

**MINUTES OF SPECIAL MEETING OF ELECTORS
HELD IN THE FUNCTION AREA, JOONDALUP ADMINISTRATION
BUILDING, BOAS AVENUE, JOONDALUP
ON MONDAY, 29 APRIL 1996**

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor, Chairman	Central Ward
	F D FREAME, Deputy Mayor	South-West Ward
	H M WATERS	North Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	A W WIGHT from 1950 hrs	South Ward
	A G TAYLOR	South Ward
	G W CURTIS	South-West Ward
	M E LYNN, JP	South-West Ward

Chief Executive Officer

Elect:	L DELAHAUNTY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
Deputy City Planner:	J HUMPHREYS
City Environmental Health Manager:	M AUSTIN
Minute Clerk:	S BRUYN

An apology for absence was tendered by Mr Paul Filing.

There were 160 Members of the Public in attendance.

The Chairman declared the meeting open at 1945 hrs.

This meeting had been called in accordance with the provisions of Section 171(4) of the Local Government Act, in response to a petition of Electors.

The purpose of the meeting was to discuss issues relating to Commercial Vehicle Parking and Transport Depots.

The Mayor introduced Councillors and members of staff and invited the Deputy City Planner to address the meeting.

Cr Wight entered the Room at this point, the time being 1950 hrs.

Mr John Humphreys, Deputy City Planner, provided background information on the proposed amendment and explained the main reason why Council is endeavouring to set some guidelines and rules regarding Commercial Vehicle Parking is a result of a number of complaints being received by Council in this regard over a period of time.

He advised that as a result of these complaints, and respecting the right of people living in residential areas to expect a certain type of amenity and also respecting the rights of people who own trucks, the Town Planning Department had developed a set of guidelines to control truck parking in Residential, General Residential, Residential Development, Special Development A, Special Residential, Special Rural and Rural Zones.

Mr Humphreys advised that the document is in its early stages and feedback is welcomed from people to make sure that the document is going to work for everybody.

The Mayor then opened the meeting to the residents for their comments and questions.

In opening, Mr Chris Warrener, a Town Planning Consultant, read a statement to the meeting on behalf of the Transport Action Group (Transag).

He referred to the Council initiative to amend the Town Planning Scheme to introduce a policy to control the commercial parking of vehicles in Wanneroo and advised that as a result of this initiative, Transag had been formed.

Mr Warrener commented that Transag supports Council but believed that the draconian provisions which Council wants to introduce would restrict and curtail the vast majority of vehicle operators who do not cause any problems.

He felt that some of the provisions could be modified and to this end reported that Transag had been invited by Council to submit what it considers to be more suitable provisions.

Mr Warrener advised that Council has asked Transag to closely liaise with it to draft new provisions which will be acceptable to everyone.

Members of the public present raised the following points and concerns:

- where is Council thinking of housing the trucks; they will need to go to a compound of some sort;
- what will happen to bobcat owners and drivers if they cannot take their bobcats home but can take their truck home; if they take their bobcat home, according to this policy they will be breaking the bylaws;
- future amendments to the proposed law could make it a draconian type law;
- fearful that Council will take away their livelihoods;
- possible that someone who is not an immediate neighbour can complain and this will have to be acted upon;
- only a minority of people complain;
- how many complaints have actually been received;
- query over the need for a certain height as some part of the vehicle could be one height and there could be different configurations all around the vehicle;
- residents who park caravans and boats in their front yard should also be made to comply with the proposed bylaw; these are just as much an eye-sore as a truck is;

- residents felt there would be a bigger problem with noisy dogs than with trucks;
- objection to neighbours having the power of veto; need a set of rules that does not allow neighbours to interfere;
- need to extend the number of vehicles allowed to be housed on a lot;
- dogs and market gardeners can also interfere with the integrity of an area;
- different rules should apply to areas with smaller blocks;
- query whether school buses come under the guidelines of this policy;
- there is nowhere legally to park in the City of Wanneroo and yards that do accept trucks are not covered by insurance;
- if you have a shed and a work shop you are unable to park more than one vehicle;
- should be able to house vehicles for both business and pleasure;
- the majority of truck owners do their own maintenance but were unable to change the oil due to pollution of the water table yet market gardeners use millions of litres of poison on their vegetables every year;
- need to zone an area for people with trucks to use;
- where will Council determine its definition of commercial vehicle from;
- other Councils have policies in place already; will our policy conform with their policies.

Mr Drescher, the City Planner, replied in relation to questions regarding the proposed policy, that once a policy had been developed it would then be advertised and feedback would be requested from the industry.

He informed the meeting that in recent years the complaints being received could not be overcome as some people were not conforming to the rules and so a policy needed to be developed to enforce the rules and regulations.

The City Planner stated that it would be a workable policy and it was not the intention of Council to outlaw and remove trucks from the zones mentioned and in this regard feedback from the industry was sought to see how the policy would affect them.

He commented that at the present time the majority of truck owners did not have approval to carry out a business from their properties (Home Occupation) and this policy would assist Council to grant approval.

The Mayor answered questions regarding the proposed policy and suggested that concerned residents consult with Transag, who would deliver submissions to Council in relation to this matter.

He requested written submissions from residents and advised that Council needs input to work out what is best for all concerned.

Mr Rob Stanley, Managing Director of the Stanley Group of Companies, referred to a permit issued to him in 1982 in relation to the repair and storage of drilling rigs and queried whether this permit would be withdrawn.

The City Planner advised Mr Stanley that he would investigate the "non conforming use" rights in relation to this matter.

Ms Anne Denton queried the motive of Council for keeping commercial vehicles in commercial areas and asked whether this was based on obtaining greater financial revenue.

The Mayor replied that this was not the case and advised that a new policy was being developed as the old policy had been hard to work with.

Mr Ken Whitehead, President of Transag, informed the meeting that Transag was working closely with Council on this issue and in this regard requested everyone to support Transag as he believed that Transag would be able to do the job whereas individuals would not.

Mr Bill Carruthers, a committee member of Transag, requested clarification in relation to the parking of a vehicle for commercial use as he is unable to operate a business from his home but can park his truck there.

The City Planner replied that it could not be used for commercial or industrial purposes but that a permit could be granted to a shed which could house the truck with certain conditions being applicable.

Mr Joe Larosa queried the zone for the depot and was advised by the City Planner that the depot is a Crown Reserve specifically designed for that purpose and is zoned rural under the Town Planning Scheme and therefore has a non confirming use right.

Mr Larosa believed that a special zone was needed to cater for the needs of commercial vehicle owners.

In reply to a query from Mr Chris Hadland in relation to conformity of policies between Councils, the Mayor advised that he had been informed by the City Planner that they were all different.

MOVED Jack Brennan, **SECONDED** Laurie Cooper that there be no changes made by the City of Wanneroo without the approval of the ratepayers. **CARRIED**

MOVED Margaret Barbour, **SECONDED** Kevin Dennis that if this law goes through then the City of Wanneroo must supply a depot with security at no financial cost to owner/operators of commercial vehicles in the City of Wanneroo.

CARRIED

There being no further business, the Mayor declared the meeting closed at 2100 hrs.