CITY OF WANNEROO.- [17843]

An application has been received from the Safety House Association requesting that the City provide the Association with financial assistance in order to promote child safety by funding three priorities of the Safety House Program within the City of Wanneroo.

Within the City there are 46 Primary Schools involved with the Safety House Program and 1665 Safety Houses are provided.

The Safety House Association has requested funding for the following:

1. The purchase and installation of 100 Safety House signs to be erected on street verges directly accessing school areas. These signs assist in acting as a visual deterrent to nuisance people entering an area.
2. The payment of the 1998 affiliation fees for primary schools to join the Safety House Association. These fees have been funded and paid annually by local school P&C committees.
3. The purchase of 15,000 Safety House school identification stickers which serve as a constant visual reminder of the protection behind the Safety House logo. The stickers would include the name of the City of Wanneroo as sponsors.

The funding priorities of items 1 and 3 above are considered to be consistent with the commitment by the City to implement a Community Security and Safety Action Plan within the municipality. Item 2 which represents the annual affiliation fees of the schools is considered to be the responsibility of the relevant schools or P&C Committees as representing their support of the Safety House Program.

It is recommended that the City provide the Association with funds to finance items 1 and 3 above.

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

- 1 **agree to make a financial contribution to the value of \$5,500 to the Safety House Association to support the operation of the Association's Safety House Program within the City for the production of 100 Safety House signs and 15,000 Safety House identification stickers, subject to the Association agreeing to the following conditions:**
 - (a) **the City's financial contribution be a one-off contribution;**
 - (b) **the City receive appropriate public recognition for its financial support of the Program including written recognition of the City on the Safety House stickers produced by the Association with the City's funds;**
 - (c) **the Safety House Association provide to the City an audited financial statement by 30 October 1999 for funds which have been provided by the City;**

- (d) **the Safety House Association return any unused funds which have been provided by the City for the purposes outlined in this report and that such funds be returned to the City by 30 October 1999.**

- 2 **authorise, in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$11,500 from operational expenses in Ranger services (line item 22384 All Night Security) to Ranger Services Administration account number 21466 Safety House Association for the support of the Safety House Association's Safety House Program within the City of Wanneroo.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS90-06/98

**WANNEROO VOLUNTEER EMERGENCY SERVICES
REVIEW - [08162]**

In January 1998 the City engaged Mr Mike Barry of the firm of consultants, Metri Consulting, to undertake a review of Wanneroo's Volunteer Emergency Services - Volunteer Bush Fire Brigade, Volunteer State Emergency Services and the St John Ambulance First Aid Service. The consultant's report has been received.

The review included an examination of current funding levels, financial management and accountability arrangements with each of the Services with a view to making improvements in each of these areas.

This report includes brief background information on the review together with a copy of the executive summary of the consultant's report including the consultant's recommendations. It is recommended that the relevant sections of the report be distributed to each of Services for comment and feedback prior to the City acting on the consultant's recommendations.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 **adopt the report "Review of City of Wanneroo Volunteer Emergency Services" provided by Metri Consulting for the purpose of obtaining written feedback and comment from the Volunteer Emergency Services on the recommendations made by Metri Consulting, such comment and feedback to be received by no later than Friday, 17 July 1998**
- 2 **request a further report on the outcomes of the consultation with the Wanneroo Volunteer Emergency Services in relation to the report by Metri Consulting to be submitted in August 1998.**

**ADDITIONAL INFORMATION SUBMITTED TO FINANCE AND COMMUNITY
SERVICES COMMITTEE**

In order to allow adequate time to distribute the report on the Review of the City of Wanneroo Volunteer Emergency Services and to allow the services to comment on the report and provide written feedback by 17 July, a revised recommendation was submitted for Report CS90-06/98.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that:

- 1 **Joint Commissioners receive the report prepared by Metri Consulting titled "Review of City of Wanneroo Volunteer Emergency Services";**
- 2 **Finance and Community Services Committee forward the report titled "Review of City of Wanneroo Voluntary Emergency Services" to the Volunteer Emergency Services for written feedback and comment, to be provided by no later than 17 July 1998;**
- 3 **Joint Commissioners request a further report on the outcomes of the consultation with the Wanneroo Volunteer Emergency Services in relation to the report by Metri Consulting to be submitted in August 1998.**

The Motion was Put and

CARRIED

CS91-06/98 ARENA JOONDALUP AQUATIC FACILITY - [06719]

The Minister for Sport and Recreation Mr Norman Moore MLC has requested that the City contribute an additional \$1 million over a two year period above the City's current \$3 million commitment to the proposed Joondalup Aquatic Centre project. The Minister has indicated that following the completion of the detailed design and documentation for the project, the total cost of the project will be \$11.5 million, some \$2.5 million more than the original estimate.

The Minister for Sport and Recreation is keen to see the project proceed as quickly as possible and has arranged that the State Government will contribute \$3 million in 1998/99 and a further \$4.5 million in 1999/00. The Minister has requested that the City contribute \$2 million in the 1998/99 financial year and a further \$2 million in the 1999/00 financial year.

It is recommended that the Joint Commissioners advise the Minister for Sport and Recreation that the City is unable to provide further financial assistance to the Joondalup Aquatic Centre project but will reschedule its commitment and contribute \$2 million in 1998/99 and \$1 million in 1999/00 to assist in the early completion of the aquatic facility.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners advise the Minister for Sport and Recreation the City is unable to provide further financial assistance of \$1 million to the Joondalup Aquatic Centre project but will reschedule its existing commitment and contribute \$2 million in the 1998/99 financial year and \$1 million in the 1999/00 financial year to assist in the early completion of the aquatic facility.

The Motion was Put and

CARRIED

CS92-06/98 DISABILITY SERVICES COMMISSION - REQUEST FOR CONCESSION - [04494]

The Joondalup Centre Library meeting rooms are regularly hired to community organisations and groups. Following a recent full day hire of the large meeting room, for which the community hire rate applied, a request has been received from the Disability Services Commission for a concession charge to be applied to that and future use of the facility.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners advise the Disability Services Commission its application for concession meeting room hire rates was not successful.

The Motion was Put and

CARRIED

CS93-06/98 ANNUAL HISTORICAL ESSAY COMPETITION - [18843]

Libraries Business Unit conducts an annual Historical Essay Competition, with the judging panel comprising one nomination each from:

- the City of Wanneroo Historical Sites Advisory Committee
- the Wanneroo and Districts Historical Society

and:

- the Manager Library Services or her nominee

Following the suspension of Council's Historical Sites Advisory Committee, it has become necessary to change the composition of the panel of judges responsible for assessing entries to the Competition.

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

- 1 entries in the Historical Essay Competition to be assessed by a panel of judges comprising;**

one nomination from the Northern Writers Association
one nomination from the Wanneroo and Districts Historical Society
the Manager Library Services or her nominee

- 2 the Manager Library Services to invite the Northern Writers Association to nominate a judge for the panel.**

The Motion was Put and

CARRIED

CS94-06/98 REPLACEMENT OF AUTOMATED LIBRARY MANAGEMENT SYSTEM - [03414]

The current mainframe-based Library management software which has been in place for fourteen years is no longer providing efficient and effective service, both to the public and management. The system is not year 2000 compliant, does not allow for provision of modern electronic services and does not provide in-depth management information.

In accordance with the replacement schedule as listed in the Information Systems & Technology Plan 1995/96, a joint Expressions of Interest for an Automated Library Management system was held with the Cities of Wanneroo and Stirling and Shires of Kalamunda and Swan. This has identified a number of vendors willing to undertake the work.

A short list of acceptable candidates has been established and should now be invited to tender.

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

- 1 **invite tender submissions from DRA, Sanderson, Stowe, Sirsi, Innovative, GEAC and Infovision for the supply and installation of an automated library management system;**
- 2 **agree to participate in a joint tender process for an automated library management system with the City of Stirling, Shire of Swan and Shire of Kalamunda, and including other local government authorities where participation is requested**
- 3 **list for consideration \$500,000 in the 1998/99 draft budget for the first stage of replacing the automated library system.**

The Motion was Put and

CARRIED

CS95-06/98 NON STATUTORY DONATION - LIONS CLUB OF WANNEROO INC - [07399]

Lions Club of Wanneroo Inc. has requested a non statutory donation to assist with costs incurred in conducting the Wanneroo Lions Community Fair at the Wanneroo Showgrounds on 15 March 1998.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners grant a non statutory donation to the Lions Club Wanneroo Inc. of \$214.00, representing fees levied for rubbish bin hire on 15 March 1998 for the Wanneroo Community Fair - such costs to be debited to Budget Item 26531 - Donations - Sundry - Other Welfare Services.

The Motion was Put and

CARRIED

CS96-06/98 COMMUNITY CENTRE PROGRAM - [18171]

The Minister for Family and Children's Services has invited the City of Wanneroo to consider joining with the Department of Family and Children's Services to construct two specifically designed community centres at Neerabup and Currambine. Family and Children's Services would provide up to \$500,000, on a matched funding basis, for the development of each centre.

This report proposes that Council agrees in principle to the proposed joint development of the Centre at Neerabup and the postponement of development of a centre at Currambine pending further study and analysis of needs.

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

- 1 **advise the Department of Family and Children's Services of the City's principle agreement to the partnership of the development of community centre at Neerabup.**

- 2 seek the deferment from the Department of Family and Children's Services for funding support for the development of a community centre at Currumbine pending further study and analysis of needs.
- 3 authorise further negotiations with the Department of Family and Children's Services to progress the project and to determine the concept design, site location and management agreements.
- 4 make an application to the Lotteries Commission seeking a grant towards the project on a dollar-for-dollar basis.

The Motion was Put and

CARRIED

CS97-06/98

**WHITFORD CITY SHOPPING CENTRE - ESTABLISHMENT
OF KIOSK 15 CUSTOMER SERVICE CENTRE - [02496]**

A conflict exists between the recommendations presented to the April 1998 (Report TS 83-04/98) and the Local Government (Functions and General) Regulations (Part 4 Regulation 11(1)) in relation to the method of procurement for the Whitford Customer Service Centre Kiosk 15. This report recommends that the resolution of the Council be rescinded and to address the matter, public tenders will be called for work to construct the new Customer Service Centres at Whitford.

To reduce a delay in the project implementation, this report also seeks delegated authority for the Technical Services meeting in July 1998 to award the tender.

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

- 1 rescind their decision as tabled in Report TS83-04/98 of 28 APRIL 1998, viz:

“accepts that the works will be constructed by Bridan Projects as the Principal Contractor with this work being a variation to the signed Contract 173-96/97 for the Joondalup Administration Centre Refurbishment in Boas Avenue, Joondalup;”
- 2 delegate authority to the Technical Services Committee meeting in July 1998 to award to the successful tenderer the contract for the construction of the Whitford Customer Service Centre subject to the tender price being within the estimated budget;

At the Finance and Community Services Committee meeting, Cmr Clark-Murphy advised that pending Governors' Orders relating to the proposed split of the City of Wanneroo, delegation of authority could not be considered until July 1998.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners rescind their decision as tabled in Report TS83-04/98 of 28 APRIL 1998, viz:

“accepts that the works will be constructed by Bridan Projects as the Principal Contractor with this work being a variation to the signed Contract 173-96/97 for the Joondalup Administration Centre Refurbishment in Boas Avenue, Joondalup.”

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CS98-06/98

**DISPOSAL OF LAND : LOT 5 UPPILL PLACE, WANGARA
TO PEK NOMINEES PTY LTD AS TRUSTEE FOR THE
LEECE FAMILY TRUST NO 8 - [09901]**

An offer to purchase by private treaty the vacant City owned light industrial land being Lot 5 Uppill Place, Wangara was received from Pek Nominees Pty Ltd as Trustee for the Leece Family Trust No 8.

The offered price of \$314,250 is equal to the Valuer General's recommended value.

The proposal to dispose of the land was advertised as required and the period allowed for submissions has ended without any submissions being received.

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

- 1 agree to the disposal of the vacant land at Lot 5 Uppill Place, Wangara to Pek Nominees Pty Ltd as Trustee for the Leece Family Trust No 8 at the price of \$314,250;
- 2 authorise the signing and sealing of the Contract and Transfer documents in respect to Lot 5 Uppill Place, Wangara.

The Motion was Put and

CARRIED

CS99-06/98

**DISPOSAL OF LAND : LOT 6 UPPILL PLACE, WANGARA
TO SAMAR INVESTMENTS PTY LTD OR NOMINEE,
SAMAR INVESTMENTS PTY LTD AS TRUSTEE FOR
SARICH SUPERANNUATION FUND - [08901]**

An offer to purchase by private treaty the vacant City owned light industrial land being Lot 6 Uppill Place, Wangara was received from Samar Investments Pty Ltd or Nominee, Samar Investments Pty Ltd as Trustee for Sarich Superannuation Fund.

The offered price of \$208,250 is equal to the Valuer General's recommended value.

The proposal to dispose of the land was advertised as required and the period allowed for submissions has ended without any submissions being received.

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

- 1 agree to the disposal of the vacant land at Lot 6 Uppill Place, Wangara to Samar Investments Pty Ltd or Nominees, Samar Investments Pty Ltd as Trustee for Sarich Superannuation Fund at the price of \$208,250;
- 2 authorise the signing and sealing of the Contract and Transfer documents in respect to Lot 6 Uppill Place, Wangara.

The Motion was Put and

CARRIED

CS100-06/98

**CONTRACTS FOR SALE OF LAND: LOTS 10, 11, 12 AND 13
UPPILL PLACE, WANGARA TO JETSILVER HOLDINGS
PTY LTD, ATF COX INVESTMENT TRUST AND JETSILVER
HOLDINGS PTY LTD AND ATF STRIBLING INVESTMENT
TRUST - [00902, 03902, 01902, 02902]**

An offer to purchase by private treaty the vacant City owned light industrial land being Lots 10, 11, 12 and 13 Uppill Place, Wangara was received from Jetsilver Holdings Pty Ltd, ATF Cox Investment Trust and Jetsilver Holdings Pty Ltd and ATF Stribling Investment Trust.

The offered aggregate price of \$876,250 is equal to the Valuer General's recommended aggregate value.

The proposal to dispose of the land was advertised as required and the period allowed for submissions has ended without any submissions being received.

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

- 1 **agree to the disposal of the vacant land at Lot 13 Uppill Place, Wangara to Jetsilver Holdings Pty Ltd, ATF Cox Investment Trust and Jetsilver Holdings Pty Ltd and ATF Stribling Investment Trust at the price of \$232,000;**
- 2 **authorise the signing and sealing of the Contract and Transfer documents in respect to Lot 13.**
- 3 **release Jetsilver Holdings Pty Ltd, ATF Cox Investment Trust and Jetsilver Holdings Pty Ltd and ATF Stribling Investment Trust from the contract of sale in respect to Lots 10, 11 and 12 Uppill Place, Wangara.**

The Motion was Put and

CARRIED

FINANCE SECTION

FA109-06/98

**PROPERTY AND RATE SYSTEM REPLACEMENT TENDER
NO 122-97/98 - [13172]**

In February 1998, tenders were called for hardware and software to replace the City's rates and property systems. Four responses were received however one of those proposed a development partnership. The complying tenders were as follows :

Chevron Computing Consultants	\$ 849,593
ProClaim Software Pty Ltd	\$ 792,000
Stowe Computing Australia Pty Ltd	\$ 1,480,781

As each of the tenders had the potential to fulfil the City's requirements they were subjected to a detailed evaluation. The evaluation, which included a one and a half day demonstration by each tenderer, showed the ProClaim solution to be the best for the City.

It is suggested that the tender submitted by ProClaim Pty Ltd be accepted subject to the negotiation of a satisfactory contract and the modification of the system to meet West Australian rating and electoral requirements.

REPORT RECOMMENDATION: That the Joint Commissioners accept the tender submitted by ProClaim Software Pty Ltd of \$792,000 for the supply of a Property and Rate System Replacement Tender No. 122-97/98 subject to the following conditions:

- 1 the software being modified to meet Western Australian standards in respect to Rating and Electoral matters;**
- 2 submitting an acceptable implementation timetable;**
- 3 agreement on an acceptable contract payment schedule;**
- 4 all modules meeting acceptable performance testing criteria;**
- 5 establishing acceptable interface and functionality with the Council's current spatial system;**
- 6 entering into satisfactory contractual arrangements.**

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept the tender submitted by ProClaim Software Pty Ltd of \$792,000 for the supply of a Property and Rate System Replacement Tender No. 122-97/98 subject to the following conditions:

- 1 the software being modified to meet Western Australian standards in respect to Rating and Electoral matters;
- 2 submitting an acceptable implementation timetable;

- 3 agreement on an acceptable contract payment schedule;
- 4 all modules meeting acceptable performance testing criteria;
- 5 establishing acceptable interface and functionality with the Council's preferred spatial and financial systems;
- 6 entering into contractual arrangements which are satisfactory to the City for licences to be supplied to the new local governments.

The Motion was Put and

CARRIED

FA110-06/98 COMMUNICATION REQUIREMENTS - [10180]

In December 1996 (FA193-12/96 refers), Council agreed not to proceed with the implementation of Spectrum telephone system but to establish a task force to determine Council's communications strategy with respect to voice, data and video. Since that time several initiatives have been introduced and there is a continuing need to review communication strategies to ensure that communications are cost effective, support information technology strategies and support business needs.

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

- 1 endorses the actions taken to improve the City's communication system;
- 2 note the initiatives that are planned for the future including the formation of a working party.

The Motion was Put and

CARRIED

FA111-06/98 VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 144-97/98 - [13284]

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 Environmental Waste Services budget provided for the purchase of three (3) mini refuse compactor cab chassis for Environmental Waste Services with the trade of the following items of plant:

- 95626 (Isuzu NPR300)
- 95627 (Isuzu FSR500)
- 96502 (Mitsubishi FE449E)

This report outlines the submissions received for the acquisition of these vehicles the subject of Tender 144-97/98. It recommends purchase of three (3) mini refuse compactor cab chassis from Major Motors.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept the tender from Major Motors for the purchase of three (3) mini refuse compactor cab chassis at a net changeover figure of \$100,603 after trade ins, as detailed in tender 144-97/98.

The Motion was Put and

CARRIED

FA112-06/98

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 141-97/98 - [15284]**

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 Environmental Waste Services budget provided for the purchase of one (1) full forward control 3 tonne truck with the trade of plant number 95536 (Ford Trader).

This report outlines the submissions received for the acquisition of these vehicles the subject of Tender 141-97/98. It recommends purchase of one (1) full forward control 3 tonne truck from Midway Ford.

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

- 1 accept the tender from Midway Ford for the purchase of one (1) full forward control 3 tonne truck at a net changeover figure of \$14,422 after trade in, as detailed in tender 141-97/98;
- 2 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$1,922 - such expenditure to be funded from the Trade/Industrial/Commercial Refuse Collection Reserve.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

FA113-06/98

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 140-97/98 - [10285]**

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 Approval Services budget provided for the purchase of three (3) 1600/1800cc sedans with the trade of the following items of plant:

- 99089 (Hyundai Lantra)
- 99091 (Hyundai Lantra)
- 99093 (Hyundai Lantra)

This report outlines the submissions received for the acquisition of these vehicles the subject of Tender 140-97/98. It recommends purchase of three (3) 1600/1800cc sedans from Skipper Hyundai.

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

- 1 accept the tender from Skipper Hyundai for the purchase of three (3) 1600/1800cc sedans at a net changeover figure of \$10,883 after trade ins, as detailed in tender 140-97/98;
- 2 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$1,583 - such expenditure to be funded from the Plant Replacement Reserve Account.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA114-06/98

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 139-97/98 - [16284]**

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 Library Services budget provided for the purchase of one (1) four cylinder mid size station wagon with the trade of plant number 99002 (Mitsubishi Lancer Wagon).

This report outlines the submissions received for the acquisition of these vehicles the subject of Tender 139-97/98. It recommends purchase of one (1) four cylinder mid size station wagon from Skipper Mitsubishi.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept the tender from Skipper Mitsubishi for the purchase of one (1) four cylinder mid size station wagon at a net figure of \$7,518, as detailed in tender 139-97/98.

The Motion was Put and

CARRIED

FA115-06/98

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 137-97/98 - [18284]**

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 Parks and Landscape Services budget provided for the purchase of one (1) four cylinder one tonne utility. In addition, the City at its meeting held on 24 April 1998 resolved to establish an anti-graffiti program and approved the reallocation of funds to purchase one (1) four cylinder one tonne utility for Engineering Construction and Maintenance Services (Report TS72-04/98 refers).

This report outlines the submissions received in relation to the purchase of these two vehicles the subject of Tender 137-97/98. It recommends purchase of two (2) four cylinder one tonne utilities from Titan Ford.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept the tender from Titan Ford for the purchase of two (2) four cylinder one tonne utilities at a net figure of \$17,076, as detailed in tender 137-97/98.

The Motion was Put and

CARRIED

FA116-06/98

**VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT
RESERVE - TENDER NUMBER 136-97/98 - [15396]**

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 at its meeting held on 24 April 1998 resolved to establish an anti-graffiti program and approved the reallocation of funds to purchase the necessary capital equipment (TS72-04/98 refers).

This report outlines the submissions received for the purchase of the necessary equipment for the anti-graffiti program, the subject of Tender 136-97/98. It recommends purchase of three (3) 4WD 4 cylinder dual cab utilities from Nuford.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners accept the tender from Nuford for the purchase of three (3) 4WD 4 cylinder dual cab utilities at a net figure of \$65,214, as detailed in tender 136-97/98.

The Motion was Put and

CARRIED

FA117-06/98

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.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, amendments to the "revised budget figures" of the 1997/98 Budget as detailed in the Schedule of Budget Reallocation Requests - 16 June 1998.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

FA118-06/98 **RETIREMENT VILLAGES - PENSIONER RATES CONCESSIONS - [04081]**

The Joint Commissioners at their April 1998 meeting requested a report on rating of retirement village type accommodation within the City.

Perusal of the City's rating records indicate that persons residing in four properties (86 units) do not qualify for a rebate under the Rates and Charges (Rebates & Deferments) Act 1992 as they are not owners of the units.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners note the information provided in Report FA118-06/98.

The Motion was Put and CARRIED

Appendix IV refers

FA119-06/98 **DISPOSAL OF ASSETS AND SURPLUS EQUIPMENT - [07900]**

This report details the requirements 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 FA119-06/98;
- 2 approve the disposal of surplus equipment as per attachment B to Report FA119-06/98.

The Motion was Put and CARRIED

Appendix V refers

FA120-06/98 **TENDER 125-97/98 - PURCHASE OF FOUR (4) 1600/1800cc SEDANS - [03929]**

In April 1998 the Joint Commissioners accepted in good faith tender 125-97/98 submitted by Morley City Hyundai for the purchase and trade of four (4) 1600/1800cc sedans with the trade of plant:

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

Notice was received by letter from Morley City Hyundai on 14 May 1998 stating that the vehicles to be supplied did not comply with the exact requirements as stated in the City's specification. Morley City Hyundai could not supply vehicles supplied with drivers side SRS air bags as per the specification. A discount was offered to compensate for not supplying the air bags.

As Morley City Hyundai cannot now comply with Council's specification the City has little alternative other than to rescind the resolution and recall tenders.

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 resolution FA82-04/98:

"accept the tender from Morley City Hyundai for the purchase of four (4) 1600/1800cc Sedans at a net changeover figure of \$13,572 after trade ins, as detailed in tender 125-97/98;"

"authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$572 - such expenditure to be funded from the Plant Replacement Account.

- 2 offer plant:

99006 (Hyundai Lantra Sedan)

99087 (Hyundai Lantra Sedan)

99141 (Nissan Pulsar LX Sedan)

99292 (Hyundai Lantra Sedan)

for sale/trade when next calling tenders for 1600/1800cc sedans.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA121-06/98

**MOOLANDA CHILD CARE CENTRE - REIMBURSEMENT
OF RECURRENT COSTS - [01752]**

The City has in past years contributed towards the recurrent expenditure incurred by the Moolanda Child Health Care Centre for expenditures incurred by the Kingsley Infant Health Clinic which is located within the Child Care Centre.

The Moolanda Child Health Care Centre, a community-based Day Care Centre, has sought reimbursement for costs incurred during 1997/98. The amount recommended is \$3,160.45.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise a contribution of \$3,160.45 to the Moolanda Child Care Centre from Account No 22115 for 1997/98 associated with recurrent costs for the Kingsley Child Health Clinic.

The Motion was Put and

CARRIED

FA122-06/98

**SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST
(INC) - AUTHORITY TO BORROW - [13275]**

The Shire of Wanneroo Aged Persons' Homes Trust has written to the City seeking approval to borrow \$300,000 by way of an advance from the National Australia Bank, Wangara to assist with additions to the Barridale Lodge Frail Aged Hostel at 89 Barridale Drive, Kingsley.

Pursuant to Clause 33 of the Trust's Constitution it is required to seek the City's approval prior to borrowing:-

"Subject to Council approval the Trust may accept borrow and raise money by any lawful means for the purpose of fulfilling the objects of the Trust and give security for the repayment of money borrowed".

The loan will be secured by way of first mortgage over property owned by the Trust at Lot 138 Belgrade Road and Lot 501 Amos Road, Wanneroo.

In view of there being no exposure to the City it is recommended approval be granted.

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

- 1 approve the Shire of Wanneroo Aged Persons' Homes Trust (Inc) borrowing the sum of \$300,000 from the National Australia Bank, Wangara with the borrowings secured by way of first mortgage against property owned by the Trust at Lot 138 Belgrade Road and Lot 501 Amos Road, Wanneroo,
- 2 request the Shire of Wanneroo Aged Persons' Homes Trust (Inc) to review its Constitution to:-
 - (a) reflect more appropriate business principles, practices and procedures;
 - (b) reassess the relationship with the City.

The Motion was Put and

CARRIED

FA123-06/98

**LIGHT VEHICLE SPECIFICATIONS (FOUR CYLINDER)
1600/1800cc - [08178]**

This report recommends changes to four cylinder 4 door sedan vehicle specifications. To ensure that the City is not restricting potential suppliers of vehicles is it deemed appropriate to change the current specification.

The City at its February 1997 meeting resolved to include anti-locking braking systems in the light vehicle specification. Further, at the May 1997 meeting it resolved to include driver air bags in the light vehicle specification. The current specification (1600cc to 1800cc) is limiting the number of responses being received in regard to tenders received for 4 door 4 cylinder sedans.

The changing of this specification will encourage a greater number of suppliers to tender and result in a more competitive market.

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 resolution TS8-02/97:

“That Council includes the provision of anti-locking braking systems in the specification for its light vehicle fleet;”

- 2 in accordance with the provisions of Regulation 10(2) of the Local Government (Administration) Regulations 1996 rescind resolution TS142-05/97:

“That Council includes the provision of drivers air bags in the specification for its light vehicle fleet;”

- 3 adopt the vehicle specification for 4 door 4 cylinder sedans (1600cc/1800cc) with ABS brakes, driver’s air bags and electrically operated exterior side mirrors as optional extras as detailed in Attachment A to Report FA123-06/98.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VI refers

FA124-06/98 1997/98 WRITE OFF RATES - STRATA 9, 133 WINTON ROAD, JOONDALUP - [16396]

For 1997/98 Council offered a 5% discount if rates payments were received by the close of business on 6 October 1997.

This report considers a request for the Joint Commissioners to write off a sum equal to the discount amount that would otherwise have been available to the ratepayer had the rate notice been correctly addressed.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners in accordance with the provisions of Section 6.12(1)(c) of the Local Government Act 1995, write off \$48.71 in rates levied on Strata 9, 133 Winton Road, Joondalup.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA125-06/98 OUTSTANDING GENERAL DEBTORS - 31 MAY 1998 - [04881]

This report shows the total outstanding general debtors as at 31 May 1998, together with their status and a comparison with the previous two months.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners receive the Outstanding Debtors Report as at 31 May 1998.

The Motion was Put and

CARRIED

FA126-06/98

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

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

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 30 April 1998, certified by the Chairperson of Finance and Community Services Committee and Director Resource Management, and totalling \$20,400,640.09.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	60426-61786	7,422,560.55
Municipal	000580-000588	10,992,493.29
Trust	00071-0071A	3,718.62
East Wanneroo Development Area Cell 1	000014	20,998.21
East Wanneroo Development Area Cell 2	000012	10,056.23
East Wanneroo Development Area Cell 3	000001	23,476.97
East Wanneroo Development Area Cell 4	000001	65,694.62
East Wanneroo Development Area Cell 5	00004A	31,832.53
East Wanneroo Development Area Cell 6	000014	36,935.72
East Wanneroo Development Area Cell 7	000012	7,254.11
East Wanneroo Development Area Cell 8	000010	10,755.43
Town Planning Scheme 5	905756R	952.14
Town Planning Scheme 7A (B)	905761T	1,739.96
Berkley Road Local Structure Plan	000001	72,679.47
Reserve Account	000016-0x0016B	1,699,492.24
	TOTAL	\$ 20,400,640.09

The Motion was Put and

CARRIED

Appendix VII refers

FA127-06/98 **FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 1998 - [07882]**

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

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

The Motion was Put and

CARRIED

FA128-06/98 **MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [00883]**

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

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley 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

FA129-06/98 **BANKING PORTFOLIO 1998/99 - [18398]**

The City in May 1994 entered into a 5 year agreement with the Commonwealth Bank of Australia to provide banking arrangements. The agreement provided for annual reviews to be undertaken .

In accordance with the terms of the City's agreement with the Commonwealth Bank, a bank fee, covering both the proposed City of Joondalup and the Shire of Wanneroo, of \$25,000 has been negotiated for the year to 30 June 1999. This fee will be proportioned between the two new local governments.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that Council accepts the Commonwealth Bank's 1998/99 renewal terms offer for its 1998/99 banking fees as outlined in Report FA129-06/98.

The Motion was Put and

CARRIED

Appendix VIII refers**FA130-06/98** **SUPERANNUATION GUARANTEE CHARGE INCREASE 1 JULY 1998 - [11132]**

The Superannuation Guarantee (Administration) Act 1992 provides for organisations 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 Buckley that the Joint Commissioners:

- 1 advise the Local Government Superannuation Plan that:
 - (a) effective 1 July 1998 the City of Wanneroo will be abolished and two new local governments created - the City of Joondalup and the Shire of Wanneroo;
 - (b) all staff will initially be transferred to the City of Joondalup for the 1998/99 financial year;
 - (c) with the increase in superannuation guarantee levy to 7% effective 1 July 1998, the City will reduce its contribution, also effective 1 July 1998, from 9% to 8% for those employees who contribute 6% of salary and from 7.5% to 6.5% for those employees who contribute 5% of salary;
- 2 following the gazettal of the Governor's Order giving rise to the "split" arrangements, ratify at the 1 July 1998 meeting, the above superannuation arrangements for 1998/99.

The Motion was Put and

CARRIED

FA131-06/98 ADOPTION OF AN INFORMATION TECHNOLOGY STRATEGIC DIRECTIONS PLAN - [05768]

The City, in conjunction with Ernst and Young, has developed an Information Technology Strategic Directions Plan for the period 1998 to 2002. The plan details information technology that will be required to support future initiatives identified in the City's Strategic Plan and other imperatives including the Year 2000 compliance and the Council split.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners adopt, in principle, the concepts outlined in the Information Technology Strategic Directions document.

The Motion was Put and

CARRIED

FA132-06/98 CITY OF JOONDALUP AND SHIRE OF WANNEROO PROPOSED CELEBRATIONS - 1 JULY 1998 - [00138]

The creation of the City of Joondalup and the Shire of Wanneroo on 1 July 1998 is a significant community event. It is proposed that the Joint Commissioners host several events on 1 July 1998 in both the City of Joondalup and the Shire of Wanneroo to celebrate this historic occasion. The proposed celebrations are estimated to cost \$30,664. This report recommends that the Joint Commissioners authorise the Schedule of Events and the associated expenditure of \$30,664, such expenditure to be charged to Account 20023 - Civic Functions.

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

- 1 **authorise the Schedule of Events proposed to recognise the dissolution of the City of Wanneroo and to celebrate the creation of the City of Joondalup and the Shire of Wanneroo on 1 July 1998;**
- 2 **endorse the action taken by the Chief Executive Officer in commencing to arrange the organisation of the events listed in the Schedule of Events; and**
- 3 **authorise the total expenditure associated with the Schedule of Events, amounting to \$30,664, to be charged to Account 20023 - Civic Functions.**

The Motion was Put and

CARRIED

FA133-06/98 CUSTOMER COMPLAINTS HANDLING SYSTEM - [03730]

The Joint Commissioners at their meeting held in January 1998 resolved to develop a Customer Complaints Handling System with CVSI Pty Ltd.

At the completion of stage 1, CVSI developed a scope of works for the project which highlighted some enhancements to the proposed product which will exceed the budget amount of \$45,000. The enhancements are required to be made now and not at a later stage of the implementation process. The enhancements will allow for a better integration between the City's current Records Document Management System and the proposed Customer Complaints Handling System.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act, 1995, the over expenditure of \$15,000 to fund the enhancements to the proposed Customer Complaints Handling System - such expenditure to be funded from salaries/wages - Minutes.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

FA134-06/98 VOLUNTARY SEVERANCE - COUNCIL SUPPORT SERVICES - [13043]

Council Support Services was established as a business unit in January 1997 as part of an overall organisational restructure of the City of Wanneroo. The City is striving to operate with an ideal staffing structure in order to provide a high quality of service to its customers. In an effort to assist the organisation to achieve this, a review of the current structure of Council Support Services was undertaken.

The restructure of the business unit will achieve:-

- improving customer focus and customer service levels;
- improving cost efficiency and effectiveness;

- streamlining the operations of the unit;
- rationalising staff functions and positions;
- improving business management functions.

As a result of the restructure one position has been abolished, this being the Senior Administration Officer. The staff member in this position has indicated that he does not wish to be redeployed and has indicated a preference to negotiate a voluntary severance package.

It is considered that negotiating settlements based on voluntary severance packages would be the most effective for the employee and the City. The cost of the packages for the employee amounts to an estimated \$50,000 and would be charged to account - salaries/wages - Council Support General.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners offer the staff member holding the position of Senior Administration Officer (Council Support Services) a voluntary redundancy package at an estimated cost of \$35,000 to be funded from account Salaries/Wages - Council Support General and \$15,000 estimated pro rata annual leave and long service entitlements to be funded from Council's leave provision.

The Motion was Put and

CARRIED

TECHNICAL SERVICES SECTION

Items TS101-06/98 to TS112-06/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Rowell. Cmr Morgan gave notice of his intention to speak on several items.

TS101-06/98 **JOONDALUP CITY CENTRE PEDESTRIAN SIGNAGE - [06184]**

Council at its meeting held on 28 May 1997 approved the refurbishment to vehicular traffic directional signage provided by LandCorp for the Joondalup City Centre and surrounding area.

Due to the City's growth LandCorp is now desirous of providing three City Information Guides for pedestrians which identify by the use of symbols and colour coding on a city map the various facilities provided in the Central Business District.

It is recommended that the proposal from LandCorp to provide City Information Guides in the Central Business District be approved.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners give approval for the installation of the directional signage as shown on Attachments 1, 2, 3, and 4 to Report No TS101-06/98 to the Joondalup City Centre Pedestrian Signage as submitted by Tract (WA) Pty Ltd on behalf of LandCorp.

The Motion was put and

CARRIED

Appendix IX refers

TS102-06/98 **SUBDIVISION STANDARDS REVIEW - [16118]**

In 1985, the City published its Policy, Standards and Specifications which were endorsed by Technical Review committees comprising representatives of the development industry and Engineering Consultants.

While the standards have been progressively amended, it is considered that a comprehensive review is required to reflect current Industry Best Practices and Standards. The review will also be co-ordinated with the Institute of Municipal Engineering (WA) Subdivision Guidelines and the Standard Australian Specification Documents programmes.

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

- 1 seek quotations from consultants to undertake the priority review of the Engineering Policy Standards and Specifications;
- 2 list an amount of \$45,000 for consideration as a high priority in the draft 1998/99 Budget to undertake the review of the Engineering Policy Standards and Specifications.

The Motion was put and

CARRIED

TS103-06/98 **SORRENTO SOCCER CLUB - CONNECTION TO SEWER - [07512]**

Council provided funds of \$22,000.00 for the connection of the Sorrento Soccer Club Building to the Water Corporation's Sewer.

This report deals with a request from the Sorrento Soccer, Sports and Social Club Inc. for the provision of an additional \$4,500.00 for the work already undertaken to connect the building fixtures to the mains connection point at the boundary. This extension work was not included as part of the original budgetted amount.

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

- 1 make a further contribution of \$4,500.00 for the connection of the Sorrento Soccer Club Building to the new sewer main boundary connection;
- 2 agree that the funds are provided from the balance of monies available from Allocation No. 30985 and part of the contribution to works by the Water Corporation.

The Motion was put and

CARRIED

TS104-06/98 **PROPOSED EXTENSIONS TO CLUBROOMS (WHITFORD SEA SPORTS CLUB) - LOT 1029 OCEAN REEF ROAD, OCEAN REEF - [07303]**

The Whitford Sea Sports Club has submitted plans for alterations to its clubrooms adjacent to the Whitford Volunteer Sea Rescue Headquarters on Lot 1029 Ocean Reef Road, Ocean Reef. As this Lot is owned freehold by the City and the club area is leased to the Whitford Sea Sports Club, Council's approval in principle is required before any building approval can be issued.

This report examines the proposed extensions and recommends approval in principle subject to certain conditions outlined in the report.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners approve the proposed additions as detailed in Attachment A to Report TS104-06/98 to the Whitford Sea Sports Club on Lot 1029 Ocean Reef Road, Ocean Reef subject to:

- 1 the Whitford Sea Sports Club making application for and obtaining Planning Approval for the proposed works;
- 2 the Whitford Sea Sports Club or its nominated builder making application for and obtaining a Building Licence for the proposed works;
- 3 all works being overseen by a registered builder;

- 4 the Whitford Sea Sports Club giving due consideration to and complying as far as finances will allow with the requirements of AS1428.2-1992 Design for Access and Mobility: Enhanced and Additional Requirements-Buildings and Facilities.

The Motion was put and

CARRIED

Appendix X refers

TS105-06/98 **WOODVALE COMMUNITY CARE CENTRE TENDER NO. 121-97/98 - [14284]**

Council approved the calling of tenders for the Woodvale Community Care Centre.

Tenders were called and closed on 27 May 1998. This report addresses the tenders and recommends acceptance of the tender of \$593,988.00 by Squire Constructions. The matter of 1998/99 budget funds of \$58,000.00 for the completion of the project is also detailed for consideration.

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

- 1 accept the tender of Squire Construction of \$593,988.00 for the construction of the Woodvale Community Care Centre;
- 2 agree to the execution of the contract documents;
- 3 list the sum of \$58,000.00 for consideration in the 1998/99 Draft Budget with a high priority.

Cmr Morgan commented that both the Home and Community Care Programme and the Lotteries Commission would be contributing to this project, with the balance being provided by the City of Wanneroo.

The Motion was put and

CARRIED

TS106-06/98 **TENDER NUMBER 95-97/98 - PROVISION OF LANDFILL GAS EXTRACTION SYSTEM AT BADGERUP TIP - [13154]**

The Badgerup Tip was used as a putrescible waste tip for six years between 1985 and 1991 for domestic and general rubbish. The site does produce landfill gas and this tender is for the installation of a borefield to collect and flare the gas to reduce the environmental impact of the site. The one tender received was from an experienced local contractor.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners accept Tender Number 92-97/98 from Landfill Gas and Power to install a Landfill Gas Extraction System at Badgerup Road Tip at a cost of \$298,000 and agree to the signing of the contract documents.

The Motion was put and

CARRIED

TS107-06/98

ROLLOVER OF BUILDING AND FLEET MAINTENANCE SERVICES ANNUAL TENDERS - [14806, 15806, 15290, 16806, 17806, 18806, 19806, 01437, 10807, 11807, 12807, 13807, 14807, 15807, 16807, 17807, 01430, 02430, 03430, 18807, 19807, 10808, 02437, 04437, 05437]

Twenty six (26) tenders administered by Building and Fleet Maintenance Services are due for re-tender, as their further twelve (12) month period option has been previously rolled over from the 1996/97 financial year by the then Council's Building Department.

Four (4) tenders are due for a further twelve (12) month rollover period, subject to agreement by both parties.

As the Manager Building and Fleet Maintenance Services has recently taken over the responsibility for administering the thirty (30) annual contracts, the Manager is in the process of reviewing the current tender documentation.

Due to the number of tenders being reviewed, documents for re-tender will not be completed by 30 June 1998. Therefore, to facilitate maintenance and repair operations in the interim period, it is recommended that the current contracts be extended on a month by month basis up to a maximum period of four (4) months.

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

- 1 authorise the extension, on a month by month basis, for a maximum period of four (4) months, the following tenders:

Tender No 31 - 96/97 - Supply of Electrical Services awarded to Wanneroo Electrics and Alarm Services;

Tender No 34 - 96/97 Supply of Services To Control Graffiti To Council Buildings awarded to Graffiti Coatings;

Tender No 35 - 96/97 Supply and Maintenance of Fire Fighting Equipment awarded to Wormald Fire Systems;

Tender No 60 - 96/97 Sewer Pump Maintenance awarded to Pump Works;

Tender No 36 - 96/97 Supply Of Maintenance Services To Air Conditioning And Air Handling Units awarded to Direct Engineering Services;

Tender No 169 - 96/97 Annual Cleaning Tender: Joondalup Civic And Cultural Centre awarded to Office Cleaning Experts;

Tender No 128 - 96/97 Joondalup Administration Centre Mechanical Services Maintenance awarded to Direct Engineering Services;

Tender No 148 - 96/97 Joondalup Administration Centre Fire Services Maintenance awarded to Westside Fire Services;

- Tender No 129 - 96/97 Joondalup Administration Computer Room Mechanical Services Maintenance awarded to Haden Engineering;
- Tender No 148 - 96/97 Cockman House Fire Services Maintenance awarded to Westside Fire Services;
- Tender No 130 - 96/97 Craigie Leisure Centre Mechanical Services Maintenance awarded to Haden Engineering;
- Tender No 147 - 96/97 Kingsley Community Services Centre Mechanical Services Maintenance awarded to Direct Engineering Services;
- Tender No 131 - 96/97 Wanneroo Library Mechanical Services Maintenance awarded to Haden Engineering;
- Tender No 136 - 96/97 Wanneroo Library Fire Services Maintenance awarded to Westside Fire Services;
- Tender No 146 - 96/97 Aquamotion Mechanical Services Maintenance awarded to Direct Engineering Services;
- Tender No 148 - 96/97 Cockman House Fire Services Maintenance awarded to Westside Fire Services;
- Tender No 148 - 96/97 Warwick Leisure Centre Fire Services Maintenance awarded to Westside Fire Services;
- Tender No 148 - 96/97 Woodvale Library Fire Services Maintenance awarded to Westside Fire Services;
- Tender No 134 - 96/97 Duncraig Library Fire Services Maintenance awarded to Westside Fire Services;
- Tender No 135 - 96/97 awarded to Westside Fire Services;
- Tender No 133 - 96/97 Whitford Library Fire Services Maintenance awarded to Westside Fire Services;
- Consultancy Agreement - Mechanical And Fire Services Overview - Various Council Buildings awarded to Norman Disney & Young;
- Tender No 83 - 96/97 Annual Cleaning: Craigie Leisure Centre awarded to Southern Cross Cleaning;
- Tender No 84 - 96/97 Annual Cleaning: Wanneroo Works Depot awarded to Southern Cross Cleaning
- Tender No 025 - 97/98 Annual Cleaning: Quinns Rocks / Merriwa Area awarded to Jani-King;

Consultancy Agreement - Mechanical And Fire Services Overview - Various Council Buildings awarded to Norman Disney & Young;

Contract 027 - 97/98 Annual Cleaning: Yanchep / Two Rocks Area awarded to Marian Marriott;

- 2 authorise the obtaining of competitive quotations in relation to Tender Nos: 138, 139 and 140 - 96/97, Annual Cleaning; South Eastern Zone, Eastern Central and Greenwood/Warwick Area, and awarding of the works to the successful contractor on a month by month basis up to a maximum of four (4) months duration.

The Motion was put and

CARRIED

TS108-06/98

ROLLOVER OF ENGINEERING CONSTRUCTION AND MAINTENANCE SERVICES ANNUAL TENDERS - [06985, 15161, 18036, 09773, 09758, 06432, 07432, 08432, 12158, 18290, 09656, 16290, 07769, 17290, 01578, 02578, 13819]

Annual tenders administered by the Engineering Construction and Maintenance Services are due for a further 12 month period, subject to agreement by both parties.

In relation to Tender No 011-97/98 Bus Shelter Graffiti Control, it is proposed that these works may be undertaken by Council's Anti Graffiti Task Force depending on its work load with regard to maintaining private fences free from this form of vandalism. It is therefore recommended that the current contract with Ausmic Environmental Industries (WA) be rolled over on a monthly basis until the Council's Anti Graffiti Task Force is able to undertake the work.

All contractors have indicated that they are willing to continue for a further 12 month period with no price variation, with the exception of Peter Wood Fencing Contractors Pty. Ltd. (Tender No 17-96/97 for the supply and erection of road frontage, rural and track pathway fencing) which has sought a price increase for materials of 3%. This price increase is considered justifiable taking cognisance of the increase in material costs over the past twelve months.

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

- 1 the 12 month extension of:
- (a) **Tender No 8-96/97 Supply and Laying of Concrete Kerbing Awarded to Kerb Qic & Consulting Engineers;**
 - (b) Tender No 013-97/98 Supply and Delivery of Street Name, Facility and Tourist Guide Plates, Regulatory Signs, Roadworks, Special purpose Signs and Special Signs awarded to De Neeffe Signs Pty Ltd;
 - (c) **Tender No 17-96/97 Supply and Erection of Road Frontages, Rural and Track Pathway Fencing awarded to Peter Wood Fencing Contractors Pty Ltd with a 3% price increase;**

- (d) **Tender No 20-96/97 Construction of Concrete Footpaths and Dual Use Paths awarded to Max Hilliard;**
- (e) **Tender Nos:**
- | | |
|------------------|--|
| 014-96/97 | Sweeping of Kingsway Netball Courts |
| 015-96/97 | Sweeping of Joondalup City Centre |
| 053-96/97 | Sweeping of Carparks |
| 007-97/98 | Sweeping of Urban Roads |
- awarded to Hills Sweeping & Educting Services;**
- (f) **Tender 2-96/97 Supply and Delivery of Asphalt Products awarded to Asphalttec Pty. Ltd;**
- (g) **Tender 5-96/97 Supply and Laying of Bituminous Concrete awarded to Pioneer Road Surfaces;**
- (h) **Tender 19-96/97 Drainage Gully Maintenance awarded to Western Educting Services;**
- (i) **Tender 54-96/97 Materials Testing awarded to Qualcon Laboratories;**
- (j) **Tender 9-96/97 Supply and Delivery of Precast Concrete Pipes and Ancillary Products awarded to Wembley Cement Industries and Added Technical Steel Processing Company;**
- (k) **Tender 19-97/98 Supply and Delivery of Crushed Limestone awarded to WA Limestone;**
- (l) **Tender 21-97/98 Supply and Delivery of Pre-mixed Bitumen Stabilised Limestone awarded to WA Limestone;**
- (m) **Tender 18-97/98 Supply and Delivery of Stormwater Drainage Pipes and Fittings awarded to CRS Humes;**

- 2 Ausmic Environmental Industries (WA) to be engaged on a monthly basis in relation to Tender No 011-97/98 Bus Shelter Graffiti Control until such time as the Council's Anti Graffiti Task Force is able to undertake the work.

The Motion was put and

CARRIED

TS109-06/98 **ROLLOVER OF TENDER NO 029-96/97 SUPPLY OF PLAY EQUIPMENT COMPONENTS - [08813]**

The annual tender for the supply of play equipment components, which is administered by Parks Landscaping Services, is due for extension for a further 12 month period, subject to agreement by both parties.

The contractor has indicated that it is willing to continue for a further 12 month period with no price variation.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners, in accordance with the Tender Specifications, authorise the 12 month extension to Tender No 029-96/97 - Supply of Play Equipment Components.

The Motion was put and

CARRIED

TS110-06/98 **PETITION - SEEKING PLANTING OF TREES IN SEASIDE GARDENS AND THE COVE MULLALOO - [08787, 09787]**

A petition has been received from 18 residents of Seaside Gardens and The Cove in Mullaloo requesting provision of verge trees to be planted in conjunction with verge improvements to be undertaken by the residents.

A meeting with residents has occurred and preliminary work completed. The final planting will be undertaken during June 1998.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners authorise the actions undertaken with the planting of trees in Seaside Gardens and The Cove Mullaloo.

The Motion was put and

CARRIED

TS111-06/98 **ENGINEERING CONSTRUCTION AND MAINTENANCE SERVICES - ENTERPRISE BARGAINING AGREEMENT - [02080]**

Engineering Construction and Maintenance Services formed a Consultative Committee in July 1997 to begin negotiating an Enterprise Bargaining Agreement (EBA) after the Construction and Maintenance operations was reformed on 20 January 1997 into a streamlined business unit structure.

On 3 June 1998 the final negotiated draft EBA document was presented to the workforce and employees resolved to give the proposal consideration and to vote on entering into this Agreement on 25 June 1998.

A key factor in the workforce proceeding with this ballot process is that productivity payment benefits be backdated to 26 June 1998, if there is majority support expressed at the ballot, for entering into an EBA.

Adoption by the Joint Commissioners is recommended. The Agreement will then be submitted to the Industrial Commission for Certification.

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

- 1 adopt, subject to the workforce's acceptance of the Agreement at the ballot on 25 June 1998, the Enterprise Bargaining Agreement as developed by the Engineering Construction and Maintenance Services Consultative Committee for the Construction and Maintenance Services Business Unit day labour employees;
- 2 authorise the Enterprise Bargaining Agreement to be referred to the Industrial Relations Commission for certification and for the \$60 weekly Productivity Payment to commence from 25 June 1998.

Cmr Morgan spoke in support of the Motion.

The Motion was put and

CARRIED

TS112-06/98

**BUILDING MAINTENANCE SERVICES COLLECTIVE
WORKPLACE AGREEMENT PROPOSAL - [02080]**

A Collective Workplace Agreement has been developed by Building Maintenance Services (a sub unit of Building and Fleet Maintenance Services), Employee/Management Consultative Committee.

Negotiations have produced a document which has been presented to the Building Maintenance Services employees, and in keeping with equity and continuity of conditions across Council's operational employees, many of the clauses already negotiated in the Parks Landscaping Services Enterprise Agreement have been incorporated in the Building Maintenance Services Agreement.

Documents were prepared and presented to all employees on Friday, 15 May 1998 for perusal over a fourteen (14) day specified period. The document has been accepted by all employees within the sub unit.

Adoption by the Joint Commissioners is recommended. The Agreement will then be submitted to the Industrial Commission for Certification.

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

- 1 adopt the Collective Workplace Agreement as developed by Building Maintenance Services Consultative Committee for the Building Maintenance Services sub unit employees;
- 2 authorise the Collective Workplace Agreement to be referred to the Commissioner of Workplace Agreements for certification.

Cmr Morgan commended the administration and the staff involved, for their approach to this important agreement.

The Motion was put and

CARRIED

DEVELOPMENT & PLANNING SERVICES SECTION

DP187-06/98

PROPOSED PARAPET WALL: LOT 264 (11) BOCCACCIO COURT SORRENTO. - [11133]

A building licence application has been received from Aintree Holdings to construct a two storey dwelling with a parapet wall on the southern boundary of Lot 264 (11) Bocaccio Court Sorrento. In accordance with the Residential Planning Code requirements, the owners of the affected adjoining property were contacted for comment. Following a letter of objection the matter is required to be placed before Council for consideration. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on amenity. An approval is therefore recommended.

REPORT RECOMMENDATION: That the Joint Commissioners, having considered the submission, are of the view that the proposal does not significantly affect the amenity of the adjoining property, and therefore authorise the issue of a building licence for a dwelling with a parapet wall on the southern boundary of Lot 264 (11) Bocaccio Court, Sorrento.

COMMITTEE RECOMMENDATION: That consideration of the issuing of a building licence for a dwelling with a parapet wall on the southern boundary of Lot 264 (11) Bocaccio Court, Sorrento be deferred pending an on-site meeting between interested parties and Council officers prior to the Meeting of Joint Commissioners to be held 23 June 1998.

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

A meeting was held on the 19 June 1998 with all parties present with Commissioner Rowell and Ray Scarce representing Council.

It was agreed that the main point of discussion centred on the construction of a retaining wall and fence adjacent the common boundary between Mr Cetinich and Mr Brown's properties and the parapet wall was not an overriding issue apart from how it abutted the proposed fenceline.

Council also indicated it had no legal jurisdiction in relation to the fence but was there to help facilitate an outcome.

At the conclusion of the discussion the following was agreed between Mr Cetinich and Mr Brown:

- The parapet wall would be located 150mm from the common boundary and would form part of the fenceline.
- The retaining wall would be constructed of a common material (Conwood panel type) and be erected with a uniform top of wall height dependent on practicalities.
- The outside face of the retaining wall will be on the boundary with the body of the wall in Lot 264.
- The fencing will abut to the parapet wall.
- The fencing will be located in Lot 264 ie to the back of the retaining wall.
- The top of the fence to be a uniform height.

It will now be necessary for the Commissioners to determine the proposed parapet wall on Lot 264 (11) Boccaccio Court, Sorrento as presented on Report DP187-06/98.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the submission, are of the view that the proposal does not significantly affect the amenity of the adjoining property, and therefore authorise the issue of a building licence for a dwelling with a parapet wall on the southern boundary of Lot 264 (11) Boccaccio Court, Sorrento.

The Motion was Put and

CARRIED

Items DP188-06/98 to DP213-06/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

DP188-06/98 PROPOSED PARAPET WALL: LOT 267 (7) MAROUBRA VISTA HILLARYS - [15041]

A building licence application has been received from Webb & Brown-Neaves Pty. to construct a single storey dwelling with a parapet wall on the western boundary of Lot 267 (7) Maroubra Vista, Hillarys. In accordance with the Residential Planning Code requirements the owners of the affected adjoining property were contacted for comment. Following a letter of objection the matter is required to be placed before Council for consideration. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on amenity. An approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the submission, are of the view that the proposal does not significantly affect the amenity of the adjoining property, and therefore authorise the issue of a building licence for a dwelling with a parapet wall on the western boundary of Lot 267 (7) Maroubra Vista, Hillarys.

The Motion was Put and

CARRIED

DP189-06/98 ENVIRONMENTAL ADVISORY COMMITTEE - [00906]

At a recent meeting of the City's Environmental Advisory Committee, the issue of the State Government possibly purchasing diesel powered vehicles in replacing Perth's bus fleet was raised. The air quality implications of using diesel fuel in preference to gas was a concern, and the Committee felt that the City should correspond with the Hon Minister for Transport on this matter. It is recommended that the Joint Commissioners support the Hon Minister for Transport's decision to establish a multi-disciplinary group to advise upon the matter of the most appropriate fuel for Perth's bus fleet and endorse a draft letter to the Minister which has been prepared.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners support the Hon Minister for Transport's decision to establish a multi-disciplinary group to advise upon the matter of the most appropriate fuel for Perth's bus fleet and endorse correspondence to the Hon Minister for Transport in accordance with the draft letter as outlined in Attachment 1 to Report DP189-06/98.

The Motion was Put and

CARRIED

Appendix XI refers

DP190-06/98

CITY OF WANNEROO COMMUNITY ENVIRONMENTAL GRANT SCHEME - [08111]

At their May meeting, the Joint Commissioners considered a report dealing with the City's Community Environmental Grant Scheme. The recommendation submitted to the Commissioners in the May report sought approval for 20 of the 22 funding applications submitted. One of the applications proposed for approval was, however, inadvertently omitted from the list nominating the successful applicants incorporated in the recommendation adopted by the Joint Commissioners, and a further recommendation to rectify this omission is now made.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners approve a grant of \$500 pursuant to the City of Wanneroo Community Environmental Grant Scheme for the year 1997/98 to the Friends of Warwick Senior High School Bushland group.

The Motion was Put and

CARRIED

DP191-06/98

LOT 3 ROMEO ROAD, ALKIMOS - LOCAL STRUCTURE PLAN - [05040]

A Local Structure Plan (LSP) for Lot 3, Romeo Road Alkimos, was submitted in support of Town Planning Scheme No. 1 Amendment No. 756. Council considered the LSP in July 1997 and resolved to require several modifications. A revised LSP was submitted in March this year incorporating modifications beyond those requested by the Council. This recent LSP also addresses the Minister for Planning's requirement for an arc of increased density around the proposed railway station to the north of the subject site. Several further modifications are required to satisfy City requirements. Due to the explicit nature of the requirements it is recommended that the Joint Commissioners adopt the revised LSP subject to the stated modifications, and delegate authority to the Director, Strategic Planning and the Director Technical Services to clear the requested modifications.

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

- 1 adopt the revised Local Structure Plan (LSP), dated 30 March 1998, for Lot 3 Romeo Road, Alkimos subject to the following modifications being made:
 - (a) the public open space contribution being increased to the required 10% of the net developable area, being 18.94 hectares;

- (b) the public open space being reconfigured as detailed in [Attachment 5](#) to Report DP191-06/98;
- (c) the portion of Lot 3 north of Romeo Road being excluded from the LSP pending resolution of planning for Lot 102, Alkimos. A notation is to be placed on the LSP advising that the matter of whether the portion of Lot 3 situated north of Romeo Road is to be used for open space purposes or not is to be determined through the process of preparation of the Alkimos-Eglinton District Structure Plan and that should that land be determined to be used for open space purposes, and it is not to be reserved for that purpose under the Metropolitan Region Scheme, then that land shall form part of Lot 3's 10% POS provision and the amount of POS shown on the LSP south of Romeo Road shall be reduced accordingly;
- (d) the area east of Lot 3 and west of the Railway reserve being included in the LSP;
- (e) the pedestrian and cycle linkages being modified as detailed in Attachment 4 to Report DP191-06/98;
- (f) the Water Corporation bores being shown on the LSP with the City's preferred location of such bores being within or abutting public open space;
- (g) the modifications as detailed in [Attachment 6 to Report DP191-06/98](#), regarding the engineering aspects of underpasses, drainage sumps and roundabouts;

2 require that the Education Department requirements regarding the use of part of the primary school site for a suitably sized oval and the location of the drainage site within the high school site are addressed at the subdivision design stage;

3 delegate authority to the Director, Strategic Planning and Director, Technical Services to determine whether the modifications detailed in 1. above have been satisfactorily incorporated into the modified Local Structure Plan document to be submitted.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XII refers

DP192-06/98 HEADWORK CHARGES - [03121]

A report has been prepared assessing the implications of the City of Wanneroo charging residential land developers the cost of provision of infrastructure and facilities which are otherwise required to be provided by this City to properly service new residential areas. The implication of prime concern was whether such a course of action would lead to an increase in the price of residential land. Reference is made to a number of studies which have been undertaken which generally conclude that such a charge upon developers would lead to an increase in the price of residential land, particularly in the longer term, with the magnitude of that increase being influenced by the state of the residential land market at the time.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the information in relation to charging residential land developers the cost of provision of infrastructure and facilities which are otherwise required to be provided by this City to properly service new residential areas be noted.

The Motion was Put and

CARRIED

DP193-06/98 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 5 May 1998 to 27 May 1998.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report DP193-06/98.

The Motion was Put and

CARRIED

Appendix XIII refers**DP194-06/98 DRAFT NEERABUP LOCAL STRUCTURE PLAN - CLOSE OF ADVERTISING - [06135]**

The public comment period for lodging submissions on the draft Neerabup Local Structure Plan closed on 16 January 1998. The City received sixty-two submissions from the land owners/residents of Carramar Park adjoining the subject land and three from the Carramar Golf Course Estate. Submissions were also received from the Department of Environmental Protection and the City's Technical Services and Strategic Planning directorates.

As the consultants have carried out the necessary modifications to the draft LSP in response to the submissions, it is recommended that as per Part 10 of the City's Town Planning Scheme No.1, three copies of the modified Neerabup Local Structure Plan be forwarded to the Western Australian Planning Commission for adoption and certification

REPORT RECOMMENDATION: That the Joint Commissioners after careful consideration of the submissions received on the draft Neerabup Local Structure Plan endorse the modified Local Structure Plan submitted by the consultants Mitchell Goff & Associates, Roberts Day Group, Chapman Glendinning & Associates and Peter Webb & Associates, and submit three copies of the modified Local Structure Plan to the Western Australian Planning Commission for adoption and certification.

At the Development and Planning Services Committee, Manager, Development Management Services gave a presentation and overview of the current situation in relation to this draft Structure Plan.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that consideration of the Draft Neerabup Local Structure Plan be deferred for one month.

The Motion was Put and

CARRIED

DP195-06/98

DRAFT REGENT WATERS (SOUTH) LOCAL STRUCTURE PLAN -CLOSE OF ADVERTISING - [01311]

The public consultation period on the draft Regent Waters (South) Local Structure Plan (LSP) closed on 27 April 1998. The City received 39 submissions from the landowners/residents of Regent Waters (North) and four submissions from the land owners of the subject land. The City also received submissions from the Ministry for Planning and Gutteridge Haskins and Davey Pty. Ltd. (GHD).

After careful consideration of the submissions, it is recommended that the draft Regent Waters (South) Local Structure Plan be endorsed subject to several modifications and three copies of the modified LSP submitted to the Western Australian Planning Commission (WAPC) for adoption and certification.

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

- 1 after careful consideration of the submissions received on the draft Local Structure Plan for Regent Waters (South) bounded by the existing Regent Waters subdivision in the north, Calabrese Avenue/Ocean Reef Caravan Village in the east, Ocean Reef Road in the south and Lake Joondalup Parks and Recreation Reserve in the west, endorse the Local Structure Plan subject to the following modifications
 - (a) the road layout as depicted in Attachment 2 of Report DP195-06/98 being incorporated;
 - (b) a residential density coding of R40 in respect of Lot 5 (5) Calabrese Avenue, Wanneroo being shown;
 - (c) deletion of the public open space proposed on the church site:
- 2 require Chappell & Lambert Planning Consultants to carry out the modifications listed in resolution 1 above to modify the draft Local Structure Plan for Regent Waters (South);

- 3 submit three copies of the modified Local Structure Plan to the Western Australian Planning Commission for adoption and certification.

The Motion was Put and

CARRIED

Appendix XIV refers

DP196-06/98 LIVEABLE NEIGHBOURHOODS - COMMUNITY DESIGN CODE - [17169]

Liveable Neighbourhoods - Community Design Code was released by the Western Australian Planning Commission in December 1997 as an alternative to current subdivision policies. It is intended to be used for a year as a test and for Councils to review it in the light of their experience. This report sets out, as an introduction, the differences from conventional practice and comments on the implications of this for Council procedures and policies and recommends a meeting with Commission officers to discuss areas of concern.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners advise Western Australian Planning Commission that they support the concept of Liveable Neighbourhoods Community Design Code and the proposed trial for a period of one year until February 1999 and request a meeting between Council and Commission officers to discuss issues of concern including the treatment of public open space, the role of the movement network, road standards and the relationship with the Metropolitan Centres Policy.

The Motion was Put and

CARRIED

DP197-06/98 PROPOSED EDUCATIONAL ESTABLISHMENT - LOT 41 (25), DORCHESTER AVENUE, WARWICK - [04730]

An application has been received from Ms Christine Stachowicz seeking approval to undertake private tutoring for groups of up to four children from premises located on Lot 41 (25), Dorchester Avenue, Warwick.

In accordance with Council requirements a sign advertising the proposal was erected on site and adjoining and nearby owners notified in writing and invited to make comment. Four submissions of support and three objections to the proposal were received.

The development does not meet parking requirements and redesign of the parking and manoeuvring areas to allow the return of vehicles to the street in a forward gear is required.

The proliferation of non-residential uses in residential areas cannot be supported and in particular those uses which do not provide an essential service to the local catchment. The proposal will attract clientele from a much larger catchment and would be more appropriately contained within the adjacent commercial precinct. Accordingly, refusal is recommended.

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

- 1 **refuse the application by Christine Stachowicz to establish an educational establishment at Lot 41 (25) Dorchester Avenue, Warwick for the following reasons as the proposal:**
 - (a) **is not considered consistent with the residential zoning of the land and would be more appropriately located in a Commercial or Mixed Business zone;**
 - (b) **would increase traffic congestion and conflict in the area;**
 - (c) **would detract from the residential amenity of surrounding residences;**
 - (d) **does not meet the City's requirements in respect of parking and vehicular manoeuvring areas;**
- 2 **suggest that the applicant consult with the Headmaster of nearby local schools with a view to securing access to classrooms for after hours private tuition classes;**
- 3 **write to the Minister for Education to seek a view as to the possible use of schools after hours by private tutoring groups.**

The Motion was Put and

CARRIED

DP198-06/98 **PROPOSED CONSTRUCTION OF 2.3 METRE HIGH RETAINING WALL: LOT 24 (24) MABENA PLACE OCEAN REEF - [08921]**

An amended building licence application has been received from Rokich Building Company to construct a 2.3 metre high limestone retaining wall at the rear of Lot 24 (24) Mabena Place, Ocean Reef. In accordance with Council's policy J3-11, retaining walls exceeding 2.0 metres in height are to be referred to Council for consideration, and affected adjoining owners notified. Written comments of no objection have been received from the two affected adjoining owners.

It is considered that the height and appearance of the proposed retaining wall will not be detrimental to the amenity of the surrounding properties and building licence approval is recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners authorise the issuing of an approval for the amended plans for the erection of a limestone retaining wall at Lot 24 (24) Mabena Place, Ocean Reef as it is considered that the height and appearance of the proposed retaining wall will not be detrimental to the amenity of the adjoining properties.

The Motion was Put and

CARRIED

DP199-06/98 **PROPOSED CONSTRUCTION OF PARAPET WALL AND CARPORT EXTENSION WITH A REDUCED FRONT SET**

BACK ON LOT 95 (3) SECTOR PLACE MULLALOO - [03901]

A building licence application has been received from Mr R Deierkauf for the extension of an existing carport with a reduced front setback of 2.410 metres and a parapet wall on the common boundary at Lot 95 (3) Sector Place, Mullaloo. The affected adjoining owners were consulted and one objection was received in relation to the parapet wall. The proposal for the reduced front setback to the carport is considered acceptable in terms of the Residential Planning Codes particularly in relation to the impact on the amenity and streetscape and approval is therefore recommended. The proposal for the parapet wall is not considered acceptable in terms of the Residential Planning Codes, particularly in relation to the impact on the amenity of the adjoining property and approval is not recommended.

A building licence application has been received from the owners of Lot 95 (5) Sector Place, Mullaloo, for the extension of an existing carport with a reduced front setback of 2.410 metres and parapet wall on the southern boundary. (See attachments). The affected adjoining owners have indicated that they have an objection to the proposed parapet wall.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners having considered the submissions relevant to the request to vary the Residential Planning Codes for the extension to the existing carport at Lot 95 (3) Sector Place, Mullaloo:

- 1 approve the proposed reduced front setback to the carport;
- 2 refuse the proposed parapet wall on the side boundary due to the impact on the amenity of the adjoining property caused by bulk and height of the combined walls.

The Motion was Put and

CARRIED

DP200-06/98 PROPOSED PARAPET WALL: LOT 824 (199) COOK AVENUE, HILLARYS - [11094]

A building licence application has been received from Don Russell Homes to construct a single storey dwelling with a parapet wall on the southern boundary of Lot 824 (199) Cook Avenue, Hillarys. In accordance with 1.5.10 (a) of the Residential Planning Codes, the owners of the affected adjoining property were contacted. Following a letter of objection from the affected adjoining owner, the matter is required to be placed before Council for consideration. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on amenity. An approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the submission, are of the view that the proposal does not significantly affect the amenity of the adjoining property, and therefore authorise the issue of a building licence for a dwelling with a parapet wall on the southern boundary of Lot 824 (199) Cook Avenue, Hillarys.

The Motion was Put and

CARRIED

DP201-06/98 PROPOSED PARAPET WALL: LOT 334 (35) ALERI CIRCUIT QUINNS ROCKS - [12303]

A building licence application has been received from J Corp Pty Ltd to construct a single storey dwelling with a parapet wall on the western boundary of Lot 334 (35) Aleri, Circuit Quinns Rocks. In accordance with 1.5.10 (a) of the Residential Planning Codes the owners of the affected adjoining property were contacted. Following a letter of objection from the affected adjoining owner, the matter is required to be placed before Council for consideration. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on amenity. An approval is therefore recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, having considered the submission, are of the view that the proposal does not significantly affect the amenity of the adjoining property, and therefore authorise the issue of a building licence for a dwelling with a parapet wall on the western boundary of Lot 334 (34) Aleri Circuit, Quinns Rocks.

The Motion was Put and

CARRIED

DP202-06/98

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

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

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

- 1 exercise discretion under clause 1.5.7 of the Residential Planning Codes and approve the proposed additions to the dwelling at Lot 96 (14) Boloka Rise, Kingsley with a reduced side setback of 1.1 metres;
- 2 authorise the issue of the building licence for the proposed additions at Lot 96 (14) Boloka Rise, Kingsley.

The Motion was Put and

CARRIED

DP203-06/98 **PROPOSED FRONT BOUNDARY FENCE : LOT 338 (16)
VOLUNTEER PLACE, OCEAN REEF - [12806]**

An application has been received from Geoff Hawley Homes for the construction of a 1.8 metre high front boundary fence which is not truncated and abutts an existing front drive and crossover at Lot 338 (16) Volunteer Place, Ocean Reef. Council's Local Law F1 : Fencing and Private Tennis Court Floodlighting requires a 1.5 metre truncation at the front fence/boundary crossover but in this instance approval is recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners approve the proposed 1.8 metre high brick fence not truncated on the front boundary of Lot 338 (16) Volunteer Place, Ocean Reef.

The Motion was Put and

CARRIED

DP204-06/98 **DIVIDING FENCE REPAIR CLAIM - WOODVALE LIBRARY
SITE: LOT 3 (5) TRAPPERS DRIVE, WOODVALE - [06010,
05132]**

The City has received a claim for the cost of repair to the dividing fence along part of the northern boundary of its freehold land at Lot 3 (5) Trappers Drive, Woodvale.

The claimant, Kevin Honner Nominees Ltd has asked the City to pay the full cost of the repairs and has submitted a quotation at \$1440.

The City acknowledges liability to contribute towards the reasonable cost of repairing the fence on an equal basis but does not accept the extent of the damage claimed nor the rates quoted.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, in accordance with Section 6.8(1)(b) of the Local Government Act 1995, approve payment to Kevin Honner Nominees Pty Ltd of an amount of \$583.20 as a contribution towards the reasonable cost of supply and installation of replacement panels to the dividing fence at its property at Lot 3 Trappers Drive, Woodvale.

The Motion was Put and

CARRIED BY AN
ABSOLUTE MAJORITY

DP205-06/98 **SUBDIVISION CONTROL UNIT COMMITTEE - 5 MAY 1998
TO 27 MAY 1998 - [05961]**

This report provides a resumé of the Subdivision Applications processed by the Subdivision Control Unit 5 May 1998 to 27 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 Buckley that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report DP205-06/98.

The Motion was Put and

CARRIED

Appendix XV refers

DP206-06/98

PROPOSED AMENDMENT NO 835 TO TOWN PLANNING SCHEME NO 1 TO AMEND SCHEME PROVISIONS FOR THE MARINA DEVELOPMENT ZONE - [00961]

It is considered appropriate for the City to initiate an amendment to Town Planning Scheme No 1 to amend the provisions of Part 5.38 'Marina Development Zone' to enable subdivision and development within these zones to be controlled and adopted via structure plans prepared under Part 10 of the City's Town Planning Scheme. It is felt that the provisions which presently apply to this zone, prepared in the mid 1980's, should be revised to better meet present requirements and better utilise the Part 10 provisions of the City's scheme.

At its May 1998 meeting, the Joint Commissioners resolved to advertise the draft Mindarie Keys Harbourside Village Structure Plan under Part 10 of the City's Town Planning Scheme No 1 because of the advantages offered through this process. This proposed amendment to the City's Scheme will facilitate the final adoption of that draft structure plan.

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

- 1 in accordance with Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No 1 to delete the General Provisions for the Marina Development Zone to replace them with the requirement for the preparation of a Structure Plan prepared and adopted under the provisions of Part 10 of the scheme, and adopt Amendment 835 accordingly.
- 2 seek a reduced advertising period for this Amendment.

The Motion was Put and

CARRIED

DP207-06/98

CLOSE OF ADVERTISING - DEVELOPMENT PLAN AND MANUAL PROVISIONS FOR CITY NORTH, JOONDALUP - [00152]

The Joondalup City Centre Development Plan and Manual refers to the Residential Planning Codes for the side setbacks of mixed use properties in the City North District. The Manual accompanying the Residential Planning Codes acknowledges that they do not apply to commercial development and therefore they do not adequately address the situation in City North. Residential/Mixed-Use setbacks are to be changed to omit reference to the Residential Planning Codes and to prefer nil setbacks to both side boundaries and the rear boundary as well as the front boundary.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, in accordance with Clause 10.7 of Town Planning Scheme No 1, adopt the following modification to the City North District section of the Joondalup City Centre Development Plan and Manual:

- A4.2 Residential/Mixed-Use setbacks
 Front and side 0m setback preferred
 Rear 0m setback preferred

The Motion was Put and

CARRIED

**DP208-06/98 APPLICATION TO PURCHASE HORNPIPE PARK
 (PORTION OF RESERVE 38260 HORNPIPE COURT,
 YANCHEP) - [05112]**

The owners of Lots 602 (16) and 580 (19) Hornpipe Court, Yanchep expressed an interest in purchasing a portion of Hornpipe Park, Yanchep for amalgamation with their properties. After the proposal was extensively advertised the Joint Commissioners at their meeting on 26 November 1997 resolved to support the application and request the Hon Minister for Lands to cancel the reserve and dispose of two sections of the reserve to the owners of Lots 602 and 580. The central portion of the reserve was being retained to protect a major water main and provide a pedestrian access link with Foreshore Vista.

Two properties in Foreshore Vista are currently under offer and the prospective purchasers have objected to the proposed pedestrian link. The owner of Lot 602 Hornpipe Court has also withdrawn the application as they now also object to the pedestrian link. As three out of the four adjoining property owners now object to the proposal, the cancellation of the sale of the reserve should now be withdrawn.

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

- 1 rescind Council's decision DP283-11/97 dated 26 November 1997 viz:**
 - "1 agree to the cancellation of Hornpipe Park (portion of Reserve 38260) Hornpipe Court, Yanchep;**
 - 2 request the Hon Minister for Lands to:**
 - (a) create an 8m side reserve for the purpose of water main and pedestrian access between the rear boundary of Lot 818 Foreshore Vista and Hornpipe Court, Yanchep;**
 - (b) set a purchase price for and dispose of the balance of Hornpipe Park to the owners of Lots 602 and 580, Hornpipe Court, Yanchep in accordance with the provisions of Section 118CA of the Land Act."**

- 2 **withdraw their support for the cancellation of Hornpipe Park (Reserve 38260) Hornpipe Court, Yanchep and advise the Minister for Lands accordingly.**

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

DP209-06/98

**CLOSURE OF PART OF KAROBORUP ROAD RESERVE,
CARABOODA - [15002]**

Agreement has been reached with the owners of certain properties in Karoborup Road, Carabooda for the taking of some of their land for road widening purposes.

The widened road alignment will impact on the market gardening operations of one of the effected properties. That impact can be offset by the amalgamation of an adjoining part of the overwidth section of Karoborup Road Reserve with that property. The improved road design calls for construction of a drainage basin within the same overwidth section. The land amalgamation and drainage site will require the closure of part of Karoborup Road Reserve.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners, in accordance with Section 58 of the Land Administration Act 1997, request the Minister for Lands to close part of Karoborup Road, Carabooda for the purpose of amalgamation with Lot 1 of Swan Location 5426 and the creation of a reserve for drainage.

The Motion was Put and

CARRIED

DP210-06/98

**REQUESTED CLOSURE OF A PORTION OF OLD BURNS
BEACH ROAD, JOONDALUP - WATER PUMP STATION -
[04075]**

The Water Corporation is proposing to construct a water transfer pumping station on the Old Burns Beach Road reserve and a portion of the adjoining lot 9 which is owned by the Department of Conservation and Land Management. The construction of the pumping station has been supported by the City and the road reserve will need to be closed in accordance with the Land Act to enable the land to be sold to the Water Corporation. As part of the provisions of the Land Act the proposed closure will need to be advertised for public comment before a decision is made.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners agree to advertise the proposed closure of the portion of Old Burns Beach Road, Joondalup, required for the Water Corporation water transfer pump station in accordance with Section 58 of the Land Act.

The Motion was Put and

CARRIED

DP211-06/98

**REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN TEANO PLACE AND HIGHCLERE
BOULEVARD, MARANGAROO - [05127]**

The owners of Lot 232 Teano Place Marangaroo have requested the City to close the pedestrian accessway between Teano Place and Highclere Boulevard, Marangaroo on the grounds of vandalism and anti social behaviour. The other three adjoining property owners are supportive of the closure and the proposal was advertised for public comment. At the close of the advertising period a 54 signature petition and 10 individual letters objecting to the closure were submitted. In view of the large number of objections received, closure of the accessway should not be supported.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners not support the closure of the pedestrian accessway between Teano Place and Highclere Boulevard, Marangaroo.

The Motion was Put and

CARRIED

DP212-06/98

**UNAUTHORISED CLEARING OF TREES AND
VEGETATION FROM SPECIAL RURAL PROPERTY : LOT
252 (25) KNIGHT ROAD, GNANGARA - [04331]**

Lot 252 (25) Knight Road, Gngangara, being a vacant property situated within Special Rural Zone No 7 has been extensively cleared of trees and natural bush vegetation contrary to the provisions of the City of Wanneroo Town Planning Scheme No 1. There is sufficient evidence to initiate legal action against the owners of the property for removal of the trees/vegetation. However, it is recommended that they be requested to replace the trees/vegetation within a time period required by Council.

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

- 1 advise the owners of Lot 252 (25) Knight Road, Gngangara, Mr G and Mrs M Tartaglia that by stripping the land of vegetation and trees without approval they have breached provisions of the City's Town Planning Scheme No 1 and are subject to legal action by Council;
- 2 request the owners of Lot 252 (25) Knight Road, Gngangara to provide a professionally prepared horticultural plan detailing a replanting programme and indicating mature plant/tree location and species to the satisfaction of Council's Parks Landscaping Services within 30 days of notification. The required plan, initially for the front section of the property facing Knight Road including the 71 metre width of the property and to a depth of 24 metres. All palm and fruit trees are to be removed from this section of the property and replaced with the required native trees/vegetation;

- 3 advise the owners of Lot 252 (25) Knight Road, Gngangara that a second professionally prepared horticultural plan for the remainder of the property detailing a replanting programme and indicating mature plant/tree location and species to the satisfaction of Council's Parks Landscaping Services is to be submitted within 3 months of occupying the proposed home on the property;
- 4 advise the owners of Lot 252 (25) Knight Road, Gngangara that a substantial replanting programme is to be implemented within 3 months of notification by the City and to the satisfaction of Council's Parks, Landscaping Services after each horticultural plan being approved, failing which legal action is to be initiated;
- 5 carry out inspections of the replanting programme on Lot 252 (25) Knight Road, Gngangara by Council's Parks Landscaping Services every 6 months for a period of two years. A further report to be submitted to Council at any time during the inspection period should the replanting programme not be satisfactory;
- 6 authorise the Chief Executive Officer to initiate legal action should requests in 2, 3 and 4 above not be satisfied within the time period required.

The Motion was Put and

CARRIED

DP213-06/98

**UNAUTHORISED EXTRACTIVE INDUSTRY AND
UNAUTHORISED LANDFILL : LOT 6 (139L) SYDNEY
ROAD, GNANGARA - [14119]**

On 29 April 1998, the City received complaints concerning the number of trucks entering and leaving Lot 6 (139L) Sydney Road, Gngangara and landfill being deposited on the site.

Inspection of Lot 6 on 12 May 1998 by the Approval Services Liaison Officer revealed that an unauthorised extractive industry (sand quarry) and unauthorised landfill was taking place on the site with the permission of the site occupants, the Nyoongah Aboriginal Community, but without the knowledge or approval of the property owners, the Aboriginal Lands Trust. No current applications or approvals to develop the property had been issued by the City of Wanneroo or other Government agencies.

The Nyoongah Aboriginal Community residing mainly on Lot 10 (139) Sydney Road, Gngangara and the Aboriginal Lands Trust were forwarded written correspondence from the City on 18 May 1998 and 19 May 1998 in which a request to cease the unauthorised extractive industry and unauthorised landfill on the site was made.

The City has been informed that no sand has been removed from Lot 6, only stockpiled. However, the unauthorised landfill on the site is considerable and, unless removed, may render a large section of the property unsuitable for any other development.

It is recommended that the owners of Lot 6 (139L) Sydney Road, Gngangara be requested to cease immediately all unauthorised development of the property, remove all the unauthorised landfill and replace the stockpiled sand after the landfill is removed.

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

- 1 advise the owners, the Aboriginal Lands Trust and occupiers, Nyoongah Aboriginal Community of Lot 10 (139) Sydney Road, Gngangara and the developer Stephen Small that by developing Lot 6 (139L) Sydney Road, Gngangara (sand extraction/landfill) without Council approval may have breached the provisions of the City's Town Planning Scheme No 1 and may be subject to legal action;
- 2 advise the owners of Lot 6 (139L) Sydney Road, Gngangara and occupiers of Lot 10 (139) Sydney Road, Gngangara and the developer that the unauthorised extraction of sand and unauthorised filling of Lot 6 is to cease immediately, failing which legal action is to be initiated;
- 3 advise the same parties of the possibility of an action in the Supreme Court seeking injunctions if the activities are re-commenced or if the unlawful landfill is not removed;
- 4 advise the owners of Lot 6 (139L) Sydney Road, Gngangara and occupiers of Lot 10 (139) Sydney Road, Gngangara that the unauthorised landfill deposited on Lot 6 (139L) Sydney Road is to be removed from the property within 60 days of notification to an approved tip site;
- 5 advise the owners of Lot 6 (139L) Sydney Road, Gngangara and occupiers of Lot 10 (139) Sydney Road, Gngangara that any application to develop Lot 6 Sydney Road, Gngangara is to be submitted within 28 days for consideration by Council, failing which stockpiled sand on the property is to be returned to its original position after the unauthorised landfill is removed;
- 6 authorise the Chief Executive Officer to initiate legal action as indicated above should the requests not be satisfied in the time periods requested.

The Motion was Put and

CARRIED

DP214-06/98

**DEVELOPMENT AND DISPLAY OF ORGANIC WASTE
MANAGEMENT EQUIPMENT : LOT 51 (1974) WANNEROO
ROAD, NEERABUP - [00155]**

Development of the abovementioned site for the display and development of organic waste management equipment commenced over 6 months ago. A series of complaints ranging from traffic dust and odour have been received and investigated about the use. An Application to Commence Development has been received. The application is incomplete and as the use is industrial in nature, it is recommended that it be refused and if the use does not cease within 30 days of notification, legal proceedings be commenced against the owners and occupiers of the property.

COMMITTEE RECOMMENDATION: That the Joint Commissioners:

- 1 **refuse the Application to Commence Development by K M Orr for Lot 51 (1974) Wanneroo Road, Neerabup for the following reasons:**
 - (a) **the use is industrial in nature and inappropriate in the Rural zone;**
 - (b) **the application was incomplete and not otherwise able to be determined;**
- 2 **require the use of the site to cease and all unauthorised tanks and structures to be removed from the site within 30 days;**
- 3 **to require the owners and occupiers (Arismac Pty Ltd) to show adequate reason why the City should not commence legal proceedings for continuing with the development without the Council's approval;**
- 4 **that in the event that the notice set out in 2. above is not satisfied, authorise the Chief Executive Officer to commence legal proceedings against both K M Orr and Arismac Pty Ltd for commencing development without the approval of the Council.**

ADDITIONAL INFORMATION SUBMITTED TO MEETING OF JOINT COMMISSIONERS

The report presented at the Development and Planning Committee's consideration contained an error and the applicant has submitted further information in support of the proposal.

ERROR

The section entitled BACKGROUND, No 2. reads:

- "2. *Approvals have previously been issued for a Rural Shed and verandah enclosure for the existing dwelling on the site.*"

In relation to the shed, an approval was issued by the Western Australian Planning Commission pursuant to the Metropolitan Region Scheme. The City refused the application as it could not issue a retrospective approval. No building licence has been issued and the shed has been constructed.

ADDITIONAL INFORMATION

The applicant has submitted additional information which does not change the proposed recommendation.

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

- 1 **refuse the Application to Commence Development by K M Orr for Lot 51 (1974) Wanneroo Road, Neerabup for the following reasons:**

- (a) the use is industrial and office in nature and inappropriate in the Rural zone;
- (b) the application was incomplete and not otherwise able to be determined;
- 2 require the use of the site to cease and all unauthorised tanks and structures to be removed from the site within 30 days;
- 3 to require the owners and occupiers (Arismac Pty Ltd) to show adequate reason why the City should not commence legal proceedings for continuing with the development without the Council's approval;
- 4 that in the event that the notice set out in 2. above is not satisfied, authorise the Chief Executive Officer to commence legal proceedings against both K M Orr and Arismac Pty Ltd for commencing development without the approval of the Council.

The Motion was Put and

CARRIED

Items DP215-06/98 and DP216-06/98 were Moved by Cmr Rowell and Seconded by Cmr Morgan.

DP215-06/98

**SUPERVISION AND ROAD MAINTENANCE CHARGES -
LANDFILL AND QUARRY APPLICATIONS - [00355, 04139]**

There are currently two inert landfill sites operating from within the City's boundaries. When these were first approved Council included a condition for regular inspections by the City's officers at the operator's cost. Inert landfill operations are now required to be licensed by the Department of Environmental Protection (DEP). This licensing procedure includes inspections undertaken by the DEP. It is therefore recommended that Council deletes its inspection conditions and leaves all inspection responsibilities with the DEP.

A road maintenance charge agreement condition has also been placed on quarries on private land and inert landfill sites. This condition was intended to create a user pay situation to cover the significant amount of road damage that occurs on the haulage routes from the concentrated truck traffic. It has proved difficult to collect these contributions and inequitable as they are not applied to other heavy road users such as ready mix concrete operators. It is recommended that all agreements be terminated effective 31 August 1998.

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

- 1 agree to withdraw from all road maintenance charge agreements relating to all quarry and inert landfill works, effective from 31 August 1998, subject to the prior payment of all outstanding charges incurred up to this date;

- 2 agree that in view of the Department of Environmental Protection's licensing requirements that now provide for ongoing inspections by the department officers, it is no longer necessary for the City to carry out such inspections;
- 3 advise the Department of Environmental Protection of point 2 above and request a copy of inspection reports for all current and future landfill sites within the City.

The Motion was Put and

CARRIED

DP216-06/98

**EFFLUENT DISPOSAL SYSTEM FOR LOT 10 (16) , TIMELY
HOSTESS MEWS, MARIGINIUP - [00346]**

The City has received an application from Mr Patrick Miller to construct or install a conventional effluent disposal system at Lot 10 (16) Timely Hostess Mews, Mariginuiup. The application does not comply with the minimum setback and separation from groundwater requirements as set out in the Town Planning Scheme No 1 (TPS1) The applicant has requested that the provisions of TPS1 be relaxed.

The matter was considered at the March 1998 meeting of the Joint Commissioners and deferred pending advice from the appropriate authorities. The application was referred to the Health Department of Western Australia (HDWA) and the Department of Environmental Protection (DEP). The HDWA has responded advising that the proposal complies with Health legislation however advises that as the proposal does not reflect the separation distances recommended by the DEP, the recommendations of this agency should be received prior to a determination. The DEP has not responded to the City's referral to date. It is recommended that the application be refused.

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

- 1 refuse the application by Mr P Miller for a conventional effluent disposal system on Lot 10 (16) Timely Hostess Mews, Mariginuiup;
- 2 advise the applicant that the on-site conditions require the use of a nutrient attenuating effluent disposal system.

The Motion was Put and

CARRIED

DP217-06/98

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

An application has been received from Taylor Burrell Town Planning and 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 application was deferred at the May meeting of Joint Commissioners, pending further consideration. Revised plan were submitted by the application on 8 June 1998.

The initial 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 were received, one containing 597 signatures and another containing 243 signatures. One letter of conditional support and one of support were also received. Eight letters of objection were received after the closing date for advertising, including a full assessment of the proposal by planning consultants, Peter Webb and Associates, on behalf of a group of landowners.

A copy of the revised plan was sent for comment to the residents in the immediate vicinity of the subject site, and to all who submitted a response to the initial advertising. The closing date for comments on the revised plan is 16 June 1998 and Commissioners will be advised should any further submissions be 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, has the potential to detrimentally affect the amenity of the adjacent residents.

Whilst the design of the development does not comply with the City's normal carparking, setback and landscape requirements, the revised design now satisfactorily addresses the amenity issues raised in the May 1998 report.

It is recommended that the Joint Commissioners exercise discretion to reduce normal carparking, setback and landscape requirements and conditionally approve the application.

ADDITIONAL INFORMATION SUBMITTED TO DEVELOPMENT AND PLANNING SERVICES COMMITTEE

The City received an acoustics consultant's report for the abovementioned property on 15 June 1998. As requested the report was carried out using the Environment Noise Modelling computer program ENM, with 6 car wash bays and 6 vacuum bays in operation. The report concludes that the noise received at the neighbouring residences from the car wash would comply with the assigned day and evening noise levels. The acoustic consultant's report is enclosed. The report requires referral and assessment by the Manager of Health and Ranger Services.

Submissions

All those who previously submitted comments, and those who reside at properties directly opposite the subject site were sent copies of the revised plan and given ten days to comment. The advertising period closed on 16 June 1998. The City received 74 letters of objection to the revised proposal. Those objections received are indicated on the enclosed plan. The issues raised are as follows:

- 1 The lack of adequate parking bays;
- 2 The use of the shop is unknown;
- 3 The potential for traffic congestion to increase;
- 4 The potential for noise to increase;
- 5 The potential for a decrease in safety and security;
- 6 The spillover effects from lighting;
- 7 The scale of the development;
- 8 The potential for a decrease in amenity; and
- 9 The proposed landscaping is not adequate and would not be maintained.

Peter Webb and Associates, Consultants in Town Planning and Urban Design submitted an assessment of the proposal on 16 June 1998 and have made the following comments in addition to those mentioned above.

- the proposed uses are better suited to a designated retail commercial development;
- a less intensive commercial use would be more suited to the site; and
- the proposed facade to Renou Street is inconsistent with the residential character of the street.

The above issues have been identified in the report and addressed through the conditions of the recommendation.

Cmr Buckley declared an interest Item DP217-06/98 as her husband has a business relationship with the applicant.

Cmr Buckley left the Chamber at this point, the time being 1917 hrs.

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

- 1 **refuse the application submitted by Taylor Burrell Town Planning & Design, on behalf of the Marmion Squash Centre Pty Ltd, for the following reasons:**
 - (a) **the proposal does not comply with the City of Wanneroo Town Planning Scheme No 1 requirements and will significantly reduce the amenity of the surrounding residential area;**
 - (b) **the anticipated noise generated by the vacuum and car wash facility is considered unacceptable given the close proximity of surrounding residential development and will result in a loss of amenity of these residents;**
 - (c) **the proposal represents intensive commercial activity which is not considered compatible with the surrounding residential development;**

- (d) **the City received 108 letters, a 597 and a 243 signature petition from residents in the immediate vicinity, opposing the development;**
- (e) **the proposal is contrary to the orderly and proper planning of the locality.**

The Motion was Put and

CARRIED

Appendix XVI refers

Cmr Buckley entered the Chamber at this point, the time being 1918 hrs.

Items DP218-06/98 to DP221-06/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan.

DP218-06/98 HEALTH ACT DELEGATED AUTHORITY - [07032]

For the next three months (until the middle of September 1998), the two Environmental Health positions in Approval Services are being filled by temporary staff.

In accordance with the requirements of the Health Act, both of those officers should be tasked with the delegations to allow efficient conduct of the duties expected of them.

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

- 1 authorise for the period of their employment with the City of Wanneroo, under Section 26 of the Health Act 1911, officers Gordon Houston and Tania Wares to administer the provisions of the Health (Food Hygiene) Regulations 1993, Health (Public Buildings) Regulations 1992, Bacteriolytic Treatment and Sewage and Disposal of Liquid Waste Regulations, Sewerage (Lighting, Ventilation and Constuction) Regulations 1971, Health Act (Swimming Pools) Regulations 1964, Health (Air Handling and Water Systems) Regulations 1994, Health (Sewerage, Drainage and Underground Water Supply) Regulations 1959 and Model By Laws made under the Health Act 1911;**
- 2 appoint for the period of their employment with the City of Wanneroo, under Section 17 of the Caravan Parks and Camping Grounds Act 1995, Environmental Health Officers Gordon Houston and Tania Wares as "authorised officers" for the purposes of that legislation;**
- 3 revoke the delegations previously granted to Nicholas Lee.**

The Motion was Put and

CARRIED

DP219-06/98 **WHITFORD CITY SHOPPING CENTRE APPEAL - PT LOT 501 (470) WHITFORDS AVENUE, HILLARYS - [07103]**

This report provides information relating to the Whitford City Shopping Centre appeal.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners note the information in relation to the Whitford City Shopping Centre Appeal.

The Motion was Put and

CARRIED

DP220-06/98 **WANNEROO TOWN CENTRE STRUCTURE PLAN - [06188]**

Following the public meeting/workshop held on 23 February 1998 to discuss the Wanneroo Town Centre Structure Plan, a workshop of key landowners in the Town Centre agreed to engage Hocking Planning and Architecture to prepare development options incorporating the requirements of the landowners. This phase of the exercise is now concluding and it is necessary to appoint a consultant to translate the landowner development option into a Structure Plan in liaison with the Community Consultative Committee and State Government Agencies.

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

- 1 appoint Hocking Planning and Architecture to finalise the preparation of the Wanneroo Town Centre Structure Plan;
- 2 list for consideration in the 1998/1999 Draft Budget, \$35,000 to accommodate this consultancy.

The Motion was Put and

CARRIED

Appendix XVII refers

DP221-06/98 **WANNEROO TOWN CENTRE STRATEGIC DIRECTION - [06188]**

Following the public meeting/workshop held on 23 February 1998 regarding the Wanneroo Town Centre Structure Plan, a number of meetings between key landowners have been held to firm up agreed development options for the Centre. There is considered to be some urgency attached to several development issues in the Centre and a decision setting out strategic directions and authorising funding for lowering the water pipeline is required.

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

- 1 **require the Wanneroo Town Centre Structure Plan to:**
 - (a) **make provision for the accommodation of the Administration of the Shire of Wanneroo within the Wanneroo Town Centre area;**

- (b) **incorporate the Main Street concept within the Town Centre;**
 - (c) **provide for the reorientation and refurbishment of the commercial provisions within the Town Centre;**
 - (d) **provide for traffic calming measures along Wanneroo Road;**
 - (e) **provide for non-retail commercial uses along the frontage to Wanneroo Road;**
 - (f) **include strategies for overall car parking provision and for a thematic landscape design within the Structure Plan;**
 - (g) **contain a mechanism for the allocation of development costs to participating landowners;**
- 2 advise the Water Corporation that the proposed water main should be lowered to accommodate the lowering of Dundobar Road to facilitate the Wanneroo Townsite redevelopment;**
- 3 list in the 1998/99 Draft Budget \$120,000 being the estimated cost for lowering the water main in Dundobar Road by the Water Corporation.**

The Motion was Put and

CARRIED

Appendix XVIII refers

REPORT OF THE CHIEF EXECUTIVE OFFICER
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C35-06/98 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [151876]

Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and Milner Jones Pty Ltd
Description:	Lot 3 Belridge Medical Centre
Date:	25.5.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 628
Date:	25.5.98
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and Pacesetter Homes Pty Ltd
Description:	Lot 333 Gaby Way, Marangaroo
Date:	25.5.98
Document:	Easement in Gross
Parties:	City of Wanneroo and N K Gillon Pty Ltd, Caravan Industries Pty Ltd, E G Osboine P/L and J R and E F Marshall
Description:	Part of Lot 3, Beach Road, Duncraig
Date:	25.5.98
Document:	Overdraft Accommodation
Parties:	City of Wanneroo and Commonwealth Bank of Australia
Description:	East Wanneroo Development Scheme - Cell 1 and 6
Date:	27.5.98
Document:	Easement
Parties:	City of Wanneroo, City of Perth, City of Stirling and The Water Corporation
Description:	Part of Lot 17 Tamala Park
Date:	27.5.98
Document:	Deed
Parties:	City of Wanneroo and The Diocesan Trustees and Steven Teik Koohi Oh
Description:	Lots 1253, 1254, 1255, 1256 of Plan 19277
Date:	27.5.98

Document:	Agreement
Parties:	City of Wanneroo and National Geographic Information Systems Pty Ltd
Description:	Appropriate management system for East Wanneroo Cell Development Application
Date:	28.5.98
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and Peet and Co Limited
Description:	Lots 734 to 745 Teraglin Vista
Date:	28.5.98
Document:	Contract
Parties:	City of Wanneroo and Carlino Developments
Description:	Beaumaris Sports Club
Date:	8.6.98
Document:	Consent Form
Parties:	City of Wanneroo and The owners of St Ives Northshore Strata Plan 21320
Description:	Lot 134 (177) Dampier Avenue, Kallaroo
Date:	8.6.98
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and B C and D F Campbell
Description:	Lot 810 (20) Gairloch Place, Joondalup
Date:	8.6.98
Document:	Withdrawal of Caveat
Parties:	City of Wanneroo and P J and S M Green
Description:	Lot 1, (207) Gibbs Road., Nowergup
Date:	8.6.98
Document:	Contract
Parties:	City of Wanneroo and Southdown Construction Company Pty Ltd
Description:	Warwick Sports Club Building Contract No 94-97/98
Date:	8.6.98
Document:	Deed
Parties:	City of Wanneroo and S J Lindsay
Description:	Lot 1 Gibbs Road, Nowergup
Date:	8.6.98
Document:	Transfer of Land
Parties:	City of Wanneroo and M B and G M Devries
Description:	Lot 262 Badgerup Road, Gngangara
Date:	10.6.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 815
Date:	15.6.98

- Document: Withdrawal of Caveat
 Parties: City of Wanneroo and Broughton and Devries
 Description: Lot 262 Badgerup Road, Gnangara
 Date: 15.6.98
- Document: Transfer of Land
 Parties: City of Wanneroo and Kete Pty Ltd
 Description: Lot 9 Uppill Place, Wangara
 Date: 15.6.98
- Document: Service Agreement
 Parties: City of Wanneroo and The Minister for Family and Children's Services
 Description: Funding relationships and responsibilities
 Date: 15.6.98
- Document: Agreement
 Parties: City of Wanneroo and The Commonwealth of Australia
 Description: Child Care grants
 Date: 18.6.98
- Document: Deed
 Parties: City of Wanneroo and E T Gibbs
 Description: Lot 1 Bernard Road, Carabooda
 Date: 18.6.98
- Document: Restrictive Covenant
 Parties: City of Wanneroo and A P Panizza
 Description: Portion of Swan Locations 1577 and 1578 Sydney Road, Gnangara
 Date: 18.6.98
- Document: Deed
 Parties: City of Wanneroo and A P Panizza
 Description: Portion of Swan Locations 1577 and 1578 Sydney Road, Gnangara
 Date: 18.6.98

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

The Motion was Put and

CARRIED

C36-06/98 **'HOW TO MANAGE OUTPUTS AND OUTCOMES WITHIN A PURCHASER/PROVIDER ARRANGEMENT' CONFERENCE, 16/16 JULY 1998 IN SYDNEY - ATTENDANCE OF CHIEF EXECUTIVE OFFICER - [09557]**

SUMMARY

A 'How to Manage Outputs and Outcomes within a Purchaser/Provider Arrangement' conference is being held in Sydney, 16 and 17 July 1998. This report recommends that the Chief Executive Officer attend the conference.

DETAILS

A 'How to Manage Outputs and Outcomes within a Purchaser/Provider Arrangement' conference is being held in Sydney, 16 and 17 July 1998. It is recommended that the Chief Executive Officer attend the conference. The conference will address the following issues:

- outputs and outcomes
- performance measures for outputs
- costing and pricing outputs
- purchaser/provider framework
- performance measurement for a purchaser/provider framework
- purchaser/provider accountability

COMMENT/FUNDING

The seminar leader is Mr Steve Anderson, principal of Stephen Anderson Consulting Pty Ltd.

He has worked on related Commonwealth projects including DoFA's CoBRA project and the Best Practice Financial Management project for the Management Advisory Board. In 1992, he was recruited by the Western Australian Commissioner of Health Policy, where he played a major role in the introduction of purchaser/provider arrangements. He designed similar changes in Canberra in 1995 and has provided advice on similar reforms in other jurisdictions in Australia and overseas (including Canada and the UK).

He has facilitated a wide range of SELLOUT workshops and seminars for IQPC. His expertise has been consistently proven at all our Public Sector conferences on Accrual Budgeting and Outputs/Outcomes in a Purchaser/Provider Framework.

The estimated cost of attending the conference is \$4,000.

Funding is provided in the draft 1998/99 budget, Account 20151 - Conference Expenses.

MOVED Cmr Buckley, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners endorse the attendance of the Chief Executive Officer or his nominee at the 'How to Manage Outputs and Outcomes within a Purchaser/Provider Arrangement' conference, 16/17 July 1998 in Sydney, Account 20151 Conference Expenses.

The Motion was Put and

CARRIED

C37-06/98 **SPECIAL MEETING OF ELECTORS HELD ON WEDNESDAY,
17 JUNE 1998 - [05386, 08122]**

A Special Meeting of Electors was held on Wednesday, 17 June 1998. This meeting had been called in accordance with the provisions of Section 5.33 of the Local Government Act 1995 in response to a petition of Electors 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.

There were 28 members of the public in attendance (24 confirmed signatures).

No Motions to forward on to the Meeting of Joint Commissioners to be held on 23 June 1998 arose from this meeting. A number of issues were raised at the meeting which will be dealt with by the City's Administration.

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners note the Special Electors Meeting held on Wednesday, 17 June 1998.

The Motion was Put and

CARRIED

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

MOTIONS FOR FURTHER ACTION

Nil.

DATE OF NEXT MEETING

To be announced at the Special Council Meeting of the new local governments to be held on 1 July 1998.

QUESTION TIME

Mr A Bryant:

- Mr Bryant thanked the Commissioners, Councillors and staff for the floral tribute at the recent funeral of his wife.

Mr B Higgins:

- Mr Higgins referred to an article titled 'Environment Study' from the latest edition of NewsExtra, in particular expressing concern at the wording used and requested that future editions of Council publications be in plain English.

Q1 I understand that it is the policy of the Commissioners to limit any rate increase in the new financial year to the Consumer Price Index level. Is this correct?

A1 Response by Cmr Ansell: Yes, it is.

Cr S Magyar:

- Cr Magyar referred to Item P42-06/98, in particular commenting on the policy he had applied under, and queried the decision not to approve his application as he believed this formed part of his official responsibility.

Response by Cmr Ansell: We would like to meet with you to discuss this matter to determine the rights of the situation.

Cr V Hancock:

Q1 With reference to questions that I asked last month regarding the house at 11 Hocking Parade, Sorrento, part of the response states - "however, as these matters remain unresolved, it is becoming clearer that the City should now consider involving itself to force a resolution of some form or another". Could you please tell us what that might be?

A1 Response by Director, Development Services: I believe that the only issue outstanding is the question of where there has been a departure and appropriate notices of an issue and that matter is progressing and is in the hands of our legal advisors and the necessary action will be taken.

Cr L O'Grady:

Q1 At last Wednesday's meeting, you stated that nothing would change for the first year in Council, which I believe indicates that you knew that you were going to be here longer than a year. What is the time period for Commissioners to be here?

A1 Response by Cmr Ansell: I understand that we are legally not entitled to be here more than 12 months. I have not seen a draft budget, but a draft of the Governor's Orders do not refer to how long Commissioners will be here.

Q2 Could I have the first copy, not the second, of the report that the Chief Executive Officer requested from Anne Lake and Mike Barry regarding the progress of the restructural changes?

A2 Response by Chief Executive Officer: I am not sure what report you are referring to but would be happy to discuss access to this document with you.

Q3 I would like to ask why Anne Lake is still here? Is she still a consultant and how much is she being paid?

A3 Response by Chief Executive Officer: Anne Lake is a Human Resources Consultant and her expertise has been used in a number of areas, particularly with regard to negotiating enterprise agreements.

Q4 How long do you intend for Anne Lake to work here and do you intend to offer her a job?

Q4 Response by Chief Executive Officer: Anne Lake is employed on a consultancy basis, with regard to particular projects. I am not aware of her applying for any permanent positions here.

Q5 I would like a list of consultants that have been employed by the City of Wanneroo in the last 9 months. I would also like to know how many people have been recently employed by the City within the last 9 months and where they have come from?

Q6 Why is a gentleman video taping proceedings? How much are we paying for this video and how much did we pay for the last video?

A6 Response by Cmr Ansell: These questions will be taken on notice.

Q7 Why do you need a personal Press Officer?

A7 Response by Cmr Ansell: The gentleman referred to works for the Marketing Services Unit.

Q8 You said that there would be no committee meetings. What committee meetings are you referring to?

A8 Response by Cmr Ansell: The monthly standing committee meetings.

Q9 So the public will no longer be able to come along to those meetings, you have abolished them?

A9 Response by Cmr Ansell: No, we are having two full Council meetings each month and at these meetings the public will have the opportunity to make submissions and ask questions.

- Cr O'Grady referred to the proposed celebrations for the split of the City of Wanneroo on 1 July 1998 and did not believe the occasion warranted celebration of any kind.
- Cr O'Grady congratulated the Director, Resource Management for his role in preparing the budget and commended the Directors for their work for the City of Wanneroo, commenting that they not only gave their time but also gave their heart to the City and wished them well for the future.

Mr R Phillips:

Q1 When will the agendas come out for the Councils with the arrangements for the meetings?

A1 Response by Chief Executive Officer: The agendas will be distributed on the Friday, prior to a Council meeting. The dates are yet to be set on when the Commissioners will meet.

Cr J Hollywood:

Q1 Re TS112-06/98 - Building Maintenance Services Collective Workplace Agreement Proposal - Were the workers forced to sign this agreement, are the unions involved and if the workers didn't sign, do they still have a job?

A1 Response by Cmr Morgan: No-one was forced to sign. The final workplace agreement was without union participation, however I believe that the union have acknowledged the agreement. These agreements illustrated a great degree of co-operation between our staff and the administration.

Response by Director, Technical Services: The agreements were negotiated by a consultative committee, comprising members of the work force, with the work force being kept informed of progress. The work force will vote on the agreement next week, prior to it going to the Industrial Commission.

Q2 Does the workplace agreement include union representation?

A2 Response by Cmr Morgan: I understand that the Building Maintenance Services Collective Workplace Agreement did not include union participation.

Response by Director, Technical Services: The union did not participate in finalising the agreement but I believe there is a clause that does allow union representation in the work force.

Q3 If a worker has a grievance, can they still ask a union representative to speak on their behalf?

A3 Response by Director, Technical Services: None of these benefits have been traded away. It is a productivity issue and the gains have been recognised in payments. The clauses regarding union representation remain in tact.

Response by Cmr Buckley: Each of the agreements include a specific dispute resolution procedure, which I believe adds some certainty to the process that a worker should follow in the event of a dispute between the worker and their immediate supervisor or with the City.

Mrs A Hine:

- Mrs Hine referred to the questions on notice and advised that she was unhappy with some of the responses provided, particularly in relation to question No 6, and commented that residents should be consulted prior to development of land in their vicinity.

- Mrs Hine referred to her question regarding why developers were allowed to clear fell land and expressed concern at the destruction of land by developers. In this regard, Mrs Hine queried whether the Commissioners could introduce a policy to ensure that residents of an area were consulted on whether there was anything on the land worth saving, prior to development.

Cr B Cooper:

- Cr Cooper referred to the celebrations proposed for 1 July 1998 to mark the split of the City of Wanneroo and queried the need to hold these celebrations, as he believed it was insensitive to celebrate the proposed split.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1950 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
 ROWELL
 BUCKLEY
 MORGAN
 CLARK-MURPHY