



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 8 SEPTEMBER 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, 8 SEPTEMBER 1998

ATTENDANCES

Commissioners:

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

Officers:

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

APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 10 members of the Public and 1 member of the Press in attendance.

The Chairman declared the meeting open at 1730 hrs.

PUBLIC QUESTION TIME

The following question, submitted by Mr J Hollywood, was taken on notice at the Meeting of Joint Commissioners held on 25 August 1998:

Q1 Can you tell me how many apprentices work in the City of Joondalup?

A1 Response: There are four apprentices employed by the City of Joondalup and they are located in Building and Fleet Maintenance Services.

The City also engages the services of 10 trainees through Parks and Landscaping Services, as part of the Environmental Programme.

The City also employs the services of 7 Cadet Administrators who rotate through the various business units to gain knowledge of local government. The Joint Commissioners have recently resolved to discontinue the Cadet Administrators scheme, and allow business units to give consideration to engaging trainees.

The following questions were submitted by Mrs A Hine:

Q1 Item CJ79-08/98 - Could Council supply some fencing on the Hepburn Avenue side of Yellagonga Regional Park to stop litter being blown or thrown into the reeds of the lake?

A1 Fencing of this area falls under the responsibility of Conservation and Land Management. This request has been forwarded to CALM for its consideration.

Q2 Is it true some redundancy packages are being offered to some senior staff? How many? Have these costs been budgeted for? Are they for public perusal?

A2 Three senior staff are being offered negotiated settlements. The results of any additional entitlements outside normal severance payments will be made public. These costs have been budgeted for.

Q2a Can staff with access to Council information and knowledge, come back and get a job with the Council at a later date as a consultant or be representative to Council with developers known to do business with our Council? Could there be a conflict of interest involved?

A2a None of the three senior officers have been offered any consultancy work and there is no intention to do so. The City is unable to restrict in any way any external work opportunities of ex-employees under the Trade Practices Act and there is no reason to perceive any conflict of interest should occur.

Q2b Are there any ground rules set down or a policy made to adhere to?

A2b As a guide, the Council adopted a Voluntary Severance Package for its staff at a meeting held on 24 July 1996. There are no rules laid down for negotiated settlement except Section 5.50 of the Local Government Act 1995 requires any additional payment made to be given public notice.

Q3 What has happened to the Technical Services pages which previously used to be contained in our yellow pages of agenda?

A3 The Technical Services section is included in the agendas. To assist in the location of sections of the agenda, Council has reverted back to its previous practice of printing each section on coloured paper.

Q3a Where do we find Technical Services DAU information? Such as Marmion Avenue - Ocean Reef development. No mention to public of the decision at the time. Council meeting held one day, decision made next day. Did not have to go to full Council following week).

A3a The City has authority to approve subdivision engineering drawings for portions of land where approval to the subdivisional design has been granted by the Western Australian Planning Commission (WAPC).

The development referred to on the corner of Marmion Avenue and Ocean Reef Road is subject to conditional subdivision approval issued by the WAPC on 19 March 1997 (with a revised approval on 15 September 1997). Prior to the Commission's approval, the City, under delegated authority, advised the Commission of its conditional support for the subdivision. This decision was tabled in a report to the April 1997 meeting of the former City of Wanneroo Council (TP69-04/97). The subdivisional engineering drawings for the subdivision were subsequently submitted to the City for approval in February 1998 and approved on 20 May 1998.

The following questions were submitted by Mrs A Hine:

Q1 Item CJ107-09/98. Is there a report on the Archaeologist's work in Perry's Paddock?

A1 Yes. In 1996 and 1997, Kelly Aris Conservation Architect and others were engaged to prepare a conservation plan for Perry's Paddock. This conservation plan was adopted by the former City of Wanneroo at its meeting of 22 October 1997 (DP216-10/97 refers). The plan includes the work of Gaye Nayton Archaeologist.

Q1a If so, is it available to the public?

A1a Yes. A copy of the Conservation Plan is available in the Joondalup Library.

Q1b Can Council change the "Consultation Architects Brief", so that he has authority to do a proper job?

A1b It is not clear on what Mrs Hine means by suggesting the consultant is given "authority to do a proper job". The Consultant will undertake the project in a professional manner in accordance with the terms of the Burra Charter. Under these terms it is not possible to rebuild the stables (Linhay) as there is insufficient existing fabric and documentary evidence to do a full reconstruction of the building.

Q2 *Has any agreement been made between Council and the Developer of Greenwood Primary School?*

A2 The City of Joondalup has not made any agreement with the developers of the Greenwood Primary School site. City officers have been negotiating with the developer in relation to issues of subdivisional design. Ultimately, however, the development of the subject land will require approval by the government as the Council is only a recommending authority.

Q3 *Item CJ108-09/98. Regarding the development by Landcorp. I passed in during the week an appeal to Cmr Ansell in writing to bring this item up at Council.*

My question is a request that Council include in its policy for environment - That they confer with the owners of land for development, to get CALM to help out with the aid of local groups and schools, to check the land for known animals or flora on the land, and perhaps save or locate what can be saved? It is too late when bulldozers move in and the animals have nowhere to go. They are being chased onto the busy roads as has happened on this land. Please help the community and it will pay dividends.

A3 These comments are noted. A report is currently being prepared for submission to the Joint Commissioners.

Ms J Brown, Merriwa:

Q1 *In relation to the development at The Crest and the media release made, presumably, by Council, I think it is good that Council is attempting to get a policy to protect the native fauna. The last few paragraphs state: "the conditions that might protect flora and fauna would have to be imposed at the time of approving a subdivision", which probably means that within the subdivisions which have already been approved, nothing is to be done to protect those species. I'm just wondering whether Council could send out letters to the developers, requesting the developers to contact CALM so that some degree of protection could be given to the native animals prior to the bulldozing.*

A1 *Response by Director, Development Services:* That is possible. We could certainly write to developers in the event that subdivision has been approved, seeking their co-operation to contact CALM to undertake a survey to see what animals do exist and whether they can be relocated.

Q2 The other paragraph within the media release stated that subdivisions are approved by the Planning Ministry, with Council being required to make recommendations. This suggests that Council cannot do very much unless the Planning Minister agrees. Could Council attempt to sort out the legalities with the State Government and request that such a recommendation should be required to become a condition of rezoning or subdivision approval. I presume that that is what you are attempting to do but I'm a bit worried that this could drag on for another 5 years or so and still nothing is done. I just want to know how hard you are working at trying to protect the native fauna.

Several years ago at Lake Jandabup and around a lot of wetlands in Wanneroo (I think in about 1988 or 1989), the Labour Government set up a subdivision control unit and landowners there were not allowed to take down native trees or to develop anything that was going to be damaging to the wetland, and that was put on the properties over there for 5 years. I thought that was excellent and I really can't see why the Government, Local Government and State Government, can't just try and do the same thing again. There are ways of doing it if you are serious about wanting to protect it.

A2 Response by Director, Development Services: It is correct that Lake Jandabup and a number of other lakes originally had a space reservation which restricted the removal of vegetation and protection of the foreshore. In a subdivisional context it is slightly different in that we can only make certain recommendations to the Western Australian Planning Commission and it is up to them to impose conditions. It is unlikely that the WAPC would impose that type of condition but we can certainly have discussions, with a view to achieving agreement whereby they may consider part of, or some elements of, the issue that you are concerned about, ie protecting the wildlife.

Q3 When the state government says that there is going to be a subdivision in an area, it has to come to Council to be rezoned. Is it possible that this be a condition of the rezoning which is imposed by local government?

A3 Response by Director, Development Services: There is no ability at a rezoning stage to impose conditions. We have tried in the past and we have been accused by the government for imposing conditions on rezonings and we therefore do not do so. But we will certainly negotiate and discuss this issue with the Ministry.

Response by Cmr Rowell: Might I add that when a subdivisional plan goes to State Planning, it is actually part of its role to look at the environmental effects of the subdivision. So really, the major point is to lobby at the State Planning level.

Q4 Could Council lobby the State Government to make it a requirement of developers to take into consideration the environmental effects on future subdivisions?

A4 Response by Cmr Ansell: Your comments are noted.

Mrs A Hine, Wanneroo:

- *Mrs Hine reinforced the comments made by Ms Brown and believed that LandCorp and CALM were willing to get involved prior to commencement of developments.*
- *In relation to her earlier question which had been answered by the Chief Executive Officer, Mrs Hine stated this question had been misunderstood and in fact had referred to the archaeologist's report on the impact on the protection of archaeological features on the site at Perry's Paddock, and whether this report included aboriginal culture.*
- *The Chief Executive Officer responded that before the conservation report was prepared, there was a separate report and study into the significance of the area under native title and native claim, which he believed is also available in the Council's library.*

Mr A Bryant, Craigie:

Q1 In relation to the Mitchell Freeway extension and Eddystone Avenue bridge, I spoke with the Chief Executive Officer who suggested writing letters to the Minister and saying we need a bridge when the extension goes through. I have received correspondence back from the Minister for Transport dated 14 August 1998 in response to my letter saying that "the matter you have raised is being examined by the Honourable Minister and a reply will be forwarded as soon as possible". I raised in my letter to him the four points of excellence that you had raised in your Council agenda and in your deliberations as to why we feel that that bridge should go over at the same time as the extension, giving the benefit to the residents of the City of Joondalup. I would suggest that perhaps more of the public should write to the Minister and if he gets a stack of letters, he might give consideration to the request.

A1 Response by Cmr Morgan: Mr Bryant, I think that that is excellent that you have taken that up. We have again confirmed to Main Roads that we wish the bridge to be included in their tender. They have advised us that do not have the funds. We are continuing to put pressure on and I think your approach can only help the situation. Thank you.

Ms J Brown, Merriwa:

Q1 In relation to the proposed alteration to meeting times for the Council meetings, can the time for the Wanneroo meeting remain at 7.30 pm and start the Joondalup meeting at 6.30 pm? A lot of people do not get back from work until 6 pm and they could probably get here by 6.30 pm.

Response by Cmr Ansell: Your comments are noted.

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

C9-09/98 **MINUTES OF MEETING OF JOINT COMMISSIONERS - 25 AUGUST 1998**

MOVED Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Minutes of the Meeting of Joint Commissioners held on 25 August 1998, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

C10-09/98 **MINUTES OF SPECIAL MEETING OF JOINT COMMISSIONERS - 31 AUGUST 1998**

MOVED Cmr Morgan, **SECONDED** Cmr Rowell that the Minutes of the Special Meeting of Joint Commissioners held on 31 August 1998, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

C11-09/98 **PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 8 SEPTEMBER 1998**

1 **PETITION SUPPORTING THE CANCELLATION OF PORTION OF RESERVES 30598 AND 31016 - FORMER GREENWOOD PRIMARY SCHOOL SITE - [02419J]**

A 66-signature petition signed by Greenwood residents has been received from Right Marketing Australia Pty Ltd on behalf of Prime Developments supporting the closure of Reserves 30598 and 31016 for the purposes of the proposed land exchange involving the former Greenwood Primary School site.

This petition will be referred to Development Services for action.

2 **PETITION SUPPORTING THE CANCELLATION OF PORTION OF RESERVES 30598 AND 31016 - FORMER GREENWOOD PRIMARY SCHOOL SITE - [02419J]**

A 38-signature petition signed by Greenwood residents has been received supporting the closure of Reserves 30598 and 31016 for the purposes of the proposed land exchange involving the former Greenwood Primary School site.

This petition will be referred to Development Services for action.

3 PETITION REQUESTING INSTALLATION OF STREET LIGHTING -
CAREW PLACE, GREENWOOD - [23121J]

A 13-signature petition has been received from Greenwood residents requesting the installation of a street light at the end of the pedestrian accessway which enters Carew Place, Greenwood to assist in discouraging antisocial behaviour occurring in the area.

This petition will be referred to Development Services for a report to Meeting of Joint Commissioners.

4 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]

A 20-signature petition has been received from local residents objecting to the proposed cancellation of a portion of Reserves 30598 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.

5 PETITION REQUESTING IMPROVEMENT TO TRAFFIC ISLAND IN
SUSSEX WAY, CURRAMBINE - [22820J]

A 14-signature petition has been received from Currambine residents requesting that Council take action to improve the state of the traffic island in Sussex Way, Currambine.

This petition will be referred to Technical Services for a report to Meeting of Joint Commissioners.

MOVED Cmr Buckley, SECONDED Cmr Morgan that Petition Nos 1 - 5 be received and referred to the appropriate business units for action.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION

BUDGET

It is pleasing to be able to announce the excellent Budget results for both new local governments.

Because of prudent financial planning and debt reduction, both Joondalup and Wanneroo begin their lives virtually debt free.

This sound financial position means we have been able to honour our undertaking that there will be no abnormal jump in rates because of the division of the old City.

DIVISION PROGRESS

The timetabling of the major tasks of the division process is nearing completion. As promised previously, on completion it will be made available to the public.

The City's administration has commenced a project of evaluating the method of service provision to the two new local governments.

This project is being co-ordinated by Indec Consultancy and is expected to be completed by the end of November.

The reason we are carrying out this project is to determine the most effective and efficient way of providing services to the ratepayers of the new local governments.

STUDENT SCHOLARSHIPS

Last Thursday, I had the pleasure of presenting the City of Joondalup's and Shire of Wanneroo's 1998 Student Scholarship Awards.

This year, we presented 16 scholarships - 10 full scholarships of \$2,000 and six half scholarships of \$1,000; as well as four special commendations.

I would like to thank our interview panel - my fellow Commissioner Marilyn Clark-Murphy, Council officers Phil McQue and Kelly Le Surf and special thanks must go to Bev Alexander of the Education Department and Gary Carlin, our community representative.

JOONDALUP SPEED CLASSIC

Council staff are continuing to finalise arrangements with the organising company "Around the Houses Events Management" for the Joondalup Speed Classic to be held on Sunday, 25 October 1998.

This event should bring to the City a big number of visitors and attract a great deal of interest in the motoring and general public.

OUTGOING COUNCILLORS' DINNER

Last week, many former Councillors of the old City of Wanneroo attended a special dinner in their honour here at the Civic Centre.

The evening was enjoyed by all in attendance and presentations were made to the outgoing Councillors in recognition of their outstanding contributions to the region.

MEET THE COMMISSIONERS

Our "Meet the Commissioners" program is continuing as part of our undertaking to meet and consult with as many people in the community as possible.

This morning the Commissioners were at Flinders Park Community Hall in Broadbeach Boulevard, Hillarys.

Our "Meet the Commissioners" program is schedule for every second Tuesday of the month and any resident with matters of concern is welcome to come along and have our ear.

EVENTS

Other events in a busy calendar include the:

- Annual Industrial Awards tour;
- Crime Taskforce meetings;
- The opening of a skateboard facility at Gumblossom Community centre by Commissioner Buckley on Wednesday, 9 September 1998;
- Presentations to the winners of the Wanneroo Eisteddfod by the Commissioners and the Chief Executive Officer this Friday, Saturday and Sunday, 11-13 September 1998.

FINANCE AND COMMUNITY SERVICES SECTION

CJ98-09/98

SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [151876J]

The following is a list of documents sealed under the common seal of the City of Joondalup from 3 August 1998 to 21 August 1998:

Document:	Service Agreement
Parties:	City of Joondalup and Minister for Family & Children's Services
Description:	Funding of Services
Date:	3.8.98

Document:	Crown Easement
Parties:	City of Joondalup and Minister for Lands and The Water Corporation
Description:	Reserve 45122, Burns Beach Road
Date:	3.8.98

Document:	Transfer of Land
Parties:	City of Joondalup and Samar Investments Pty Ltd
Description:	Lot 6 Uppill Place, Wangara
Date:	3.8.98

Document:	Transfer of Land
Parties:	City of Joondalup and P E K Nominees Pty Ltd
Description:	Lot 5 Uppill Place, Wangara
Date:	3.8.98
Document:	Transfer of Land
Parties:	City of Joondalup and Jetsilver Holdings Pty Ltd
Description:	Lot 13 Uppill Place, Wangara
Date:	3.8.98
Document:	Deed
Parties:	City of Joondalup, Silkchime Pty Ltd, Warwick Entertainment Centre Pty Ltd and Westpoint Management Limited
Description:	Carparking - Warwick Cinemas
Date:	3.8.98
Document:	Contract
Parties:	City of Joondalup and YMCA
Description:	Provide Youth Services
Date:	4.8.98
Document:	Withdrawal of Caveat
Parties:	City of Joondalup and Mr and Mrs Beavis
Description:	Lot 63 Rio Marina Way, Mindarie
Date:	11.8.98
Document:	Scheme Amendment
Parties:	City of Joondalup and Minister for Planning
Description:	TPS No 1 - Amendment 818
Date:	19.8.98
Document:	Deed
Parties:	City of Joondalup and R J and K P Beavis
Description:	Lot 63 Rio Marina Way, Mindarie
Date:	21.8.98
Document:	Contract of Sale
Parties:	City of Joondalup, City of Perth, City of Stirling and Water Corporation
Description:	Water Production Bore site - Lot 17 Tamala Park
Date:	21.8.98
Document:	Lease
Parties:	City of Joondalup and Alexander Heights Shopping Centre
Description:	Lot 12 and Res 43984, Alexander Heights
Date:	21.8.98

Document: Surrender of Easement
Parties: City of Joondalup and Alexander Heights Shopping Centre
Description: Lot 12 and Res 43984, Alexander Heights
Date: 21.8.98

Document: Grant of Easement
Parties: City of Joondalup and Alexander Heights Shopping Centre
Description: Lot 12 and Res 43984, Alexander Heights
Date: 21.8.98

Document: Lease
Parties: City of Joondalup and Permanent Trustee Australia Ltd
Description: Kiosk 15, Whitford Shopping Centre
Date: 21.8.98

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Schedule of Documents executed by means of affixing the Common Seal be noted.

The Motion was Put and

CARRIED

**CJ99-09/98 YEAR 2000 COMPLIANCE AUDIT - TENDER
NO 1436/97-98 - [12800]**

SUMMARY

Tenders have been called to conduct a Year 2000 compliance audit on the City's computer hardware and software and embedded chip technology in equipment and buildings. Seven tenders were received.

All tenders have been considered by the City's Year 2000 Compliance Working Party and under delegated authority, the Chief Executive Officer has awarded Unisys Australia Limited the tender to undertake a compliance audit of hardware and software and embedded chip technology in office equipment.

BACKGROUND

In June 1998 tenders were called for a consultant to carry out a Year 2000 Compliance Audit.

The objectives of the audit were stated as follows

- compliance verification of all software currently used by the City
- compliance verification of all hardware currently used by the City
- identification and verification of all imbedded chip technology used by the City
- identify risks that are external to the City's operations and control

- document all critical systems which are not Year 2000 compliant and provide an estimated cost to rectify the problem
- provide a risk assessment for all hardware, software and equipment which may not be Year 2000 compliant
- identify arrangements to modify risks or provide for viable recovery procedures.

There is not an accurate record of embedded chip technology in the City's plant equipment or buildings, therefore there is extreme difficulty in assessing the extent of some elements of the tender. Due to this difficulty, the tender provided for the quoting of daily rates for some tasks which could not be accurately estimated.

Tenders were received from the following organisations:

Deakin Consulting Pty Ltd.
Engineering Solutions (Aust) Pty Ltd
ICS Group Pty Ltd
Paramount Solutions Pty Ltd
Platinum Technology Solutions Pty Ltd
Unisys Australia Limited
William Buck Risk Consulting (WA) Pty Ltd

A summary of the seven tenders is as follows:

Deakin Consulting Pty Ltd

The proposal submitted by Deakin Consulting Pty Ltd envisaged a high level review approach, with the City providing the data and technical expertise. The tender for \$48,850 did not make provision for Building Management Systems.

Engineering Solutions (Aust) Pty Ltd

The tender of \$127,900 contained a number of exclusions including verification of UNIX and NT application. In addition the tender proposes the use of a subcontractor, the Mirage Group, to carry out PC hardware and software verification.

The project methodology is based on the development of a building services equipment inventory, identifying the vendor of equipment likely to contain embedded chip technology and, where necessary, arranging for the vendor to carry out testing if deemed appropriate.

The proposal did not provide for a complete risk analysis and the methodology for undertaking the project was less than rigorous.

ICS Group Pty Ltd

A comprehensive programme was detailed in the tender which was for \$500,000. Should the City appoint the company to carry out all testing a discount of \$30,000 is proposed.

Paramount Solutions Pty Ltd

Paramount is primarily a software development company and its tender of \$24,775 covered only PC hardware and software. The proposal did not address embedded chip technology or building management systems, suggesting that that part of the project would be better served by a company more specialised in the area.

Platinum Technology Solutions Pty Ltd

The tender was based on a schedule of rates which ranged between \$50 and \$95 per hour. The project was estimated to take between six weeks and three months with perhaps two or three consultants. The proposal addressed computer hardware and software but did not properly consider Building Management Systems and embedded chip technology.

Unisys Australia Limited

The tender proposed a complete solution which would be carried out in phases. The first phase, which was titled Business Impact Assessment, would be carried out at a cost of \$125,500, covered hardware and software verification and makes allowance for 55 man days to identify and verify embedded chips in equipment, plant and buildings.

The subsequent phases which involve rectification, testing and implementation of amended software, would be carried out at schedule rates.

William Buck Risk Consulting (WA) Pty Ltd

Under William Buck's proposal the project would begin with a scoping and estimating exercise which would produce a project programme. The server and network verification would be subcontracted to Comsys Institute Pty Ltd. The cost of PC and server verification is quoted at \$22,600. The balance of the project would be completed with William Buck acting as a facilitator and using the City's skilled resources. Co-ordination of the project would be carried out at scheduled rate of \$1,200 per day.

DETAILS

The Working Party applied the multi criteria model recommended in the City's framework of contract management.

Selection Criteria	Weighting Factor
Fees and Disbursements	40%
Methodology and Understanding of the Project	15%
Previous Experience	20%
Resource Credentials and Capacity	15%
Quality Assurance	5%

The application of the selection criteria did not prove conclusive because few of the tenderers covered the full range of the services required. In addition, many of the tenders were based on part or all of the work being carried out on a schedule of rates.

Nevertheless, the methodology allowed for the tenders to be ranked and for the listing of issues which required further clarification by the tenderers.

The initial ranking was as follows:

Platinum Technology Solutions Pty Ltd
Deakin Consulting Pty Ltd.
Unisys Australia Limited
William Buck Risk Consulting (WA) Pty Ltd

It was clear to the Working Party that a range of skills were required to fulfil the requirements of the tender and that the majority of tenderers did not possess all the necessary skills inhouse. Tenderers proposed to overcome this problem by either subcontracting part of the work or not tendering for all components of the project.

In view of this, the Working Party resolved to consider Building Management Systems verification separate from computing hardware and software and embedded chip technology in equipment. Verification of Building Management Systems will be the subject of a separate report.

A sub-group of the Year 2000 Compliance Working Party met with the four preferred tenderers to clarify their proposals.

In considering the tenders and established the extent of the consultancy to be provided, the Working Party applied a methodology that considered the proposed fees, methodology, previous experience, resources and whether the company was quality assured or not. As a result the Working Party recommends that Unisys Australia Limited be appointed to carry out the Year 2000 Compliance Audit.

Unisys Australia Limited demonstrated an in depth understanding of the Year 2000 problem and was able to advance a sound methodology for undertaking the project. In addition it has had extensive experience in dealing with the millennium problem and has the resources and access to hardware and software verification tools to ensure a successful outcome.

Having carried out many Year 2000 consultancies, Unisys has developed an extensive product compliance database. The use of this database will assist the City to assess its own systems at a relatively low cost.

After extracting costs associated with the verification of compliance of Building Management Systems, the estimated cost is \$49,250 at an average daily rate of \$781.

COMMENT

The City has undertaken a substantial software upgrading programme to phase out both equipment and software which is not Year 2000 compliant. To that end, many of the larger and more complex issues are being addressed.

In addition some equipment testing has been undertaken which has shown that hardware problems will be limited.

Information gathered from software suppliers indicate that many of the standard packages used by the City are, or will be, compliant in the near future.

Regardless of the work that has already been undertaken in isolation, there is a need to identify all equipment and systems which will pose a risk to the City. The risks need to be assessed and where appropriate, action taken to reduce the risk or put in place back up systems.

This consultancy will not only identify risks, it will enable the development of a plan to ensure that the City will cope with the millennium change.

FUNDING

The budget includes provision for this consultancy. In addition, funding will be available to rectify problems identified during the course of the project.

REPORT RECOMMENDATION: That the Joint Commissioners note that, in accordance with the power delegated to him, the Chief Executive Officer has accepted the tender submitted by Unisys Australia Limited in relation to the Year 2000 Compliance Audit, on the following terms:

- 1 the scope of the Compliance Audit tender be limited to the verification of Computer hardware and software and embedded chip technology in office equipment.
- 2 the part of the tender submitted by Unisys Australia Limited relating to the verification of computer hardware and software and embedded chip technology in office equipment, which is estimated to cost \$49,250, be accepted.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners note that, in accordance with the delegated authority provisions, the Chief Executive Officer has accepted the tender submitted by Unisys Australia Limited in relation to the Year 2000 Compliance Audit, on the following terms:

- 1 the scope of the Compliance Audit tender be limited to the verification of Computer hardware and software and embedded chip technology in office equipment.

- 2 **the part of the tender submitted by Unisys Australia Limited relating to the verification of computer hardware and software and embedded chip technology in office equipment, which is estimated to cost \$49,250, be accepted.**

Cmr Clark-Murphy raised a minor amendment to the wording of the Motion.

The Motion was Put and

CARRIED

CJ100-09/98

**RECOMMENDATIONS FROM THE BUSH
FIRE ADVISORY COMMITTEE MEETING
HELD ON 17 JULY 1998 - [02499]**

SUMMARY

A meeting of the Bush Fire Advisory Committee was held on Thursday 17 July 1998, from which there were recommendations which require the endorsement of the Joint Commissioners. These recommendations relate to the adoption of the terms of reference for the Committee, appointment of various officers and the adoption of the firebreak inspection procedure.

BACKGROUND

The Bush Fires Act 1954 provides that a local government may at any time appoint such persons as it thinks fit to form a Bush Fire Advisory Committee. The purpose of this Committee is to advise the local government regarding all matters relating to the prevention, controlling and extinguishing of bush fires, the planning of the layout of firebreaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control.

This committee meets every three to four months to also ensure that interaction occurs with other fire fighting agencies.

As pointed out in the recent Volunteer Emergency Services Review conducted by Metri Consulting, formal terms of reference for the Bush Fire Advisory Committee have never been adopted by Council. The recommendation by Metri Consulting for the terms of reference for the Bush Fire Advisory Committee have been taken into consideration, and the attached terms of reference were proposed for consideration by the committee. Minor changes were made by the Committee and it is recommended that the terms of reference now be adopted.

Bush Fire Control Officers, Brigade Officers and Fire Weather Officers are appointed under the Bush Fires Act 1954, and these appointments are only valid for 12 months or for a bush fire season. It is therefore necessary for these officers to be appointed by Council.

Each year Council adopts a firebreak inspection procedure, with minor changes as required. The firebreak procedure is a set of guidelines that authorised officers follow when administering the requirements of the Bush Fires Act for firebreak and fire hazard inspections.

DETAILS

The Chief Bush Fire Control Officer submitted his Annual Report, and the Committee recommended that this report be adopted and the recommendations agreed to.

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

- 1 note the minutes of the Bush Fire Advisory Committee meeting held on 17 July 1998, shown as Attachment 1 to Report CJ100-09/98;
- 2 adopt the Terms of Reference for the Bush Fire Advisory Committee included in Attachment 2 to Report CJ100-09/98;
- 3 appoint the following people as Bush Fire Control Officers and Fire Weather Officers for the 1998/99 fire season, and cancel all other appointments:

Chief Bush Fire Control Officer	K W Smith
Deputy Chief Bush Fire Control Officer	M J Hayes
Deputy Chief Bush Fire Control Officer	I H Roy
Deputy Chief Bush Fire Control Officer	T K Olden
Deputy Chief Bush Fire Control Officer	G H Kent
Fire Weather Officer	K W Smith

Fire Control Officers

A G Morrison	J L Edwards	R G Imms
M J O'Regan	A Hudson	M P Hrovatin
T W Heinze	I S Whyborn	D W Middleton
D C Hoath	M N Haddock	R D Mansfield
C J Arnold	K Edmonds (Permit issuing only)	

P McDonald (Permit issuing only)

J McKenzie - Department of Conservation and Land Management;

- 4 note that the same firebreak inspection procedure as in previous years has been adopted and will be modified administratively as required.

The Motion was Put and

CARRIED

Appendix I refers

CJ101-09/98**PERRY'S PADDOCK PICNIC DAY
ORGANISING WORKING PARTY - [06011]****SUMMARY**

In July 1998 the Joint Commissioners of the former City of Wanneroo resolved to reinstate the Perry's Paddock Picnic Day Organising Working Party pending a review of its membership and role.

A review has been conducted and this report recommends endorsement of the proposed membership based on the Working Party's Terms of Reference.

BACKGROUND

The Perry's Paddock Picnic Day Organising Working Party role has been to assist with the organisation and management of the Perry's Paddock Picnic Day and has been active since the first Picnic Day in 1992.

The Terms of Reference for the Working Party were endorsed by the Joint Commissioners in May 1998 (Item CS68-05/98 refers).

DETAILS

The role of the Working Party has been reviewed and no changes are proposed to the Terms of Reference. The Perry's Paddock Picnic Day Organising Working Party is meeting monthly and has been effective in organising the event.

The membership of the Working Party is listed as:

- representative from Leisure Services;
- One representative from each group organising a picnic day activity; and
- One representative from Wanneroo & Districts Historical Society

COMMENT/FUNDING

It is recommended the following persons be appointed by ABSOLUTE MAJORITY in accordance with Section 5.10 of the Local government Act, 1995.

Mr A Dammers	Wanneroo Horse and Pony Club
Miss M Cockman	Wanneroo & Districts Historical Society
Mr E Monks	Grounds Co-ordinator, Wanneroo & Districts Historical Society
Mrs G Monks	Children's Races Co-ordinator, Wanneroo & Districts Historical Society
Mr P McKenzie	Tug -O-war Co-ordinator, Kingsley Woodvale Recreation Association
Mrs L Funchess	Horse Races Co-ordinator, Wanneroo Horse and Pony Club
Mrs L Snape	School Room Co-ordinator, Cockman House

Mr C Paley	Historical Displays Co-ordinator, Gloucester Lodge Museum Working Party
Mr T Martin	Football Kicking Co-ordinator, Wanneroo & Districts Historical Society
Mr R Rayson	nominee for Manager Leisure Services

REPORT RECOMMENDATION: That the Joint Commissioners in accordance with the provisions of Section 5.10 of the Local Government Act, 1995:

- 1 establish the Perry's Paddock Picnic Day Organising Working Party and adopt the Terms of Reference attached to Report CJ101-09/98;
- 2 appoint the following persons to the Perry's Paddock Picnic Day Organising Working Party:

Mr A Dammers
 Mr E Monks
 Mrs G Monks
 Mr P Mc Kenzie
 Mrs L Funchess
 Miss M Cockman
 Mrs L Snape
 Mr C Paley
 Mr T Martin
 Mr R Rayson

ADDITIONAL INFORMATION

Director, Community Development advised other members from the community have also assisted with the planning and organising of the picnic day apart from those named as representatives from each group organising a picnic day activity.

It is appropriate that these people also be recognised as having made a significant contribution to organising the 1998 Perry's Paddock Picnic Day and be invited to the picnic day luncheon.

Mrs L Gibbs	Historical displays, Gloucester Lodge Museum Working Party
Mrs C Foulds	Horse races, Wanneroo Horse and Pony Club
Mrs J Dammers	Master of Ceremonies
Mr B Marwick	Wanneroo & Districts Historical Society
Mr J Parin	Wanneroo & Districts Historical Society
Mrs A Paley	Historical displays, Gloucester Lodge Museum Working Party

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners in accordance with the provisions of Section 5.10 of the Local Government Act, 1995:

- 1 establish the Perry's Paddock Picnic Day Organising Working Party and adopt the Terms of Reference attached to Report CJ101-09/98;

- 2 **appoint the following persons to the Perry's Paddock Picnic Day Organising Working Party:**

Mr A Dammers
Mr E Monks
Mrs G Monks
Mr P Mc Kenzie
Mrs L Funchess
Miss M Cockman
Mrs L Snape
Mr C Paley
Mr T Martin
Mr R Rayson

- 3 **forward a letter of appreciation to the working party members and the following members of the community who also assisted with the planning and organising of the picnic day inviting them to the Picnic Day luncheon:**

Mrs L Gibbs
Mrs C Foulds
Mrs J Dammers
Mr B Marwick
Mr J Parin
Mrs A Paley

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix II refers

**CJ102-09/98 WARWICK RECREATION ASSOCIATION INC
- [141515]**

SUMMARY

Warwick Recreation Association Inc has requested support from the City for its application to the Office of Racing, Gaming and Liquor for a Club Liquor Licence for the Warwick Open Space Clubrooms, Lloyd Drive, Warwick.

BACKGROUND

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 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.

If support is given to apply for a Club Liquor License it has been practice for 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 of the facility during requested trading times. Other information Council provides includes copies of site and floor plans of the Council facility.

DETAILS

Warwick Recreation Association Inc requires a Club Liquor License once construction of the extensions to Warwick Open Space Clubrooms are complete. A Club liquor license will enable the Club to open from 6.00 am to midnight Monday to Saturday and 6.00 am to 10.00 pm Sundays, for a five year period. The Association plans to sell beer, wine and spirits and will have exclusive tenure of the clubroom through its lease. The Association intends to store alcohol on the premises and will adhere to any building adjustments required to facilitate this.

COMMENT

Council's Approval Services have investigated and approved the issuing of the Section 39 Certificate of Local Health Authority and a Section 40- Certificate of Local Planning Authority

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

- 1 approve the application by the Warwick Recreation Association Inc to apply for a Club Liquor License for Warwick Open Space Clubrooms, from 6.00 am to midnight Monday to Saturday and 6.00 am to 10.00 pm Sundays for a five year period;**
- 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 days, times and dates approved by the Joint Commissioners;**
- 3 advise Warwick Recreation Association Inc 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 localised alarm system installed.**

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

The Motion was Put and

CARRIED

TECHNICAL SERVICES SECTION

CJ103-09/98**TRAFFIC BEHAVIOUR - INTERSECTION OF
DORCHESTER AVENUE AND BALLANTINE
ROAD, WARWICK - [05981J, 06041J]**

SUMMARY

A petition has been received from residents of Dorchester Avenue and Ballantine Road, Warwick expressing a number of concerns in relation to various traffic problems. A Road Safety Audit for the Dorchester Avenue and Ballantine Road roundabout was carried out and as part of the findings no remedial work to the roundabout layout was recommended. It is therefore recommended to advise the petitioners to refer all incidents of unruly driver behaviour to the Police Service.

BACKGROUND

In February 1993 the former City of Wanneroo considered a report on a Traffic Management Scheme for Dorchester Avenue as part of the Warwick Entertainment Centre development approval (Item H10212 refers). The Traffic Management Scheme that was adopted consisted of roundabouts at Hawker Avenue, Ballantine Road and Dugdale Street with painted median and pedestrian refuge islands. The scheme was installed in 1993 and has been successful in reducing traffic speed in Dorchester Avenue, as shown on Attachment 1.

In May 1998 a resident of Dorchester Avenue contacted the former City of Wanneroo regarding the number of crashes occurring at the intersection of Dorchester Avenue and Ballantine Road, Warwick. A Road Safety Audit was commissioned from an independent consultant for this and a number of other intersections.

In July 1998 a 27-signature petition was received by Council from residents of Dorchester Avenue and Ballantine Road, Warwick expressing a number of concerns in relation to various traffic problems. The residents stated that they are experiencing problems, particularly in the evenings and at the weekend, from traffic that uses the roundabout causing damage to surrounding properties. The residents have requested that Council investigate this problem.

DETAILS

In May 1998 Traffic Consultant L Millar and Associates was commissioned to undertake a Stage 5 Road Safety Audit of several roundabouts within the municipality, including the roundabout at the intersection of Dorchester Avenue and Ballantine Road.

A Stage 5 Road Safety Audit is a formal examination of an existing road in which an independent, qualified examiner looks at the project's accident potential and safety performance. The essential elements are that it is a formal process and not an informal check;

it is an independent process carried out by someone with appropriate experience and training; and it is restricted to road safety issues. The outcome of a road safety audit is a Road Safety Audit Report, which identifies any road safety deficiencies and if appropriate, makes recommendations aimed at removing or reducing the deficiencies.

The original design drawings were reviewed as part of the audit process and no design problems were identified. The crash statistics, as supplied by Main Roads WA, were examined and did not show any particular pattern or a high crash rate.

There were two recommendations from the Road Safety Audit Report. Firstly, to conduct a land survey of the roundabout to ensure the roundabout was constructed to the design drawings and secondly, to install "ROUNABOUT AHEAD" signs on the southern and eastern approaches.

The land survey has been carried out and showed that the roundabout had been constructed correctly and therefore no further action was required. Main Roads has been requested to install the necessary roundabout ahead signs.

COMMENT/FUNDING

The roundabout at the intersection of Dorchester Avenue and Ballantine Road forms part of the overall Traffic Management Scheme for Dorchester Avenue. The Road Safety Audit Report did not show that there was a road safety problem with the layout of the roundabout. It is therefore concluded that driver behaviour is causing the problems.

Therefore in an effort to reduce the incidents of reckless driver behaviour the Police Service should be requested to increase surveillance in this area.

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

- 1 request the Police Service to increase surveillance in the area Dorchester Avenue and Ballantine Road;**
- 2 advise the petitioners that a thorough investigation of the problems at the intersection of Dorchester Avenue and Ballantine Road has been carried out and no engineering problem has been identified.**

Cmr Buckley referred to the conclusion of the Road Safety Audit to the effect there is no problem in relation to this roundabout. She queried what further steps could be taken to assist those living in the vicinity and to reduce driver behaviour.

Director, Technical Services advised the Police would be approached to increase surveillance in the area.

The Motion was Put and

CARRIED

CJ104-09/98**EXTENSION OF CONTRACTS - CONTRACT
NUMBERS 009-97/98, 015-97/98 [04968, 11937]****SUMMARY**

Contract numbers 009-97/98 (Hire of Multi Tyred Rollers) and 015-97/98 (Hire of Plant, Auxiliary Plant, Vehicles, Domestic and Commercial Refuse Trucks) expired on 30 June 1998. As per tender conditions these contracts had the provision of two 12 month extensions, totally at the Council's discretion.

However, it has been proposed to revise the tender specifications and amalgamate these two contracts into a single contract for the hire of all plant and equipment. This proposed tender will be advertised in September 1998. In order to continue normal operations for various projects, it is proposed to extend contract numbers 009-97/98 and 015-97/98 for a period of four months effective 1 July 1998 to 31 October 1998. All contractors involved with these contracts have indicated that they are willing to continue for a further four month period with no price variation. Contract numbers 009-97/98 and 015-97/98 are recommended for extension for a period of four months effective 1 July 1998 to 31 October 1998.

BACKGROUND

As per the General Conditions of Contract clause 24 for both contracts the Council may, totally at its discretion, extend these contracts for a further two 12 month periods with the same terms and conditions or with negotiated price adjustments for CPI and material cost increases/decreases. The contractors involved were contacted and all except Spot On Earthmoving and Plant Hire have provided written consent for extension of the contracts for four months effective 1 July 1998 to 31 October 1998.

DETAILS

For the 1997/98 year, tender number 009-97/98 (Hire of Multi Tyred Rollers) was awarded to Mayday Earthmoving and tender number 015-97/98 (Hire of Plant, Auxiliary Plant, Vehicles, Domestic and Commercial Refuse Trucks) was awarded to five companies for various items as detailed below:

Item No 1 : Bulldozers	:	Mayday Earthmoving
Item No 2 : Scrapers	:	Mayday Earthmoving
Item No 3 : Loaders	:	Alvito Pty Ltd
Item No 4 : Graders	:	Executive Plant Hire for short term hire Spot On for long term hire
Item No 5 : Backhoe Loaders	:	Mayday Earthmoving
Item No 8 : Cranes	:	Dalco Earthmoving
Item No 9 : Self Propelled Vibratory Rollers	:	Mayday Earthmoving
Item No 10 : Watercarts (Tractor drawn)	:	Alvito Pty Ltd
Item No 11 : Watercarts (Truck)	:	Alvito Pty Ltd

Item No 12 : Rubber Tyred Rollers	:	Dalco Earthmoving
Item No 13 : Low Loaders	:	Alvito Pty Ltd
Item No 14 : Skid Steer Loaders	:	Alvito Pty Ltd
Item No 15 : Tip Trucks	:	Alvito Pty Ltd
Item No 16 : Domestic Refuse Trucks	:	Alvito Pty Ltd

All contractors except Spot On Earthmoving and Plant Hire have expressed their willingness to accept the extension in contracts for a period of four months effective 1 July 1998 to 31 October 1998. Spot On Earthmoving and Plant Hire has not responded to the written request seeking consent for the extension in the contract. Spot On Earthmoving and Plant Hire was the selected contractor for the long term hire of graders. Engineering Construction and Maintenance Services very rarely hires the graders on long term and therefore the extension of contract for Spot On Earthmoving and Plant Hire is not considered necessary.

COMMENT/FUNDING

A satisfactory service from these contractors has been received during the year 1997/98. Whenever required during the current financial year, these contractors have been used at the existing rates as per the terms and conditions of contract number 009-97/98 and tender number 015-97/98.

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

- 1 the four month (1 July 1998 to 31 October 1998) extension of Tender No 009-97/98 - Hire of Multi Tyred Roller awarded to Mayday Earthmoving;**
- 2 the four month (1 July 1998 to 31 October 1998) extension of Tender No 015-97/98 - Hire of Plant, Auxiliary Plant, Vehicles, Domestic and Commercial Refuse Trucks awarded to different contractors as listed below:**

Item No 1: Bulldozers	:	Mayday Earthmoving
Item No 2 : Scrapers	:	Mayday Earthmoving
Item No 3 : Loaders	:	Alvito Pty Ltd
Item No 4 : Graders	:	Executive Plant Hire for short term hire
Item No 5 : Backhoe Loaders	:	Mayday Earthmoving
Item No 8 : Cranes	:	Dalco Earthmoving
Item No 9 : Self Propelled Vibratory Rollers	:	Mayday Earthmoving
Item No 10 : Watercarts (Tractor drawn)	:	Alvito Pty Ltd
Item No 11 : Watercarts (Truck)	:	Alvito Pty Ltd
Item No 12 : Rubber Tyred Rollers	:	Dalco Earthmoving
Item No 13 : Low Loaders	:	Alvito Pty Ltd

Item No 14 : Skid Steer Loaders	:	Alvito Pty Ltd
Item No 15 : Tip Trucks	:	Alvito Pty Ltd
Item No 16 : Domestic Refuse Trucks	:	Alvito Pty Ltd

Cmr Morgan spoke to the Motion.

The Motion was Put and

CARRIED

DEVELOPMENT & PLANNING SERVICES SECTION

CJ105-09/98	DISABILITY SERVICE PLAN STATUS REPORT 1997/98 - [09033]
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SUMMARY

The 1997/98 Disability Service Plan Status Report for the former City of Wanneroo is submitted for the information of the Joint Commissioners. Achievements in relation to an additional access outcome (which is not required within the annual reporting format for Disability Service Plans) is included separately within this report.

BACKGROUND

Under the Western Australian Disability Services Act (1993) public authorities are required to report annually on the implementation of their Disability Service Plan.

To meet this requirement, public authorities are requested to complete a pro forma status report which is forwarded to the Disability Services Commission by 1 September each year. The format asks public authorities to report on their achievements in relation to the five (5) key outcomes of the Plan, as well as providing the option to include additional information or details on particular access initiatives.

A feature of the City’s Plan has been the inclusion of a sixth outcome on increasing employment opportunities for people with disabilities within Council. This outcome is not a requirement of standard disability service plans but was added following discussions with specialist employment agencies in the region. The inclusion of the additional employment outcome was also included to assist Council meet its obligations under the Commonwealth Disability Discrimination Act 1992.

DETAILS

The former City of Wanneroo Disability Service Plan Status Report for 1997/98 is included as Attachment A.

The sixth additional outcome for the Plan states that opportunities for people with disabilities to be employed within Council will be increased, which also includes the provision of work experience placements. The main achievements in relation to this outcome are:

- two (2) work experience placements with Library Services;
- two (2) work experience placements with Community Services;
- a temporary full time paid position in Library Services;
- a full time paid position in Parks Landscaping Services;
- one (1) voluntary position organised with Leisure Services (but not taken up by person with a disability); and
- one (1) work experience placement commenced with the Strategic Planning Directorate.

The City continues to attend as a member of the Special Employment Project, sponsored by Edith Cowan University, which aims to help improve the employment prospects of people with a disability within participating organisations.

COMMENT

In relation to the division of the City on 1 July 1998, the Disability Services Commission has advised that only one status report is required for this year, given the report relates to the former City of Wanneroo Disability Service Plan for 1997/98.

Separate status reports will be required next year for the two new local governments (the current Plan will be lodged with the Disability Services Commission under the names of both new authorities as an interim measure, until two separate Plans are developed).

It is intended that the community be informed of access initiatives outlined in the status report, via the local newspaper and Information Radio (a service for people with a print disability).

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

- 1 **1997/98 Disability Service Plan Status Report as attached to Report CJ105-09/98 for the former City of Wanneroo,**
- 2 **information contained in Report CJ105-09/98 in relation to the sixth additional outcome of the City's Disability Service Plan.**

The Motion was Put and

CARRIED

Appendix III refers

CJ106-09/98**TENDER 020-98/99 - CONSTRUCTION OF
PUBLIC TOILET BLOCKS AT
CHRISTCHURCH PARK CURRAMBINE AND
OLDHAM PARK, YANCHEP - [16935]**

SUMMARY

Results of a joint Tender 020-98/99 for the Construction of Public Toilet Blocks at Christchurch Park, Currambine (Joondalup) and Oldham Park, Yanchep (Wanneroo) are tabled and approval is sought for the engagement of Homestead Construction to undertake the works for the City of Joondalup and on behalf of the Shire of Wanneroo. The tender submissions and project costs have been reviewed and are within budget.

BACKGROUND

Report TS31-03/98 to Council in March 1998 dealt with the location and tendering of the toilet facilities on the two reserves. Approval was given for the following:

- 1 agree to the sketch plans indicating the siting and nature of the toilet buildings at Christchurch Park, Currambine & Oldham Park, Yanchep;
- 2 authorise the documentation and calling of tenders for the works.

DETAILS

Public tenders were invited on Wednesday, 29 July 1998, closing on Wednesday, 19th August 1998 with 4 tenders received.

The tenders were opened by a committee comprising, C Bishop and J Palmisano, both from the City of Joondalup. One contractor Brown & Joy Industries was present at the opening.

No tenderer supplied more than the Tender Form for Lump Sum Contracts and therefore could be considered as non conforming bids. All tenderers were then contacted by fax and given 24 hours to supply further documentation for evaluation as detailed in Clause 9 of the Conditions of Tender. The required information was supplied by all tenderers except Dalcon Construction.

The tenders were evaluated by a committee comprising Patrick Whelan, James Kirton and Barun Dutta using the multi criteria model recommended by the City's framework of contract management and the selection criteria as detailed below:

Selection Criteria	Weighting Factor
1. Tender price	50%
2. Ability and past performance	20%
3. Demonstrated ability to complete the work	20%
4. Financial capacity of tenderer to complete the work	5%
5. Value for money	5%
Ideal Total	100%

Tender Evaluation

Tenderer	Tender Sum	Selection Criteria					total	Rank
		(1) 50%	(2) 20%	(3) 20%	(4) 5%	(5) 5%		
W.D. Petersen	\$ 174,842.00	47	20	20	5	5	97	3
Brown & Joy Industries	\$ 167,846.00	49	20	15	5	5	94	2
Dalcon Construction	\$ 168,295.00	49	0	0	5	0	54	*
Homestead Construction	\$ 165,496.00	50	20	20	5	5	100	1

**Non-conformant bid due to lack of information to assess the selection criteria.*

The highest score in each category was assigned the maximum value when appropriate. The final score for each tender being the total of the four selection criteria scores. The evaluation of tenders has been undertaken on the basis of information provided by each tenderer in response to the tender document requirements.

William D Petersen submitted the highest priced tender and has satisfactorily completed many projects for the former City of Wanneroo.

Brown & Joy Industries are a competent firm and have more experience in the larger type projects. Their tender was the second lowest price submitted. Their submission contained all the necessary documentation.

Dalcon Construction submitted a tender without any information for evaluation. Their tendered price was second highest.

The lowest tender of \$165,496 was submitted by Homestead Construction. This firm has the expertise and has satisfactorily completed previous contracts for the former City of Wanneroo ‘on time’ and ‘within the budget’. They also achieved the best score in the evaluation and are recommended for the contract.

Project Time Frame:**Key Events****Mile Stone Dates**

End of tender period (29/Jul/98 - 19/Aug/98)	Wednesday, 19th August 1998
Tender assessment (19/Aug/98 - 21/Aug/98)	Friday, 21st August 1998
Joint Commissioners approval	Tuesday, 8th September 1998
Successful tender notified	Thursday, 10th September 1998
Development Approval	Thursday, 10th September 1998
Building Licence Approval	Thursday, 10th September 1998
Issue of construction documents	Monday, 14th September 1998
Works programme approval	Monday, 14th September 1998
On-site Construction Twenty Six weeks (16/Sep/98 - 17/Mar/99)	Wednesday, 17th March 1999
Hand-over to City of Joondalup	Friday, 19th March 1999

COMMENT/FUNDING**Project Cost:**

The initial report TS31-03/98 to Council concerning the public toilets made the following financial allowances for the project and these allowances have been carried forward into the 1998/99 annual budget:

1. Construction of toilet block at Christchurch Park, Currambine (Joondalup)	\$100,000.00
2. Construction of toilet block at Oldham Park, Yanchep (Wanneroo)	\$115,000.00
Total	\$215,000.00

Project	Christchurch Park	Project	Oldham Park
Account No:	30954	Account No:	30953
Budget Item:	BMJ 156	Budget Item:	BMJ 155
Budget Amount:	\$100,000.00	Budget Amount:	\$115,000.00

Total funding available for this project : \$215,000.00

Summary of Project Costs:

Tender price	
• Christchurch Park, Currambine (Joondalup)	\$77,961.00
• Oldham Park, Yanchep (Wanneroo)	\$87,535.00
Consultants fees	\$7,000.00
Approval Fees	\$696.00
BCIFL & building licence (0.004%)	\$74.00

Total Expenditure \$173,266.00

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners accept for the City of Joondalup and on behalf of the Shire of Wanneroo, Tender (No. 020-98/99) for the sum of \$165,496.00 from Homestead Construction for the construction of the public toilet blocks at Christchurch Park, Currambine and Oldham Park, Yanchep and reject the other tenders.

The Motion was Put and

CARRIED

CJ107-09/98

**PERRY'S Paddock: CONSERVATION OF
DETERIORATING FABRIC OF PERRY'S
COTTAGE AND "RECONSTRUCTION" OF
STABLES (LINHAY) - [06011J]**

SUMMARY

Of the three structures on Perry's Paddock, the building known as Perry's Cottage and Stables is suffering considerable deterioration of the building fabric, the deterioration now reaching the "urgent" stage. This report outlines the significance of the building, examines the issues of reconstruction and interpretation, and recommends a course of action to effect reconstruction of the Cottage, interpretation of the Stables and interpretation of the whole site. The land is currently owned by the Ministry for Planning and advice has been received dated 4 June 1998, that the Ministry for Planning supports Council's action on this matter.

BACKGROUND

Perthshire Location 110, that parcel of land in Woodvale bounded by Ocean Reef Road, Woodvale Drive, Timberlane Drive and Castlegate Way, was granted on 15 August 1838 to a syndicate of four men. This was the first land grant in what is now the City of Joondalup. Subsequently, this land passed through the ownership of Sir George Shenton and his estate to Mr John (Jack) Perry. The land is now owned by the Ministry of Planning, but is still referred to as Perry's Paddock.

There are three existing buildings on Perry's Paddock: The old Wanneroo Schoolhouse transported to the site by the City in 1992 as the first step in the creation of the then proposed Historical Village; Perry's Bunkhouse reconstructed by the City of Wanneroo in 1994; and Perry's Cottage and Stables. The Cottage was built between 1850 and 1886, and the stables (known as the linhay) were added post 1886. Also visible on the site is the outline of Perry's house which collapsed in 1953.

Over time, the Cottage and stables have deteriorated and partially collapsed, the last being in mid 1996 when the shoring of the northern gable of the Stable shifted allowing the gable wall to partially collapse onto the roof of the Cottage.

In 1996 and 1997, Kelly Aris Conservation Architect and others were engaged to prepare a conservation plan for Perry's Paddock. This conservation plan was adopted by the former City of Wanneroo at its meeting of 22 October 1997 (DP216-10/97 refers). In the conservation plan it was recommended that the Cottage be re-constructed. It was suggested, but left open in the conservation plan, that an interpretive structure could be constructed to delineate the shape of the now collapsed stables. Advice has been received from the Western Australian Ministry for Planning supporting Council's action on this matter.

DETAILS

While full reconstruction of the Cottage and Stables was originally proposed and budgeted for, the conservation plan has changed the nature of the proposals. The conservation plan recommends that only that part of the northern gable that is necessary to effect the reconstruction of the Cottage be re-built. The interpretive structure to delineate the Stables is a substantial reduction from the originally proposed full re-construction of the building.

Under the conservation plan, interpretation is preferable to reconstruction of the Stables. It is simply not possible to re-build the Stables because there is insufficient existing fabric and insufficient documentary evidence of the building to base reconstruction on. To make a series of guesses would lessen the heritage value of the ruins. To interpret the structure, however, would be to demonstrate the shape but allow the viewer to fill in what details the viewer remembers. This would enhance the heritage value of the ruins.

Restoration work was delayed in 1997 because of the major sewerage work through Perry's Paddock undertaken by the Water Corporation. It will be remembered that the 1997 Perry's Paddock Community Picnic was cancelled due to the unstable nature of the ground resulting from the sewer installation.

Noted Heritage Consultant and Conservation Architect, Philip McAllister Architect Pty Ltd has on request submitted a plan for the conservation of deteriorating building fabric. The plan includes the work of sub-consultants, Gaye Nayton Archaeologist (who was the consulting archaeologist both on the preparation of the conservation plan and the installation of the sewer main; recording of rubble removed from the Cottage and stored, archaeological investigation and advice), Terpkos & Santillo Pty Ltd, Structural Engineers (reporting, documenting and supervising the stabilisation of existing Cottage and Stable walls), and CBM Laboratory (testing and reporting on stonework and mortar for conservation works).

The conservation team lead by the Conservation Architects would carry out the following work:

1. document and record the existing roof and roof structure during its removal and prior to its reconstruction;
2. document and record the rubble in the Cottage from the gable wall collapse for reconstruction and storage;
3. document and prepare specification for the reinstatement of the existing roof structure to the Cottage and repairs to the cottage walls, and provide new structural support necessary to stabilise the walls and roof;
4. carry out archaeological investigation and recording of the inside of the Cottage;

- 5. provide a strategy for the security of the buildings and site;
- 6. provide advice, document and administer strategies to protect the Cottage and remaining Stable structure from further deterioration; and
- 7. provide a proposal, document and administer the construction of an interpretive structure for the stable ruins.

The Conservation Architect has proposed, because of the nature of the work, that fees should be at an hourly rate with an established upper limit (an adequate reporting mechanism will be established to control costs). In addition, the traditional lump sum building contract would be inappropriate. The archaeological component alone can add considerable time to the building work blowing out delay costs. The Conservation Architect therefore suggests a “cost plus” contract (specifically mentioning the RAIA “FF/C” contract form) with agreed fixed preliminaries rates and margins. Both the Cottage restoration work and the Stables interpretive structure are estimated to cost well under the \$50,000 public tender threshold. It is therefore possible to work with selected tenderers on the proposed schedule of rates. The conservation architect also suggests that the selected tender from three experienced conservation builders should be conducted early so that the selected builder becomes part of the conservation team, making him fully cognizant of the conservation practices and issues of the project.

The Conservation Architect has requested that should the proposal be acceptable, a formal Royal Australian Institute of Architects “Client and Architect Agreement” should be executed. The Architects have provided two copies of the agreement for execution.

COMMENT/FUNDING

Budget allocation for the project is:
Account No: 32396
Budget Item: BMJ151
Budget Amount: \$180,000

The most noticeable feature of the fee proposal is the apparently disproportionate relationship between fees and estimated construction costs, particularly in the reinstatement of the Cottage. It must be remembered, though, that heritage architectural work differs markedly from traditional architectural services. On a “green fields” site, what isn’t known to enable design and documentation to proceed can be found out very easily. In heritage work, everything, even, say, the chemical compatibility of new mortar to existing stone, must be investigated. Effectively, nothing is known, and the discovery is necessarily labour intensive. Unfortunately, the labour in this case is professional labour, attracting time charges of between \$65 and \$85 per hour.

The fee proposal is as follows:

Cottage Reinstatement

Architectural Fees (Documentation)	\$3,500.00	
Architectural Fees (Administration)	<u>\$8,220.00</u>	
		\$11,720.00
Archaeologist	\$7,000.00	
Structural Engineer	\$1,400.00	
Chemical Testing	<u>\$2,000.00</u>	
		<u>\$10,400.00</u>
Total Fees (Reinstatement)		\$22,120.00
Estimated Construction Cost		\$30,000.00
<u>Construction Contingency</u>		<u>\$7,500.00</u>
<u>Estimated Component Total</u>		<u>\$59,620.00</u>

Interpretive Structure

Architectural Fees (Documentation)	\$2,550.00	
Architectural Fees (Administration)	<u>\$1,900.00</u>	
		\$4,450.00
Archaeologist	\$3,000.00	
Structural Engineer	<u>\$700.00</u>	
		<u>\$3,700.00</u>
Total Fees (Interpretation)		\$8,150.00
Estimated Construction Cost		\$30,000.00
<u>Construction Contingency</u>		<u>\$7,500.00</u>
<u>Estimated Component Total</u>		<u>\$45,650.00</u>

Administrative On Costs

Advertising and printing	\$1,000.00	
Project Management and Reporting	<u>\$3,250.00</u>	
		\$4,250.00
Total project contingency		<u>\$20,750.00</u>
<u>Total On Costs and Contingency</u>		<u>\$25,000.00</u>
<u>Estimated Project Total</u>		<u>\$130,270.00</u>

The seemingly high project contingency is because of the unknowns in the nature of the work.

The potential budget surplus allows the expansion of the nature of the project to include consideration of the security and interpretation of all features on the site, including the buried remains of Perry’s House, now defunct market gardens and pig sty, aboriginal camp sites, Perry’s race track, Wallaburnup Swamp, etc. Effectively, this would become the groundwork for the next stage of the conservation process, setting the rules that will eventually lead to a revised master plan for the development of Perry’s Paddock in accordance with the principles of Australia ICOMOS (the Burra Charter) and the conservation plan. The Conservation Architect has noted that his conservation team is concerned that the integration of security and interpretation issues should be uniform over the whole site, and not developed on a fragmented

project by project basis: pedestrian and vehicular circulation, lighting, signage, parking and public toilets, facilities and safety all impact on the protection of archaeological features on the site and all require interpretation at some time in the future. This is outside the Conservation Architect's brief at this time and would require negotiation.

The Ministry of Planning has advised that it is not able to commit any funds to the project.

At the Joint Commissioners meeting of 28 July 1998, consideration was given to a request from the Ministry for Planning, seeking the City's advice as to whether it still wished to have Perry's Paddock vested in the City, or not. It was resolved that consideration of this matter be deferred pending completion of the municipal boundary review (to determine if the land concerned is going to be within the City of Joondalup or the Shire of Wanneroo) and release of the draft Yellagonga Regional Park Management Plan. Those things are still to occur and consequently a decision on the vesting matter is still to be made.

In the meantime, deterioration of the cottage and linhay continues and repairs become increasingly urgent. In view of the significance of this building to the history of the local district, it is considered appropriate that the City proceed with the proposed conservation works, notwithstanding that there is a possibility that in due course, it might be decided that the land concerned should not be vested in the local authority.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, subject to Ministry for Planning allowing access to the site :

- 1 **accept the fee proposal from Philip McAllister Architect Pty Ltd for the design, documentation and administration of the reconstruction of Perry's Cottage on Perry's Paddock, Perthshire Location 110, Ocean Reef Road, Woodvale;**
- 2 **authorise the signing of the Royal Australian Institute of Architects pro-forma "Client and Architect Agreement" with Philip McAllister Architect Pty Ltd;**
- 3 **authorise the calling of tenders for the work from a selected list of builders experienced in conservation work on a "cost plus" basis to a contract form to be decided by the Director Strategic Planning;**
- 4 **agree to the expansion of the consultants brief to include the development of strategies for the security and interpretation of all features on the site;**
- 5 **agree in principle to the construction of an interpretive structure to delineate Perry's Stables and to its design, documentation and administration by Philip McAllister Architect Pty Ltd; and**
- 6 **request that a further report be submitted seeking approval for the design of an interpretive structure to delineate Perry's Stables;**
- 7 **limit the expenditure on the project to \$130,270.00.**

The consultants have prepared an indicative layout of the development of the Structure Plan area which is included as an illustration on the Structure Plan document. This is expected to be modified as the detailed design of the various elements progresses.

As provided for under Clause 10.1.1 of the City of Joondalup Town Planning Scheme; "The Council may require the preparation and presentation to it of a Structure Plan as a prerequisite to: (a) the Council's support for a proposal to rezone or classify land in the District...."

The Structure Plan has been reviewed by officers of the Council and the Ministry for Planning and is enclosed as Attachment 2.

This Structure Plan will determine the overall detailed land use and form for urban development within this local centre. The area is divided into three precincts which accommodate broad land use groupings and are depicted on the Structure Plan Map as Commercial Centre Precinct; Residential Mixed Use Precinct; and Residential Precinct. Each has a predominant use which is treated flexibly to allow other compatible uses so that the local centre can develop richness and identity.

The overall objective is to create an urban village setting, maximising integrated land uses. The draft Structure Plan is generally considered to provide a satisfactory basis for addressing the local road network, the distribution of landuses, the framework for subdivision and development guidelines.

The provisions are divided into objectives, which describe in general terms the intentions to be addressed in each precinct; and criteria, which set out built form requirements and preferred treatments. These may be augmented by the preparation of guidelines to detail specific planning, design and constructional requirements

There is provision for a Community Purpose site of 0.5ha within the Structure Plan. This will become available when the surrounding centre zone is subdivided.

Under the provisions of Part 10.5.1 of Town Planning Scheme No 1, a Structure Plan is to be advertised as a draft for a minimum period of 21 days. Council shall then adopt the draft structure plan or modify it in the light of any objections and refer it to the Western Australian Planning Commission for approval.

COMMENT

The draft Structure Plan as proposed, conforms with the requirements of Part 10 of the City of Joondalup Town Planning Scheme and is acceptable for the control of development within the Structure Plan area. It has been discussed with officers of the Ministry for Planning, who have indicated their general agreement with the form of the document and the principles of the controls proposed.

The Structure Plan is considered to be suitable for advertising for public comment.

MOVED Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners, pursuant to Clause 10.4 of the City of Joondalup Town Planning Scheme No 1, adopt the draft Structure Plan for Currambine Local Centre and make it available for public comment.

The Motion was Put and

CARRIED

CJ109-09/98

**PROPOSED STRUCTURE PLAN FOR LOT 475
FLINDERS AVENUE, HILLARYS - [24131J]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Special Development A
APPLICANT/OWNER:	WR Carpenter Properties Pty Ltd
CONSULTANT:	Koltasz Smith & Partners
REPORT WRITTEN:	17 August 1998

SUMMARY

A Structure Plan has been prepared for a small residential area in Hillarys by Koltasz Smith & Partners on behalf of the landowner. The land concerned is the subject of a subdivision application submitted at the same time to create 27 small residential lots. The proponent is seeking Council acceptance of a set of guidelines for the development in place of a Development Application. This would allow sale of the lots and will ensure construction on them of individual houses which conform to acceptable standards of development.

It is recommended that the guidelines should be adopted by Council as a Structure Plan prepared under Part 10 of the City of Joondalup Town Planning Scheme No 1. The accompanying document complies with the requirements of the Scheme and is recommended to be advertised as a draft Structure Plan in accordance with the Scheme provisions.

BACKGROUND

Lot 475 was formerly part of a larger hotel site within the Whitfords Beach development. It was rezoned to Special Development A as a part of Amendment 706, which was published on 23 July 1996.

A revised subdivision plan for the western portion of the Whitfords Beach Estate was approved by the Western Australian Planning Commission on 6 September 1996.

DETAILS

The subject land comprises Lot 475 Flinders Avenue, Hillarys and measures 1.19 hectares. It is on the south side of Flinders Avenue at the junction with Whitfords Avenue. The south boundary runs along a part of the Ern Halliday Reserve. (Attachment 1).

The proposed subdivision will create lots ranging in area from 270 to 540 sq m (25 single residential lots and two duplex lots), some of which will have vehicular access via a laneway along the rear boundary of these lots parallel to Flinders Avenue.

The land is zoned Special Development A and is included in the R40 density code area.

The applicant has made an application to the Ministry for Planning for subdivision of the land into 27 small residential lots and has requested Council’s endorsement of a set of design guidelines to control the details of development on the proposed lots.

Council can require that such controls should be imposed by means of the preparation of a Structure Plan under Part 10 its Town Planning Scheme and this is the approach that has been taken when considering this issue in regard to the Model Scheme Text and Liveable Neighbourhoods - Community Design Code. It is considered that this mechanism is the most appropriate method of dealing with the detailed development of this small lot subdivision. The proposed draft Structure Plan is appended to this report as Attachment 2.

The subdivision proposal comprises 25 single residential lots which measure less than 350 sq metres in area and will require houses that are built on them to be individually designed. The developer proposes guidelines to assist purchasers in making efficient use of such lots and to achieve a degree of compatibility and amenity. They will also ensure that refuse collection facilities are provided for as required by Environmental Waste Services.

Clause 2.5.1 of the Residential Planning Codes reads “Any application for subdivision which requires the creation of a lot smaller in area than 350m² shall be accompanied by or integral with an application for approval of the development of a house on such lot. Any approval of one shall be contingent on approval of the other.”

Where small lot subdivisions have been created, previous practise has been to accept the substitution of a set of guidelines in place of a Development Application. The guidelines that have been submitted for this development set out to control the following:

BUILDING FORM;	Building height, front and rear setbacks.
MATERIALS AND COLOURS;	Roof pitch and material palette.
FENCING;	Materials and heights of fencing.
RUBBISH BINS;	Storage and provision of bin pads.

These guidelines require conformity with the Residential Planning Codes in all respects except that front and rear setbacks are varied and a 1m side setback is not permitted..

The guidelines propose a variation of the front setback requirement from 6.0 metres average with 3.0m minimum to 3.0m minimum; and a variation of the rear setback for carports and/or garages from an average 4.0m to 1.5m minimum. Houses that face Whitfords Avenue are also proposed to be permitted to be set back only 1.5m from the internal road. The guidelines do not vary from the provisions of the Residential Planning Codes (R Codes) in respect of side setbacks or zero lot line provision.

Any development will need to comply with both the guidelines and the R Codes, and the guidelines will override the R Codes requirements where specified.

As provided for under Clause 10.1.1 of the City of Joondalup Town Planning Scheme No 1; "The Council may require the preparation and presentation to it of a Structure Plan as a prerequisite to:..... (b) the Council's support for an application to subdivide or amalgamate lots; or (c) the Council's consideration of an application for Approval to Commence Development."

The guidelines are requested to be incorporated in the form of a Structure Plan for the subject area.

Under the provisions of Part 10.5.1 of Town Planning Scheme No 1, a structure plan is to be advertised as a draft for a minimum of 21 days. Council shall then adopt the draft structure plan or modify it in the light of any objections and give notice of final adoption.

COMMENT

The attached draft Structure Plan adequately controls the detailed development of houses on these small lots by means of guidelines. It is considered to be an acceptable substitute for the submission of a Development Application for the full development, and can be adopted and administered as a part of the approval process.

The draft Structure Plan as proposed, conforms with the requirements of Part 10 of the City of Joondalup Town Planning Scheme and is acceptable for the control of development

The variation of the front setback requirement is considered acceptable due to the size and depth of the lots and the requirement that vehicle access be from the rear lane. The reduced setback will not adversely affect the amenity and streetscape of the area.

The guidelines state that the dwelling is to address the main streets while vehicular access to the properties fronting Flinders and Whitfords Avenues is from the laneway only. It is considered reasonable to relax the front street setback for lots 1-6, which are oriented towards Whitfords Avenue but do not have entry from that side, to 1.5m as the lots must establish a street presence next to their garages and they face an 11 metre road which provides ample room for vehicle manoeuvring.

It is also considered reasonable to relax the rear setback for garages to 1.5m as the lots abut a 6.0m wide laneway and the lots on the other side of the laneway will have the same rear setback for garages. The 1.5m setback allows for adequate sightlines and for vehicle manoeuvring. The reduced setback will therefore not adversely affect the amenity and privacy of adjacent properties. These setbacks are similar to those applied to the Joondalup City Centre North area.

Side setbacks are to be in accordance with the R Codes.

Main street fencing to Whitfords and Flinders Avenues will be provided by the developer and is in compliance with the City's fencing local law. Along Flinders Avenue it will be retaining and will include steps to provide pedestrian access to the lots. The remaining fencing is restricted to 1.8m high.

The Structure Plan is considered suitable for advertising and the guidelines are considered acceptable for adoption by Council as a part of that Structure Plan.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, pursuant to Clause 10.4 of the City of Joondalup Town Planning Scheme No 1, adopt the draft Structure Plan for Lot 475 Flinders Avenue, Hillarys and make it available for public comment.

The Motion was Put and

CARRIED

**CJ110-09/98 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 from 6 August 1998 to 19 August 1998.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority in relation to the applications described in Report CJ110-09/98.

The Motion was Put and

CARRIED

Appendix IV refers

**CJ111-09/98 METROPOLITAN REGION SCHEME
PROPOSED AMENDMENT NO 998/33 - ROAD
CLASSIFICATION REVIEW - [18474]**

SUMMARY

The Western Australian Planning Commission (WAPC) recently resolved to amend the Metropolitan Region Scheme's method of categorising road reservations, which classify land for regional road purposes. The intention of the amendment is to replace the current three tier system with a two tier system, to provide greater correlation between the road planning responsibilities of the WAPC and Main Roads Western Australia.

The City of Joondalup has been requested to provide comments and advice on the proposed amendment within the statutory advertising period. Comments have been obtained from all relevant directorates, and it is recommended that the Joint Commissioners resolve to advise the Western Australian Planning Commission that they support the proposed amendment without modification.

BACKGROUND

The Metropolitan Region Scheme (MRS) has existed since 1963, and is a statutory land use plan which provides the basis for planning and development within the Perth Metropolitan Region. The MRS divides land within the region into zones for development in broad categories such as Rural, Urban and Industrial, and reserves land of regional significance such as Roads, Railways, Public Purposes and Parks and Recreation Reserves. The zoning categories within the MRS are similar to the City of Joondalup's Town Planning Schemes, however these Schemes are more specific with regard to the classification of zones and the associated development requirements.

The amendment has been proposed as the current MRS road classification system is considered to be inconsistent with the functional and administrative systems currently adopted by road authorities. There is no close correlation between the MRS road classification system and various other road classification systems, leading to confusion and inefficiency. Two reviews have been conducted to assess the situation, being the Road Reserves Review (RRR) 1991 and the Road Classification Review (RCR) 1993, and the proposed MRS amendment has been formulated using principles adopted in the RRR and the RCR.

The RRR recommended that the MRS road classification system be modified to reflect a two tiered functional road hierarchy to provide a consistent basis for definition of responsibility for regional road planning, application of road design standards and provide a regional road framework on which a local road hierarchy can be based. This two tiered system is proposed to replace the existing three tiered system within the MRS.

DETAILS

Current Three Tiered Classification System

Within the MRS, regional road reserves are divided into the following three categories:

Controlled Access Highways (CAH)

These are high standard major roads for regional traffic with no direct driveway access, and are often planned with provision for grade separated intersections at junctions with other roads. CAH reservations are coloured red in the Scheme map.

Examples of CAH roads within the City/Shire include:
Marmion Avenue (between Gilbert Rd, Duncraig and Ocean Reef Road)
Mitchell Freeway
Shenton Avenue (between Delamere Avenue and the Mitchell Freeway Reserve)

Other Major Highways (OMH)

These are high standard roads for regional traffic but with at grade intersections and driveway access. The OMH reservation category was introduced to accommodate existing major roads with side road and driveway access, and are coloured light red in the Scheme map.

The only example of an OMH road within the Shire is Wanneroo Road.

Important Regional Roads (IRR)

These roads are the principal connectors between the CAH and OMH roads, and are coloured dark blue in the Scheme map.

Examples of IRR roads within the City/Shire include:

Warwick Road	Hepburn Avenue	Whitfords Avenue	Ocean Reef Road
Gnangara Road	Hester Avenue	Lukin Drive	Pinjar Road
Joondalup Drive	Burns Beach Road	Yanchep Beach Road	
Shenton Avenue	Eddystone Avenue	Flynn Drive	

Marmion Avenue (south of Gilbert Road, Duncraig and north of Ocean Reef Road)

Proposed Two Tiered Classification System

The proposed two tiered classification system is proposed as follows:

The top tier is to be referred to as ‘Primary Regional Roads’ and would comprise existing and planned National and State Roads which are currently reserved in the MRS. These are principally the existing CAH and OMH reservations in the MRS, and are roads for which road planning and administration/construction responsibility already rests with Main Roads Western Australia

The second tier is to be referred to as ‘Other Regional Roads’ and would consist of higher order roads which are principally the existing IRR reservations in the MRS. These are generally the most significant district distributor roads in the planned road network in each area. Road planning responsibility for these roads would continue to rest with the Western Australian Planning Commission (WAPC) and road administration/construction responsibility would remain with Local Government.

COMMENT

Following receipt of the proposed MRS amendment, the proposal was referred to all business units for comment. All business units have advised that they have no comments or concerns with the proposed amendment.

The amendment will have no impact on the administration of responsibilities or developments on regional roads. The changes do not alter the existing referral arrangements or construction/maintenance responsibilities for regional roads, but instead will result in the WAPC adopting a road hierarchy which is consistent with the hierarchy utilised by Main Roads Western Australia.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, after careful consideration of the proposed Metropolitan Region Scheme Amendment No.998/33 (Road Classification Review), advise the Western Australian Planning Commission that they support the proposed amendment without modification.

The Motion was Put and

CARRIED

CJ112-09/98

**PROPOSED EDUCATIONAL ESTABLISHMENT
(TRAINING CENTRE FOR DISABLED) - LOT
229 (100) COOLIBAH DRIVE, GREENWOOD -
[16873J]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development R20
APPLICANT:	Kira Incorporated
OWNER:	L and S Baker
APPLICATION RECEIVED:	8 July 1998
REPORT WRITTEN:	21 August 1998

SUMMARY

An application has been received from Kira Incorporated seeking approval to develop a training facility for persons with disabilities on Lot 229 (100), Coolibah Drive, Greenwood (refer Attachment Nos 1 and 2). The proposal involves teaching persons with disabilities independent living skills such as personal grooming, cooking, general home skills and computer literacy.

Under the City’s Town Planning Scheme an Educational Establishment is an “AA” use and the proposal has been advertised in accordance with Scheme requirements. Three submissions raising issues relating to loss of amenity, security, traffic and parking were received. Given the low key nature of the proposal and its location which minimises its impact on adjoining residences, approval is recommended.

BACKGROUND

The site adjoins a drainage sump on one side and is abutted on all other boundaries by residential lots. The West Greenwood Primary School and Greenwood High School are located on the opposite side of the road (refer Attachment No 1).

DETAILS

The proposal seeks to use the existing residence on the subject site for teaching persons with disabilities independent living skills such as personal grooming, cooking, cleaning, washing, ironing, gardening and computer literacy. There is no residential component associated with the proposal and the hours of operation would generally be limited to between 8.00am to 4.00pm Monday to Friday. However, it is anticipated that on every third Tuesday of the month, a Committee meeting would be held between the hours of 5.30pm and 7.30pm.

The applicant has advised that due to the type of skills that are being taught it is imperative that a residential building be used. It is essential to the proposal that a garden is available to teach gardening skills, a kitchen to teach cooking and a bathroom to teach grooming skills etc. As a major part of the applicant's service is to provide respite care, a training facility independent of the client's family home is required.

The association has eight fleet vehicles which are housed at their employees' residences. Teaching will be undertaken on a one to one basis and it is anticipated that a maximum number of five clients would access the site at any one time. However, on average the applicant anticipates that a maximum number of three vehicles would be parked at the premises during the day but additional parking would be required for occasional visitors and by Board members for committee meetings which are held once a month. In this respect it has been requested that the additional parking area, which is to the rear of the residence, remain grassed so that it can be utilised when not being used for parking.

In accordance with Scheme requirements the proposal was advertised for public comment and three submissions received. Two of the submissions were lodged on behalf of the same abutting landowner. Concerns raised in the submissions include a drop in property values; loss of amenity; vandalism; the inappropriateness of the use in a residential area; security and the potential taunting of clients by passing school children and the repercussions on nearby properties. In addition concerns, were raised in respect of the provision of only six unsealed parking bays when the association has a fleet of eight vehicles and additional traffic generated from the operations of the centre and the impact of traffic movements to and from the site on the local road network. One submission also raised concerns regarding the ability to view the backyard activities of the proposal. It was further expressed that rationale behind Kira Incorporated of integrating the disabled "into the community" would not be met by placing the disabled in a home opposite a school park and abutting a drainage sump.

COMMENT

The Scheme does not specify parking requirements for this type of proposal and applying parking requirements for other types of educational establishments eg high schools, primary schools etc would not be appropriate. The applicant has advised that most of the programme involves taxi-ing clients to other activities such as bowling, skating, etc, and it is unlikely that more than three vehicles would be parked at the site at any one time. Accordingly a minimum parking requirement of five parking bays has been determined on the basis of a maximum number of five clients, involving one to one training, at any one time.

Grassed parking areas are not considered acceptable and any approval should contain a condition requiring the construction of parking and vehicle accessways. Further, parking areas should incorporate turning and manoeuvring areas which allow the return of vehicles to the street in a forward gear. Sufficient, easily accessible on-site carparking is essential, in this case, to avoid on-street and verge carparking.

Coolibah Drive is included in the Greenwood West Traffic Management Scheme which has been identified in the City's Five Year Works Programme and seeks to identify and recommend a community acceptable local area traffic management scheme for the area. It is anticipated that as part of this scheme kerbside parking adjacent to the schools and directly opposite the subject site will be provided. Traffic figures indicate that Coolibah Drive currently experiences approximately 6000 vehicles per day in this locality. Some conflict may occur at peak periods dependent on the number of vehicles entering or exiting the site during this time but due to the low key nature of the proposal the likelihood of significant traffic problems are minimal.

Given that the proposal contains no residential component, concerns relating to security and vandalism are understood. However the operation of the proposal is dependent on its location within a residence and its location along a local distributor road, adjoining a drainage sump and opposite school sites, minimises its impact on adjoining residents and is consistent with Council policy for other non residential uses within residential areas such as consulting rooms. Accordingly approval is recommended.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners approve the application submitted by Kira Incorporated for an educational establishment involving teaching independent living skills to persons with disabilities from Lot 229 (100) Coolibah Drive, Greenwood subject to the following conditions:-

- 1 training on the site being restricted to the teaching of independent living skills to persons with disabilities and not including technical training or higher learning facilities;**
- 2 a maximum number of five clients being trained on the site at any one time;**
- 3 amended plans indicating the provision of five parking bays and sufficient turning and manoeuvring area to allow the return of vehicles to the street in a forward gear being submitted, to the City's satisfaction, prior to commencement of the use;**
- 4 the parking area, driveways and points of ingress and egress to be designed, constructed, drained, marked and thereafter maintained to the specifications and satisfaction of the City prior to the use commencing, with a minimum of five sealed parking bays being provided;**
- 5 all parking associated with the use being contained on site and no parking to occur on the verge areas. Should parking problems develop, the applicant is to modify the method of operation to avert the problem to the satisfaction of the City;**

- 6 the parking areas at the rear of the site to be made available and used during all operating hours;
- 7 other appropriate and standard conditions deemed appropriate by the Manager, Approval Services, City of Joondalup.

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

CJ113-09/98

CLOSE OF ADVERTISING AMENDMENT NO 820 TO TOWN PLANNING SCHEME NO 1 TO RECODE PORTION OF PT LOT 53 (121) BURNS BEACH ROAD, JOONDALUP FROM RESIDENTIAL DEVELOPMENT R5 TO RESIDENTIAL DEVELOPMENT R10 - [03147J]

SUMMARY

The proposed Scheme amendment involves a recoding from Residential Density Code R 5 to Residential Density Code R10. Under the proposed R 10 coding; 5 additional lots would be created. The proposal was advertised for a period of 42 days. One submission was received.

It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without further modification.

BACKGROUND

At the meeting of 24 February, 1998 (DP 49-02/98) the Joint Commissioners resolved to:

"...amend Town Planning Scheme No.1 to recode portion of lot 53(121) Burns Beach Road, Joondalup from Residential Development R5 to Residential Development R10 and adopt amendment 820..."

The amendment request was submitted by Chappell & Lambert on behalf of Setoma Pty Ltd. It is proposed to recode portion of Pt Lot 53 (121) Burns Beach Road, Joondalup from Residential Density Code R5 to Density Code Development R10.

The period for public advertisement closed on 17 July, 1998.

DETAILS

Under the existing R5 code the land was proposed to be 11 lots of 2000m². The proposal to recode the area to R10 would allow the creation of 16 lots with an average lot area of 1400m². (See Attachment 1)

Following the closing of the advertising period on 17 July, only one submission was received (See Attachment 2). The only ground raised in the submission was the possible loss of views of the adjoining property. The objectors indicated that they constructed lower fences to take advantage of the land's high position and the larger size blocks nearby. They indicated that as a result of the proposed increase in the number of lots higher fences would need to be installed with a loss of views.

COMMENT

The original proposal for 2000 m² lots was not based on any planning, engineering or environmental reason but at the request of the landowners. In the previous report, it was concluded that the proposed amendment to the Scheme introduced minor changes and no relevant planning issues arose. Further, The Environmental Protection Authority (E.P.A) indicated that the amendment does not warrant assessment under Part IV of the Environmental Protection Act.

It is important to note that the properties adjoining the subject land along the Eastern and Western boundaries are coded R 20.

It is considered that the proposed lot layout would have a minimal effect on the amenity, particularly in relation to views. Even though the proposed coding would result in the creation of additional lots, the objector's property would share a common rear boundary with primarily only one of the proposed lots. Consequently, the proposed recoding is considered adequate.

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

- 1 pursuant to Town Planning Regulation 17 (2), adopt for final approval amendment 820 to recode portion of Pt Lot 53 (121) Burns Beach Road, Joondalup from Residential Development R 5 to Residential Development R10;
- 2 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

CJ114-09/98

**PROPOSED AMENDMENT NO 832 TO TOWN
PLANNING SCHEME NO 1 - TEXT
AMENDMENT RELATING TO RESIDENTIAL
DENSITY CODES IN STRUCTURE PLAN
AREAS - [14168]**

SUMMARY

This report proposes an amendment to Clause 5.39 (d) of Town Planning Scheme No. 1. The purpose of the amendment is to allow Agreed Structure Plans to be the primary instruments

setting residential density codes. This approach reduces the need to initiate Town Planning Scheme Amendments for minor adjustments to areas coded under the Residential Density Map.

It is recommended that the Joint Commissioners adopt Amendment 832 to allow Residential Density Codes to be set by Agreed Structure Plans; and to recode the land included in the Structure Plans to be uncoded in the Residential Density Code Map.

BACKGROUND

The site constraints and advantages of a particular parcel of land are best addressed at the development/subdivision design stage.

At present agreed structure plans may provide for the delineation land uses and detail planning controls, but the Residential Density Codes are allocated by the TPS. Thus, any changes or adjustment to the residential density require a Scheme amendment.

DETAILS

Urban Development Zones (Clause 5.46 TPS No 1), and Centre Zones (Clause 5.45 TPS No 1) are subject to Part 10 of the Scheme relating to the preparation of Structure Plans.

At present the areas that are subject to the provisions of a Local Structure Plan and are coded under the Residential Density Code Map include:- Joondalup City Centre Zone and Currambine Local Centre.

Joondalup City Centre Zone:

The Joondalup City Centre Development Plan and Manual was adopted by the former City of Wanneroo on 16 October 1996. When the Structure Planning provisions were adopted in 1997, the Development Plan and Manual was deemed to be the Structure Plan for the area.

The zoning of the area under the Metropolitan Region Scheme (MRS) is Central City Area. Under TPS No 1 the area is zoned as Joondalup City Centre. The Joondalup City Centre Zone encompasses the following:-

- land east of Joondalup Drive, and west of Lakeside Drive;
- an area of land bound by Moore Drive, Joondalup Drive, Shenton Avenue and the railway line;
- an area of land bound by Hodges Drive, Joondalup Drive, the railway line and Eddystone Avenue.

The Residential Density Codes for the City Centre Zone as set out in the Scheme Map include R60 codes, and R40 codes east of Lakeside (Attachment 1). Amendment No. 822 is currently seeking to recode the strip of land closest to Lake Joondalup from R40 to R15 to facilitate development at a lower density on larger lots in an ecologically sensitive area.

A request has been submitted by Taylor Burrell on behalf of LandCorp for the recoding of portions of Lot 12 and Pt Lot 6 Lakeside Drive, Joondalup from R40 to R60. The proposal applies to portions of the Lakeside District of the Joondalup City Centre Zone. (Attachment 2; 3; and 4):

The subject land is located to the east of Lakeside Drive and generally abuts this road reserve, and extends from approximately Shenton Avenue to the north down to Kendrew Crescent to the south of the estate.

The recoding of the subject land to Residential R60 is intended to facilitate the development of smaller lots in accordance with the objectives of the Lakeside Residential Joondalup subdivision application and Structure Plan (lodged with Council and the WAPC in March 1994).

The proposed R60 codes allow for grouped and multiple dwellings with minimum lot sizes of $166^{2/3} \text{ m}^2$. The proposed lots fronting Lakeside Drive have areas with development potential as duplex sites (requiring minimum lots of 333.32 m^2) and single dwellings. This would allow for a mixture of dwelling types to be provided in the area. The subdivision is currently under consideration by the WAPC and a decision is expected to be made soon.

The residential component of the Lakeside development has been created to complement the character of the Joondalup City Centre and to attract a range of people with a wide variety of income levels, housing needs and lifestyles contributing to the economic viability of the Joondalup City Centre.

It is considered that the subject land is ideally located for higher density development being in close proximity to the Joondalup City Centre and its associated mix of land uses, including the railway station. The amendment recoding proposal is also consistent with WAPC Policy DC1.6 (Development near Metropolitan Railway Stations), which suggests that land within an 800 metre radius of a railway station should be developed to its maximum potential. The vast majority of the Lakeside development is within one kilometre of Joondalup Railway Station.

Currambine Local Centre: the Local Structure Plan for this area encompasses the land described as portion of Lot 998, corner Connolly Drive and Moore Drive Currambine. The land is bound by Connolly Drive in the west, and Palace way in the south.

The MRS zones the area as Urban. Under the TPS No 1, the area is zoned Residential Development, Commercial; Civic; Tavern; and Service Station.

The area is proposed to be rezoned under Amendment 809, as a Centre Zone. The Plan divides the area into three precincts; namely a Commercial Centre Precinct, Residential Mixed Use Precinct, and Residential Precinct.

The area has an R20 code under the Residential Density Code Map (Attachment 5). The proposed Density under the Plan is an R40 coding for the Residential Precinct, and The Residential Mixed Use Precinct.

COMMENT

It is considered inappropriate for land in a structure plan such as the Joondalup City Centre Zone to be included in residential density codes in the Scheme map. One of the primary objectives of the structure planning process is to provide flexibility during the development phase and avoid prolonged scheme amendments for minor changes to the alignment of zones. It is logical that residential density codes should be treated the same way.

Rather than recode the lots as requested it is considered appropriate that the Scheme be amended (Clause 5.39(d)) to provide for structure plans to set residential density codes (Attachment 6). It will also be necessary for areas already coded that are included in structure plans to be changed to uncoded so there is no conflict with the structure plans. This will include the land in the Joondalup City Centre Zone; and Currambine Local Centre. As other areas are included in the Urban Development Zone, the Centre Zone or the Marina Zone the residential density code should be removed by the actions of the specific amendments.

The necessary provisions to cover the lots in the Lakeside District will be included in the structure plan document, when it is considered following the current advertising period.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in pursuance of Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No. 1 to allow the Residential Density Code to be set by an Agreed Structure Plan and by recoding the land included in the Joondalup City Centre Zone; and Currambine Local Centre to uncoded, and adopting Amendment No 832 accordingly.

The Motion was Put and

CARRIED

CJ115-09/98

RENEWAL OF USE APPROVAL FOR PUBLIC WORSHIP: LOT 99 (4) HOCKING ROAD, KINGSLEY - [02513J]

METRO SCHEME:	Rural
LOCAL SCHEME:	Rural
OWNER:	Christian Outreach Centre
APPLICANT:	Pastor Steven Davis

SUMMARY

An application has been received from the Christian Outreach Centre, on behalf of A Ruse and Hostyle Pty Ltd, for the renewal of approval for a place of Public Worship, on Lot 99 (4) Hocking Road, Kingsley.

The subject site was approved for Public Recreation by the former City of Wanneroo on 22 August 1979, and the Christian Outreach Centre was granted a 12 month approval December 1994 for the additional use of the building as a place of Public Worship.

Properties within a 500 metre radius of the subject site were given fourteen (14) days to comment on the proposal. One letter of objection was received regarding noise levels.

The proposal complies with the Town Planning Scheme No 1 requirements, and the applicants are willing to make alterations to the premises to minimise noise emissions.

It is recommended that the Joint Commissioners conditionally approve the application.

The application was inadvertently considered at the Shire of Wanneroo meeting of Joint Commissioners held on 11 August 1998. (Item SW47-08/98 refers.) The site, however, falls within the City of Joondalup and the determination was therefore invalid. The proposal remains unchanged and the recommendation is in accordance with the resolution of the Shire of Wanneroo Joint Commissioners.

BACKGROUND

The subject site was approved for Public Recreation on 22 August 1979. The Christian Outreach Centre was granted approval in December 1994 by the Council of the former City of Wanneroo (Item I21202 refers) for the additional use of the building as a place of Public Worship. In order to assess the impact of the Centre on the neighbouring caravan park, use was granted for a period of one year.

The centre continues to operate as both a Recreation centre and Place of Public Worship. Since approval was issued there have been numerous complaints from the adjoining caravan park, regarding noise emissions from both the Recreation Centre and the church. Previous complaints related to the noisy church services, singing, use of drums, and the grounds being used for skateboarding, group gatherings in cars, after closure of the centre. The complaints have been received from the adjacent Caravan Park.

A Pollution Abatement Notice was issued on 19 March 1995 upon the Christian Outreach Centre following persistent complaints from residents living in the adjacent Caravan Park. The noise cited in the notice included band music, congregational hymn singing and amplified preaching. Subsequent sound level monitoring of the Christian Outreach Centre on 4 June 1995 and 9 July 1995 both indicated noise levels in excess of the Environmental Protection Act 1986.

At the time of issuing of the Pollution Abatement Notice, the Pavilion was sub-let to three individual organisations, however negotiations between Christian Outreach and the owners have resulted in a sole tenancy agreement with the Church. This change in occupancy and a willingness by Christian Outreach to address the concerns of the caravan park residents resulted in positive undertakings to resolve the noise issues.

At the full Council meeting of the Council of the former City of Wanneroo held March 1996, (Item CS34-03/96 refers), it was resolved not to re-issue the Pollution Abatement Notice, and to issue a new Pollution Abatement Notice agreed to by the Christian Outreach Centre and the Caravan Park, as well as the other meeting delegates. Measures agreed to are as follows:

1. the amplification system to incorporate a compressor which controls the sound power level within the Church (during services) to a maximum level of 87 db (A). The compressor to be secured in a lockable unit and sealed;
2. the entry doors to the southern aspect of the building to be kept closed at all times when a Church service, including practise sessions or sporting activity, is carried out;

3. the entrance door between the Church and ports area to be fitted with a self closing mechanism;
4. the entrance door to the main entry on the western side of the building to be fitted with a self closing mechanism;
5. no drums to be used at any time, unless attenuation to the drums is carried out to the satisfaction of Council's Health and Ranger Services Unit;
6. any sporting activities which are likely to generate noise to cease by 10.00 pm.
7. the boom gate at the car park entrance to be locked no later than 10.15 pm each night;
8. all windows and doors on the first floor to be kept closed whilst a Church service is in progress;

Before a new Notice could be prepared the Church organisation acted promptly to initiate the above items, together with the installation of an acoustically tiled ceiling which successfully attenuated external noise levels to below the assigned levels under the Noise Abatement (Neighbourhood Annoyance) Regulations. Discussions with the residents of the adjoining Caravan Park, indicated they found the situation acceptable and that they did not anticipate further complaint. With this information a further report was presented to the Council of the former City of Wanneroo at its meeting of 26 June 1996 and the resolution of 27 March 1996 was rescinded.

Recent complaints relate to the use of the carparking area after hours for socialising and skateboarding. Vehicles have access to the property across the verge abutting Wanneroo Road and Whitfords Avenue.

DETAILS

Proposal

The subject site has an area of 1.1572 hectares and is located to the west of Wanneroo Road, abuts Whitfords Avenue to the north, and is accessed to the south by Hocking Parade. The site abuts the Cherokee Village Mobile Home and Tourist Park to the west (refer Attachment 1).

The proposal is to accommodate the same uses and number of patrons as the 1994 proposal and includes the following:

1. SUNDAY CHURCH SERVICES

9.00 am - 12.00 noon.	200 - 300 people
6.00 pm - 9.00 pm	100 - 200 people

2. CHURCH COUNSELLING

Monday - Friday 9.00 am - 3.00 pm

The application proposes the closure of the western portion of the car park after hours through the erection of two gates. This would restrict late night use of the car park for socialising and reduce noise levels experienced by Cherokee Village (refer Attachment No 2).

The proposal further includes restricting vehicular access across the verge abutting Wanneroo Road and Whitfords Avenue, through the use of bollards and verge planting.

Assessment

The site is zoned 'Rural'. 'Public Worship' is a use not permitted in this zone unless approved by Council.

The properties within a 500 metre radius of the subject site were notified in writing and given fourteen (14) days to comment on the proposal. One letter of objection was received from Mr House, on behalf of the Cherokee Village residents. The complaint related to:

1. Noisy church services;
2. Skateboarding activities in the car park;
3. The entrance gate to the car park being left open on some nights;
4. Occasional revving of cars, loud music and bad language;
5. The door at the entrance to the skate board arena is still being left open on occasions, emitting loud music, rumbling, banging and crashing sounds.

Mr House also states that the closure of the western portion of the site and the use of bollards to restrict access to the property should reduce noise problems late at night and early in the morning.

The parking ratio, under Town Planning Scheme No 1 (TPS1), is one car parking bay for every 4 persons accommodated. The site provides 104 car parking bays in total. The maximum number of persons attending the premises at any one time is 300 persons, necessitating 75 car parking bays. The church and sporting activities occur independently, and therefore the car parking provision is sufficient.

TPS1 requires up to 8 per cent of the site to be set aside as landscaping. The proposal meets this requirement.

COMMENT

A major concern in previous years of operation has been the noise experienced by the adjoining Caravan Park. The installation of the internal sound proofing measures has reduced noise emissions. Currently the source of noise is mainly from the use of the car park area for socialising after closure of the centre at night.

The subject site is located in close proximity to the Cherokee Caravan Park and particular care needs to be taken to ensure the amenity of the nearby residents are not adversely affected.

On 1 November 1997 a sound level assessment was conducted by Council Environmental Health Officers and confirmed that, provided the internal sound levels within the church are maintained at or below 87 dB(A), the noise levels at the adjoining Caravan Park would be within the acceptable levels stipulated in the Noise Abatement (Neighbourhood Annoyance) Regulations 1979).

The use of wooden bollards and verge planting will restrict vehicular access onto the premises after hours. The erection of a two gates will restrict access to the western portion of the property after hours, directing noise away from the Caravan Park, abutting the western boundary. The Health and Ranger Services Unit advises that these measures would adequately address the current noise problems.

It is recommended that the Joint Commissioners approve the application.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve for a period of 2 years the application submitted by the Christian Outreach Centre for renewal of approval for a place of Public Worship, Lot 99 (4) Hocking Way, Kingsley, subject to:

- 1 the operating hours of the sporting centre not coinciding with those of the church services;
- 2 two gates and fences being installed on the western side of the building and the western carparking area being secured after the approved operating hours;
- 3 operating hours being restricted to between the hours of 9 am and 10.30 pm daily;
- 4 the property being secured with the use of bollards and/or verge planting to the satisfaction of the City;
- 5 the Hocking Road access gate being locked after closure of the centre;
- 6 the maximum number of persons attending the church activities being a maximum of 300 at any one time;
- 7 no vehicles being permitted to park on the verge or on the adjoining streets;
- 8 standard and appropriate conditions as deemed appropriate by the Manager, Approval Services, City of Joondalup.

The Motion was Put and

CARRIED

CJ116-09/98**PROPOSED HOME OCCUPATION - GUITAR
TUITION - LOT 651 (41) CHADSTONE ROAD,
CRAIGIE - [09201J (7252)]**

SUMMARY

An application for approval to commence development has been lodged for a home occupation involving guitar tuition. Likely affected owners have been requested via mail to comment on the application. One letter of objection (original Complainant) has been received. This application is recommended for approval on a two year renewal basis.

BACKGROUND

A substantial background exists to this application which was first raised in November 1995.

1. Letter of complaint received from Mr G Arnold of 36 Chadstone Road, Craigie dated 7 November 1995 stating that Mr Short was running a music business from 41 Chadstone Road, Craigie. Cars coming and going through day and evenings all week long. Neighbours not impressed.
2. A search of the former City's records revealed no record of any business authorised to operate from the property or of any previous complaints.
3. The City's Approval Services Liaison Officer attended Lot 651 (41) Chadstone Road, Craigie on 10 November 1995 and spoke to Mr & Mrs Short. Mr & Mrs Short advised the officer that they were operating a music tuition (guitar) business from their home and were not aware they required Council approval. They further stated that six clients' vehicles attended the property each day between 3.30 pm and 6.30 pm. Mr & Mrs Short were advised by the officer that they required Council approval in the form of a Home Occupation Approval to operate a business from their home. They were also advised that the City's policy on home occupations was that approvals were primarily for "office" use and did not permit clients, employees or couriers to attend the home as part of the business.
4. On 13 November 1995 the Liaison Officer spoke with Mrs Short on the telephone and again advised her of information regarding Home Occupations. The officer also advised her of her of the former City of Wanneroo Ward Councillors with whom she could make contact.
5. On 20 November 1995 the City forwarded correspondence to Mr & Mrs Short to cease the unauthorised business (guitar tuition) from the property by 4 December 1995.

The above information was forwarded to the complainant, Mr G Arnold, in correspondence dated 20 November 1995.

6. A memorandum dated 20 November 1995 from the then City Planner to former Councillor G A Major advising him there were no provisions within the City's Town Planning Scheme No 1 to consider music tuition as a Home Occupation. The Councillor was also advised that should he consider changes to Home Occupations allowing clients to attend the home, he and Council would also need to consider other businesses under the guise of Home Occupations involving retail/wholesale sales from residential premises.
7. On 24 November 1995 Mr & Mrs Arnold attended the City's Administration building and spoke to the Liaison Officer as to current details being undertaken by the officer to have the unauthorised business stopped at No 41 Chadstone Road, Craigie. Mr & Mrs Arnold were advised that Mr & Mrs Short were to cease the business on the property by 4 December 1995.
8. Correspondence received from Mr & Mrs Short dated 26 November 1995 advising the City that they had been operating the guitar tuition business from their home for the last three years and that they were in no financial position to close down the business.
9. Memorandum from the City's Planning Liaison Officer to then City Planner dated 6 December 1995 advising of current situation and requesting further advice on action necessary. Report to Council was recommended by City Planner.
10. Letter received 27 December 1995 from Mr Rob Johnson, Member for Whitford, on behalf of Mr Arnold, requesting what action could be taken as unauthorised business still operating from 41 Chadstone Road, Craigie.
11. Correspondence from City to Mr Johnson dated 10 January 1996, advising him the City had no way of stopping the guitar tuition business other than reporting the matter to Council recommending legal action. Mr Johnson was further advised that the matter was to be referred to Council.
12. Correspondence received from Mr & Mrs Short on 12 January 1996 advising the former City of tuition times and number of students attending the property. Information forwarded as follows:

Teach music on one to one basis from Monday to Thursday 3.30 pm to 7.00 pm and Friday 3.30 pm to 5.00 pm. A total of 31 students attending the property. Number of students essential to maintain reasonable standard of living. Enclosed letters from parents and students.
11. Correspondence from the City dated 15 January 1996 to Mr & Mrs Short advising them of matter being referred to Council at its meeting of 28 February 1996.
12. Report (TP11-02/96) submitted to the former Council of the City of Wanneroo at its meeting of 28 February 1996 with the following recommendation:
 - (a) requesting the owners/occupiers of Lot 651 (41) Chadstone Road, Craigie to cease the unauthorised use of Lot 651 (41) Chadstone Road, Craigie for music tuition within twenty eight days of notification by Council;

- (b) referring the matter to its solicitors for legal action should the owners/occupiers of Lot 651 (41) Chadstone Road, Craigie not cease the unauthorised use of the property within the time specified in (a) above;
- (c) inviting public comment for changes to the Town Planning Scheme involving home occupations so that music tuition could be considered as a home occupation.
- (d) agreeing to Home Occupation Applications being submitted on Development Application Form 1 and that the length of time for a Home Occupation to operate is for a three year period only after which time the Home Occupation is to be renewed.

At its meeting of 28 February 1996 the former Council of the City of Wanneroo deferred consideration of the above.

- 15. Mr & Mrs Short were advised of Council deferring the matter in correspondence dated 11 March 1996. The complainants, Mr & Mrs Arnold, were also advised of the matter being deferred.
- 16. At its meeting of 27 March 1996 the former Council of the City of Wanneroo again considered the unauthorised Home Occupation operating at No 41 Chadstone Road, Craigie and resolved as follows:

"That Council authorises the Mayor and Town Clerk to attempt to mediate with the owner/occupier of Lot 651 (41) Chadstone Road, Craigie and the complainant, with a view to negotiating an amicable resolution of the situation."

Mr & Mrs Short were requested to meet with the former Mayor and Mr Arnold in correspondence dated 4 April 1996, however, refused to do so stating that because of previous harassment and anguish endured, would not sit in the same room with Mr Arnold.

- 17. Correspondence received 10 June 1996 from Mr R Johnson MLA, Member for Whitford requesting information as to any proposed meeting between Mr Short and Mr Arnold. Mr Johnson was informed in correspondence dated 5 July 1996 that the matter was to be referred back to Council.
- 18. Memorandum received from former Councillor G Major to all former Councillors, the then City Planner and Chief Executive Officer stating that instead of pursuing Mr Short, it would be more fruitful for Council to concentrate on the review and update of its Home Occupation Policy and Town Planning Scheme.

Former Councillor Major incorrectly reported in the Memorandum that the Liaison Officer had reported that traffic attending Lot 651 (41) Chadstone Road, Craigie was not a problem. The Liaison Officer carried out no inspection of Lot 651 involving traffic and made no such claim. There was no requirement to carry out a traffic survey involving the property, as clients, couriers or employees were not permitted to attend the property involving a business.

19. Memorandum dated 23 July 1996 to all former Councillors and Chief Executive Officer from the then City Planner stating that no traffic survey was conducted involving the unauthorised business being operated from Lot 651 (41) Chadstone Road, Craigie.
20. Correspondence from Mr G Arnold of 36 Chadstone Road, Craigie dated 8 December 1997 advising that on information received, very little was being done by the former City concerning the unauthorised business operating from Lot 651.
21. Correspondence dated 12 December 1997 from the City of Wanneroo to Mr Arnold stating that the Council had deferred any action involving the business at Lot 651 until it had reviewed its Home Occupation provisions.
22. Memorandum dated 23 December 1997 from Manager Approval Services to Commissioner Ansell advising him of current situation involving Lot 651.
23. On 4 May 1998 the City forwarded correspondence to Mr J & Mrs E Short of 41 Chadstone Road, Craigie requesting current information on the music tuition business operating from the property as the matter was still on the Council Agenda for further consideration.
24. Correspondence dated 12 May 1998 from the City to Mr & Mrs Short advising them of information required on Development Application regarding music tuition business operating from Lot 651.
25. Correspondence received 12 May 1998 from Mr J Short advising the City of Wanneroo of the following:
 - (a) He was shocked to receive a letter from the former City in May 1998 as he thought the matter had been resolved in 1995.
 - (b) That a petition of 39 signatories, including comments confirmed his Home Occupation was not a problem.
 - (c) His student intake was 25 on a one to one basis.
 - (d) Hours of operation Monday - Thursday 3.00 pm to 7.00 pm.
 - (e) That the complaint made against him was purely victimisation
26. Development Application dated 14 May 1998 received 18 May 1998 from Mr J Short for Guitar Tuition from Lot 651 (41) Chadstone Road, Craigie. The following information offered:

Day	Teaching Times	No of Students
Monday	3.00 - 7.00 pm	maximum 6
Tuesday	3.00 - 7.00 pm	maximum 6
Wednesday	3.00 - 7.00 pm	maximum 6
Thursday	3.00 - 7.00 pm	maximum 6
<p>PARKING: Students use driveway and sometimes verge. Mainly drop off and pick up. Being classical guitar tuition, there is not a noise problem and this has been confirmed by my next-door (both sides) neighbours.</p>		

27. Correspondence from the City of Wanneroo dated 28 May 1998 to eighteen adjoining property owners to Lot 651 requesting their comments on proposed guitar tuition from the property
28. The application was held pending any comments from neighbours until 28 June 1998.

DETAILS

Location

The proposal is located at Lot 651 (41) Chadstone Road, Craigie. Chadstone Road is a loop road which connects with Eddystone Avenue at one end and Warrandyte Drive at the other end.

Advertising;

A signed petition was submitted by the applicant as part of this application. This document contained 30 signatures of residents within Chadstone Road and adjoining streets. A question was raised as to the age of this signed petition which could dated back to 12 January 1996.

In consideration of this and the City's advertising requirements, letters were sent to likely affected owners on the 28 May 1998. The letters requested comments up to 30 days from the date of the letter and detailed the applicant's proposed conditions of operation.

As a result of this advertising 8 submissions were received as at 29/6/98.

Submissions supporting the application: 3

Grounds of support:

1. Businesses of this nature provide the opportunity for children to pursue different interests.
2. This type of business is less intrusive than that of a Child Care centre.
3. The business has not caused any problems in regard to traffic generation.

Submissions objecting to the application: 2

Grounds of objection;

1. Traffic generation.
2. Use is inappropriate within a residential area.
3. Attempted burglaries have increased.

Three other submissions were also received in support of the application. Two from individuals and one from a business operation.

There is considerable support for the proposal.

Scheme and Policy Requirements.

The City's Town Planning Scheme No 1 requirements for a Home Occupation provide scope for the Commissioners to approve this application. Traffic is the primarily ground of objection. The Scheme definition states: *"does not give rise to vehicular traffic, nor require the provision of parking facilities, substantially beyond that which is normal to the neighbourhood in which the business is located."* Vehicle movements per day indicate that between 800 and 1200 vehicles use Chadstone Road. With appropriate approval conditions it is unlikely that traffic generation or parking facility requirements will be outside that advocated under the Scheme definition and Policy requirements. Similarly the amenity of the residential street is unlikely to be affected with conditions requiring appointments to be managed in such a way that does not lead to more than one client vehicle parked on-site at any one time. A further condition is recommended not permitting road and/or verge parking.

The City has in the past operated under a procedure whereby home occupations have been limited generally to office use only, ie, no clients, no deliveries etc to preserve the residential amenity of neighbourhoods. Other Scheme and Policy requirements have been addressed as conditions of approval.

COMMENT

The application is recommended for approval by the Joint Commissioners subject to conditions. Whilst approval is recommended it is recognised that home businesses are increasing in demand and their approval must be carefully considered, as are conditions requiring the adjoining/local residents to monitor the proposal and potentially ensuring compliance.

This recommendation is a departure from previous City practice of limiting these occupations to 'Office' uses.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners approve the application for music tuition (guitar) business as submitted by Mr and Mrs Short, for Lot 651 (41) Chadstone Road, Craigie, subject to the following conditions:

- 1 the approval being limited to two years only. If the applicants intend to continue operating after this date, a new application is to be lodged with and approved by the City prior to continuing with the use;

- 2 the approval is limited to Mr and Mrs Short only and does not permit anyone other than these two persons to conduct any form of business from this property and only remains valid whilst these two persons are permanently residing at this property;
- 3 the music tuition (guitar) business shall be conducted in an area not exceeding 20m² within the dwelling (not in outbuildings);
- 4 the music tuition (guitar) business shall only operate between the hours of 3.00 pm and 7.00 pm Monday to Thursday (only) and shall not operate on public holidays;
- 5 the maximum number of clients permitted to visit the premises on any weekday is to be limited to 6;
- 6 client appointments are to be managed in such a way that does not lead to more than one client vehicle parked on-site at any one time;
- 7 no client parking is permitted on the street or the road verge;
- 8 all proposed signage being limited to 0.2 square metres in area, shall be non-illuminated and shall only depict the name of the business, the business logo and the street number;
- 9 standard and appropriate conditions deemed necessary by the Manager, Approval Services, City of Joondalup.

The Motion was Put and

CARRIED

CJ117-09/98

**PROPOSED DOUBLE CARPORT WITH
PARAPET WALL: LOT 199 (64) MARRI ROAD,
DUNCRAIG - [10841J]**

METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development R:20
APPLICANT:	Gary Atkinson (Owner Builder).
OWNER:	Mr Gary Atkinson
APPLICATION RECEIVED:	02/06/98
REPORT WRITTEN:	06/08/98

SUMMARY

A building licence application has been received from Mr Gary Atkinson to construct a double carport with a gable end parapet wall and a 1.5 metre high brick screen wall on the left hand (western) boundary of Lot 199 (64) Marri Road, Duncraig. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation the impact on amenity and approval is recommended.

DETAILS

The subject lot is 688 m2, with an existing house, and single carport. The proposed extension of the existing carport will extend out to the boundary. The parapet wall will commence 8.50 metres in from the front boundary, will be 7.150 metres long and 5.3 metres high to the top of the gable. There is a difference of approximately 0.5 metres in level between the two affected properties, with the proposal being on the lower side, (refer attachments).

The proposal complies with section 1.5.8 (f) of the Residential Planning Codes which states “Walls exceeding 4 metres in height cannot exceed more than one quarter of the length of the common boundary”. In accordance with Clause 1.5.10 (a) of the Residential Planning Codes (R-Codes), the affected adjoining owner has been contacted, and subsequent letter of objection received. Council policy states that if any objections are received, the matter is to be placed before the Commissioners for their consideration. Mr & Mrs Warner, the complainants, have said they will be disadvantaged by the proposal, and in particular are concerned by the loss of light and ventilation, loss of view, and perceived loss of value to their home. They have also objected to the proposed 1.5 metre high boundary wall.

SUMMARY OF SUBMISSIONS

	FROM	RELATIONSHIP	SUMMARY
1	Mr & Mrs Warner No 66	Affected owner	Loss of light affecting bedrooms Loss of ventilation Loss of view Perceived Loss of Value
2	Mr Atkinson No 64	Owner	Wall will eliminate sound travel between properties Needs parking for two cars

COMMENTS

The loss of light and ventilation to the complainants’ property due to the proposed parapet wall is not valid in that the complainants’ dwelling is approximately 1.6 metres from the western boundary between the two properties. The parapet wall will be adjacent to and overlapping one window of the complainants’ dwelling, that is approximately 1.8 metres wide by approximately 600mm . There are no other windows that will be directly affected by the proposed parapet wall.

The loss of views is not a consideration under the Residential Planning Codes. The only likely loss of any view would be from a window that is approximately 4.8 metres down the western side of the complainant dwelling to a park across the road. The view from the front of the complainants’ dwelling will not be significantly affected.

The length of the proposed parapet wall complies, subject to Council’s approval, with Clause 1.5.8 (f) of the R Codes, which states that “Walls exceeding 4 metres in height cannot exceed one quarter of the length of the boundary”. The height of the parapet wall is not considered to be a significant issue in relation to the adjoining property.

The proposed 1.5 metre screen wall will replace an existing 1.5 metre high white open picket fence which already does not match the affected adjoining owners' face brickwork. The complainants' dwelling is elevated and hence will not have any loss of views as a result of the erection of the proposed screen wall. The objection to the proposed screen wall is that it will not match the colour of their own dwelling. The wall will need to be truncated adjacent to the driveway to comply with the City's Local Law

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

- 1 **having considered the proposal to erect a parapet wall on the boundary of Lot 199 (64) Marri Road Duncraig and the submission, approve the proposal pursuant to Clause 1.5.8 of the Residential Planning Codes;**
- 2 **authorise the issue of a building licence with the following conditions:**
 - (a) **that the proposed parapet wall and screen wall be built entirely on Lot 199 (64) Marri Road Duncraig and that the existing screen wall between the two properties is to remain in place;**
 - (b) **the screen wall having a 1.5 metre truncation adjacent to the driveway or otherwise being reduced in height to comply with the City's Local Law.**

The Motion was Put and **CARRIED**

CJ118-09/98	APPEAL DETERMINATION - DENTAL CONSULTING ROOMS: LOT 551 (39) KINGSLEY DRIVE, KINGSLEY - [005282J (66610)]
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METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development
APPLICANT:	A Heap & S Hollander
COUNCIL DECISION:	Refusal
COUNCIL DECISION DATE:	22 May 1998
MINISTERIAL DECISION:	Upheld
MINISTERIAL DECISION DATE:	27 July 1998

SUMMARY

An appeal was lodged with the Minister for Planning against the refusal of the Joint Commissioners of the former City of Wanneroo for a Dental Consulting Room at Lot 551 (39) Kingsley Drive, Kingsley.

The application was refused as the proposal does not comply with the requirements of Town Planning Scheme No 1 (TPS1) and Council's policy on Consulting Rooms in Residential Areas.

The appeal was upheld by the Minister on 27 July 1998.

BACKGROUND

The application proposed to convert an existing residential dwelling into a two practitioner Dental Consulting Room. The subject site adjoins an existing Doctor's Consulting Room on Lot 73 (37) Kingsley Drive. The proposal included the provision of an easement over the two properties to facilitate additional car parking at the rear of the two properties.

The application was refused for the following reasons, the:

1. setbacks to the side and rear boundaries did not comply with TPS1 requirements and were considered inappropriate for the nature of the use adjoining a residential area;
2. lot area did not comply with TPS1 requirements and had the potential to detrimentally affect the amenity of the residential area;
3. proposal did not comply with the carparking requirements of twelve (12) car bays on the subject land. The potential inability to contain traffic on the site was considered likely to have a detrimental affect on the immediate area;
4. development of multi-purpose consulting rooms in a residential area was considered to have the potential to increase traffic, noise and decrease general amenity;
5. proposal was considered to be contrary to the orderly and proper planning of the locality.

DETAILS

The Minister has upheld the appeal subject to conditions the City might reasonably apply. The reasons given for the decision are as follows:

1. the development will be adjacent to existing, long standing, medical consulting rooms and there will effectively be an integration between the two sites in terms of access and parking. These two sites together would have an average area consistent with the requirements of TPS1;
2. this is an existing building and the use of the premises, particularly the rooms on the south western boundary where the setback is 1.5 metres, is considered to be of a type which would not have any significant increase in impact on the neighbouring dwellings;
3. the proposal includes the provision of 30 parking spaces at the rear of Lot 73 and Lot 551 Kingsley Drive, which is in excess of TPS1 requirements. The parking arrangement is only acceptable if there is in place appropriate arrangements for on-going sharing of parking and access between the two surgeries. Such arrangements would need to be binding on both parties, on-going as long as the uses continue to function, and to the satisfaction of the City.

The applicant has been advised of the necessary conditions.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the information in relation to appeal determination relating to the Dental Consulting Rooms on Lot 551 (39) Kingsley Drive, Kingsley be noted.

Cmr Buckley queried what changes could be instigated to deter the setting up of consulting rooms in a residential environment for the future.

Cmr Rowell advised it would be necessary to look at the question of home occupation under Town Planning Scheme No 2, in addition to zoning requirements in residential areas.

The Motion was Put and

CARRIED

CJ119-09/98

**SUBDIVISION CONTROL UNIT - DIRECTOR,
DEVELOPMENT SERVICES - 6 AUGUST 1998
TO 19 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 CJ119-09/98.

The Motion was Put and

CARRIED

Appendix V refers

CJ120-09/98

**REQUESTED CLOSURE OF PEDESTRIAN
ACCESSWAY BETWEEN BENBULLEN
BOULEVARD AND GURIAN GARDENS,
KINGSLEY - [09390J]**

METRO SCHEME:	Urban
APPLICANT/OWNER:	Adjoining property owners/Crown
REPORT WRITTEN:	19 August 1998

SUMMARY

The residents adjoining the pedestrian accessway between Benbullen Boulevard and Gurian Gardens, Kingsley have requested the closure of the accessway on the grounds of continuing vandalism and anti-social behaviour. This is the second application the City has received to close the accessway the first one being refused by the Council of the former City of Wanneroo on the grounds of the large number of objections that were received during the advertising period.

The current application has been advertised for public comment and 10 individual letters have been received objecting to the closure. The City has also received several phone calls from residents who wished to object to the closure anonymously. Although the number of objections received is less than on the previous occasion closure should still not be supported on the grounds that the accessway leads directly into a well patronised park.

BACKGROUND

The Council of the former City of Wanneroo previously considered an application to close the accessway at its meeting on 27 February 1995 (Item TP74-02/95) and resolved not to support the closure of the accessway. The City had received a petition signed by 96 residents representing 73 households objecting to the closure. The Ministry for Planning had also objected to the closure and the Department of Land Administration had expressed concern over the closure and had suggested that the accessway remain open.

DETAILS

The current application to close the accessway is made by the four adjoining property owners. Their application is supported by Cheryl Edwardes MLA. The applicants have provided a list of Police Offence Report Numbers for incidents of burglary, damage, graffiti, motor vehicle

theft, stealing, common assault and possession of drugs and implements. A total of 41 offences have been listed. They claim that 26 of these were committed on the four families adjoining the accessway.

The applicants claim that the owners of lot 22 Benbullen Boulevard have been burgled on three occasions over the past two years with entry being gained via the accessway. They state that the other three adjoining the accessway have also been burgled at some stage. Other incidents have included the throwing of rocks and stone onto roofs, particularly the owners of lot 21 Benbullen Boulevard as they have a tin roof. On two occasions youths were cautioned under the Juvenile Caution System over incidents. They also claim that rubbish, syringes, contraceptives and broken glass have been left in the accessway or thrown over fences.

The proposed closure was referred to the servicing authorities, the Ministry for Planning and the Department of Transport for comments. The servicing authorities have no objections to the closure as no services are affected.

The Ministry for Planning has advised that it objects to the closure of the accessway as it considers that the closure will injuriously affect pedestrian and bicycle movement through the area and that the accessway is necessary to maintain the permeability of the locality and access to nearby public open space.

The Department of Transport has also objected to the closure on behalf of its Bikewest Division. It considers that the closure will reduce the permeability of the local area and reduces accessibility to the local park reducing the attractiveness of non-motorised forms of transport. The closure works against the principals detailed in the Metropolitan Transport Strategy.

The Department of Land Administration has set a purchase price of \$2500.00 for each adjoining property owner to purchase a quarter of the accessway and it has not made any comments on the closure this time.

Advertising

The proposed closure was advertised for a period of thirty days by way of on site signs and a notice in the local newspaper. The City received several complaints from residents that the signs had been knocked down on several occasions and they were concerned that residents using the accessway would not be aware of the proposal. To overcome this a letter drop was also undertaken and the advertising period was extended for a further 14 days.

At the close of the advertising period ten individual letters were received objecting to the closure. The objectors claim that the accessway is well used by residents to gain access to the park in Gurian Gardens and also the bus routes along Legana Avenue. They also claim that school children use the accessway to walk to the school bus on Moolanda Boulevard.

One objector has claimed that he has also been burgled and so have other residents in the vicinity. He believes that the accessway cannot therefore be blamed entirely for all of the problems being experienced.

COMMENT

The request to close the accessway has caused a fair amount of controversy in the community. The City has received several telephone calls from residents who are strongly opposed to the closure but are not prepared to place their objections in writing.

There is no doubt that the adjoining residents are experiencing anti social behaviour as a result of living next to the accessway, however the accessway appears to be well used by residents using it as a direct access to a well patronised park in Gurian Gardens. Although the City has not received as many objections as was received when the closure was previously advertised it is not considered that the accessway should be closed denying the local community convenient access to a local park. Closing the accessway will only relocate any problems currently being experienced to another location possibly to the other accessways in Gurian Gardens or the park itself.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners do not support the closure of the pedestrian accessway between Benbullen Boulevard and Gurian Gardens, Kingsley.

Cmr Rowell spoke to the Motion.

The Motion was Put and **CARRIED**

CJ121-09/98

CANCELLATION OF CYGNET RESERVE
32753, BRIDGEWATER DRIVE, KALLAROO -
[01111J]

METRO SCHEME:	Urban
LOCAL SCHEME:	Parks and Recreation
APPLICANT/OWNER:	Adjoining owners/Crown
REPORT WRITTEN:	20 August 1998

SUMMARY

The owners of Lot 87 Cygnet Street and Lot 88 Windsor Place, Kallaroo applied to purchase a thin strip of Public Recreation reserve which adjoins their property. The proposal was supported by the Council of the former City of Wanneroo and the Department of Land Administration (DOLA) was requested to seek the Minister for Land’s approval to cancel the reserve and dispose of the land to the adjoining property owners.

DOLA valued the land and requested the City to negotiate a purchase price with the adjoining owners based on the valuation. The Joint Commissioners set a price of \$7,500.00 for each adjoining owner to purchase the reserve adjoining their property.. The adjoining owners have made a counter offer of \$3,000.00 for the land however as this offer is below the valuation set by DOLA it should not be accepted.

BACKGROUND

Reserve 32753 was created as a condition of subdivision under section 20A of the Town Planning and Development Act and is vested in the City for the purpose of Public Recreation. The reserve originally ran between Clevedon Place and Windsor Place as shown on Attachment No 1.. The Council approved the cancellation of the portion of the reserve adjoining lot 6 Cygnet Street and lot 7 Clevedon Place and the land was subsequently sold to the adjoining owners for a purchase price of \$5,000.00 and \$5,500.00 respectively in 1994. The portion of the reserve adjoining lots 87 and 88 could not be disposed of at that time so the City only supported the cancellation of the portion of the reserve between Clevedon Place and Cygnet Street.

The owners of lots 87 and 88 made a recent request to purchase the reserve adjoining their properties which was supported by the former Council of the City of Wanneroo in June 1997 (Item DP108-06/97). DOLA were requested to seek the Minister for Land's approval to the reserve cancellation and to set a purchase price for the land.

DOLA obtained a valuation for the land and requested the City to negotiate a purchase price of between \$5,000.00 and \$10,000.00 with each adjoining owner. It advised that the purchasers would need to pay \$500.00 each plus statutory fees to DOLA with the City receiving the balance of the purchase money. In accordance with the guidelines set down by DOLA for the disposal of Section 20A Public Recreation reserves the City has to use the proceeds of the sale of the land to either purchase other land within the general locality as replacement open space, or if it is more appropriate, to constructing capital improvements on existing reserves within the general locality.

The Joint Commissioners at their meeting on 23 December 1997 (item DP326-12/97) resolved to set a purchase price of \$7,500.00 for each adjoining property owner to purchase a portion of the reserve. The applicants were requested to advise whether or not they were prepared to meet this cost. The owners of lot 87 accepted the cost however no response was received from the other applicant despite several letters.

DETAILS

A letter has now been received which has been signed by both adjoining owners requesting the City to dispose of the land for a purchase price of \$3,000.00 each. They argue that they do not intend to relocate their fences but merely maintain the area. Irrespective of whether or not they relocate their fences the land will be incorporated into their lot and increase their property value accordingly. The addition of the land will give both properties duplex potential and provide improved access and egress.

COMMENT

DOLA requested to City to negotiate a purchase price between \$5,000.00 and \$10,000.00 and as the offer falls below this amount the City can not accept it. A copy of the valuation report DOLA obtained from the Valuer General's Office was provided to the City for information. The valuer has suggested a value of \$5,000.00 for each portion of the reserve. Based on this it is considered appropriate to offer the land for a purchase price of \$5,000.00 each together with any statutory fees.

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

- 1 rescind their decision (DP326-12/97) of 23 December 1997, viz:

“THAT the Joint Commissioners on behalf of the Department of Land Administration, in accordance with the provisions of the Section 20A Public Recreation guidelines, offer to sell Public Recreation Reserve 32753 to the owners of Lot 87 Cygnet Street and Lot 88 Windsor Place, Kallaroo for a purchase price of \$7,500.00 each.”

- 2 do not accept the offers made by Mr DP Donovan and Mr and Mrs Lowndes of \$3,000.00 each for the portions of reserve 32753, Bridgewater Drive, Kallaroo adjoining their properties and offers to sell the reserve on behalf of the Department of Land Administration for a cost of \$5,000.00 for each party together with statutory fees.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

REPORT OF THE CHIEF EXECUTIVE OFFICER
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CJ122-09/98

**ACTING CHIEF EXECUTIVE OFFICER - 23
SEPTEMBER 1998 TO 9 OCTOBER 1998**

SUMMARY

The Chief Executive Officer will be on annual leave from 23 September 1998 to 9 October 1998 inclusive. During this period it is recommended that John Turkington, the Director Resource Management be the Acting Chief Executive Officer.

BACKGROUND

It is normal practice that when the Chief Executive Officer is on leave that a Director is appointed in his/her absence to act in the Chief Executive Officer position for statutory requirements.

In October 1997, the Director Resource Management undertook the Acting role.

DETAILS

During this period there will not be any ordinary Council meetings.

MOVED Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Director Resource Management, Mr John Turkington be appointed the Acting Chief Executive Officer from 23 September 1998 to 9 October 1998 inclusive while the Chief Executive Officer is on leave.

The Motion was Put and

CARRIED

CJ123-09/98

MEETING DATES FOR THE CITY OF JOONDALUP - [02154]

SUMMARY

Concerns have been raised regarding the commencement times of the Council meetings for both the City of Joondalup and Shire of Wanneroo. It has been suggested that the 5.30 pm commencement time for the City of Joondalup is too early for residents to attend, and the time between the finishing of the City of Joondalup and the commencement of the Shire of Wanneroo Council meetings is too long. It is therefore recommended that the City of Joondalup Council meeting start at 6.00 pm and the Shire of Wanneroo meeting start at 7.00 pm.

BACKGROUND

In accordance with the Local Government Act 1995, the Joint Commissioners agreed to set their meeting dates for the City of Joondalup and the Shire of Wanneroo at the Special Meetings of the Council held on 1 July 1998. Meetings dates were set for the period ending 27 April 1999.

It was agreed that the Councils would meet on the second and fourth Tuesdays of the month, with the meeting for the City of Joondalup commencing at 5.30 pm, and the Shire of Wanneroo commencing at 7.30 pm.

DETAILS

The Council meeting of the City of Joondalup commences at 5.30 pm and normally concludes at approximately 6.30 pm, with the Shire of Wanneroo meeting commencing at 7.30 pm. This has meant that there has been one hour spare until the commencement of the Shire of Wanneroo Council meeting.

Those persons that attend both the City of Joondalup and Shire of Wanneroo Council meetings have suggested that the Shire of Wanneroo meeting be brought forward.

COMMENT

It is recommended that commencement times for meetings of both Councils be altered, with the City of Joondalup meeting being deferred from 5.30 pm to 6.00 pm, and the Shire of Wanneroo meeting being brought forward from 7.30 pm to 7.00 pm, such change to take effect from 22 September 1998. It will be necessary to give local public notice in accordance with the Local Government Act 1995.

The only concern that the change in commencement time may have would be if the Council meeting for the City of Joondalup runs past the commencement time for the Shire of Wanneroo. The Standing Orders allow for a meeting to be commenced within 30 minutes of the start time.

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

- 1 set the following meeting times for the City of Joondalup, commencing at 6.00 pm:**

September 1998	22 September 1998	Wanneroo Civic Centre
October 1998	13 October 1998	Joondalup Civic Centre
	27 October 1998	Wanneroo Civic Centre
November 1998	10 November 1998	Joondalup Civic Centre
	24 November 1998	Wanneroo Civic Centre
December 1998	8 December 1998	Joondalup Civic Centre
	22 December 1998	Wanneroo Civic Centre
January	RECESS	
February 1999	9 February 1999	Joondalup Civic Centre
	23 February 1999	Wanneroo Civic Centre
March 1999	9 March 1999	Joondalup Civic Centre
	23 March 1999	Wanneroo Civic Centre
April 1999	13 April 1999	Joondalup Civic Centre
	27 April 1999	Wanneroo Civic Centre

- 2 in accordance with the Local Government Act 1995, give public notice of the meeting dates as detailed in 1 above.**

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **6.00 pm** on **TUESDAY 22 SEPTEMBER 1998** to be held at Wanneroo Civic Centre, Civic Drive, Wanneroo.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1808 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
 ROWELL
 BUCKLEY
 MORGAN, AM
 CLARK-MURPHY