



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 25 AUGUST 1998**

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CITY OF JOONDALUP

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON TUESDAY, 25 AUGUST 1998

ATTENDANCES

Commissioners:

H MORGAN, AM	Deputy Chairman	
R M ROWELL		<i>Absent from 1807 hrs to 1810 hrs</i>
M C CLARK-MURPHY		
W BUCKLEY		

Officers:

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

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was tendered by Commissioner C Ansell.

There were 17 members of the Public and 2 members of the Press in attendance.

The Deputy Chairman declared the meeting open at 1730 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mr J Hollywood, were taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q1 I noticed in one of the previous reports that the limestone footpath to Burns Beach from Marmion Avenue has a low priority. I wonder if that can be given a higher priority as it is becoming fairly clear that people walk along that street every weekend. I believe it is fairly dangerous and a footpath is needed along there. When the footpath is constructed, what side of the road will that be going on?

A1 Response: The construction of a stabilised limestone path in Burns Beach Road between Ocean Parade and the proposed Delgado Parade has been accorded a low to medium priority. Priority order in the Forward Plan is subject to regular review.

The ultimate alignment of the formal dual use path is on the south side of Burns Beach Road. A stabilised limestone path would be the first stage of construction of a formal dual use path on this ultimate alignment, thereby preserving the asset. To construct on the northern side would be a temporary installation.

Q2 In relation to the Quinns Rocks Caravan Park, what is going to happen to the people who are already there? Is there another caravan park being gazetted for that area or not?

A2 Response: When the Quinns Rocks Caravan Park finally ceases to operate the residents will need to find alternative accommodation within another caravan park within the City or, alternatively, seek other forms of accommodation.

City of Joondalup

Burns Beach Caravan Park, Burns Beach Road, Burns
Cherokee Village, Cnr Hocking & Wanneroo Roads, Kingsley
Wanneroo Caravan Park, Wanneroo Road, Wanneroo

Shire of Wanneroo

Club Capricorn, Two Rocks Road, Yanchep
Kingsway Caravan Park, Cnr Wanneroo Road & Kingsway, Landsdale
Lakelands Caravan Park, Cnr Sydney Road & Lakelands Drive, Gnangara
Ocean Reef Caravan Village, Mangano Place, Wanneroo

The following question, submitted by Mr S Magyar, was taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q1 Re Item CJ64-08/98 - Should this planning audit and watching brief be proceeded with prior to fully considering the Trudgen Report?

A1 Response by Director, Strategic Planning: Consideration of the findings and recommendations of the Trudgen Report is included as a matter to be considered in the Project Brief for the Planning Consultancy for Lot 17 Mindarie/Tamala Park. A copy of the Trudgen Report, and details of any further consideration of it by the Joint Commissioners, will be provided to the selected consultant in due course for consideration as part of the Lot 17 consultancy.

The following question, submitted by Mr A Bryant, was taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q1 I asked a question at the electors meeting on 20 January 1998 in regard to replacing mercury vapour luminaires with sodium vapour luminaires. The Director, Technical Services said it was a matter that was being taken up with Western Power and they were asked to supply information and once it had been received from Western Power I would be notified. Has not information come from Western Power yet?

A1 Response: Some preliminary discussions have been undertaken with Western Power on the cost advantages and power output. This matter is receiving further detailed consideration and is expected to be resolved within the next two months.

The following questions, submitted by Mrs M Zakrevsky, were taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q1 In relation to CJ30-08/98: Verge and Median Working Party - What is the Verge and Median Working Party's perception of the functions of vegetation in median strips and verges in the City of Joondalup?

A1 Response: The Median and Verge Landscaping Working Party's objective is "to visually enhance selected median strips and verge areas of arterial and distributor roads by implementing landscape development". Installation of irrigation and vegetation was funded in the 1997/98 Capital Works Program.

The Committee was formed by the then Councillors of the former City of Wanneroo to review the existing "Dry" policy and initiate enhancement projects. The junctions of median and verge vegetation was not a high consideration as the areas under discussion were totally cleared sites and visually degraded.

Q2 How is this committee, under the auspices of Cmr Morgan, implementing the strategic vision plan of community consultation in relation to its recommendations and decisions?

- A2 *Response* The Working Party, as chaired by Commissioner Morgan, is an internal committee comprising Director, Technical Services; Manager, Infrastructure Design Services (Peter Pikor); Manager, Parks Landscaping Services (Dennis Cluning) and Acting Manager, Engineering Construction/Maintenance Services (Phil Calley).

The recommendations of this committee will be reported to the Joint Commissioners as required.

The committee is currently reviewing the report prepared by consultants on Landscape and Community Infrastructure Design, Development and Maintenance Guidelines for new subdivisions. This report was undertaken with community and developer involvement. It is anticipated that this review will be released for community comment during September 1998.

- Q3 *Is the recent planting splurge in Hepburn Avenue of sharp spiked palms, to endorse the interim adoption of the Joondalup Corporation's logo of a palm crown for the new City of Joondalup?*

- A3 *Response:* Palms have been planted within Public Open Space and road reserves prior to any proposal to utilise the Joondalup logo.

- Q4 *Why are the palms often non indigenous, providing scant shade and habitat and in the case of cotton palms, having decidedly a weather beaten, tatty appearance and a haven for rodents, still being planted in traffic islands and elsewhere by Council?*

- A4 The use of palms within road islands and roundabouts has proven successful and aesthetically pleasing to many residents. Many different landscape designs for roundabouts and road islands have been trialled within the City. Traffic sightlines are the major criteria when selecting the appropriate landscape.

- Q5 *In what ways are the following Quindalup soil trees not meeting the criteria for verges and median strips - allocasuarina lehmanniana, dune sheoak, eucalyptus decipiens, eucalyptus foecunda and eucalyptus gomphocephala or indigenous trees such as the olearia - that is eucalyptus erythrocorys which are growing very successfully in Mullaloo Drive, or indigenous shrubs too numerous to mention?*

- A5 *Response:* Many plants are suitable for medians and verge landscape. Within Marmion Avenue many varieties have been planted, both exotic and native species e.g. Beach Road north to Whitfords Avenue - predominantly Eucalypt species; Whitfords Avenue to Shenton Avenue - Eucalypt species and Allocasuarina, Shenton Avenue to Burns Beach Road - Olea europaea (Olive).

Road design, underground services, location and soil conditions have an important impact when plant selection is determined.

Allocasuarina lehmanniana (Dune Sheoak) - this is regarded as a screening type plant, unsuitable for median planting. Suitable for wall screening and verges in bush areas.

Eucalyptus decipiens - local species growing in small groups within swale of dune. Rarely available from nurseries. Council has trialled this plant previously with tube stock and 13 litre bag size. Limited success only when planted in sandy soil sites.

Eucalyptus foeculda - Mallee-type plant, multi trunked, or small tree. This tree has also been trialled previously with limited success.

Eucalyptus gomphocephala (Tuart) - grows well in various locations and is used extensively by Council.

Eucalyptus erythrocorys - this plant is used within road reserves throughout the City and Shire.

Q6 *Could the working party please consider aesthetically pleasing and habitat providing plants such as those thriving in Warwick Road median strip and in the Marmion Avenue, Duncraig strip? Also could they consider having a variety in case of disease, which would wipe out whole avenues where there is only a single species planted, such as planted very recently in Hepburn Avenue?*

Response by Cmr Morgan: Following our discussion after our last meeting, I have discussed with Mr Cluning regular meetings of the committee that you referred to. We will be looking at that with the idea of scheduling those meetings to fit in with the meeting requirements of some of the members, particularly the gentlemen from the Kings Park Board. You should hear something about that very quickly.

A6 *Response:* Various plants are considered when selecting plants for a specific location. Council's major plant use is of native species. Within Hepburn Avenue and Warwick Road there exists a variety of plant species - i.e. exotic, native/hybrids and indigenous species. This road is considered unique for an arterial road.

Palms have been included within the western section where minimal indigenous species remain and significant development is being undertaken.

The following question, submitted by Mr K Zakrevsky, was taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q1 *In relation to the Quinns Beach Caravan Park - will the Council please, under the Commissioners, seriously look at retaining that caravan park and then handing over to Council when Council is established?*

- *Mr Zakrevsky stated there is a need for such facilities and believed Council should put more effort and funds into upgrading such.*

A1 *Response:* Council has previously resolved not to extend the lease beyond 2001. The land on which this caravan park is located is owned by the City in fee simple and is reserved under the Metropolitan Region Scheme for regional open space purposes.

The subject land is also being considered for the location of the Quinns Rocks Surf Life Saving Club and fishing club, however, to date a firm decision has not been made on this matter.

The former City of Wanneroo has considered this matter on two previous occasions and on both occasions resolved that the lease not been extended beyond the expiration date with the intent that the land would revert to passive recreational use.

The following question, submitted by Mrs A Hine, was taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q2 Why were there no Mindarie Regional Council minutes placed in the Wanneroo library from April? In the minutes of 2 July 1998, from an ordinary Mindarie Regional Council meeting, I see there is a community amenities of \$3,311,770. Is this to do with community amenities? What community amenities do you have at Mindarie Regional Council?

A2 Response: The Mindarie Regional Council currently provides Council with copies of minutes and agendas to the Chief Executive Officer, Technical Services Directorate and Environmental Waste Services and four copies for the Commissioners.

The Libraries were fortunate in receiving on a one-off basis 4 sets of back copies of agendas and minutes prior to April 1998. Only two sets have since provided to the Joondalup Regional Library, one for preservation in the Local Studies Collection and the other for public access in the Reference Section 7 days a week. The Wanneroo Branch Librarian has recently become aware of continuing public demand in Wanneroo and has been liaising with the Mindarie Regional Council in order for the library to be placed on the mailing list in future.

Community amenities is the title for Schedule 10 in the Budget. It is the operating section of the budget and contains most of the expenses for operating Tamala Park.

The following question, submitted by Mr B Higgins, was taken on notice at the Meeting of Joint Commissioners held on 11 August 1998:

Q1 I have noticed that WAMA has recently advertised in relation to best practice awards and I ask has Council submitted any applications for those awards and, if so, what are they?

A1 Response: The WAMA Awards for Best Practice in Local Government recognises Councils in Western Australia who are working towards or achieving best practice. The City of Joondalup has notified WAMA of its intent to apply for all six categories:

- Leadership in Best Practice Award
- Competitive Reform Award
- Benchmarking Award
- Customer Service Award
- Workplace Change Award

- Quality Innovation Award

The following questions were submitted by Mr B Higgins:

Q1 How many palms have been planted in the City of Joondalup?

A1 *Response:* Hepburn Avenue - 250
Barridale Drive Roundabouts - 2
Whitfords Avenue Roundabouts - 12

Council also developed Gascoyne Park in conjunction with the Palm and Cycad Society and the Woodvale community. This park has approximately 1,000 palms of various species.

Q2 How many have been planted in Marmion and Hester Avenues, Clarkson and Merriwa, in the Shire of Wanneroo?

A2 *Response:* Hester Avenue - 115
Marmion Avenue - 240

Marmion Avenue was considered in two sections, ie. Hester/Marmion roundabout north and Hester/Marmion roundabout south. Both areas were cleared of vegetation during initial earthworks.

Q3 How many of the palms in Question 2 have been replaced?

A3 *Response:* Hester Avenue - approx. 26
Marmion Avenue - approx. 42
Hepburn Avenue - approx 14

Replacements were required due to wind damage, vandalism and planting exposure (while in the nursery they were protected from the climatic conditions).

Q4 For ratepayers' information, will Council please make available at its meeting of 25 August 1998, copies of all correspondence and documentation concerning the supply of these palms to Council?

A4 *Response:* No written correspondence is available. The offer for Parks Landscaping Services to utilise surplus palms was made by telephone. The palms were surplus to Benara Nursery's requirements. Parks Landscaping Services was required to collect the palms from the nursery and have them planted. They were not able to be sold to the public.

Council often receives an offer or donation of plants for use in Public Open Space or road reserves. Suppliers, residents and community groups have plants surplus to their requirements and often they are planted within a nearby Public Open Space or specific areas.

Benara Nursery is a large local supplier and the offer of the palms was made in good faith. The palms were surplus to their requirements and disposal was the only other option available to them.

Due to adverse public comment regarding this offer, it is unlikely that a similar offer would be made by Benara Nursery, or any other commercial nursery.

It is estimated that if these palms were purchased commercially, their value would be in the vicinity of \$2,500.

Mr J Hollywood:

Mr Hollywood referred to the responses made to questions he had asked at the Meeting of Joint Commissioners held on 11 August 1998 and asked the following questions:

Q1 In relation to a progress chart for the splitting of the Council, when can I have a look at it?

A1 Response by Chief Executive Officer: The bar chart is being compiled at the moment and it should be available for public viewing within the next couple of weeks. During recent discussions with the Chairman, it was suggested that a large copy of the bar chart could be made available outside the Council meeting room to enable everyone to view it.

Q2 In relation to the priority of a limestone footpath from Marmion Avenue to Burns Beach, the response given was that it was still a low priority and mentioned the area from Delgado Parade to Ocean Parade. Delgado Parade is only half way along Burns Beach Road. Why was this answer given?

A2 Response by Director, Technical Services: The balance of the path will be provided very soon by staged, subdivisional development.

Q3 Is it the developer who will be constructing these limestone paths?

A3 Response by Director, Technical Services: The developer is responsible for a sealed path. In the very near future, the developer will be constructing, through a staged subdivisional development, a portion of that path from Marmion Avenue to Delgado Parade and the balance will require funding by the Council if it were to go ahead.

- *Mr Hollywood believed that Delgado Parade was a dangerous section of road, with particular regard to pedestrians not being clearly visible to motorists and requested Commissioners to inspect the visibility problems at this road at 6.45 am one morning. Mr Hollywood requested that Commissioners give further consideration to including this item as a priority rating in the next budget.*

Cmr Morgan informed Mr Hollywood that the Commissioners were taking every opportunity to view those matters that are presented for decision at the Council and would schedule a time in the future to view this particular road.

Q4 Regarding the Quinns Rock Caravan Park, the response to my question did not say why the caravan park was being closed. Part of the response stated that it was under consideration for sale by the Western Australian Planning Commission as part of the foreshore that fronts Joondalup and the Shire of Wanneroo. Why can't the owners stay?

A4 Response by Director, Development Services: The City owns the land and it is intended to sell the land to the Western Australian Planning Commission for its long term preservation as a foreshore reserve. It does include coastal heath land which is considered to be unaffected by human habitation.

Regarding the caravan park, a copy of previous reports on this issue will be forwarded to Mr Hollywood for his information.

Q5 There are 24 permanent residents in the caravan park. I believe that caravan parks are for tourists. Are there any plans in the future to build caravan parks along the coast for tourists, from Quinns Rocks to Two Rocks?

A5 Response by Cmr Rowell: The Council has no policy on park homes and caravan parks and is endeavouring to investigate a policy on park home development as more caravan parks are having less transient accommodation. A group is being formed, including the Department of Planning and possibly the WA Tourism Commission, to investigate the obligation for the development of caravan parks in the Wanneroo area.

- *Mr Hollywood referred to the problem of where to site the Quinns Rocks Surf Life Saving Club and suggested that a piece of land next to the caravan park would be a suitable site.*

Cmr Morgan advised that this comment would be noted.

Q6 Can you tell me how many apprentices work in the City of Joondalup?

A6 Response by Director, Technical Services: Approximately five.

Response by Cmr Morgan: This question will be taken on notice.

- *Mr Hollywood referred to the conference that Cmr Rowell had been nominated to attend titled "The Development Marathon - How to be in front in the Year 2000" and advised that although he had no problem with Cmr Rowell attending the conference, he hoped that a member of staff would also be attending.*

Cmr Morgan advised that a member of staff would also be attending the conference. He stated that Cmr Rowell had a particular interest in the matters that would be discussed and would be reporting fully to the Council, Commissioners and administration with valuable information gained from the conference.

Mr V Harman:

Q1 Would it be possible to revert back to the practice of colouring the various sections in the agenda?

A1 Response by Cmr Morgan: I believe this is an excellent suggestion and the Chief Executive Officer will be requested to put this into effect.

Mr B Higgins:

Q1 In relation to the Fire and Rescue Services levy, I understand that Council has received some preliminary information in relation to this. Does Mr Turkington see any positives or negatives for ratepayers and does it present any problems for his department?

A1 Response by Director, Resource Management: As of 1 July 1999 the levy on insurance will be discontinued, with a Fire & Rescue Services levy then applying to the rates.

Q2 I was wondering if it would present administrative problems to Council and if Council is to be reimbursed for the collection of this money on behalf of the State Government?

A2 Response by Cmr Morgan: All of the ramifications have not yet been considered, but soon will be and your observation will be taken into account.

Mr J Hollywood:

Q1 In relation to an item in the Wanneroo Times dated 18 August 1998 regarding the Harbour Rise Estate Draft Height Policy. Does the submission made by the developer exceed the City building envelope? How much higher is it?

A1 Response by Director, Development Services: The height outside the building envelope has not been assessed at this stage, as there has been no development application. The City has received a structure plan suggesting a variety of uses on the old Hillarys Harbour precinct area. There needs to be some flexibility in the building envelope established by the Council six months ago.

Q2 The building envelope at the moment is 8.5 metres to the top of the roof. Are you saying the developers can go above this height as well?

A2 Response by Director, Development Services: Even under the existing requirements, developers can exceed the 8.5 building envelope providing they justify it to the satisfaction of Council and it does not affect adjoining residents.

Q3 Would it be possible to speak to the people who will be affected by this development?

A3 *Response by Cmr Rowell:* Discussions are being held with the Housing Industry Association regarding this matter and it is likely that a policy will be developed using the four corners of the property as the datum for averaging the floor level.

Where a development application is submitted and the site is different to others, it is not treated as a straight building licence. Neighbours are given an opportunity to comment and are advised that the plans are available at the Council for inspection.

DECLARATIONS OF FINANCIAL INTEREST

Cmr R Rowell declared an interest in Item CJ87-08/98 as his family has an interest in the Mullaloo Plaza Shopping Centre.

**C7-08/98 MINUTES OF MEETING OF JOINT COMMISSIONERS -
11 AUGUST 1998**

MOVED Clark-Murphy, **SECONDED** Cmr Buckley that the Minutes of the Meeting of Joint Commissioners held on 11 August 1998, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE DEPUTY CHAIRMAN WITHOUT DISCUSSION

Welcome to this meeting of the City of Joondalup, to be followed by the meeting of the Shire of Wanneroo.

COUNCILLORS' DINNER

I would like to announce firstly that arrangements for the special dinner for outgoing Councillors and their partners have been finalised.

The dinner to thank the former Councillors for all their hard work and effort for the former City of Wanneroo will be held this Thursday evening, here in the Councillors' lounge.

Special presentations will be made to the former Councillors in appreciation of their service.

LOCAL GOVERNMENT WEEK

This past week has been Local Government Week and the City and Shire have marked the occasion with several events.

The main event was for the City's and Shire's many youngsters - the famous Mickey Mouse and Friends staged two big concerts at Neil Hawkins Park.

Many thousands came to enjoy the free concerts supported by the City of Joondalup and the Shire of Wanneroo.

COMMISSIONER ROWELL

I would like to extend my congratulations to fellow Commissioner Rob Rowell, who has just been awarded life membership of the Local Government Association.

Commissioner Rowell has been recognised for his long service to local government - and as I say, our hearty congratulations to him on this honour, which richly rewards him for the work that he has performed on behalf of local government throughout the State.

MEET THE COMMISSIONERS

Our "Meet the Commissioners" programme began at the Alexander Heights Community Centre today and was a great success.

The idea of the programme is to allow residents to meet the Commissioners and discuss with them any concerns or problems they might be having with Council services.

We might add, we received a few bouquets today as well.

These "Meet the Commissioners" sessions will be held every second Tuesday of the month as part of our commitment to consult as widely as possible.

EISTEDDFOD

The other major event happening at the moment is the Wanneroo Eisteddfod, involving many thousands of performers, judges and organisers.

The Commissioners will be presenting awards to the winners of various sections during the weekend of 11 to 13 September.

BUDGET IMMINENT

Our Director of Resource Management, John Turkington and his staff are very busy at the moment, working on the first budgets for the two new local governments.

Mr Turkington has provided us with some positive feedback and we expect his efforts will be the subject of an announcement by the Chairman of Commissioners in the near future.

DEVELOPMENTS

At tonight's meetings, we will be approving many projects that point to the continuing emergence and economic development of the new City and the new Shire.

In Joondalup, we are considering:

- a Dawsons showroom and nursery in the Joondalup Drive Business Park;
- a mixed business at Joondalup Gate Centre, Edgeware;
- a McDonald's Family Restaurant in Joondalup Drive;
- an alfresco cafe in Grand Boulevard
- and the City is building a community care centre behind the Library in Woodvale.

In the Shire of Wanneroo, we are considering:

- the Clarkson District Centre Structure Plan which includes provision for community purpose sites for a library, youth centre and police station;
- we are opening up more industrial land at Flynn Drive;
- approving a sales and service centre for boats/caravans and camping in Wanneroo Road, Wanneroo;
- approving five shops in Hocking;
- and a commercial bakery in Wangara.

They are just some of the projects going ahead in the City and Shire that point to a prosperous future for both new local governments.

PETITIONS**C8-08/98****PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 25 AUGUST 1998****1 REQUEST FOR SPECIAL MEETING OF ELECTORS - [02419J]**

A 182-signature petition has been received requesting that a Special meeting of Electors of the City of Joondalup be held to discuss the following matters:

- 1 The proposed cancellation of a portion of Reserves 30958 and 31016, Greenwood Primary School, Greenwood (as per report CJ25-07/98);
- 2 Amendment No 833 to Town Planning Scheme No 1 - proposed rezoning of Greenwood Primary School (Reserve 31790) to residential R20 and parks recreation (as per report CJ17-07/98);
- 3 The retention of an effective network of public open space within the suburb of Greenwood;
- 4 A Management Plan for reserves 30958 and 31016, Greenwood with the aim of maintaining the wooded charm of the suburb;
- 5 The benefits of retention of areas for passive recreation to service the changing demographics of the suburb and the Australian population in general;
- 6 The physical and mental health benefits of passive recreation;
- 7 The rights of property owners adjoining and close to reserves 30958 and 31016 to continue to enjoy the current amenity of the reserves;
- 8 Other matters that may be raised from the floor of the meeting relating to the proposed cancellation of a portion of Reserves 30958 and 31016, Greenwood Primary School, Greenwood.

A Special meeting of Electors is being arranged, with attempts being made to hold this meeting in the Greenwood area.

This petition will be referred to Development Services for action.

2 PETITION OBJECTING TO THE PROPOSED CANCELLATION OF A
PORTION OF RESERVES 30958 AND 31016, GREENWOOD PRIMARY
SCHOOL, GREENWOOD AND THE PROPOSED REZONING OF
GREENWOOD PRIMARY SCHOOL TO RESIDENTIAL R20 - [02419J]

An 851-signature petition has been received from local residents objecting to the proposed cancellation of a portion of Reserves 30958 and 31016, Greenwood Primary School, Greenwood and also the proposed rezoning of Greenwood Primary School to residential R20.

This petition will be referred to Development Services for action.

3 PETITION OBJECTING TO CLOSURE OF PEDESTRIAN ACCESSWAY
BETWEEN FERNDENE MEWS AND WILLANDRA PLACE, HILLARYS -
[01320J]

A 16-signature petition has been received from local residents objecting to the closure of the pedestrian accessway between Ferndene Mews and Willandra Place, Hillarys.

This petition will be referred to Development Services for action.

MOVED Clark-Murphy, SECONDED Cmr Buckley that Petition Nos 1 - 3 be received and referred to the appropriate business units for action.

The Motion was Put and

CARRIED

FINANCE AND COMMUNITY SERVICES SECTION**REQUIREMENT FOR ABSOLUTE MAJORITY VOTE**

The Deputy Chairman, Cmr Morgan stated that for the purpose of this meeting, where at least three (3) Commissioners vote in favour of a motion, such vote would be considered to be an Absolute Majority vote.

Items CJ79-08/98 to CJ83-08/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley.

**CJ79-08/98 YELLAGONA REGIONAL PARK
 COMMUNITY ADVISORY COMMITTEE -
 [29109]**

SUMMARY

Following receipt of a request from the Department of Conservation and Land Management, it is recommended that a Council officer be nominated to the Yellagonga Regional Park Community Advisory Committee.

This committee has been operational for some years and it is appropriate that Council be represented.

BACKGROUND

The former City of Wanneroo has in the past nominated Councillors as representatives to the Yellagonga Regional Park Community Advisory Committee, the most recent representative being former Councillor Stephen Magyar. During their July 1998 round of meetings, the Joint Commissioners gave consideration to nominating members to committees, however no nomination was made to the Yellagonga Regional Park Community Advisory Committee.

DETAILS

As part of its commitment for combined involvement in regional park management, the Department of Conservation and Land Management has invited a Council officer to be a member of the Yellagonga Regional Park Community Advisory Committee.

It is recommended that the Director Technical Services or his nominee be nominated for appointment to the Yellagonga Regional Park Community Advisory Committee.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners nominate Director Technical Services or his nominee as delegate to the Yellagonga Regional Park Community Advisory Committee.

The Motion was Put and

CARRIED

CJ80-08/98

**'THE DEVELOPMENT MARATHON - HOW
TO BE IN FRONT IN THE YEAR 2000'
CONFERENCE, 3/5 SEPTEMBER 1998 -
ATTENDANCE OF COMMISSIONER
R ROWELL - [09047]**

SUMMARY

The Urban Development Institute of Australia Incorporated is holding its annual conference 'The Development Marathon - How to be in Front in the Year 2000' in Busselton, from 3-5 September 1998. This report recommends that Commissioner Robert Rowell attends this conference.

DETAILS

'The Development Marathon - How to be in Front in the Year 2000' conference is being held in Busselton, 3-5 September 1998. The conference will address the following issues:

- Changing Population
- Neighbourhood Development
- Environmental Protection
- Development Strategies
- LandCorp in the New Millennium

COMMENT/FUNDING

The conference is being run by the Urban Development Institute of Australia and will feature prominent speakers from both the private and public sectors.

The conference will allow delegates a chance to explore the issues facing the urban development industry as we head towards the new millennium.

The estimated cost of attending the conference is \$700.

Funding is provided in the draft 1998/99 budget, account 20006 - Members Conferences.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that:

- 1 the Joint Commissioners approve the attendance of Commissioner R Rowell at the 'The Development Marathon - How to be in Front in the Year 2000' conference, 3-5 September 1998 in Busselton;
- 2 costs associated in 1. above be charged to account 20006 - Members Conferences.

The Motion was Put and**CARRIED**

CJ81-08/98**LIBRARY SERVICES STRATEGIC PLAN -
[01529]**

SUMMARY

The Strategic Plan recently developed for Library Services is provided for consideration by the Joint Commissioners. The plan will guide development of library and information services over the next three years.

BACKGROUND

The first library in the City of Joondalup/Shire of Wanneroo opened in the Wanneroo townsite in 1961. In thirty-seven years the library service has developed into the largest and busiest public library and information system in Western Australia.

DETAILS

Currently the City's library service comprises one totally integrated infrastructure for the City of Joondalup and the Shire of Wanneroo which provides community access to the broadest range of services, facilities and resources both regionally and locally.

In 1997 a review of the Library Services business unit was commenced as part of the overall review of the Community Development Directorate. The review of Library Services comprised several stages culminating in the development of the Strategic Plan for Library Services.

The future of the library service as one regional or two completely separate services for the City of Joondalup and the Shire of Wanneroo is yet to be determined. The Libraries review took place prior to the decision to split the City however the issues as outlined are applicable to both Councils.

The Strategic Plan is totally customer oriented. It considers the strengths and weaknesses of the existing service, the future needs of the community and Councils, and identifies strategies which will ensure the service remains relevant and a leader in public library service provision.

The implementation of the Strategic Plan has been developed so as to focus on 5 Key Result Areas:

1. **Planning and Marketing.** Although the library service is regularly used by approximately fifty percent of the population, more proactive and structured planning and marketing will increase user participation in service development and awareness of facilities within the community and Council. Strategies to commence in 1998/99 include induction packages, community profiling, surveys, a marketing plan, signage review and user education.

2. **Regional Infrastructure.** The library service is in a prime position to lead in the provision of library and information services through establishing partnerships which will enable service development at the regional level. Currently Library and Information Service is developing joint projects in the areas of automation, services to Clients from culturally and linguistically diverse backgrounds, and children's services.
3. **Service Development.** One key initiative of service development during 1998/99 and 1999/2000 will be the introduction of a new computer system which will achieve work practice efficiencies, development of new services and improved customer access. Additionally, in this financial year a library and information service point will be established in Neerabup, the documentation for the Clarkson Library will be undertaken and the Clarkson stock selection will continue.

The role of the libraries as a main access point to Council services and community information is highlighted in the Strategic Plan as is the need to identify potential revenue generating products and services. Work is progressing in the area of cost recovery products however, additional resources may be required to undertake a feasibility analysis of these potential products and services in order to develop a complete business plan. No specific allocation of funds for this initiative has been made in the 1998/99 budget.

4. **Staff Development.** Human resources development is central in achieving the goals of the Strategic Plan. Strategies to improve staff decision making at all levels, information technology, project management skills and cultural sensitivity will be addressed throughout this financial year.
5. **Business Management.** Benchmarking partners are currently being sought as one means of demonstrating the cost effectiveness of library services. In addition, delegation of financial management will ensure better control at the branch library level. The potential to provide services to other Local Government Authorities on a cost recovery basis and to introduce income generating products and facilities is currently being evaluated and, where appropriate, the new services will be developed.

The Library Services Strategic Plan provides direction for service development for the next three years. Staff are enthusiastic about the opportunities highlighted. Time frames for the implementation of the Plan have been established. Work has already commenced on initiatives to be achieved in the 1998/99 financial year.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the report relating to the Library Services Strategic Plan be noted.

The Motion was Put and

CARRIED

Appendix I refers

CJ82-08/98**PAYMENT OF RATES AND OTHER CHARGES -
1998/99 FINANCIAL YEAR - [26174]****SUMMARY**

This report seeks the Joint Commissioners agreement to payment options, late payment interest, administration fees and interest charges, relating to the payment of rates and other charges as detailed in the 1998/99 Budgets. A decision is required in relation to this matter to expedite the dispatch of rate notices.

BACKGROUND

It is anticipated that the 1998/99 Budgets will be adopted towards the end of August 1998.

In order to print the rate notices and have them processed and ready for distribution as early as possible, necessitates an earlier decision by the Joint Commissioners in relation to the various payment options, late payment interest, administration fees and interest charges, for rates and other charges.

DETAILS

In order to accelerate the printing of rate notices, it is recommended that the Joint Commissioners agree to the following schedule of payments, late payment interest, administration fees and interest charges, for rates and other charges.

Payment Options

- | | | |
|---|---|---|
| 1 | <u>one</u> payment in full, of rates and other charges, providing a 5% discount <u>plus</u> the opportunity to win a rate incentive prize | 21 days following the issuing of rate notices |
| 2 | <u>one</u> payment in full of rates and other charges, providing a 5% discount | 28 days following the issuing of rate notices |

Under the provisions of Section 6.45 of the Local Government Act 1995, it is not mandatory to provide ratepayers with an option for two instalments, however it was the practice of the former City of Wanneroo to provide this extra option as it closely aligned the payment options with those offered by the Water Corporation. Consequently it is recommended that this practice continue.

- | | | |
|---|--|---|
| 3 | <u>two</u> payments (50% each) | |
| | <ul style="list-style-type: none"> • 1st instalment • 2nd instalment | 35 days following the issuing of rate notices
63 days after due date of 1st instalment |

It is mandatory pursuant to Section 6.45 of the Local Government Act 1995, to provide an option for four equal instalments. Where a ratepayer elects to pay by instalments, an interval of at least 2 months must be given between the second and subsequent instalments.

4 four payments (25% each)

- | | |
|------------------|---|
| • 1st instalment | 35 days following the issuing of rate notices |
| • 2nd instalment | 63 days after due date of 1st instalment |
| • 3rd instalment | 63 days after due date of 2nd instalment |
| • 4th instalment | 63 days after due date of 3rd instalment |

Late Payment Interest

It is recommended that the Joint Commissioners in accordance with the provisions of Section 6.13 and 6.51 of the Local Government Act 1995, impose interest on all current and arrears general rates, current and 1997/98 arrears domestic refuse charges and current and 1997/98 arrears private swimming pool inspection fees at a rate of 8.45% (local government overdraft index rate) per annum, calculated on a simple interest basis on arrears amounts that remain unpaid and current amounts that remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment and continues until instalment is paid. In previous years the late payment interest could only be charged after a three month period, but this was amended as from 1 July 1998, to a period of 35 days. Excluded are deferred rates, instalment current amounts not due under the four payment option, registered pensioner portions and current government pensioner rebate amounts. Such interest to be charged once per month on the outstanding balance on the day of calculation for the number of days, as previously detailed.

Instalments And Arrangements Administration Fees And Interest Charges

It is recommended that the Joint Commissioners:

- 1 in accordance with the provisions of Section 6.45 of the Local Government Act 1995, for the 1998/99 financial year, impose the following administration fees and interest charges for payment of rates, domestic refuse charges and private swimming pool inspection fees:

Two Instalment Option

An administration fee of \$5.00 for instalment two, together with an interest charge of 5.4% (SBC WDR bank bill index) per annum, calculated on a simple interest basis on:

- * 50% of the total current general rate calculated 35 days from the date of issue of the annual rate notice to 63 days after the due date of the first instalment.

Four Instalment Option

An administration fee of \$5.00 for each instalment two, three and four, together with an interest charge of 5.4% per annum, calculated on a simple interest basis on:

- 75% of the total current general rate calculated 35 days from the date of issue of the annual rate notice to 63 days after the due date of the first instalment;
- 50% of the total current general rate calculated from the due date of the first instalment to the due date of the second instalment;
- 25% of the total current general rate calculated from the due date of the second instalment to the due date of the third instalment.

Hardship Cases

An administration fee of \$20.00 per assessment for each payment agreement.

In 1997/98 the administration fee was \$10.00 per assessment for each payment agreement, plus \$2.00 for each instalment other than the first. This proved difficult to administer and therefore the new flat fee of \$20.00 per assessment is recommended.

- 2 in accordance with the provisions of Section 6.49 of the Local Government Act 1995, authorise the Chief Executive Officer to enter into special payment agreements with ratepayers for the payment of rates, domestic refuse charges and private swimming pool inspection fees during the 1998/99 financial year.

COMMENT

To enable the rate notices to be issued as soon as possible following the adoption of the 1998/99 budget, it is necessary to have the payment amounts and dates settled, so that the printing of the rate notices may proceed in advance.

This will in turn allow the earlier collection of rate revenue.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners agree to the payment options, late payment interest, administration fees and interest charges as outlined in report CJ82-08/98.

The Motion was Put and

CARRIED

CJ83-08/98**1998/99 RATE INCENTIVE SCHEME -
[05881]**

SUMMARY

It has been customary over past years for the former City of Wanneroo to offer donated prizes in a Rate Incentive Scheme to encourage early payment of rates within 21 days of issue of the rate notice. Due to past success in attracting ratepayers to pay rates early the Joint Commissioners at their meeting held on 21 April 1998 resolved to again conduct a Rate Incentive Scheme for 1998/99 financial year. This report details the prizes on offer and the donors.

BACKGROUND

The former City of Wanneroo has conducted a rate incentive scheme since 1983 to encourage ratepayers to make full rate payment within 21 days of the issue date of the rate notice. Over the years this scheme has been a success with rate accounts being paid earlier than would otherwise be the case.

The incentive for early payment is a chance to win one of several prizes which in the past have been donated to the City.

The former City of Wanneroo has previously held a cocktail party at which the prizes were presented.

At the meeting held on 21 April 1998 the Joint Commissioners resolved to undertake a rate incentive scheme for the 1998/99 financial year for both the City of Joondalup and Shire of Wanneroo.

DETAILS

Negotiations with the following donors for prizes for the 1998/99 Rate Incentive Scheme have been finalised.

1. Commonwealth Bank

- Two Streamline Savings Accounts of \$2,500 each (one for each of the City of Joondalup and Shire of Wanneroo).

2. Novotel Langley, Perth

- Two "Weekend" vouchers (one for each of the City of Joondalup and Shire of Wanneroo).

3. Esplanade Hotel, Fremantle

- Two “Two Night Breakaway Packages” (one for each of the City of Joondalup and Shire of Wanneroo).

4. Duxton Hotel, Perth

- Two nights accommodation for two people, full buffet breakfast (both mornings), use of swimming pool, spa, sauna and fitness club facilities.

5. Rydges

- A “Weekend Package” for two including one nights accommodation and valet parking.

6. Joondalup Resort

- Voucher for two people for overnight accommodation, dinner and breakfast.

7. Hotel Rendezvous

- “Sunset Escape Package” for two people, includes overnight accommodation in a luxury ocean view room, buffet dinner, self parking.

The following allocation of prizes is suggested:-

City of Joondalup

- Commonwealth Bank
- Novotel Langley, Perth
- Esplanade Hotel, Fremantle
- Duxton Hotel, Perth
- Joondalup Resort, Joondalup

Shire of Wanneroo

- Commonwealth Bank
- Novotel Langley, Perth
- Esplanade Hotel, Fremantle
- Rydges Hotel, Perth
- Hotel Rendezvous, Scarborough

COMMENT

Conditions of entry and drawing of winners adopted by the Joint Commissioners at their meeting were:-

- all ratepayers (including staff) be eligible to participate;
- all rates and charges must be fully paid by 4.30 pm, 21 days from the date of issue of the annual rate notices (eligible pensioners must pay their portion of current rates and full arrears and current charges);
- winners of prizes are drawn at the Administration Centre within five working days following the close of the competition from those persons who met the eligibility criteria. The judge's decision will be final and no correspondence will be entered into;
- prize winners are notified by mail with a public announcement in newspapers circulating within the local government area; and
- winners are drawn by random selection via Council's computer system.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 accept the offer of prizes and express their sincere appreciation to all donors for their generosity;
- 2 authorise an appropriate function to be held in the City's Civic Administration building for Commissioners, sponsors/donors and prize winners for the presentation of prizes.

ADDITIONAL INFORMATION

With regard to City of Joondalup Report No. CJ83-08/98 and Shire of Wanneroo Report No. SW51-08/98, an additional prize of \$2,000 cash (plus \$1,000 bonus if the person buys land at Carnegie Estate within 12 months) has been offered by Carnegie Private Estate at Ridgewood.

The amended list of donors and prizes, together with the suggested allocation is:-

1. Commonwealth Bank

- Two Streamline Savings Accounts of \$2,500 each (one for each of the City of Joondalup and Shire of Wanneroo).

2. Carnegie Private Estate at Ridgewood

- \$2,000 cash plus \$1,000 bonus if person buys land at Carnegie Estate within 12 months.

3. Novotel Langley, Perth

- Two "Weekend" vouchers (one for each of the City of Joondalup and Shire of Wanneroo).

4. Esplanade Hotel, Fremantle

- Two "Two Night Breakaway Packages" (one for each of the City of Joondalup and Shire of Wanneroo).

5. Duxton Hotel, Perth

- Two nights accommodation for two people, full buffet breakfast (both mornings), use of swimming pool, spa, sauna and fitness club facilities.

6. Rydges

- A "Weekend Package" for two including one nights accommodation and valet parking.

7. Joondalup Resort

- Voucher for two people for overnight accommodation, dinner and breakfast.

8. Hotel Rendezvous

- "Sunset Escape Package" for two people, includes overnight accommodation in a luxury ocean view room, buffet dinner, self parking.

The addition of the prize from the Carnegie Private Estate Developers (Town & Country Land Holdings) requires an amendment to the original list of prizes with the Carnegie Private Estate Ridgewood prize being added to the Shire of Wanneroo and the Hotel Rendezvous being transferred to the City of Joondalup.

The following allocation of prizes is now recommended:-

City of Joondalup

- Commonwealth Bank
- Novotel Langley, Perth
- Esplanade Hotel, Fremantle
- Duxton Hotel, Perth
- Joondalup Resort, Joondalup
- Hotel Rendezvous, Scarborough

Shire of Wanneroo

- Commonwealth Bank
- Carnegie Private Estate Ridgewood
- Novotel Langley, Perth
- Esplanade Hotel, Fremantle
- Rydges Hotel, Perth

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

- 1 accept the offer of prizes as shown in additional information to Report CJ83-08/98 and express their sincere appreciation to all donors for their generosity;
- 2 authorise an appropriate function to be held in the City's Civic Administration building for Commissioners, sponsors/donors and prize winners for the presentation of prizes.

The Motion was Put and

CARRIED

TECHNICAL SERVICES SECTION

Items CJ84-08/98 and CJ85-08/98 were Moved by Cmr Morgan and Seconded by Cmr Clark-Murphy. Cmr Rowell gave notice of his intention to move an amendment to CJ85-08/98. This item was considered at this point.

CJ85-08/98

**CURRAMBINE PRIMARY SCHOOL - PARENT
PARKING - [06472, 09004]**

SUMMARY

A sixteen (16) signature petition has been received from residents of Regency Court, Currambine requesting the installation of parking prohibition signs to ban parent motorists from parking in their street.

The Education Department and Currambine Primary School Traffic & Safety Committee are currently developing a comprehensive Road Safety and Parking Strategy and will submit it to the City of Joondalup for consideration in due course. It is recommended that the installation of parking bans to regulate parent parking be considered as part of this strategy.

BACKGROUND

Road safety and parking at Currambine Primary School have been a concern to the school and general community for some time. In November and December 1996, meetings were held between the Education Department, parent representatives and Council Officers to discuss proposals to improve parent parking adjacent to the school in Ambassador Drive (formerly Paddington Avenue) prior to the school opening. At that time the Education Department committed itself to further investigate the provision of an on site parent parking facility at the school. Currambine Primary School was subsequently opened in February 1997.

In March 1998, another meeting was held to discuss progress towards providing additional parent parking and the growing concerns in relation to parent parking on roads surrounding the school. The Education Department indicated that progress towards providing an on site parking facility was being made and that various options would be submitted for consideration in due course.

As part of this process, the City had taken steps to ensure that the extension of Ambassador Drive and development of the adjacent Public Open Space included the provision of kerbside parking embayments to maximise the amount of on street parent parking for the school. On street parking embayments have been provided on Ambassador Drive (10) and east of the Public Open Space on Carlton Turn (26 bays). An additional 12 parking bays will be constructed on Ambassador Drive adjacent to the Public Open Space by the developers (LandCorp) during Stage 3 works. A tentative completion date for these works is early 1999. The exact number of on street bays is subject to discussion between the school, the Education Department and the developer as access to the school's proposed on site parking is likely to be along this area. The location of the on street embayment parking and the footpath network is shown on Attachment 1.

DETAILS

At this stage, the Education Department has yet to submit any options for an on site parent parking facility. However it is anticipated that up to 30 additional parking bays may be accommodated by an on site facility.

While the concerns of residents are noted, it is likely that given the lack of alternative parent parking at or near the school, that the installation of a parking ban in Regency Court may simply transfer the problems associated with parent parking elsewhere. In the past, parking bans have only been considered as part of an overall parking and safety strategy for a school. An example of this is the Beaumaris Primary School (Ocean Reef), where parking prohibitions were installed after lengthy consultation with both the school and local community. The parking prohibitions form an integral part of the overall parking and safety strategy for the school. This strategy included the provision of additional shared off street parking facilities for the school and adjacent public open space. The introduction of parking prohibitions followed after a short period as the final stage of the strategy to regulate parent parking in the surrounding road network.

Unfortunately the protracted progress towards providing on site parking at Currambine Primary School has led to growing tension between residents and parents over the issue of parking at the school. This has culminated in the presentation of a 16 signature petition, from residents of Regency Court requesting the installation of parking prohibitions to ban parent motorists from parking in their streets.

COMMENT

Given the lack of alternative parent parking at the school, it would only be appropriate to consider parking bans as part of the overall parking and safety strategy for Currambine Primary School. It is anticipated that the Education Department and Currambine Primary School Traffic & Safety Committee will submit a strategy for consideration shortly. In the interim, residents have been encouraged to take an active role in forming a Parking and Safety Strategy for the School by making a submission to, or becoming a member of, the Currambine Primary School Traffic & Safety Committee.

While the City's initiative to provide additional on street parking embayments east of the Public Open Space and those proposed for Ambassador Drive may go some way to lessening problems in Regency Court, clearly a more long term solution lies with the development of an on site parent parking facility. If a community agreed Parking and Safety Strategy was submitted shortly, then any parking prohibitions could be presented for Council's consideration so they can be installed over the school summer holiday period in time for the new school year.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 request the Currambine Primary School Traffic and Safety Committee to develop a parking strategy for submission to the Technical Services Directorate;
- 2 consider the installation of parking bans in Regency Court, subject to the bans forming an integral part of an approved Parking and Safety Strategy for Currambine Primary School;
- 3 advise the petitioners accordingly.

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

- 1 **meet with the Currambine Primary School Traffic and Safety Committee, as a matter of urgency, to develop a parking strategy for submission to the Technical Services Directorate;**
- 2 **advise the Currambine Primary School that Council is considering the installation of parking bans in Regency Court;**
- 3 **request a further report be submitted to Council following consultation with the local community;**
- 4 **advise the petitioners accordingly.**

Cmr Morgan advised the amended Motion had been submitted as a result of the deputation which addressed Commissioners prior to this meeting.

Cmr Buckley expressed concern at the Education Department's failure to provide safe parking on school grounds and hoped that in the future the Education Department could be prevailed upon to provide safe parking and picking up facilities for children.

The Motion was Put and

CARRIED

The Committee then reverted to the normal order of the Agenda.

CJ84-08/98**JOONDALUP-KINROSS CRICKET CLUB
- [01434J]**

SUMMARY

Joondalup-Kinross Cricket Club has requested support from the City for its application to the Office of Racing, Gaming and Liquor for a Club Restricted Liquor License for McNaughton Park Clubrooms, Kinross.

BACKGROUND

Joondalup-Kinross Cricket Club requires a Club Restricted Liquor License from 1 October 1998 to 30 March 1999 for Saturday evenings from 6.00 pm to midnight. The Club plans to sell beer, wine and spirits. It has exclusive tenure of the clubroom for the above day and time through its seasonal booking. The Club intends to store alcohol on the premises and will adhere to any building adjustments required to facilitate this.

DETAILS

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

To trade with a Club Restricted Liquor License the applicant needs to have exclusive tenure of the facility. The Office of Racing, Gaming and Liquor has advised that this can be done in City of Joondalup facilities by either the applicant possessing a lease on the facility or by seasonally booking the facility to cover the days and times the applicant wishes to trade.

COMMENT

If support is given to apply for a Club Restricted Liquor License it has been the practice of Council, as owners of the facility, to provide the applicant with a letter of support to the Office of Racing, Gaming and Liquor informing the office that the applicant will have exclusive tenure if the facility during requested trading times. Additional information Council provides includes copies of site and floor plans of the Council facility.

Policy J1-01 states that:

“When user groups wish to store alcohol on an on-going basis, the user group shall:

- 1 in consultation with Recreation Management Committees, apply to Council for approval;*
- 2 subject to approval being granted, be responsible for all associated costs and ensuring the alcohol is stored in a store room set aside for the purpose where:*
 - (a) there are security grilles on the windows;*

- (b) *the walls, if of framed construction have steel mesh or similar linings;*
- (c) *the door is of solid core construction or sheeted with steel; and*
- (d) *a localised alarm system is installed."*

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

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

- 1 approve the application by the Joondalup-Kinross Cricket Club to apply for a Club Restricted Liquor License for McNaughton Clubrooms, McNaughton Park, Kinross on Saturdays from 6.00pm to midnight, 1 October 1998 to 30 March 1999;
- 2 provide the applicant with a letter of endorsement to the Office of Racing, Gaming and Liquor along with the required site and floor plans that stipulates the day, times and dates approved by the Joint Commissioners;
- 3 advise the Joondalup - Kinross Cricket Club that where it proposes to store alcohol, the store room is to have:
 - . security grills on the windows;
 - . where the walls are of framed construction, steel mesh or similar linings a solid core door or steel lined door; and
 - . a localized alarm system installed.

subject to the approval of the Asset Manager, City of Joondalup.

The Motion was Put and

CARRIED

CJ85-08/98

**CURRAMBINE PRIMARY SCHOOL - PARENT
PARKING - [06472, 09004]**

This item was considered earlier in the meeting following Item CJ83-08/98.

DEVELOPMENT AND PLANNING SERVICES SECTION**CJ86-08/98****ADDITIONS AND REVISIONS TO
JOONDALUP CITY CENTRE DEVELOPMENT
PLAN AND MANUAL - CLOSE OF
ADVERTISING - [15136J]****SUMMARY**

The Joint Commissioners of the former City of Wanneroo adopted draft modifications to the Joondalup City Centre Development Plan and Manual at their meeting in May 1998. These added guidelines for Lakeside District, recognised the withdrawal of LandCorp from involvement in the administration of the approvals process and made various other additions and clarifications of the Manual provisions. No submission was received during advertising and the changes are therefore recommended to be adopted.

BACKGROUND

The Joondalup City Centre Development Plan and Manual were adopted by the Council of the former City of Wanneroo on 16 October 1996. It was deemed to be an Agreed Structure Plan under Part 10 of the Scheme. They have from time to time been changed under the provisions of Part 10 of the City of Wanneroo Town Planning Scheme No 1 (the Scheme).

In January 1998, the Council of the former City of Wanneroo approved Amendment No 822 to the Scheme to recode portions of Lot 412 and Pt Lot 6 Lakeside Drive, Joondalup from Joondalup City Centre R40 to Joondalup City Centre R15.

In May 1998 (Report DP160-05/98) the Joint Commissioners of the former City of Wanneroo considered a range of additions and changes to the DPM and approved them for advertising. Attachment 1 shows the districts covered by the Joondalup City Centre Development Plan and Manual.

DETAILS

At their meeting on 26 May 1998 the Joint Commissioners resolved, in accordance with Clause 10.7 of Town Planning Scheme No 1, to adopt and make available for public comment the following draft modifications to the Joondalup City Centre Development Plan and Manual:

- 1. add the details listed in Attachment 1 to Report No DP160-05/98 as a new section for Lakeside District Guidelines*
- 2. modify the Introduction to the Development Manual, the Table facing, and the page 'Applications for Development Approval' to omit the requirement for an applicant to make a submission to LandCorp, as set out in Attachment 2;*

3. *modify the submission requirements so that a Development Approval is not required for changes of preferred use;*
4. *modify Clause A1.3 relating to residential provisions in the Central Business District to read:*

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

The provisions of the Residential Planning Codes for multi-unit developments may be used as a guide in developments that mix commercial with residential uses.

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

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

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

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

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

The residential development that is provided on mixed use lots will not be counted towards the plot ratio. The provisions of the Residential Planning Codes do not apply to mixed-use lots, but may be used as a guide .

For other preferred uses on mixed use lots, buildings should not exceed a maximum plot ratio of 0.5.

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

“1.0m min and 4.5m max, unless the boundary is angled so as to preclude this.”

The proposed changes were advertised in the Wanneroo Times on 9 June and advertising closed on 10 July 1998. No submission was received during advertising.

COMMENT

The modifications to the Joondalup City Centre Plan and Manual are recommended to be adopted without modification.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in accordance with Clause 10.7 of Town Planning Scheme No 1, adopt the modifications to the Joondalup City Centre Development Plan and Manual to include provisions relating to development in the Lakeside District (as attached to Report CJ86-08/98) and modifying certain provisions relating to other districts.

Cmr Rowell spoke to the Motion.

The Motion was Put and

CARRIED

Appendix II refers

CJ87-08/98

**PROPOSED CONSULTING ROOM, LOT 376
(66) KOORANA ROAD, MULLALOO - [14849J]**

METRO SCHEME:	Residential
LOCAL SCHEME:	Residential Development
APPLICANT:	Dr A and Mrs V Dixon
OWNER	A & K Collins
APPLICATION RECEIVED	12 June 1998
DAU:	16 June 1998
REPORT WRITTEN	5 August 1998

SUMMARY

An application has been received from Dr A and Mrs V Dixon, for a Dental Consulting Room on Lot 376 (66) Koorana Road, Mullaloo. (See Attachment No 1) The proposal includes the use of the existing dwelling as a Consulting Room, and the provision of six car parking bays at the rear of the property. The applicant proposes to solely operate the practice from Monday to Friday. The premises are not intended to be used for residential habitation.

The application was advertised on-site for 30 days. At the time of writing the report, 24 letters and a 68 signature petition objecting to the proposal were received. Additionally, 22 letters and an 18 signature petition, a 26 signature petition and a 117 signature petition supporting the proposal were received. A letter of concern was also received from Mr Paul Filing MP. Objections generally relate to traffic, inappropriateness of use, decrease in safety and decrease in property values.

The proposed location does not comply with the City's Policy on Consulting Rooms (G3-10) in Residential Areas. The proposed site does not achieve the required lot area and side setback requirements for Consulting Rooms in residential areas and does not meet the objectives of the Policy. The proposal does achieve the required front and rear setbacks, landscaping and carparking requirements of the City's Town Planning Scheme No 1 (TPS1). The proposal is recommended for refusal.

DETAILS

The proposal is for a Dental Consulting Room within an existing residential dwelling (see Attachments 2 and 3). Six car parking bays are proposed to be located off Mullaloo Drive behind an existing Colorbond fence. The proposed hours of operation are:

Monday and Tuesday	8.00 am - 4.00 pm
Wednesday	8.30 am - 3.30 pm
Thursday	9.00 am - 6.00 pm
Friday	8.00 am - 2.00 pm

The applicant has been operating within the Mullaloo Dental Clinic for the past 5 years. The applicant states that the Centre is inadequate to service the needs of the community as it is a two room practice in need of repair and upgrading.

In support of the application, the applicant further states:

- it is important for the practice to remain within Mullaloo to continue to provide a service to the local residents, especially for the elderly patients from St Ives Retirement Village (approximately one kilometre from the subject site);
- the subject site is located 500 metres from the shopping centre on Koorana Road;
- the subject site is located on a moderately busy road, therefore generating minimal noise and traffic;
- the subject site is a large 780 square metre block - larger than most in the Mullaloo area;
- the large peripheral fence will screen the car park;
- the side access from Mullaloo Drive has already been approved by Council to a previous owner of the property; and
- the practice will be operated by one practitioner, and it is anticipated that between 10 and 15 patients would be seen per day.

COMMENT

Advertising

The proposal was advertised on-site for 30 days. At the time of writing the report, 24 letters and a 68 signature petition objecting to the proposal were received. Additionally 22 letters, an 18 signature petition, a 26 signature petition and a 117 signature petition supporting the proposal were received (See Attachment No 4). A letter of concern was also received from Mr Paul Filing, JP MP. The main objections to the proposal are as follows:

1. consulting rooms are unsuitable uses in a residential area. Commercial centres are favourable locations;
2. the proposal will create a decrease in property values;

3. the site is located on a busy road and will create additional traffic problems.

A summary of the submissions is outlined below.

TOTAL SUBMISSIONS		
Location	Object	Support
Mullaloo	82	61
Outside Mullaloo	10	122
Total	92	183

Parking and Traffic

Six carparking bays per practitioner are required under TPS1 for Consulting Rooms in residential areas. The proposal provides for 6 carparking bays off Mullaloo Drive. There exists a single carport at the front of the property attached to the building.

The applicant states that between 10 and 15 patients are expected per day, and would generate between 20 and 30 vehicular trips per day.

The application has been assessed by the City's Technical Services Directorate. It was advised that the traffic generated by the proposal should not have an adverse impact on the public road network.

Mullaloo Drive is a local distributor road which generates substantial vehicle numbers. Koorana Road generates through traffic from the Mullaloo Shopping Centre. The existing roundabout on the corner of Koorana Road and Mullaloo Drive accommodates substantial volumes of traffic. The location of the proposed dental consulting rooms on the corner of Mullaloo Drive and Koorana Road would create problems for vehicles turning off Mullaloo Drive into the proposed car park at the rear of the subject site. The situation could arise where vehicles are backed up through the roundabout and this would create traffic hazards.

Property Values

Two submissions were received from Real Estate Agents in the vicinity stating that, in their experience, the locating of a Consulting Room within a residential area has virtually no impact on property values. It is noted that property values are not valid town planning considerations. However, from an amenity aspect, the dwelling and landscaped areas at the front of the property are to be retained, and the car parking located to the side of the property. The applicant has advised that the building will not be used for a residence. The locality is primarily residential and the proposed use will generate additional traffic and traffic of a commercial nature. The result from increased traffic and movement to this residential area is likely to be obtrusive to the amenity of the neighbourhood.

Location

Particular attention needs to be paid to the number of practitioners using consulting rooms in residential neighbourhoods to ensure that the size and intensity of development does not become obtrusive.

The proposed Consulting Room is to be operated by one practitioner and between 10 and 15 patients are expected per day. Albeit, the intention is to make minor changes to the dwelling house, the use will, however, change from a single house to a commercial and use.

The applicant currently practices from the Mullaloo Shopping Centre (approximately 500 metres from the subject site) and states that the facility is too small to service the needs of the patients, and is in need of upgrading and repair. The applicant further states that it is preferable to remain practising within Mullaloo to continue to provide service to Mullaloo residents, including those from St Ives Retirement Village, approximately one kilometre from the subject site. Having noted this information, it should be considered that this does not substantiate adequate justification for the proposal to be located on the subject land. The grounds for its location on the subject land appears to be ad hoc in favour of establishing a commercial development over the protection of the amenity of the residential neighbourhood.

The proposed site has an area of 779 square metres. Under TPS1, the required lot area is 800 square metres. The side setback is at 1.3 metres. The required side setback for Consulting Rooms in residential areas is 3 metres. The side setback is only in accordance with a residential setback for a single house under TPS1. A larger site could have met all of the setback requirements. Consideration should be given to the objections received, in particular, those of the immediate surrounding properties.

Policy

The City's policy on Consulting Rooms (G3-10) identifies that consulting rooms in residential areas should only be located in or adjacent to community centres. It further identifies that consideration of the location of the consulting room should be given where it provides suitable buffers to protect residential amenity. Furthermore, the Policy discourages ad hoc development of consulting rooms over the protection of the amenity of residential neighbourhoods, as in this circumstance. This proposal is located some 500m from a shopping centre (Mullaloo Plaza) and further from the St Ives Retirement Village.

The application site is located at an intersection serviced by a roundabout. The generation of commercial traffic and car parking relating to the nature and operation of the use is considered to detract from the objectives of the policy to protect the amenity of the residential neighbourhood.

Cmr Rowell declared an interest in this item as his family has an interest in the Mullaloo Plaza Shopping Centre; Cmr Rowell left the Chamber at this point, the time being 1807 hrs.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that the Joint Commissioners refuse the application submitted by Dr A and Mrs V Dixon, for a Dental Consulting Room on Lot 376 (66) Koorana Road, Mullaloo on the following grounds:

- 1 the proposal does not comply with Council's Policy (G3-10) on Consulting Rooms and the use is considered to be detrimental to the amenity of the residential neighbourhood;**
- 2 the variations to the side boundary setback does not comply with the city of Joondalup Town Planning Scheme No 1 requirements and is considered not appropriate for the nature and operation of the use adjoining a residential area;**

- 3 the lot area does not comply with the City of Joondalup Town Planning Scheme No 1 requirements and the use is considered to detrimentally affect the amenity of the immediately surrounding residential area;**
- 4 the proposal is contrary to the orderly and property planning of the locality.**

Cmr Buckley spoke in support of the Motion.

The Motion was Put and

CARRIED

Cmr Rowell entered the Chamber at this point, the time being 1810 hrs.

Items CJ88-08/98 to CJ97-08/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Clark-Murphy. Cmr Rowell gave notice of his intention to speak on Item CJ97-08/98.

**CJ88-08/98 PROPOSED SATELLITE DISH, LOT 650 (57)
LYSANDER DRIVE, HEATHRIDGE - [12118
(72190)]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential
APPLICANT:	N Ayad
OWNER:	N Ayad
APPLICATION RECEIVED:	1 May 1998
DAU:	7 May 1998
REPORT WRITTEN:	6 August 1998

SUMMARY

An application for a 3 metre diameter satellite dish, 3.3 metres above ground level, has been received from N Ayad, on Lot 650 (57) Lysander Drive, Heathridge (refer to Attachment No 1).

The proposed dish is to be located 5 metres from the southern (rear) boundary and 4.5 metres from the western (side) boundary (refer to Attachment No 2).

The adjoining properties were given 14 days to comment on the proposal. A letter of no objection was received from the owner of Lot 641 (21) Wayfarer Road (to the south), and a letter of objection was received from the owners of Lot 649 (59) Lysander Drive (to the west). The objection relates to the decrease in the general amenity of the surrounding properties.

The proposed dish does not meet the requirements of the City's Amateur Radio Masts and Antennae in Residential Area, Policy G3-42 which states, that Council is only likely to favourably consider proposals where adequate screening is provided by natural vegetation and no objection is raised by residents in the immediate vicinity.

In consideration of the objection received and that the proposal does not meet the requirements of Policy G3-42, the application is recommended for refusal.

BACKGROUND

The application was received on the 1 May 1998. Further information and detailed plans were requested and not received until 17 June 1998. The original submission proposed the satellite dish at 1.5 metres from the southern (rear) boundary and 4 metres from the western (side) boundary. The City received objections from the owners of Lot 649 (59A) Lysander Drive and Lot 641 (21) Wayfarer Road to the initial proposal. Following consultation with the owners of the subject site a new location was suggested, proposing a rear setback of 5 metres and a side setback of 4.5 metres. The owners of the property state that the satellite dish needs to be located in the south west corner of the property to receive adequate transmission.

DETAILS

The application proposes the erection of a 3 metre diameter satellite dish, standing at 3.3 metres above ground on a galvanised pole. The dish is constructed of black metal mesh and is required to receive transmission of overseas television stations (refer to Attachment No 2 and No 3).

The dish needs to achieve unobstructed northern receipt of transmission. The applicant states that the south west corner of the subject site is the only suitable location for the dish. The dish is proposed at 5 metres from the southern (rear) boundary and 4.5 metres from the western (side) boundary (refer to Attachment No 3).

COMMENT

The City's Policy G3-42 states that local residents are concerned about the detrimental effect that these structures can have on the visual amenity of residential neighbourhoods and it is important that this is adequately protected.

The proposed dish will stand at least 1.5 metres above the top of a standard fence height. The proposed dish will affect the visual amenity of the property at the rear (Lot 641 (21) Wayfarer Road) and the property to the west (Lot 649 (59) Lysander Drive). It should be noted that the owner of Lot 641 Wayfarer Road has no objections to the amended proposal, however, the owner of Lot 649 (59A) Lysander drive has stated that the proposed dish would decrease the general amenity of the surrounding properties.

There exists minimal vegetation along the rear and side boundary of the subject site. If the proposal is to be approved, a condition of approval would be for the owner to adequately screen the dish, by way of natural vegetation, from the view of the properties to the south and the west.

The proposed satellite dish achieves the required Residential Planning Code (1991) (R-Codes) setbacks of one metre from the rear and one metre from the side boundaries. The owner states that the proposed location is the only acceptable site for adequate reception.

The proposed dish does not meet the requirements of Policy G3-42 which states that Council is only likely to favourably consider proposals where adequate screening is provided by natural vegetation and no objection is raised by residents in the immediate vicinity.

In consideration of the objection received and that the proposal does not meet the requirements of Policy G3-42, the application is recommended for refusal.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners refuse the application submitted by N Ayad for a satellite dish, on Lot 650 (57) Lysander Drive, Heathridge for the following reasons, the:

- 1 development does not comply with the City's Amateur Radio Masts and Antennae in Residential Area Policy G3-42;**
- 2 overall size of the satellite dish is considered to detrimentally affect the amenity of the immediate surrounding residential neighbourhood;**
- 3 adjoining property owner objects to the installation of the satellite dish;**
- 4 proposed development is inconsistent with the orderly and proper planning of the locality.**

The Motion was Put and

CARRIED

CJ89-08/98

WAIVER OF APPLICATION FEES FOR GAMING PERMIT - [03034]

SUMMARY

The request to vary the Gaming Permit for the Ocean Ridge Senior Citizens' Club is supported on the basis that it is a non-profit organisation.

DETAILS

The City has received a request from the Ocean Ridge Seniors Citizens' Club seeking approval for the waiver of the \$100.00 fee for the issue of a Gaming Permit.

The applicant has advised that the Club is a non-profit organisation and seeks approval to use premises for weekly bingo sessions for the enjoyment of members only.

COMMENT

Council's Policy (Policy W2) relating to Fees for Services allows Council to waive or negotiate fees for persons who are assessed as financially disadvantaged. The fees in the City's draft budget for Gaming Permits have been reduced to \$20.00, and the balance of the fee should be therefore be waived.

Correspondence from the proponent dated 29 May 1998, states that:

“Re: Approval of Premises Application (Bingo)

Mrs Sylvia Byatt, President of ORSCC recently approached the Council re the above. After some considerable time and speaking with numerous Council employees she was told to apply in writing.

We are now informed that there is a \$100 fee for this service. As you are aware we are a non-profitable organisation and in the past have not been held responsible for this fee.

Would you kindly see your way fit to waive this \$100.

The Bingo session of approx 1½ hrs (Mon. pm) is for the enjoyment of the members.

The premises are licensed until 13.3.99 but we would like to have this resolved as soon as possible.”

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners reduce the Gaming Permit application fee of \$100.00 for use the premises by the Ocean Ridge Seniors' Club to \$20.00.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CJ90-08/98

**DEVELOPMENT ASSESSMENT UNIT AND
DELEGATED AUTHORITY - [07032]**

SUMMARY

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 23 July 1998 to 5 August 1998.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report CJ90-08/98.

The Motion was Put and

CARRIED

Appendix III refers

CJ91-08/98**SUBDIVISION CONTROL UNIT - DIRECTOR,
DEVELOPMENT SERVICES - 23 JULY 1998 TO
5 AUGUST 1998 - [05961]**

SUMMARY

Overleaf is a resumé of the Subdivision Applications processed by the Subdivision Control Unit 23 July 1998 to 5 August 1998. All applications were dealt with in terms of the delegation of subdivision control powers to the Chief Executive Officer (DP247-10/97 and DP10-01/98). The Chief Executive Officer subsequently delegated to the Manager Development Management Services, the authority to deal with these applications as follows:

- SCU1 Subdivision applications received which are generally consistent with an approved or agreed Structure Plan (including Outline Development Plan and Development Guide Plan).
- SCU2 Subdivision applications previously supported, or not supported by Council and subsequently determined by the Western Australian Planning Commission (WAPC) consistent with the Council's recommendation.
- SCU3 Applications for extension of subdivisional approval issued by the WAPC which were previously supported by Council.
- SCU4 Applications for subdivision or amalgamation which result from conditions of development approval given by or on behalf of Council.
- SCU5 Applications for subdivision or amalgamation of lots which would allow the development of the land for uses permitted in the zone within which that land is situated including applications involving the excision of land for road widening, sump sites, school sites, etc.
- SCU6 Applications for subdivision or amalgamation of lots contrary to Council or WAPC Policy or are not generally consistent with an approved or agreed Structure Plan.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ91-08/98.

The Motion was Put and

CARRIED

Appendix IV refers

CJ92-08/98**ADDITIONAL GROUPED DWELLING : LOT 82
(2) STEM PLACE, OCEAN REEF - [28182 (7376)]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development
APPLICANT	Dale Alcock Homes
OWNER:	A & N Sharman
APPLICATION RECEIVED:	8 July 1998
REPORT WRITTEN:	6 August 1998

SUMMARY

An application for an additional grouped dwelling to an existing dwelling with a garage wall on the boundary has been received from Dale Alcock Homes, on behalf of A and N Sharman, on Lot 82 (2) Stem Place, Ocean Reef (refer to Attachment No 1).

The owners of the adjoining properties were given 14 days to comment on the parapet wall. One objection was received from the owner of Lot 61 (21) Tornado Road, Ocean Reef.

Clause 1.5.8(f) of the Residential Planning Codes of Western Australia 1991 (R-Codes) permits, with Council approval, nil side setbacks, subject to the height of the wall being not more than two thirds of the length of the common boundary. The proposal complies with the Town Planning Scheme No 1 (TPS1) and R-Code requirements and the Height and Scale of Buildings within a Residential Area Policy.

It is recommended that discretion be exercised and the application be approved.

BACKGROUND

A single storey brick and tile dwelling exists on the subject lot. A vacant lot strata was approved in 1997.

DETAILS

The application is for an additional single storey brick and tile dwelling, with a carport wall (5.8 metres x 2.7 metres high) on the northern side boundary (refer to Attachment No 2). With the exception of the proposed carport wall, the proposed dwelling achieves a side setback of 3.188 metres.

COMMENT

The R-Codes provide the Council with the discretion to approve walls of this height on the boundary given they are not more than two thirds the length of the common boundary.

The proposed dwelling has a carport on the northern boundary. The carport wall is proposed at a length of 5.8 metres and a height of 2.7 metres. The northern boundary is 25 metres, and therefore, the proposed carport meets the requirements of the R-Codes.

A letter of objection has been received from the owner of Lot 61 (21) Tornado Road, to the north of the subject site “..... as it is on the boundary fence line”. No further reasoning for the objection was provided. The dwelling on Lot 61 (21) Tornado Road fronts onto Tornado Road, with the rear garden area abutting the subject site. The single residence on Lot 61 is set back approximately 12.0 metres from the proposed dwelling on Lot 82 and therefore would have little impact.

The proposed carport is set back 4.5 metres from the Transom Way boundary, and is consistent with other dwellings in the vicinity in general.

The location of the carport would not affect the privacy or amenity of the adjoining property and the proposal is consistent with the streetscape of the immediate area. The proposal achieves the requirements of the R-Codes and TPS1 but the exercise of discretion under Clause 1.5.8(f) of the R-Codes is required. The application is recommended for approval.

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

- 1 approve the application submitted by Dale Alcock Homes Pty Ltd, on behalf of A and N Sharman, for an additional grouped dwelling on Lot 82 (2) Stem Place, Ocean Reef, subject to:**
 - (a) the northern face of the parapet wall adjoining Lot 61 (21) Tornado Road, Ocean Reef being made good and of clean finish to the satisfaction of the Manager, Approval Services;**
 - (b) standard and appropriate conditions as deemed appropriate by the Manager, Approval Services;**
- 2 exercise discretion under Clause 1.5.8(f) of the Residential Planning Codes (1991) to permit a reduced side setback to nil to the proposed carport on the northern boundary of the subject land.**

The Motion was Put and

CARRIED

CJ93-08/98**PROPOSED DWELLING WITH PARAPET WALL: LOT 235 (14) CRONULLA PLACE, HILLARYS - [19169J]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development: R:20
APPLICANT/OWNER:	Suco Pty Ltd
CONSULTANT:	Mr & Mrs G & C Tobin
APPLICATION RECEIVED:	4 May 1998
REPORT WRITTEN:	23 July 1998

SUMMARY

A building licence application has been received from Suco Pty Ltd, to construct a dwelling incorporating a parapet wall to the southern (right hand) boundary, of Lot 235 (14) Cronulla Place, Hillarys. The proposal is considered acceptable in terms of the objectives of the Residential Planning Code, particularly in relation to the impact on amenity. An approval is therefore recommended.

DETAILS

The subject lot is 585 m² is zoned R-20, is undeveloped and is generally level. The proposed parapet wall is to be constructed 440 mm off the southern boundary (right side), with a setback of 3.171 metres from the front boundary, is 8.770 metres long and 2.23 metres high (26 courses). The proposal complies with section 1.5.8(f) of the Residential Planning Codes (R-Codes) which states that "Walls not exceeding 2.5 metres average and 3.5 metres maximum height, can be built, with the Council's approval, to a maximum of two-thirds of the length of the boundary".

Clause 1.5.5(a) states that "A garage or carport may, with the approval of Council, be constructed to within 1.5 metres of a primary street, where vehicles are parked parallel with the street alignment." The garage does, however, comply with the R-Code normal setback averaging and exceeds the normal 3 metre minimum setback.

The total length of wall on the right hand side of 16.8 metres incorporating the kitchen and laundry in one length, and the garage in the other. The builder has agreed to move the kitchen and laundry back to the required 1.5 metres of the boundary. A revised plan will be submitted. The builder still wishes the parapet wall to remain at 440mm of the boundary.

The proposal complies in every respect with the R-Codes.

COMMENTS

The proposed dwelling complies with all aspects of the R-Codes and the Council's discretion is only required with respect to the reduced side setback for the garage.

In respect to the garage side setback, Clause 1.5.10 of the R-Codes provides that where the proposal may significantly affect the amenity of an adjoining property, the affected adjoining owners should be requested to make a submission within 14 days.

The process was followed and a submission was received.

SUMMARY OF SUBMISSIONS

FROM	RELATIONSHIP	SUMMARY
Owner 12 Cronulla Place	affected owner	Objection: 1. Will limit light source 2. Overshadowing 3. Quality of life 4. Aesthetics

In respect to the submission, the following comments are offered.

- The submission seems to relate to the proposal to construct a two storey dwelling. The dwelling complies with the R-Codes and hence cannot be refused. The only element of the proposal under review is the reduced side setback on the garage.
- The proposal satisfies the R-Code requirements for overshadowing.
- The location of the garage provides that its facade may be screened and hence the streetscape and amenity and aesthetics may be enhanced.
- It would seem that any minor impact that the reduced setback may have has been increased by the 10.8m front setback on the objector's property.
- The subject development and the objector's development could be best described as out of character with the normal development in the locality which is characterised by large houses close together.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners having considered the proposal to construct a dwelling incorporating a parapet wall 440 mm off the southern (right) boundary of Lot 235 (14) Cronulla Place, Hillarys:

- 1 exercise discretion under Clause 1.5.7 (b) and allow construction of the parapet wall;
- 2 authorise issue of the building licence.

The Motion was Put and

CARRIED

CJ94-08/98**REDUCED FRONT SETBACK DWELLING AND GARAGE: LOT 228 (63) WALTER PADBURY BOULEVARD, PADBURY - [1521J]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development (\$20)
APPLICANT:	Oswald Homes
OWNER:	Mr & Mrs R & M Watson
APPLICATION RECEIVED:	27 May 1998
REPORT WRITTEN:	6 August 1998

SUMMARY

A building licence application has been received from Oswald Homes for the construction of a new dwelling with garage and parapet wall on the boundary at Lot 228 (63) Walter Padbury Boulevard, Padbury, with a reduced setback of 2.0 metres from the front boundary to the garage. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes), particularly in relation to the amenity and the streetscape, and approval is recommended.

DETAILS

The subject lot of 675m² is zoned R20, and undeveloped. The proposed garage with parapet wall will commence 2 metres in from the front boundary, be 7.080 metres long, and 2.743 metres high from the top of the brick build up.

The immediate affected adjoining owner on the right hand side has indicated no objection to the proposed garage, whilst the owner on the left hand side is currently on holiday overseas. He has however given a verbal approval with a letter to follow in due course. The land opposite the proposal has been set aside for community purposes.

A Building Licence has previously been issued for the proposed dwelling with a minimum front setback of 3 metres. Since the issue of the licence, the owners have requested the builder submit to Council for a reduced setback of 2.0 metres. They have indicated they are seeking more useable space to the rear of the property for their children. Car parking will be parallel to the front boundary, (refer attachments), and Clause 1.5.5 (a) of the R-Codes states that the Council may approve a front setback of 1.5 metres with this type of garage.

SUMMARY OF SUBMISSIONS

	FROM	RELATIONSHIP	SUMMARY
1	Owner right hand side	Affected owner	No objection
2	Owner left hand side	Affected owner	No objection
3	Owner	N/A	Wishes to maximise rear yard; Community purposes opposite; Neighbours have no objection; Parking parallel to street alignment

		may allow a reduced setback.
--	--	------------------------------

COMMENT

The R-Codes provide Council discretion to allow a lesser setback having regard for the objectives of the Codes and the effect on the amenity of the surrounding lots and streetscape.

It is considered that locating the garage 2.0 metres from the front boundary in lieu of the 3.0 metres originally approved will have little effect on the streetscape or amenity which is confirmed by the letters of no objection from adjoining owners.

The R-Codes allow front setbacks of 1.5 metres to garages/carports when vehicles are parked parallel to the street and in this instance the setback is 2.0 metres.

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

- 1 exercise discretion under clause 1.5.5 (a) of the Residential Planning Codes and approve the proposed dwelling with garage parapet wall, with a reduced front setback of 2.0 metres, at Lot 228 (63) Walter Padbury Boulevard, Padbury;**
- 2 authorise the issue of a building licence.**

The Motion was Put and

CARRIED

CJ95-08/98

REDUCED SIDE BOUNDARY SETBACKS: LOT 479 (60) LA GRANGE LOOP, CURRAMBINE - [14010J]

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development (R20)
OWNER:	Ms M Widjaja
BUILDER:	Don Russell Homes
APPLICATION RECEIVED:	02/04/98
REPORT WRITTEN:	05/08/98

SUMMARY

A building licence application has been received from Don Russell Homes to construct a two storey dwelling on Lot 479 (60) La Grange Loop, Currambine with reduced side boundary setbacks. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes (R-Codes) particularly in relation to the impact on the amenity of the affected adjoining property and approval is recommended.

DETAILS

The subject lot of 653m² is zoned R20, is undeveloped and is generally level throughout the building envelope. The applicant is seeking reduced side boundary setbacks of 2.1 metres and 2.2 metres to the upper floor level from left and right hand boundaries. The upper floor level has major openings (windows) with a sill height of 1.8 metres from the finished floor level to bedroom No 4, the study area and the upper living area (See Attachments). The Residential Planning Codes (R-Codes) require the setbacks from the side boundary to be a minimum of 2.8 metres and 3.0 metres from the left and right hand boundaries on the basis that the windows are major openings. As per the R-Codes requirements, adjoining owners were consulted and the comments are as follows.

SUMMARY OF SUBMISSIONS

	FROM	RELATIONSHIP	SUMMARY
1	Owner of Lot 480 (58) La Grange Loop, Currambine	Affected adjoining owner	No objection
2	Owner of Lot 478 (62) La Grange Loop, Currambine	Affected adjoining owner	No objection.

COMMENT

The R-Codes provide Council discretion to allow a lesser setback having regard for the objectives of the Codes and the effect on the amenity of the surrounding lots. In this instance, it is considered that the amenity is not unduly affected.

The affected adjoining owners have indicated that they have no objections to the proposed position of the building on the lot, the length and height of the walls and the location of the windows adjacent to the common boundaries. The setbacks of 2.1 metres and 2.2 metres are for walls without any major openings. Given that the subject windows have a sill height of 1.8 metres from the finished floor level, the amenity of the adjoining properties has been maintained by eliminating any overlooking and visual intrusion. The overshadowing of the adjoining property is within the requirements of Clause 1.7.2 in that the lot is aligned from front to back in a north/northeast direction. The requirements of the R-Codes will be achieved for the remainder of the development.

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

- 1 **having considered the submission, objectives of the Residential Planning Codes and amenity, exercise the discretion available under Clause 1.5.7 of the Residential Planning Codes and approve the reduced side boundary setbacks of 2.0m and 2.2m from the upper floor level from respective side boundaries;**
- 2 **authorise the issue of a building licence.**

The Motion was Put and

CARRIED

CJ96-08/98**AUSTRALIAN INSTITUTE OF BUILDING
SURVEYORS NATIONAL CONFERENCE, 11 -
14 OCTOBER 1998 - [06511]**

SUMMARY

The Australian Institute of Building Surveyors' biennial National Conference is to be held in Adelaide from the 11 - 14 October 1998. The theme of the conference is heavily biased towards understanding the relatively new version of the Building Code of Australia (BCA 96) which is a performance based code and is particularly relevant to the City of Joondalup and the Shire of Wanneroo due to the rapid growth and diversities in building forms and classes of construction. Due to the workshop based programme, it is recommended that the Co-ordinator of Building Approvals (Principal Building Surveyor) attends.

BACKGROUND

The conference is to be held from Sunday, 11 October to Wednesday 14 October 1998 at the Hilton International Hotel Convention Centre.

The programme theme of understanding performance design, interpretation and approval, features prominently and is heavily participation focused by means of interactive workshops. Examples include

- Performance of BCA 96 including Standards, experience of the Code and access outcomes.
- Alternative solutions and using the BCA Guide.
- Site inspections and are they needed?

Other areas of significance to both municipalities include private certification of the building surveying profession including the auditing process, the impact of the Disability Discrimination Act on building works and litigation involving Council's in the building licence process.

See Attachment 1 for programme.

COMMENT/FUNDING

The conference is expected to benefit both municipalities by providing training in performance based interpretation and decision making particularly with innovative building design and construction techniques.

The evolution of the performance based BCA has placed added burden and a much greater responsibility on Principal Building Surveyors as judgement based building approvals become more common as opposed to "deemed to comply" submissions. Local authorities cannot avoid performance based building licence decisions when called on by the applicant and this particular conference provides a learning experience through interaction with experts.

There are limited opportunities in Australia to consider such matters in a national forum where experiences can be shared, information exchanged and current development explained, and it is proposed that the Co-ordinator Building Approvals (Principal Building Surveyor) attends.

It is normal practice to recommend that a Commissioner attends but in this instance due to the heavy workshop basis, assuming a technical level of expertise, it is considered not appropriate.

The cost of the conference including airfares, registration, accommodation and incidental expenses is approximately \$2500.00 and funding is allocated in the budget.

Account No:	39851
Budget Item:	Conference Expenses
Budget Amount:	\$5700.00 (\$3300 for subject conference)
Actual Cost:	\$2500.00

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

- 1 endorse the attendance of the Co-ordinator Building Approvals (Principal Building Surveyor) at the Australian Institute of Building Surveyors National Conference to be held in Adelaide at the Hilton International Conference Centre from the 11 - 14 October 1998;**
- 2 authorise the payment of conference registration fee, accommodation and airfares from Budget item number 39851 - Conference Expenses.**

The Motion was Put and

CARRIED

CJ97-08/98

**OCEAN REEF BOAT LAUNCHING FACILITY -
[04171J]**

SUMMARY

The Joint Commissioners' preferred position concerning the City's future responsibilities in respect of the Ocean Reef Boat Launching Facility has been discussed with officers of the Department of Transport and the Water Corporation. It is recommended that several changes can be made to the City's previous position to accommodate several points of concern raised by the State agencies involved, while still adequately maintaining the principles previously adopted in addressing this matter.

BACKGROUND

At the meeting of 28 July 1998 (Item CJ57-07/98), the Joint Commissioners considered a report regarding the Ocean Reef Boat Launching Facility which included background to the matters concerned. A copy of Report No. CJ57-07/98 is provided as Attachment No. 1 of this report. The Joint Commissioners endorsed the recommendation of Report CJ57-07/98.

DETAILS

The Joint Commissioners' resolution of 28 July was conveyed to the Department of Transport (DOT) and Water Corporation.

The Water Corporation advised that it was in agreement with the proposed 'Heads of Agreement' contained in the resolution of 28 July 1998.

DOT officers advised that they had some concerns with part of the proposed Heads of Agreement and requested a meeting to discuss their concerns. A meeting between officers of this City, DOT and the Water Corporation was held on 18 August 1998. The main points which arose from the meeting were:

1. DOT is not prepared to accept the City's conditions (being prerequisites to the City accepting vesting of the breakwater reserves currently vested in DOT and the Water Corporation, including any breakwater extension, and accepting dredging responsibility) regarding extension of the breakwater and undertaking of commercial development on the adjacent foreshore land. If the City seeks to retain these conditions, DOT will not contribute funding to the repair of the southern groyne.
2. If the City does not agree to accept vesting of the southern groyne reserve, the Water Corporation will most likely not undertake major repairs but will instead undertake minor repairs which will leave the southern groyne in such a condition that it will need to be fenced off to prevent access by people fishing and the public generally (for safety reasons).
3. It was agreed that the condition requiring construction of the breakwater extension could possibly be deleted if the agreement between the parties provided that DOT would remain responsible for dredging requirements until such time as a breakwater extension may be able to be undertaken to substantially reduce the dredging requirements, at which time that responsibility could be transferred to the City.
4. The condition regarding commercial development being undertaken on the adjacent foreshore land (as a prerequisite to the City accepting vesting of breakwater reserves, etc.) is a matter which the City needs to give further consideration to, bearing in mind that retaining this condition may have the outcomes referred to in 1. and 2. above.

COMMENT/FUNDING

Report CJ57-07/98 included the following recommended principles as providing the basis for determining whether the City should accept responsibility for the Ocean Reef Boat Launching Facility areas currently vested in DOT and the Water Corporation:

- i) the facility should be in sound condition and sound working order;
- ii) the facility should be capable of being made financially self-supporting, ie cost-neutral.

The disputed condition regarding extension of the breakwater relates to i) above in that the extension (if feasible) would improve the 'working order' of the facility by reducing dredging requirements. If the agreement between the parties is amended as suggested in 3. above, to confirm that DOT will remain responsible for dredging until such time as a breakwater extension may be able to be constructed, then the City will not be disadvantaged as DOT will be meeting the dredging costs involved, not the City.

The disputed condition regarding the undertaking of commercial development on the adjacent foreshore land relates to principle ii) above, as the intention was that the income generated from that commercial development would assist in meeting the management costs associated with the breakwater reserves. Three main options are apparent:

1. Retain this condition. This has the advantage of the City not having to meet breakwater-related management costs, in the event that commercial development is unable to proceed. It has the disadvantage of the southern groyne most likely only being repaired to a minor standard and having to be fenced off and inaccessible to people fishing.
2. Delete this condition. This has the advantage of the southern groyne being repaired to a high standard and being able to be used by people fishing. It also has the advantage of the potential benefits associated with the City accepting vesting of the total boat launching facility being able to be realized. It has the disadvantage of the City having increased management costs to meet, in the event that the commercial development may not be able to proceed.
3. Replace this condition with a new condition to the effect that DOT will assist the City in its endeavours to undertake the commercial development to offset management costs. The various advantages and disadvantages referred to in 1. and 2. above still apply, however, the City's prospects for being able to successfully undertake the commercial development may be enhanced.

On balance, it is recommended that option 3. above be pursued.

Regarding the degree to which a breakwater extension might reduce dredging costs, DOT advises that the currently stipulated figure of a 75% reduction may be over-optimistic and that the figure should be negotiated further in due course. A corresponding change to the previous Commissioners' decision on this point is recommended.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners advise the Department of Transport and the Water Corporation that they are agreeable to the following changes being made to the Heads of Agreement proposed at their meeting of 28 July 1998:

1 the replacement of item 1. b) iv) with the following:

“iv) surrender vesting of the breakwater reserves at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport”

2 the replacement of item 1. b) v) with the following:

“v) should the breakwater extensions referred to in b) iii) above be constructed and vested in the City, provide the City with a 5 year warranty for those extensions and a 5 year warranty against the extension actually reducing dredging costs by an amount to be subsequently agreed between the City and the Department of Transport. (Provision for arbitration is to be made should agreement not be reached on this matter.)”

3 the inclusion of the following new item 1. b) ix):

“ix) continue to accept responsibility for the dredging requirements relating to the proper operation of the Ocean Reef Boat Launching Facility until such time that the City may accept such responsibility pursuant to the terms of this agreement.”

4 the inclusion of the following new item 1. b) x):

“x) assist the City in its endeavours to undertake commercial development on the adjacent foreshore land by supporting City submissions to relevant approval agencies, advising that such development is required to assist in the offsetting of costs associated with the management of the Ocean Reef Boat Launching Facility.”

5 the replacement of item 1. c) iv) with the following:

“iv) accept vesting of the breakwater reserves at Ocean Reef Boat Launching Facility currently vested in the Minister for Transport.”

6 the inclusion of the following item 1. c) vii):

- “vii) subsequent to the breakwater extensions referred to in b) iii) above being constructed, should the feasibility studies referred to in b) ii) above finding that such extensions are feasible, accept vesting of the breakwater extension, and to accept responsibility for dredging of the harbour access channels.”

Cmr Rowell spoke in support of the Motion.

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **5.30 pm** on **TUESDAY 8 SEPTEMBER 1998** to be held in Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Deputy Chairman declared the Meeting closed at 1812 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ROWELL
BUCKLEY
MORGAN, AM
CLARK-MURPHY