



## CITY OF WANNEROO

### MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 27 JANUARY 1998

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## CITY OF WANNEROO

**MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON TUESDAY, 27 JANUARY 1998**

### ATTENDANCES

#### Commissioners:

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

#### Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Strategic Planning:	R FISCHER
Director, Resource Management:	J B TURKINGTON
Director, Technical Services:	R McNALLY
Director, Development Services:	O G DRESCHER
Director, Community Services:	C HALL
Publicity Officer:	K LEE
Committee Clerk:	J AUSTIN

### APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 38 members of the Public and 1 member of the Press in attendance.

**The Chairman declared the meeting open at 1830 hrs.**

### PUBLIC QUESTION TIME

**The following question, submitted by Cr J Hollywood, was taken on notice at the meeting of Joint Commissioners held on 23 December 1997:**

*Q1 P115-12/97: Councillors have been requested to return certain items of equipment. When I was elected in May and given Council equipment, I disposed of my own equipment. Who will now reimburse me to purchase new equipment?*



- A1 The items issued to elected members were so that they could perform their duties more efficiently. The equipment was never to be held by elected members permanently unless their period of elected office complied with the City's policy.

It must be reiterated that the return of the equipment is only temporary pending the outcome of the inquiry.

**The following question, submitted by Mr Alan Blencowe, was taken on notice at the meeting of Joint Commissioners held on 23 December 1997:**

- Q1 Volunteers in Koondoola have cleaned approximately 50% of graffiti from fences over the last month, however brick fences cannot be cleaned. Could consideration be given to the purchase of a brick cleaning machine and volunteers trained to undertake the work."*

- A1 A report entitled "Removal of Graffiti" has been submitted to the Council's Technical Services Committee which deals with various strategies to remove graffiti and combat this form of vandalism. Two of the future strategies listed in the report under the heading "Preventive action to reduce opportunities for graffiti vandalism", involve support from residents.

The first strategy deals with local residents adopting a community asset such as a bus shelter and park and assisting with the reporting/removal of graffiti.

The second strategy is based on the suggestion made by Mr Blencowe. Equipment such as a trailer mounted graffiti cleaning unit could be provided for use by community groups/volunteers and made available subject to a bond being deposited with Council.

The report recommends that these and other initiatives be investigated by a Working Group established to investigate future strategies to reduce the incidence of graffiti within Council's District".

**The following question, submitted by Mr Graham Pikor, was taken on notice at the meeting of Joint Commissioners held on 23 December 1997:**

- Q There was recently a fire within the bushland at Rendell Park, but the Fire Brigade was unable to get through the gates because limestone has been dumped outside of the gate. This matter needs to be looked at. Also the footpath which has been installed cannot be used. This seems a waste of money.*

- A The fire occurred in the Koondoola Regional Bushland which is being developed by the City's Parks Landscaping Services for conservation, e.g. fencing installed, access tracks installed.

Access into the area has been inspected by the WA Fire Brigade in conjunction with the City's Parks Landscaping Services and should a problem exist, Parks Landscaping Services will attend immediately to ensure access is available.

The WA Fire Brigade has keys to all access points around the bushland area.

Limestone access tracks have been provided for public movement within the area to enable service vehicles access to attend problems, e.g. Fire and Police.

**The following questions were submitted by Cr Steve Magyar:**

- Q1 In the agenda, under Public Question Time, it states that "To enable prompt and detailed responses to questions, members of the public are requested to lodge questions in writing to the Committee Clerk at least two days prior to the Council meeting at which the answer is required". How do the Commissioners expect the public to comply if the Commissioners meet on Tuesdays? Also this requirement is totally impossible if Monday is a public holiday.*
- A1 Questions do not have to relate to items on the Agenda, however if questions are received after the two days notice has lapsed, officers will endeavour to provide a response. A question which requires further detail may be taken on notice. The public holiday which occurred this weekend was taken into consideration, and where possible questions which were received today (27 January 1998) have been answered.
- Q2 Item P01-01/98: What does the phrase "limited debate" in Part G of the recommendation mean, does it mean that the Commissioners support limiting debate at full Council meetings and restricting debates to committee meeting only?*
- "(G) That the recording of reasons for decisions and limited debate where resolutions are contrary to officer or committee recommendations is supported"*
- A2 The term "limited debate" refers to the recording of minutes not restricting in any way debate by Councillors or Commissioners when debating an item at either Committee or Council level.
- Q3 Regarding Part M of P01-01/98, one criticism of the Wanneroo Council is that it was too big and removed from the people it was meant to service. By supporting value for money audits only are not the commissioners helping to further alienate the local government from the people? Would it not be better to support audits for social and environmental impacts of Council activities as well as value for money?*
- "(m) That the broadening of the scope for local government audits is supported such scope to include statutory compliance and value for money audits".*
- A3 The term "value for money auditing" is commonly used in business and therefore could extend to social and environmental impacts on Council activities.
- Q4 Item P02-01/98: Should not the public have the right to know what policies EM1 etc are before the meeting of the full Council? Therefore should not this item be deferred until such time as the ratepayers of Wanneroo have had a chance to read the new policies and comment upon them to the Commissioners?*
- A4 Item P02-01/98 has made only minor changes to policies in this area as part of the on-going requirement for Councils to review their Policy Manual. Printed copies of these policies are available for public viewing.

- Q5 Item P03-01/98: Should not this item be deferred until such time that the ratepayers of Wanneroo have had an opportunity to view the proposed changes to the Policy Manual and had an opportunity to comment upon the changes to the Commissioners?*
- A5 The Strategic Planning Policy review in Item P03-01/98 is also an on-going review and copies of these policies are again, available for public viewing.
- Q6 Item 5 CEO's Report: As the fourth largest Council in Australia it seems strange that the City of Wanneroo cannot afford to be a corporate member of the Australian Centre for Regional and Local Government. Would it be better to look at attendance records for the Councillors and staff from the City for a period greater than two years to gain a better picture of how well the courses are attended? How many people attended the courses for the two years prior to that? Would it still be deemed uneconomical if the use of the Centre by Council was measured from where*
- A6 The recommendation not to accept corporate membership of the Australian Centre for Regional and Local Government is based on the fact that under current circumstances, the Joint Commissioners are not in a position to confirm future attendances at these courses, thus gain benefit for the \$1,500 fee involved. It is also important to point out that should the Councillors be reinstated this decision will not preclude Councillors being nominated for future courses.

**The following questions were submitted by Mrs A Hine:**

- Q1 Will Council reconsider putting up a wire fence like a soccer goal mouth to stop rubbish flying across Dundobar Road into a school and open bush?*
- A1 Council's future involvement in the recycling area at Dundobar Road, Wanneroo will be considered in light of the proposed changes to the recycling programme. If the facility is to continue, then the question of fencing will be reviewed.
- Q2 Has Council made any plans to make safe both roads, such as Dundobar Road and Griffiths Road, this year?*
- A2 As previously advised, the State Planning commission has imposed a condition on the subdivider that arrangements be made with the City for the upgrading of Griffiths Road where it abuts the subdivision. This work will be undertaken as the subdivision of the adjacent lots occur along Griffiths Road.
- There are no proposals for any major works in Dundobar Road. However, routine maintenance works will continue.
- Q3 Will the Commissioners kindly reconsider their new Policy which came out for Christmas time, in relation to the giving of little gifts of a "Thank You" kind to people who serve the public all year round?*
- A3 The Code of Conduct will be reviewed at the February 1998 Policy Committee meeting.

*Q4 (To the Commissioners and Mr Delahaunty) I left a cutting from two newspapers at last Council meeting for you to look at. Is it possible to let the public know what the report from that Special Council Meeting concluded in December 1994? There also was a call from Department of Planning asking Councils for comments to be made by 30 December 1994. To do with the R Codes.*

*Q4(a) What happened to both of these instances 4 years ago?*

A4 & 4a The press cuttings refer to a Special Electors Meeting held on 20 December 1994 to express concern about large multi-storey homes planned for Marmion and Ocean Reef, and advice from the Department of Planning and Urban Development that it was requesting comments on the Residential Planning Codes.

Council in January 1995, considered a report on the concerns raised at the Electors meeting and sought a report on the inclusion of controls in Town Planning Scheme No. 1 to address these concerns.

A report was presented to Council in May 1995 (TP145-04/95) by the City Building Surveyor and the City Planner in response to this and a number of related resolutions. Council resolved to form a working party to consider and make recommendations on, among other things, the issues arising from the Special Electors Meeting. The Working Party met on only one occasion (15 June 1995) to discuss the Council's concerns regarding residential development with a representative of the Ministry for Planning.

In 1997 a mechanism to address Council and community concerns was formulated into Council's Amendment 814 which is currently being advertised, to provide an avenue for planning consent to be required for certain classes of single residential development and the adoption of a policy relating to the Height and Scale of Buildings within a Residential Area.

With regard to the request for comments on the R Codes by the Western Australian Planning Commission, the comment period was suspended in December 1994 and resumed in early 1995. Council engaged consultants to prepare a response to the revisions and submitted the report to the Commission. The Commission subsequently decided not to pursue the revision of the Codes (November 1995). The need for a Council submission on the revised Codes was removed and the report was not adopted by Council.

*Q5 Has the City Building Surveyor got enough qualified staff to visit building sites before approval and when the footings were being installed.*

A5 This question will be taken on notice.

*Q5(a) Could Council be sued for breaching its duty of care to ratepayers?*

A5(a) This question will be taken on notice.

*Response by Cmr Rowell:* Two of the questions raised by Mrs Hine are of concern to Wanneroo. A suggested height policy amendment is currently with the Minister. I would prefer to introduce precinct planning and look at certain areas and involve members of the community in determining what they would like in their particular area. Areas of major concern are those close to the ocean, with sloping blocks.

In relation to Mrs Hine's question regarding staff to undertake inspections, Wanneroo is currently handling approximately 1,000 building licences per month which is a record amount and puts strain on staff resources. I feel we are coming to an inevitable situation where further resources are required to undertake inspections.

**The following questions were submitted by Cr J Hollywood:**

*Q1 Re: CS02-01/98: Whilst the Burns District Recreation Association is no longer existing, this was amalgamated with the Burns Ratepayers Association, and the funds were placed in one account. Could consideration be given to deferring item CS02-01/98 as I have been requested by the Ratepayers Association to allow it to look at alternative uses for the funds?*

*A1 Response by Cmr Ansell:* I do not have a problem with this matter being held over.

*Q2 In last Saturday's newspaper, the Environmental Protection Authority released its study on Lot 2 Burns Beach and has called for submissions on this report. I am happy with its findings. What submission will Council make, is it in favour of the EPA's submission or the developers' submission?*

*A2 Response by Director, Development Services:* A report will be submitted to Commissioners, prior to an official response being made. Commissioners will have the opportunity to make their comments. It is premature to answer this question at this stage.

*Response by Cmr Ansell:* If there is a problem, or if Cr Hollywood wishes to debate the matter, he is welcome to address the Standing Committee.

**The following questions were submitted by Cr V Hancock:**

*Q1 Re: P09-01/98 to P14-01/98 inclusive: Council's policy states that a Councillor or former Councillor may only be granted up to a maximum of \$3,000 if it is proven that they are innocent of any wrongdoing. Following the results of the Inquiry, if Councillors are dismissed from this Council, will the Commissioners ensure that the expenditure is not paid by ratepayers?*

*A1 Response by Cmr Ansell:* It is my understand that it is not intended that there will be any findings against any Councillor, rather that the Inquiry is meeting to determine whether the Council should be reinstated. This does not mean that anyone is guilty or not guilty.

*Q2 If we are dismissed, would that be the case?*

A2 *Response by Cmr Ansell:* It is my belief that the answer to that question is No.

#### PETITION IN RELATION TO PINNEROO POINT

- Mr Harman submitted a 72-signature petition on behalf of ski-jet enthusiasts and their supporters regarding the possible closure of the beach at Pinneroo Point.

This petition will be referred to Development Services for action.

#### REQUEST TO ADDRESS DEVELOPMENT AND PLANNING SERVICES COMMITTEE

- Mr Harman submitted a letter to Cmr Rowell requesting permission to address the Development and Planning Services Committee meeting scheduled for Tuesday 17 February 1998.

**The following questions were submitted by Mr Vic Harman, Ocean Reef Residents Association:**

*In relation to my question submitted to the Annual General Meeting of Electors held on 20 January 1998, relating to transfer of funds to general purpose. I have received information that the funds were transferred with the express purpose that they would not be available to the Commissioners in the event of the City being split.*

*Q1 Knowing this, do you have the authority to transfer those funds back to their reserves?*

*Q2 Would this have an adverse effect on the proposed February Budget?*

A1&2 *Response by Cmr Ansell:* It is my understanding that if Wanneroo is split, there is no reason why money cannot be taken from reserves and used for whatever rightful purposes the Commissioners deem. The thought that money is being "spirited away" and will not be available to various parts of the community, I do not think can be sustained.

*Q3 Have you received any advice from the administration to leave things as they are?*

A3 *Response by Cmr Ansell:* We have received no instructions from administration to leave things as they are. I am sure we would not accept that advice anyway, and I do not think such advice would be given.

**The following questions were submitted by Mr Kirk Stergiou, Koondoola Progress Association:**

*Q1 Re: Rendell Park: A letter was sent to the immediate residents of Rendell Park, which stated that the old play equipment had been removed; however this is not the case. The play equipment there consists of approximately 4 rusted vertical poles and rusted monkey bars which are extremely dangerous. Residents would like to know when was the Council under the impression that the play equipment was removed and are there any plans to remove it? Residents have been told that a Commissioner will meet with them at Rendell Park and have suggested this meeting be held on Thursday next at 5.30 pm.*

A1 *Response by Cmr Morgan:* I have asked administration to fix a date suitable to residents and believe a meeting will be held some time next week. This meeting will be confirmed shortly.

*Director, Technical Services:* I am not aware what equipment is currently in Rendell Park. If the play equipment is considered dangerous, I will instruct an officer to attend the park tomorrow and address the situation. I believe the reference to the play equipment was for the budgeted equipment and in the absence of any decision has been stored pending resolution of the siting of the equipment.

Q2 *The suburbs of Girrawheen and Koondoola have been earmarked for upgrading in the joint project between Homeswest and Council. Can the Commissioners advise of the current stage of the development?*

A2 *Response by Chief Executive Officer:* Homeswest has commissioned companies to co-ordinate the work and designs are currently underway. When designs are received, Homeswest will deal with its property frontages, and Council will co-ordinate those areas into its own programme.

Q3 *When will works commence?*

A3 *Response by Director Technical Services:* This depends on the plans developed. Homeswest is looking at a five year programme.

Q4 *Residents of Koondoola would like to change the name of the suburb. I understand that the Geographic Names Committee requires Council approval. Are Commissioners able to act in that capacity as well as the Council?*

A4 *Response by Cmr Ansell:* Yes, if that is what the people want.

**The following question was submitted by Mr Noel Gannon, President of Marmion, Sorrento, Duncraig Progress and Ratepayers Association:**

Q1 *Regarding the response to the earlier question on movement of funds from Reserve Accounts to other accounts. The use of the Royal "We" came in the response: Does this indicate that part of the Commissioners' brief is to investigate and supervise the splitting of the City of Wanneroo?*

A1 *Response by Cmr Ansell:* I do not know.

**The following questions were submitted by Mr Barry Higgins, Carabooda:**

Q1 *Re: Policy Agenda Item - Legal Representation: Whilst I have no problem with people being represented by legal counsel before any Royal Commission or Panel of Inquiry, I am concerned at the amount of ratepayer funds expended on such matters, when those funds could be better spent on facilities for youth and other amenities in the City. Is it possible for the Commissioners to explore every avenue to recoup those funds, or seek reimbursement, from the State Government?*

A1 *Response by Cmr Ansell:* Legal fees have been expended by the Councillors, and the policy of the City of Wanneroo is to reimburse those people that have expended legal fees. The Government has not asked persons to employ legal representation, and some Councillors have not done so. I would also like to put a stop to these expenditures but at the moment there is no reason why Councillors cannot receive legal representation.

Q2 *I fully endorse Council funds being used to reimburse legal fees, however my question was to explore ways of then seeking reimbursement of funds from the State Government.*

A2 *Response by Cmr Ansell:* If the Council is reinstated, Councillors would have every reason to ask for funds to be reimbursed. If they are not reinstated, the City of Wanneroo will have to bear the expense.

**The following question was submitted by Mr Ken Zakrevski, Mullaloo:**

Q1 *Re: DP25-01/98 - Fence on Lot 419 (52) Korella Street: I have been involved in this issue for 3-4 years and note that the matter is being deferred to clarify issues of dispute. I am concerned that this issue only refers to fencing and no compliance has been put on retaining walls. I have raised many concerns which have not been answered and I now ask Commissioners to look seriously at this matter and resolve all issues. I feel matters have been glossed over and would like the problem looked at first hand by Commissioners.*

A1 *Response by Cmr Rowell:* I appreciate that there have been difficulties with the site and I am endeavouring to make myself familiar with its history. I am aware that much of the fill was illegal, however there is now a house on the site. A structural engineer's certificate has been provided which states the retaining wall is adequate. I have visited the site and will contact Mr Zakrevski.

**The following questions were submitted by Mr Stephen Veness, owner of 50 Korella Street, Mullaloo:**

Q1 *In relation to Item DP25-01/98, how long will it take to clarify this issue?*

A1 *Response by Director, Development Services:* Commissioners will be provided with a chronological series of events for the next meeting of Development and Planning Services Committee to be held in February.

Q2 *Council has been given information regarding the owner of Lot 419 Korella Street, and I believe Council has been led astray. Why does Council not take action against the builder who has instructed the owner of Lot 419 very poorly. Why does Council not ask the builder what he is intending to do in order to rectify the problems he has provided by misinformation to Council and to the owner of Lot 419? I ask Council to reconsider the certificate which has been issued for the retaining wall as the wall does not run the full 200 ft of the block, and only contains soil which is over 1 m high. At its highest point, it is some 6 ft above my land level and is being held by a fibro fence.*

A2 *Response by Cmr Rowell:* I would ask Mr Veness to submit his questions in writing and Commissioners will address the matter.



**The following questions were submitted by Mrs A Hine:**

*Q1 Have you enough qualified staff in the building and surveying department?*

*A Response by Cmr Ansell:* This question was submitted in writing and has been taken on notice?

- Mrs Hine raised concern regarding the issue of Lot 419 Korella Street. Cmr Ansell advised that Commissioners are looking at this issue.

**The following questions were submitted by Mr Alan Blencowe, Koondoola:**

*Q1 Re: Petition in support of proposed Playground and BMX Track, Rendell Park, Koondoola, Page iv of Agenda: How many of the 35 people who signed that petition actually live in Koondoola? I am a member of the Progress Association and Neighbourhood Watch and I am not aware of any person that is in support of the track.*

*A1 Response by Cmr Ansell:* This matter is being referred to the relevant Standing Committee and Commissioners will look at this issue. Presumably if people do not want the track they can submit their own petition.

*Q2 I contacted Fire Services at the beginning of December regarding two properties in Koondoola which do not have fire breaks; one is a Council community hall and the other is on the corner of Burbridge Avenue and Varcoe Road. I have reported this matter for three years and still there are no fire breaks.*

*A2 Response by Director, Community Services:* I will investigate this matter immediately.

**CONFIRMATION OF MINUTES**

**C1-01/98      MINUTES OF COUNCIL MEETING, 23 DECEMBER 1997**

**MOVED Cmr Morgan, SECONDED Cmr Rowell that the Minutes of the Meeting of Joint Commissioners held on 23 December 1997, be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED**

**ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**Australia Day Citizenship Ceremony and Awards

The City of Wanneroo's 1998 Australia Day Citizenship Ceremony was held at Mawson Park in Hillarys. The event, which is traditionally the City's biggest citizenship ceremony of the year, saw 104 local people naturalised. Prior to the ceremony, the winners of the Young Citizen, Community Event and Citizen of the Year Awards were announced. The Young Citizen Award went to 21-year-old Jennifer Coton for her voluntary work. The opening of the Joondalup Centre Library received the Community Event Award. The Citizen of the Year Award was awarded to the late Bill Wales, who, in his retirement, invented a steriliser which is used to save lives in many third-world countries.

Meanwhile, two prominent community members received acknowledgement in the general division of the Australia Day WA Honours List. Freeman of the City Ruth Reid was made a member of the

Order of Australia (AM) for her work with charities, and Brian Cooper of Kingsley was awarded the Medal of the Order of Australia (OAM) for his contribution to WA veterans' groups. I would like to take this opportunity to convey the warmest congratulations to Mrs Reid and Mr Cooper.

#### West Ham United Football Club/Olympic Kingsway Soccer Club luncheon

On Tuesday, January 20, the City hosted a luncheon for representatives of the West Ham United Football Club and the Olympic Kingsway Soccer Club. The local club has undertaken a formal relationship with West Ham to establish a school of excellence in soccer for 11 to 16 years olds over the next three years. The club used the luncheon to announce that it has dropped "Olympic" from its sporting teams and will now be known as the "Kingsway Hammers", taking the nick-name from the West Ham United club, which is known as "The Hammers".

#### One Stop Shop

It is anticipated that the Joondalup Administration Centre's One Stop Shop will open in March in an effort to improve customer service. Once staff are selected, they will receive specialist training in the fields of customer service, information technology and cashiering. Following the opening of the One Stop Shop, it is anticipated that a further outlet will be opened in a major local shopping centre in the near future.

#### Joondalup Administration Centre refurbishment

The refurbishment of the third floor of the Joondalup Administration Centre is proceeding according to schedule, with works including demolition of internal walls, installation of new windows, erection of internal partitions, installation of air-conditioning ducts and reinstatement of ceilings. Painting is expected to start this week with the delivery of workstations and furniture to follow so the City's Approval Services unit can temporarily locate to the third floor in February.

#### Customer Service Charter

The Customer Service Charter is nearing finalisation with only minor amendments required before it is adopted by staff. The Customer Service Charter states the City's commitment to its customers in providing quality services and it sets standards by which performance can be measured.

#### 1998 Summer Concert Series

I would like to remind you that the City is hosting a Summer Concert Series during February. Concerts will be held on February 7, 14, 15, 22 and 28, and will feature GANGgajang, the Joondalup Symphony Orchestra, WA's unique cello quartet I Cellisti, the Jazz Divas, the African Inspirational Singers, Hot Tin Groove and Peta Lithgo and Malaika.

**DECLARATIONS OF FINANCIAL INTEREST**

Nil

**QUESTIONS WITH DUE NOTICE**

Nil

**QUESTIONS WITHOUT DUE NOTICE**

Nil

**C2-01/98      PETITIONS SUBMITTED TO THE COUNCIL MEETING - 27 JANUARY 1998****1      PETITION OBJECTING TO PROPOSED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN WARWICK PLACE AND POINTER WAY, GIRRAWHEEN - [01057]**

A 38-signature petition has been received from residents of Pointer Way, Girrawheen objecting to the proposed closure of pedestrian accessway between Warwick Place and Pointer Way, Girrawheen.

The petitioners state the accessway is used frequently on a daily basis both by children walking to and from school and by members of the public (many of whom are elderly) as a means of easy access to shops, doctors surgeries, bus stops and the like.

This petition will be referred to Development Services for action.

**2      PETITION REQUESTING THE CLOSURE OF PEDESTRIAN ACCESSWAY, ROMARO COURT, KOONDoola - [06311]**

A 16-signature petition has been received from Koondoola residents requesting the closure of the pedestrian accessway between Nos 11 and 12 Romaro Court.

The petitioners state the laneway is used by undesirable elements as an easy access to commit crime in the area. It also provides a target for graffiti artists.

This petition will be referred to Development Services for action.

**3      PETITION OPPOSING CLOSURE OF PEDESTRIAN ACCESSWAY - MIRBELIA COURT, GREENWOOD - [07153]**

A 33-signature petition has been received opposing the closure of pedestrian accessway at the end of Mirbelia Court, Greenwood.

The petitioners state the accessway is used frequently on a daily basis both by children walking to and from school and by members of the public as a means of easy access to shops, doctors surgeries, bus stops and the like.

This petition will be referred to Development Services for action.

4                    PETITION REQUESTING THE INSTALLATION OF TRAFFIC CALMING DEVICES, GALLEON ROAD, BELDON - [510-1196]

A 33-signature petition has been received from Beldon residents requesting the installation of traffic calming devices in Galleon Road, Beldon in an attempt to control the traffic flow in this area.

The petitioners state a number of vehicles constantly speed in the area, thereby causing a potential safety hazard.

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

5                    PETITION IN SUPPORT OF PROPOSED PLAYGROUND AND BMX TRACK- RENDELL PARK, KOONDOOLA - [00160]

A 39-signature petition in support of a proposed playground and a 35-signature petition in support of BMX track has been received from Koondoola residents.

These petitions will be referred to Parks and Landscaping Services for a report to Technical Services Committee.

6                    PETITION IN RELATION TO FIRE BREAK, MERCY COLLEGE, KOONDOOLA - [01066]

A 10-signature petition has been received from Koondoola residents expressing their concern over the failure of Mercy College to cut a fire break on the eastern and northern boundaries of the college.

The petitioners state long dead grass and dry dead wood along these fence lines create a potential fire hazard.

This petition will be referred to Ranger Services for action.

7                    PETITION IN RELATION TO CONDITION OF FINNEY PARK, MARMION - [06127]

A 24-signature petition has been received from Marmion residents expressing their concern that the condition of Finney Park has deteriorated dramatically.

The petitioners state fires occur in the park on a regular basis and anti-social behaviour is becoming a major problem.

The petition will be referred to Parks and Landscaping Services for a report to Technical Services Committee.

**MOVED** Cmr Morgan, **SECONDED** Cmr Clark-Murphy that Petitions No 1 - 7 be received and referred to the appropriate business units for action.

**The Motion was Put and**

**CARRIED**

**BUSINESS REQUIRING ACTION**

<b>POLICY COMMITTEE</b>
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**REQUIREMENT FOR ABSOLUTE MAJORITY VOTE**

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

**REPORT NO:**

Items P01-01/98 to P14-01/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Clark-Murphy. Cmr Buckley gave notice of her intention to speak on Items P01-01/98, P04-01/98 and P9-01/98 to P14-01/98 inclusive.

**P01-01/98     ROYAL COMMISSION INTO THE CITY OF WANNEROO - [702-8]**

The Royal Commission final report was tabled in Parliament on 12 November 1997. This report deals with the findings of the Commission which are applicable to the administration of the City of Wanneroo. The report outlines some of the recent changes that have taken effect in the last twelve months which address a lot of the issues raised and makes recommendations on further changes that should be implemented in order to meet the majority of findings brought down by the Commission.

**REPORT RECOMMENDATION** That the Joint Commissioners authorise the Chief Executive Officer to convey to the Hon Minister for Local Government, the following recommendations and comments for and on behalf of the City of Wanneroo:

- 1     That a review of legislation to provide for the disclosure and recording of conflicts of interest is supported;
- 2     That consideration be given to determining a mechanism for applying penalties for breaches of Codes of Conduct;
- 3     That any review of legislation relating to the prohibition of the acceptance of gifts and acts of hospitality, be mindful of the importance of elected member and local government officer representation and participation in community events, and endeavour to define more specifically where commercial advantage or personal benefit could arise or be perceived;
- 4     That any review of legislation aimed at precluding elected member or staff involvement in commercial decision making not compromise the role of local government in economic development;
- 5     That the development and industry wide application of more sophisticated records keeping procedures is supported;
- 6     That the taking of verbatim minutes is not supported;

- 7 That the recording of reasons for decisions and limited debate where resolutions are contrary to officer or committee recommendations is supported;
- 8 That the recording of votes on all issues is not supported. It is felt that the provisions under the Local Government Act 1995 adequately allow recording of votes should they be requested by a member of the Council;
- 9 That if an additional or enhanced supervisory role is to be attributed to the Department of Local Government, the role, resources and procedures of that Department should be extensively reviewed;
- 10 That the written and public disclosure of election campaign contributions by successful candidates is supported;
- 11 That whilst factional conduct in local government is not condoned, concern is expressed at the ability and appropriateness of local government officers or external parties to effectively police such conduct;
- 12 That whilst the conduct of "councillor only" meetings is not supported, it is considered acceptable that elected members be permitted to meet for purposes other than for the conduct of specific council business, provided no decision is made;
- 13 That the broadening of the scope for local government audits is supported, such scope to include statutory compliance and value for money audits;
- 14 That a study be undertaken to consider appropriate methods of protection for local government officers against vexatious issues;
- 15 That the development of procedures for effecting, exercising and recording delegation of authority is supported in the interests of efficiency in the day to day management of local governments.

At the Policy Committee meeting the following amendments were raised by Commissioners:

- Point 3 of Recommendation be amended to read:

*"There is support for a review of legislation relating to the prohibition of the acceptance of gifts and acts of hospitality, being mindful of the importance of elected member and local government officer representation and participation in community events, and seeking a specific definition of where commercial advantage or personal benefit could arise or be perceived;"*

- Page 7 to Report P01-01/98: The following wording be included, prior to Paragraph 6:

*"It is appreciated that members of the public wish to express appreciation for services provided by officers at all levels, and that there has been a tradition of giving a small gift at Christmas".*

- Page 7 to Report P01-01/98: Paragraph 2: Final sentence be amended to read:

**“Examples would be attending local functions or events as representative of Council where hospitality is extended.”**

**MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that:**

**1 Report P01-01/98 be amended as follows:**

- Page 7 to Report P01-01/98: The following wording be included, prior to Paragraph 6:

**“It is appreciated that members of the public wish to express appreciation for services provided by officers at all levels, and that there has been a tradition of giving a small gift at Christmas”.**

- Page 7 to Report P01-01/98: Paragraph 2: Final sentence be amended to read:

**“Examples would be attending local functions or events as representative of Council where hospitality is extended.”**

**2 the Joint Commissioners authorise the Chief Executive Officer to convey to the Hon Minister for Local Government, the following recommendations and comments for and on behalf of the City of Wanneroo:**

- (a) That a review of legislation to provide for the disclosure and recording of conflicts of interest is supported;**
- (b) That consideration be given to determining a mechanism for applying penalties for breaches of Codes of Conduct;**
- (c) There is support for a review of legislation relating to the prohibition of the acceptance of gifts and acts of hospitality, being mindful of the importance of elected member and local government officer representation and participation in community events, and seeking a specific definition of where commercial advantage or personal benefit could arise or be perceived;**
- (d) That any review of legislation aimed at precluding elected member or staff involvement in commercial decision making not compromise the role of local government in economic development;**
- (e) That the development and industry wide application of more sophisticated records keeping procedures is supported;**
- (f) That the taking of verbatim minutes is not supported;**



- g) That the recording of reasons for decisions and limited debate where resolutions are contrary to officer or committee recommendations is supported;
- (h) That the recording of votes on all issues is not supported. It is felt that the provisions under the Local Government Act 1995 adequately allow recording of votes should they be requested by a member of the Council;
- (i) That if an additional or enhanced supervisory role is to be attributed to the Department of Local Government, the role, resources and procedures of that Department should be extensively reviewed;
- (j) That the written and public disclosure of election campaign contributions by successful candidates is supported;
- (k) That whilst factional conduct in local government is not condoned, concern is expressed at the ability and appropriateness of local government officers or external parties to effectively police such conduct;
- (l) That whilst the conduct of "councillor only" meetings is not supported, it is considered acceptable that elected members be permitted to meet for purposes other than for the conduct of specific council business, provided no decision is made;
- (m) That the broadening of the scope for local government audits is supported, such scope to include statutory compliance and value for money audits;
- (n) That a study be undertaken to consider appropriate methods of protection for local government officers against vexatious issues;
- (o) That the development of procedures for effecting, exercising and recording delegation of authority is supported in the interests of efficiency in the day to day management of local governments.

Cmr Buckley spoke in support of the Motion, and in particular Items (f) and (h) therein.

The Motion was put and

**CARRIED**

**P02-01/98     POLICY MANUAL REVIEW - ELECTED MEMBERS - [200-0]**

The City is currently reviewing its Policy Manual. A review has just been completed of the Elected Member policies and the proposed policies are submitted for the Joint Commissioners consideration.

**REPORT RECOMMENDATION**     That the Joint Commissioners:

1. repeal policies A1-01, A1-02, A1-03, A1-04, A1-05, A1-06, A2-01, A2-02, A2-03, A2-04, A2-05, A2-06 , A2-07, A2-08, A2-09, A2-10, A2-11, A2-12, A2-13, A2-14, A2-15, B3-15, B4-01, B4-03, B4-04, B4-05 and;

- 2 adopt the policies EM-1, EM-2, EM-3, EM-4, EM-5, EM-6, EM-7, EM-8, EM-9, EM-10, EM-11, EM-12, EM-13, EM-14, EM-15, EM-16, EM-17, EM-18, EM-19, EM-20, EM-21, EM-22, EM-23, and EM-24, as documented in the attachment to Report P02-01/98.

At the Policy Committee meeting the following amendments were raised by Commissioners:

Policy EM7

Point 8, second sentence, be amended to read: "Where necessary, a hire car can be arranged for the conduct of Council business".

Point 9 be amended to read: "Where in particular circumstances Elected Members or Staff desire to travel interstate by private motor vehicle, they will be reimbursed for actual accommodation costs which are receipted and vehicle costs in accordance with local government mileage allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air"

Policy EM10:

Point 7 be amended to read: ".... reviewed on a regular basis ....."

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

1. repeal policies A1-01, A1-02, A1-03, A1-04, A1-05, A1-06, A2-01, A2-02, A2-03, A2-04, A2-05, A2-06, A2-07, A2-08, A2-09, A2-10, A2-11, A2-12, A2-13, A2-14, A2-15, B3-15, B4-01, B4-03, B4-04, B4-05 and;
- 2 adopt the policies EM-1, EM-2, EM-3, EM-4, EM-5, EM-6, EM-7, EM-8, EM-9, EM-10, EM-11, EM-12, EM-13, EM-14, EM-15, EM-16, EM-17, EM-18, EM-19, EM-20, EM-21, EM-22, EM-23, and EM-24, as documented in the attachment to Report P02-01/98, subject to the following amendments:

Policy EM7

Point 8, second sentence, be amended to read: "Where necessary, a hire car can be arranged for the conduct of Council business".

Point 9 be amended to read: "Where in particular circumstances Elected Members or Staff desire to travel interstate by private motor vehicle, they will be reimbursed for actual accommodation costs which are receipted and vehicle costs in accordance with local government mileage allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air"

Policy EM10:

Point 7 be amended to read: ".... reviewed on a regular basis ....."

The Motion was put and

**CARRIED**

Appendix I refers

**P03-01/98      POLICY MANUAL REVIEW - STRATEGIC PLANNING - [200-0]**

The City is currently reviewing its Policy Manual. Strategic Planning has completed the review of their policies and the proposed policies are submitted for the Joint Commissioners consideration.

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

- 1.      repeal policy J1-09;**
- 2      adopt the policies SP/CM-1, SP/CM-2    and SP/CM-3 as documented in the attachment to Report P03-01/98.**

**The Motion was put and**

**CARRIED**

Appendix II refers

**P04-01/98      EXPRESSIONS OF INTEREST - CUSTOMER COMPLAINT SYSTEM - [038-97/98]**

The Council has been for sometime requesting investigation into the possibility of introducing a computerised customer complaints system. As a result of this request it was decided to test the market to ascertain what products were available.

A total of nine (9) submissions were received. The customising of the Records Document Management System will allow for the full integration with the proposed document management system. This will benefit the users in that it does not require the dual inputting of complaints and the front end will be familiar to the user.

Having carefully assessed the expressions of interest and viewed some demonstrations it was agreed that there was no submission which met the City's needs.

Therefore it is recommended that the Joint Commissioners not proceed to invite tenders as the most advantageous course of action is to negotiate with CVSI to customise the existing Records Document Management System.

**REPORT RECOMMENDATION    That the Joint Commissioners:**

- 1            not proceed to invite tenders as a result of the Expressions of Interest received for the customer complaints system on 4 September 1997;**
- 2            negotiate with CVSI Pty Ltd the customisation of the Record Document Management System to develop a customer complaints system, with costs not to exceed \$45,000;**

- 3 approves, BY AN ABSOLUTE MAJORITY decision in accordance with Section 6.8 (1) of the Local Government Act 1995, the reallocation of \$45,000 from Account Numbers 45796 - \$25,000 and 45781 (\$20,000) - Capital Purchases (Computer Equipment) - Council Support Services - Customer Complaints System.

At the Policy Committee Meeting, Commissioners believed Point 3 to the Recommendation was unclear and requested this be reworded.

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

- 1 not proceed to invite tenders as a result of the Expressions of Interest received for the customer complaints system on 4 September 1997;
- 2 negotiate with CVSI Pty Ltd the customisation of the Record Document Management System to develop a customer complaints system, with costs not to exceed \$45,000;
- 3 approve, in accordance with Section 6.8 (1) of the Local Government Act 1995, the reallocation of \$45,000 to Council Support Services - Customer Complaints System from:
  - (a) Account 45796 Capital Purchases - Computer Hardware - \$25,000
  - (b) Account 45781 - Capital Purchases - Computer Software - \$20,000.

Cmr Buckley spoke in support of the Motion.

**The Motion was put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**P05-01/98 ROYAL COMMISSION - LEGAL REPRESENTATION - [702-8]**

When the Royal Commission commenced, applications for legal representation were put before Council on the basis that each approval covered \$3,000 of legal costs. Subsequent applications, based on summonses, were approved by the CEO, however they were not put before Council for endorsement.

A report to the October 1997 meeting of Council recommended that it endorse the action of the CEO in granting interim assistance. Council resolved to refer the matter back to the Policy Committee for further consideration. (Item P88-10-97 refers)

**MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the actions of the Chief Executive Officer in granting the following interim approvals :**

A Dammers	10 September 1996	Joondalup Corporation Board
	20 December 1996	Joondalup Corporation Board (closing submission)
	3 January 1997	Mosey Street Lunch Bar
	7 January 1997	Hooker line of enquiry
O Drescher	4 November 1996	Chichester Reserve
	8 November 1996	Woodvale Shopping Centre
	26 November 1996	Greenwood Village Shopping Centre
W Marwick	20 December 1996	Woodvale Shopping Centre
B Moloney	25 February 1997	Girrawheen/Koondoola Recreation Association

**The Motion was put and**

**CARRIED**

**P06-01/98     CHANGE OF COUNCIL'S EXISTING POLICY BY DELETING THE PROVISION FOR ACCEPTANCE OF A TENDER/ AN EOI SUBMISSION BY FACSIMILE - [208-02-1]**

The current Council Policy allows the submission of a tender/an expression of interest by facsimile. This policy was adopted in 1993 and has not been amended since then to suit the Local Government (Functional and General) Regulations 1996. A facsimile transmission is an open document and appears to contravene the requirement of the Local Government Regulations. Legal opinion has recommended the deletion of the provision of tenders / expression of interests by facsimile.

**MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners amend Tender Policy B3-16 by deleting the provision for accepting tenders/expression of interest by facsimile.**

**The Motion was put and**

**CARRIED**

**P07-01/98     INFORMATION POLICY FOR PEOPLE WITH DISABILITIES - [880-8-11]**

An Information Policy has been developed based on the access audit of Council's information provision and distribution, and included as a key strategy within the City's revised 1997/98 Disability Service Plan. The Policy will ensure equity of access to Council's community information for people with disabilities. Resources to implement strategies within the Policy will need to be considered during Council's annual budget process. The Policy also references 'best practice' guidelines which it is proposed would be developed in-house, to assist business units make their community information more accessible for people with disabilities.

**MOVED** Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners adopt the Information Policy outlined in Attachment A to Report P07-01/98 and include it in Council's Policy Manual.

**The Motion was put and**

**CARRIED**

Appendix III refers

**P08-01/98     SHADE PERGOLAS OVER COUNCIL BUILT PLAY CENTRES - [A960-1-1]**

Report B21-02/95 (15 February 1995) reported to Council that Council's duty of care regarding shade pergolas on Council built play centres could, in Council's solicitors' view, be "quite substantial" where Council has "positively constructed facilities ... for the purposes of use by children placed temporarily under Council care." Council subsequently listed \$91,000 in the 1995/96 budget for the provision of shade "pergolas" over Council built play centres.

In planning the implementation of the works, it became apparent that the legal opinion on which the funds were budgeted was too general to guide the design work. A second opinion was therefore sought to clarify the first opinion.

This report discusses the two legal opinions, outlines options for Council to consider in the provision of shade at Council built play centres and recommends the appointment of a consultant to undertake the design of appropriate shade structures on a site by site basis.

**REPORT RECOMMENDATION** That the Joint Commissioners:

1. authorise the use of funds in account 21884 for the engagement of a suitable consultant to design shade shelters to existing Council built play centres;
2. request that following the publication of shade guidelines for the State of Western Australia by the Cancer Foundation of Western Australia, a policy be developed and presented to Council to address the provision of shade to Council built play centres;
3. request that a policy be developed regarding the provision of shade at all public locations including private property open to the public; and,
4. request that a report be submitted on instituting a management programme that ensures the use of protective clothing, maximum SPF sun screens and suitable hats at all locations in the City where the City of Wanneroo directly runs programmes whereby children are temporarily taken into Council's care or where the City provides a facility that is used for children's activities which is operated on a casual or regular booking by a community based organisation but where no lease or licence to occupy exists.

At the Policy Committee meeting it was requested that Report P08-01/98 be amended by the inclusion of the following paragraph within "Comment/Funding":

"Budget allocation	21 884
Budget Funds	\$87,907.00
Expenditure	Nil"

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

1. authorise the use of funds up to \$9,000 in account 21884 - (Various sand pit pergolas shade) for the engagement of a suitable consultant to design shade shelters to existing Council built play centres;
2. request that following the publication of shade guidelines for the State of Western Australia by the Cancer Foundation of Western Australia, a policy be developed and presented to Council to address the provision of shade to Council built play centres;
3. request that a policy be developed regarding the provision of shade at all public locations including private property open to the public; and,
4. request that a report be submitted on instituting a management programme that ensures the use of protective clothing, maximum SPF sun screens and suitable hats at all locations in the City where the City of Wanneroo directly runs programmes whereby children are temporarily taken into Council's care or where the City provides a facility that is used for children's activities which is operated on a casual or regular booking by a community based organisation but where no lease or licence to occupy exists.

**The Motion was put and**

**CARRIED**

**P09-01/98     LEGAL REPRESENTATION - COUNCILLOR A TAYLOR - [702-14]**

Councillor Taylor was summonsed to appear before the Inquiry Panel - City of Wanneroo on Wednesday, 14 January 1998. He sought approval to be represented by Mr David Clyne of the Independent Bar. On advice from Council's solicitors he was granted interim approval for legal assistance by the Chief Executive Officer in accordance with Council's Policy A2-12.

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

Cmr Buckley spoke in support of the motion.

**The Motion was put and**

**CARRIED**

**P10-01/98     LEGAL REPRESENTATION - COUNCILLOR S MAGYAR - [702-14]**

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

Council's solicitors suggested that on the basis of Councillor Magyar's submission, it would be appropriate to approve his request. On the basis of this advice the Chief Executive Officer granted interim assistance in accordance with Council's Policy A2-12

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

Cmr Buckley spoke in support of the motion.

**The Motion was put and**

**CARRIED**

**P11-01/98     LEGAL REPRESENTATION - [702-14]**

Mayor Cooper and Councillors O'Grady, Hollywood and Wight have been summonsed to appear before the Inquiry Panel and have requested legal representation.

In accordance with Council's policy on legal representation, the Chief Executive Officer has granted interim approval.

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

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

Cmr Buckley spoke in support of the motion.

**The Motion was put and**

**CARRIED**

**P12-01/98     LEGAL REPRESENTATION - COUNCILLOR L EWEN-CHAPPELL - [702-14]**

Councillor Ewen-Chappell requested approval for legal representation when she appeared before the Inquiry Panel - City of Wanneroo.

As the request is for retrospective approval the question of granting interim approval did not arise.

Mr Peter Kyle subsequently advised that he provided the representation.



**MOVED** Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners grant approval to allow Councillor Ewen-Chappell to retain legal representation of her choice, subject to an expenditure limit of \$3,000 and representation being limited to the following :

- 1      necessary preliminary work, including an attendance by the applicant upon his or her solicitor;
- 2      attendance of counsel at the inquiry whilst his client is giving evidence;
- 3      preparation of any submissions which are reasonably necessary to protect the standing and reputation of the applicant

Cmr Buckley spoke in support of the motion.

The Motion was put and

**CARRIED**

**P13-01/98                    LEGAL REPRESENTATION - COUNCILLOR M LYNN - [702-14]**

Councillor Lynn has submitted two applications for legal representation. The first relates to an account from Datlin Peterson for a consultation on 17 November 1997. The second relates to the requirement to give evidence to the Inquiry Panel - City of Wanneroo.

In respect to the latter, Councillor Lynn has indicated that she proposes to engage Mr Peter Kyle.

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

- 1      do not approve Councillor Lynn's application for the recoup of costs associated with legal advice provided by Datlin Peterson on 17 November 1997 ;
- 2      approve the application for independent legal representation in respect to the Inquiry Panel subject to the grant of assistance being limited to the following :
  - (a)      cost not to exceed \$3,000;
  - (b)      necessary preliminary work, including an attendance by the applicant upon his or her solicitor;
  - (c)      attendance of counsel at the inquiry whilst his client is giving evidence;
  - (d)      preparation of any submissions which are reasonably necessary to protect the standing and reputation of the applicant.

Cmr Buckley spoke in support of the motion.

The Motion was put and

**CARRIED**

**P14-01/98      LEGAL REPRESENTATION - COUNCILLOR D TIPPETT - [702-14]**

Councillor Tippet has advised that he retained the services of Mr Peter Kyle to act as his Counsel when he appeared before the Inquiry Panel - City of Wanneroo on Wednesday, 14 January 1998.

He is now seeking approval for legal representation in accordance with Council's policy.

**MOVED** Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Joint Commissioners approve Councillor Tippet's application for independent legal representation in respect to the Inquiry Panel, subject to the grant of assistance being limited to the following :

- 1      cost not to exceed \$3,000;**
- 2      necessary preliminary work, including an attendance by the applicant upon his or her solicitor;**
- 3      attendance of counsel at the inquiry whilst his client is giving evidence;**
- 4      preparation of any submissions which are reasonably necessary to protect the standing and reputation of the applicant.**

Cmr Buckley spoke in support of the motion.

**The Motion was put and**

**CARRIED**

**FINANCE & COMMUNITY SERVICES COMMITTEE****REPORT NO:**

Items CS01-01/98 to CS15-01/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Buckley. Cmr Clark-Murphy gave notice of her intention to speak on Items CS2-01/98, CS12-01/98 and CS15-01/98.

**CS01-01/98      WANNEROO DISTRICTS CRICKET CLUB - LEASE, KINGSWAY INDOOR PAVILION - [061-198-10, 061-198]**

Wanneroo Districts Cricket Club has requested to become a tenant of the Indoor Pavilion, Kingsway Sporting Complex.

The Club would utilise the facility as an indoor base for winter and pre-season training and coaching clinics for the development of cricket in the City of Wanneroo. It has proposed a lease term of five years with responsibility for paying recurrent ongoing operating and maintenance costs as well as an annual lease fee.

It is recommended Council accepts the proposal of Wanneroo Districts Cricket Club and grants a lease on the Indoor Pavilion, Kingsway Sporting Complex for a five year period with a five year option.

**REPORT RECOMMENDATION:** That the Joint Commissioners:

- 1      agree to lease the Indoor Pavilion, Kingsway Sporting Complex, to the Wanneroo Districts Cricket Club for a period of five years with an option of a further five years, subject to:
  - (a)      the club being responsible for all ongoing operating and maintenance costs during the term of the lease;
  - (b)      an annual lease fee of \$3,000 to be increased annually in line with the consumer price index and reviewed at the completion of the five year lease;
  - (c)      the Club being liable for all costs and charges associated with the preparation of the lease;
  - (d)      a maintenance schedule being developed in consultation with the Club to ensure the Complex is continually maintained by the Club in accordance with Council standards during the term of the lease, such schedule to form part of the lease agreement;
- 2      endorse the Wanneroo Districts Cricket Club to act as booking officer for Kingsway Indoor Pavilion, subject to its compliance with Council policies regarding management of facilities.

**ADDITIONAL INFORMATION SUBMITTED TO THE FINANCE & COMMUNITY SERVICES COMMITTEE MEETING**

Wanneroo Districts Cricket Club is currently negotiating with Council to lease the Indoor Pavilion, Kingsway Sporting Complex. In response to the request by the Commissioners, this report provides additional information regarding the current arrangements between Council and the Club for use of Council facilities.

**BACKGROUND**

Wanneroo Districts Cricket Club is located at Kingsway Sporting Complex, Landsdale. The club has four senior teams competing in the West Australian Cricket Association Pennant competition and three junior inter-district sides.

The club currently utilises the Clubrooms and playing arena at the Cricket/Hockey Ground sharing the facilities with Wanneroo Districts Hockey Association and Wanneroo Softball Club, who use the venue in Winter.

The club has also used the Indoor Pavilion during the summer season for an indoor practice facility.

**DETAILS**

Wanneroo Districts Cricket Club currently has two contracts with the City of Wanneroo:

**Turf Wickets:**

There are three parks with turf wicket facilities within the municipality: Flinders Park, MacDonald Park and Kingsway Sporting Complex.

In October 1994 Council entered into an agreement with Whitfords and Districts Cricket Club to pay a cash subsidy of \$25,000 per wicket square to the club, for the management, maintenance and preparation of the turf facilities (including practice wickets) at MacDonald Park (Item TS247-08/95 refers).

A similar agreement was negotiated with Wanneroo Districts Cricket Club for Kingsway Reserve in September 1996 (Item TS 255-09/96 refers). The cash subsidy for this club was initially \$50,000 (two wicket squares). The Wanneroo Districts Cricket Club turf agreement was reviewed in March 1997 (Item TS104-03/97 refers) and the cash subsidy will reduce by \$1,000 per annum, per wicket square until the subsidy reaches \$20,000 per annum, per wicket square.

The subsidy for 1997/98 is \$50,000.

**Clubrooms:**

In September 1993, Council resolved to modify its policy on hire fees for clubs that have made a financial contribution to the capital cost of a clubroom facility. Clubs in this category have been granted a licence to occupy. This policy enables a club to use a building for a number of hours per week based on the proportion of its initial contribution to the capital cost of the facility plus pay a fee based on the hourly cost of operating the venue.

Both the Cricket Club and Wanneroo Districts Hockey Association contributed to the capital cost of the facility. Wanneroo Softball Club has not contributed to the capital cost, and pay an hourly rate based on Council's Schedule of Fees and Charges.

### **Indoor Pavilion**

The Indoor Pavilion was originally constructed with part funding from Wanneroo Districts Cricket Club. Since the initial contribution, the club has installed indoor cricket nets. The cost of the building was approximately \$25,000. The replacement cost is estimated at \$270,000.

### **COMMENT/FUNDING**

#### **Financial Breakdown**

The proposal from Wanneroo Districts Cricket Club for leasing the Indoor Pavilion represents a financial benefit to Council of \$7,690 on 1997/98 budget figures.

This benefit results from the club becoming responsible for operating and maintenance expenditure, and an increase of \$500 in budgeted income.

The 1997/98 budget for each of these facilities (based on a six month season) is as follows:

#### **Indoor Pavilion**

##### **Income**

Wanneroo District. Cricket Club	\$2,500
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##### **Expenditure**

Building Operating	\$4,390
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Building Maintenance	<u>\$2,800</u>
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<b>TOTAL</b>	<u>\$7,190</u>
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#### **Ground**

##### **Income**

Ground Hire	\$852
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##### **Expenditure**

Turf Wicket Maintenance contract	\$50,000
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Garden Maintenance	\$36,480
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Capital Expenses	<u>\$ 9,800</u>
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<b>TOTAL</b>	<u>\$96,280</u>
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#### **Clubroom**

##### **Income**

Licence to Occupy-Wanneroo District. Cricket Club	\$2,130
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**Expenditure**

Building Operating	\$3,775
Building Maintenance	\$3,245
Capital	<u>\$1,700</u>
<b>TOTAL</b>	<u><b>\$8720</b></u>

<b>TOTAL INCOME</b>	<b>\$ 5,482</b>
<b>TOTAL EXPENDITURE</b>	<b>\$112,190</b>

A standardised method to calculate lease fees is being developed. Under this method, lease fees for facilities by community groups are to be calculated at 1% of the building replacement cost, or any lease fee offered by the club, whichever is the higher.

The Cricket Club has proposed an annual lease fee of \$3,000. The annual lease, based on 1% of replacement cost, would be approximately \$2,700 per annum.

Wanneroo Districts Cricket Club has proposed a five year lease, with a five year option. There has been a suggestion that a shorter lease may be preferable. From an operational perspective a shorter lease would make little difference, but is inconsistent with the length of leases currently being finalised with other community groups.

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

- 1       **agree to lease the Indoor Pavilion, Kingsway Sporting Complex, to the Wanneroo Districts Cricket Club for a period of three years with an option of a further three years, subject to:**
  - (a)     **the club being responsible for all ongoing operating and maintenance costs during the term of the lease;**
  - (b)     **an annual lease fee of \$3,000 to be increased annually in line with the consumer price index and reviewed at the completion of the five year lease;**
  - (c)     **the Club being liable for all costs and charges associated with the preparation of the lease;**
  - (d)     **a maintenance schedule being developed in consultation with the Club to ensure the Complex is continually maintained by the Club in accordance with Council standards during the term of the lease, such schedule to form part of the lease agreement;**
- 2       **endorse the Wanneroo Districts Cricket Club to act as booking officer for Kingsway Indoor Pavilion, subject to its compliance with Council policies regarding management of facilities.**

**The Motion was put and**

**CARRIED**

CS02-01/98

**BURNS RATEPAYERS RESIDENTS AND COMMUNITY RECREATION ASSOCIATION (INC) - [302-2]**

Burns Ratepayers Residents and Community Recreation Association (Inc) has requested the funds from the disbanded Burns Recreation Association of \$6,032.02, which reverts to Council under the Associations constitution for use on recreation purposes within the municipality, be used to benefit the Burns community and user groups of Jack Kikeros Hall.

These funds originated from the annual donation given by Council to the Recreation Association. As such the funds should revert to Council and be allocated in accordance with standard budget procedure. It is recommended the funds of \$6,032.02 be returned to Council.

**RECOMMENDATION** That the Joint Commissioners:

- 1 advise the Burn Ratepayers Residents and Community Recreation Association the balance of funds of \$6,032.02 from the disbanded Burns District Recreation Association are to be forwarded to Council;
- 2 authorise, BY AN ABSOLUTE MAJORITY in accordance with Section 6.8(1) of the Local Government Act the expenditure of these funds on the following projects:
  - (a) BMN 504 Jack Kikeros Hall, replacement of chipboard walls, \$4,000;
  - (b) Account 28282 Purchase of Trestle Tables at Jack Kikeros Hall \$2,032.

Cmr Clark-Murphy recommended this item be deferred to allow input from the Burns District Ratepayers Association.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that consideration of the allocation of funds from the disbanded Burns District Recreation Association be deferred for one month to allow input regarding use of funds from the Burns Ratepayers Residents and Community Recreation Association (Inc).**

**The Motion was put and**

**CARRIED**

CS03-01/98

**DONATIONS - [009-1]**

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

At the Finance and Community Services Committee Meeting Cmr Morgan believed that an increase of fees to \$100 was warranted. The Director Community Services advised that this would require an amendment to the policy dealing with requests for financial assistance and stated that a report would be submitted on this matter in March 1998.

**MOVED** Cmr Morgan, **SECONDED** Cmr Buckley that the Joint Commissioners donate \$50, totalling \$350, to each of the following persons to assist with costs of representing Western Australia in their chosen sports:

David Southern	47 Wisteria Parade, Edgewater WA 6027
Casey Dellacqua	19 The Ridge, Woodvale WA 6026
Bree Atkinson	16 Henty Loop, Woodvale WA 6026
Chrisselle Fitzsimmons	19 Cockman Road, Greenwood WA 6024
Justin Chan	39 Glenbar Road, Duncraig WA 6023
Ryan Potter	8 Conical Rise, Woodvale WA 6026
John Fussell	2 Finney Crescent, Marmion WA 6020

The Motion was put and

**CARRIED**

**CS04-01/98**      **NOISE - STEREO MUSIC FROM 35 NAPIER WAY MARANGAROO**  
**- [229/227/35]**

This Report seeks the joint Commissioners' endorsement of a Pollution Abatement (PAN) issued on 11 November 1997 to the owner/occupiers of 35 Napier Way, Marangaroo. The PAN was the result of several complaints of loud music emanating from the above premises. Sound level assessment of the music on 1 November 1997 confirmed that it exceeded the limitations for noise under the provisions of the Environmental Protection Act 1986 .

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

- 1            endorse the service of the Pollution Abatement Notice of 11 November 1997 upon Mr Anthony Canal and Mrs Diana Lee Canal, owner occupiers of Lot 227, 35 Napier Road, Marangaroo;
- 2            authorise the instigation of legal action should a breach of the above Pollution Abatement Notice occur.

The Motion was put and

**CARRIED**

**CS05-01/98**      **RESTRUCTURE OF WELFARE SERVICES BUSINESS UNIT -**  
**[880-1]**

In line with the general restructure and management reforms presently being introduced into the City of Wanneroo, particularly the Community Services Directorate, the Welfare Services Business Unit has been reviewing its operations in terms of its;

- development to date
- future direction
- resources required both in the short and long term

This report recommends an interim restructure for the purpose of streamlining administrative and supervisory functions. It also recommends a more detailed strategic review in 1998/99. The interim restructure will require several staff positions to be disbanded, new positions to be created and existing positions to be reviewed. The restructure will result in :



- improved co-ordination and integration of services
- a more centralised administration
- a saving in the Council contribution to the business unit
- an increase of grant funds to direct service delivery

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

- 1 approve in principle the restructure of the Welfare Services Business unit as put forward in Report No. CS05-01/98;**
- 2 list for consideration in the 1998/99 draft budget funds to carry out a strategic review of Welfare Services.**

**The Motion was put and**

**CARRIED**

Appendix IV refers

**CS06-01/98      TENDER NO 84 - 97/98 - [880-8-4]**

The Welfare Services Business Unit advertised for contractors to offer specialised care services. Tenders were received from six agencies for provision of the City of Wanneroo's specialised care services for eligible aged and disabled residents. It is expected that services to the value of approximately \$470 000 will be contracted to the successful agency. This equates to an estimates 23 000 hours of service. Measured against the selection criteria, Bell Home Care and Chase Personnel met all requirements satisfactorily. Approval is sought from Council to accept the tender from Bell Home Care and Chase Personnel for a period of two years and to authorise the signing of contract documents.

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

- 1 accept the tender as submitted by Bell Homecare for the provision of specialised care services, Tender No 84-97/98, for a period of two years at a cost as outlined in Attachment 2 to Report No. CS06-01/98;**
- 2 accept the tender as submitted by Chase Personnel for the provision of specialised care services, Tender No 84-97/98, for a period of two years at a cost as outlined in Attachment 2 to Report No. CS06-01/98;**
- 3 authorise the Chairman of Commissioners and the Chief Executive Officer to execute the contract document under the seal of the City of Wanneroo.**

**The Motion was put and**

**CARRIED**

Appendix V refers

**CS07-01/98      MEMBERSHIP - ANNUAL STUDENT SCHOLARSHIP AWARDS  
PANEL - [701-1]**

In 1981 the City of Wanneroo initiated a Student Scholarship Award program, making funds available to assist outstanding high school students who reside in the City of Wanneroo.

The awards selection panel comprises four external representatives, two staff members and two elected members. The positions of the elected members are now open and nominations from the Joint Commissioners are invited.

At the Finance and Community Services Committee meeting, Cmr Morgan nominated Cmr Clark-Murphy to be the Commissioner representative on the Annual Student Scholarship Awards Panel. Cmr Rowell seconded the nomination.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that:**

- 1 the Finance and Community Services Committee:**
  - (a) appoints the following members to the Annual Student Scholarship Awards Panel:**

**Cmr Clark-Murphy;**  
**Director, Community Services or nominee;**
  - (b) deletes membership of Ms Judy Kulisa from the Annual Student Scholarship Awards Panel;**
- 2 the Joint Commissioners request a further report to reassess the future of the Student Scholarship programme.**

**The Motion was put and**

**CARRIED**

**CS08-01/98      LEASE OF PROPERTY TO MINISTRY FOR EDUCATION - YAGAN PRE-SCHOOL CENTRE, POIMENA MEWS, KINGSLEY - [895-13]**

The lease by which the Yagan Pre-School Committee occupied the City property at Lot 5 (10) Poimena Mews, Kingsley has expired. The future operation of the pre-school centre is to be the responsibility of the Ministry for Education which has requested that the City enters into a lease arrangement with it.

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

- 1 approve a lease of the freehold property at Lot 5 (10) Poimena Mews, Kingsley to the Ministry for Education for the purpose of a pre-school centre for a term of five years commencing on 1 January 1998, at an initial annual rental of \$1,500 which is to be increased in accordance with the Consumer Price Index (Perth All Groups) for each succeeding year of the term;**
- 2 seek a further report on the Ministry for Education's future requirements of Council's pre-school centres as well as the current status of the building maintenance requirements.**

**The Motion was put and**

**CARRIED**

**CS09-01/98      RENEWAL OF LEASE - MINISTRY FOR EDUCATION PRE-PRIMARY CENTRE, GIRRAWHEEN (BLACKMORE) - [895-1]**

The lease by which the Ministry for Education occupies and operates the Blackmore Pre-Primary Centre in the Council building at Lot 502 (13) Innes Place, Girrawheen will expire on 31 January 1998 and the Ministry wishes to renew it for a further term of five years.

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

- 1            approve the renewal of the Lease of Lot 502 (13) Innes Place, Girrawheen to the Ministry for Education for a Pre-Primary Centre for a five year term at an initial yearly rental of \$1,500 which is to be increased annually according to the Consumer Price Index for each succeeding year of the term;**
- 2            seek a further report on the Ministry for Education's future requirements of Council's pre-school centres as well as the current status of the building maintenance requirements.**

**The Motion was put and**

**CARRIED**

**CS10-01/98      OFFER TO PURCHASE LOT 8 UPPILL PLACE, WANGARA - WISEGOLD HOLDINGS PTY LTD - [780-23]**

Following the public auction of sixteen light industrial lots in Wangara, held on 8 October 1997, a private treaty offer has been received from Wisegold Holdings Pty Ltd of Wanneroo for Lot 8 Uppill Place at the price of \$148,500.

The price is equal to the current market value of the land as assessed by the Valuer General's Offices.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners authorise the giving of public notice of the proposal to sell Lot 8 Uppill Place, Wangara to Wisegold Holdings Pty Ltd for the price of \$148,500 in accordance with the provisions of Section 3.58 of the Local Government Act 1995.**

**The Motion was put and**

**CARRIED**

**CS11-01/98      SALE OF LIGHT INDUSTRIAL LOTS - WANGARA INDUSTRIAL ESTATE - [780-23]**

Nine of the 16 Council owned vacant light industrial lots in the north west sector of the Wangara Industrial Estate have been sold and the appointment of the selling agent, First Pacific Davies (WA), ended on 6 January 1998.

The valuations that apply to the land require reassessment on 11 March 1998 in order to comply with the requirements of Section 3.58 of the Local Government Act 1995.

It is recommended that the agency of First Pacific Davies (WA) be extended to 11 March 1998 and that expressions of interest be called for the management of the sales programme for a period of six months beyond that date.

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

- 1** appoint the firm of First Pacific Davies (WA) as the sole agent for the sale of the seven remaining light industrial lots in the north west sector of Wangara up until 11 March 1998 on a commission basis of 1.00% of the gross sale price of each lot or at 2.00% if a conjunctional sale is arranged;
- 2** authorise advertising expenditure of \$740 from Account No 48493 (Auction Expenses Land Sales).

**The Motion was put and****CARRIED****CS12-01/98 IMAGING BUILDING LICENCES POST 1994 - [201-0-4]**

Since 1971 the City has been selectively microfilming building licence records. This has not complied with the minimum statutory standards for record keeping as notes, specifications, forms and reports have not been microfilmed. The hard copy must therefore be retained.

No microfilming has been undertaken since 1994 and a backlog of 21,500 building licences or 450,000 documents are held in hard copy in the Approval Services office.

It is proposed to scan the documents and retain them as images within the records system and keep the hard copy at the Depot archive site pending approval for them to be destroyed.

The cost of the project is \$120,900 including equipment worth \$33,300 which would be retained by Approval Services at the end of the project to enable ongoing scanning.

No budget allowance has been made for the project as it was expected to continue backlog microfilming.

Partial funding re-allocation recommendations to enable the ordering and purchasing of the equipment have been included within the Finance & Community Services Committee report on Authorisation of Reallocation of Funds. A further re-allocation will be required to cover the labour component.

Discussion ensued at the Finance and Community Services Committee in relation to the feasibility of utilising alternative storage facilities for documents.

Cmr Clark-Murphy referred to two paragraphs within this item which had been included in the Agenda in error and which were to be deleted from the Minutes.

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

- 1** approve of the project to scan the backlog of Building Licences at an estimated cost of :
 

<b>Labour</b>	<b>\$ 72,300.00</b>
<b>Consumables</b>	<b>\$ 15,300.00</b>
<b>Equipment</b>	<b>\$ 33,300.00</b>
<b>TOTAL</b>	<b><u>\$120,900.00</u></b>

- 2 in accordance with Section 6.8(1) of the Local Government Act 1995 approve:
- (a) the reallocation from Account 39840 - Microfilming of Building Approvals (\$5,000), 39865 - Consultancy - Testing and Structure Plans (\$20,000) and 41077 - Consultancy (\$10,000) to Account 41047 - Furniture and Equipment - Major, in order to purchase capital equipment to image the backlog of building licences;
  - (b) the over budget expenditure of \$87,600 to accommodate the labour (\$72,300) and consumables (\$15,300) costs associated with scanning of the backlog of Building Licences, such over expenditure to be addressed in the budget review to be conducted in February 1998.

The Motion was put and

CARRIED BY AN  
ABSOLUTE MAJORITY

CS13-01/98 **SORRENTO SOCCER, SPORTS AND SOCIAL CLUB INC - BUILDING ADDITIONS - [472-01-1]**

The Sorrento Soccer, Sports and Social Club Inc is seeking approval to proceed with additions to the Clubrooms it currently occupies under a lease arrangement. In November 1997 Council agreed to the Club carrying out the works subject to the Club surrendering the current lease and suitable lease arrangements being agreed. The Club is seeking to proceed with construction of the additions so as to meet the Soccer West Coast requirements.

The new lease document is still being prepared, so subject to the Club agreeing to the lease principles, it is proposed that approval for construction to commence is given.

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

- 1 confirm that the Sorrento Soccer, Sports and Social Club Inc will need to surrender its current lease over the existing Clubrooms at Percy Doyle Reserve, Duncraig in order to obtain its approval for construction of the works to proceed;
- 2 endorse a proposed lease which requires the Club to be responsible for:
  - Building maintenance (structural repairs excluded)
  - All operating Costs
  - Insurance
  - An administration fee
  - Costs for preparation of the Lease
- 3 agree an initial lease fee of \$1,713.00 with subsequent adjustments in accordance with CPI;
- 4 permits building works to proceed whilst the lease is finalised subject to the Club providing a written commitment to the above mentioned principles and lease fee;

- 5 confirms Council's contribution is a maximum of \$64,000.00 based on a dollar for dollar from the Club.

The Motion was put and

**CARRIED**

**CS14-01/98      PROPOSED BEAUMARIS SPORTS CLUB - TENDERS - [260-05-1]**

Tenders for the proposed Beaumaris Sports Club in Iluka closed on 24 November 1997. The Architects, Bollig Design Group make recommendations for the appointment of the contractor to undertake the works and also recommends variations to the contract.

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

- 1 accept the tender of \$1,303,657 from Carlino Developments for the construction of the Beaumaris Sports Club;
- 2 agree to the signing of the contract documents;
- 3 authorise variations to accept alternative option No. 1 for a reduction in the scope of works to mechanical, electrical services and stormwater drainage and other variations to glazing, sun louvers bar fitting and equipment to reduce the tender sum to \$1,147,111.00;
- 4 advise the Beaumaris Sports Association the surplus furniture from the refurbishment of the Joondalup Administration Centre will be auctioned and advise auction details.

The Motion was put and

**CARRIED**

**CS15-01/98      INTERIM BUS SERVICE - NEERABUP - [012-0-2-6A]**

The City of Wanneroo has been approached by the Department of Transport to be involved with it and Homeswest in a jointly sponsored interim bus service for Neerabup (Greenhaven Estate). Council considered the proposal at its meeting on 22 October 1997 and requested clarification on the role of the Department of Transport in implementing this service.

Information has been received from the Minister for Transport, relevant government authorities and local Members of Parliament on this matter that addresses the concerns of the Council. The proposal for the introduction of an interim interpeak bus service is re-submitted for the consideration by the Joint Commissioners.

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

- 1 note the responses received from the Minister for Transport, relevant government authorities and local Members of Parliament in relation to the Department of Transport's responsibility to implement the interim bus service in Neerabup;

- 2 subject to 3. below, endorse the introduction of an interim interpeak bus service for Neerabup jointly sponsored by the City, Department of Transport and Homeswest, for a period of two years with the City's contribution being \$16,667 per year for two years (a total of \$33,334), subject to CPI adjustments being made;
- 3 authorise the entering into by the City of a legal agreement between Department of Transport, Homeswest and the City, formalising each party's obligations in respect of the operation of the interim bus service, and in particular confirming the City's agreement to contribute the funding referred to in 2. above and acceptance of the Department of Transport's conditions relating to this proposal, subject to the agreement including the following condition:  
  
"Notwithstanding condition 1. above, the Department of Transport shall at the end of the first year of operation of the interim bus service prepare and provide to the City of Wanneroo a report on the degree to which the Department of Transport's criteria relating to level and density of development required for provision of bus services is met at that time. Should this report find that the relevant criteria have been met, the City of Wanneroo shall not be required to contribute funds for the second year of operation of the bus service."
- 4 approve the expenditure of \$16,667 to fund the City's contribution for the first year of operation of the interim bus service, such funding to be drawn from Account No. 41231 (Seeding Funding), with appropriate CPI adjustments being made in respect of the second six monthly payment;
- 5 negotiate with the Department of Transport the provision to adjust the bus route to service Neerabup and surrounding areas so that the bus service meets local demand for a public transport service;
- 6 advise the Neerabup resident petitioners of this decision to participate in the introduction of the interim interpeak bus service for Neerabup.

Cmr Clark-Murphy spoke in support of the motion.

The Motion was put and

**CARRIED**

**FINANCE SECTION**

Items FA01-01/98 to FA17-01/98 inclusive were Moved by Cmr Buckley and Seconded by Cmr Rowell.

**FA01-01/98      WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 DECEMBER 1997 - [021-1]**

This report details the cheques drawn on the funds during the month of December 1997. It seeks Joint Commissioners' approval for the payment of the December 1997 accounts.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 31 December 1997, certified by the Chairperson of Finance and Community Services Committee and Director Resource Management, and totalling \$21,407,542.75:

FUNDS	VOUCHERS	AMOUNT
		\$
Director Resource Management Advance Account	54722 - 55765	7,457,360.86
Municipal	000518 - 000534	13,459,800.17
Trust	0062A - 0062B	2,000.00
East Wanneroo Development Area Cell 1	000010	1,610.92
East Wanneroo Development Area Cell 2	000008	167.76
East Wanneroo Development Area Cell 3	905721T	2,400.00
East Wanneroo Development Area Cell 4	905719M	72,400.00
East Wanneroo Development Area Cell 5	00001A	300.00
East Wanneroo Development Area Cell 6	000010	9,435.30
East Wanneroo Development Area Cell 7	000008	333.79
East Wanneroo Development Area Cell 8	000006	41.38
Town Planning Scheme 7A (4)	905761P	1,700.00
Town Planning Scheme 5	905756N	1,400.00
Berkley Road Local Structure Plan	905749E	6,300.00
Reserve Account	000012 - 00012A	392,292.57
	<b>TOTAL</b>	<b>\$21,407,542.75</b>

**The Motion was put and**

**CARRIED**

Appendix VI refers

**FA02-01/98      AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

Various requests have been received for authorisation, in accordance with Section 6.8 (1) of the Local Government Act 1995, to incur unbudgeted expenditure. In most instances, a source of funding has been identified to accommodate the additional expenditure. A number of necessary adjustments to the budget estimates have also been identified. Items approved by Council, but not previously listed in the Schedule, are also included for consistency and to facilitate presentation of an accumulated balance.



At the Finance and Community Services Committee Meeting Cmr Clark-Murphy referred to Account No 27777 and requested that allocation items be placed together to separate them from reallocation items.

**MOVED Cmr Buckley, SECONDED Cmr Rowell** that the Joint Commissioners authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, amendments to the "revised budget figures" of the 1997/98 Budget as detailed in the Schedule of Budget Reallocation Requests - 20 January 1998.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix VII refers

**FA03-01/98            MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON -  
[006-1]**

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

**MOVED Cmr Buckley, SECONDED Cmr Rowell** that the information received regarding Major Capital Projects - Cost/Budget Comparison, be noted.

The Motion was put and

**CARRIED**

**FA04-01/98            WANNEROO DISTRICTS RUGBY UNION FOOTBALL CLUB (INC)  
- DEBT REPAYMENT PROGRAMME - [003-12]**

The Wanneroo Districts Rugby Union Football Club (Inc) has sought a reduction in the fixed interest rate of 13.2% per annum being charged for the repayment of a \$40,000 loan from the City of Wanneroo.

The loan was for the refinancing of the club's debt for part of its contribution towards the construction costs of its clubrooms.

This report details the background associated with the loan and recommends a reduction in the interest rate applicable.

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

- 1            offer the Wanneroo Districts Rugby Union Football Club (Inc) the option to alter its repayment programme from a fixed interest rate to a variable interest rate effective 15 February 1998;**
- 2            in accordance with section 6.16 of the Local Government Act 1995 set a new charge for the repayment programme of the club to a variable interest rate equal to the Commonwealth Bank of Australia Corporate Overdraft interest rate (currently 8.45% per annum) applicable on the first day of each month.**

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA05-01/98      OUTSTANDING GENERAL DEBTORS - 31 DECEMBER 1997 - [020-0]**

This report details the outstanding general debtors as at 31 December 1997 and outlines the action being taken to effectively control those debtors which have been outstanding for in excess of 90 days. It recommends a write off of debts totalling \$573.70.

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

- 1            in accordance with the provisions of Section 6.12 (1) (c) of the Local Government Act 1995 writes out of its General Debtors Ledger an amount of \$573.70 representing debts considered irrecoverable, as detailed in Attachment 'B' to Report No. FA05-01/98;**
- 2            agree to the Wanneroo Basketball Association (Inc) payment plan for the payment of its 1998 lease fee plus arrears as detailed in Report No. FA05-01/98.**

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix VIII refers

**FA06-01/98      STAFF AND OUTSIDE WORKERS' OVERTIME DECEMBER 1997 - [404-10]**

This report details the staff and outside workers' overtime for the month of December 1997.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Information relating to Staff and Outside Workers' Overtime, be noted.

The Motion was put and

**CARRIED**

**FA07-01/98      VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 076-97/98 - [208-6-076-97/98]**

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

The City's 1997/98 budget provided for the purchase of one low bed mower transport trailer for Parks and Landscape Services.

This report outlines the submissions received in relation to Tender 076-97/98. It recommends purchase of one low bed mower transport trailer from Polmac Trailers.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners accept the tender submitted by Polmac Trailers for the supply of one low bed mower transport trailer for \$8,950, as detailed in tender 076-97/98.

The Motion was put and

**CARRIED**

**FA08-01/98      VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT  
RESERVE - TENDER NUMBER 078-97/98 - [208-6-078-97/98]**

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

An integral component was the purchase of one 40-45kw tractor for Parks and Landscape Services.

This report outlines the submissions received in relation to tender 078-97/98. It recommends purchase of one 40-45kw Case 3230 tractor from Casequip WA.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners accept the tender submitted by Casequip WA for the supply of one 40-45kw tractor at a price of \$38,525, as detailed in tender 078-97/98.

**The Motion was put and**

**CARRIED**

**FA09-01/98      VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT  
RESERVE - TENDER NUMBER 079-97/98 - [208-6-079-97/98]**

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

An integral component was purchase of two ride on rotary mowers for Parks and Landscape Services.

This report outlines the submissions received in relation to tender 079-97/98. It recommends purchase of two Ransome 727 ride on rotary mowers from Victa Ransome.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners accept the tender submitted by Victa Ransome for the supply of two Ransome 728 ride on rotary mowers at a total price of \$43,184, as detailed in tender 079-97/98.

**The Motion was put and**

**CARRIED**

**FA10-01/98      VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT  
RESERVE - TENDER NUMBER 077-97/98 - [208-6-077-97/98]**

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

An integral component was the purchase of one seven gang reel mower for Parks and Landscape Services.

This report outlines the submissions received in relation to tender 077-97/98. It recommends purchase of one seven gang reel mower from Victa Ransome.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners accept the tender submitted by Victa Ransome for the supply of one seven gang reel mower at a price of \$44,250, as detailed in tender 077-97/98.

The Motion was put and

**CARRIED**

**FA11-01/98      VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE - TENDER NUMBER 050-97/98 - [208-6-050-97/98]**

Council's 1997/98 Budget provided for the replacement of vehicles, as detailed in the Light Vehicle Replacement Programme & funded from the Light Vehicles Replacement Reserve. An integral part of this was the replacement of the Home and Community Care bus.

This report outlines the submissions received in relation to Tender 050-97/98 for the replacement of the purpose built Home and Community Care bus. The appraisal of the tender was conducted by Welfare Services. Following this appraisal, given that a joint review of HACC funded buses is currently being undertaken with other local governments, it is recommended that no tender be accepted and that this matter be deferred pending the outcome of the review.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners reject all tenders and offers received in relation to tender 050-97/98 pending the finalisation of the review of the Home and Community Care bus specification.

The Motion was put and

**CARRIED**

**FA12-01/98      CONNOLLY RESIDENTS' ASSOCIATION - FAIRWAY CIRCLE REDEVELOPMENT (325-31) - [510-2108]**

The Council, at its meeting on 24 September 1997, resolved to authorise the redevelopment of the Fairway Circle verge area according to the design prepared by Parks Landscaping Services and Connolly Residents' Association. As part of that resolution, the Council also resolved to retain the 15% administration costs applied to the project. The Connolly Residents' Association has requested that this decision by the Council be reconsidered. With the introduction of corporate overhead allocations this financial year, all costs covered by the administration fee are captured through the 'on costing' system. It is therefore appropriate that the Joint Commissioners rescind that part of the Council Resolution of 24 September 1997 which relates to the application of a 15% administration fee to the project.

The Chief Executive Officer advised that, in accordance with Local Government (Administration) Regulations 1996 No 10, a motion to rescind required support of one third of the members, inclusive of the mover of the motion. In this instance, the mover and seconder would constitute one third of the members and would accord with the requirement of the regulations.

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

- 1      rescind, paragraph 3 of the Council's resolution carried at its meeting on 24 September 1997; viz:

“3. retains the 15% administration costs applied to the project”.

- 2 inform the Connolly Residents' Association (Inc) that its request to have the Joint Commissioners reconsider the Council Resolution of 24 September 1997 has been acceded to and the decision to retain the 15% administration costs in relation to the Fairway Circle Redevelopment works has been rescinded.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA13-01/98      QUINNS ROCKS BOWLING CLUB (INC) - DEBT REPAYMENT  
PROGRAMME - [317-4]**

The Quinns Rocks Bowling Club (Inc) has sought a reduction in the fixed interest rate of 11.25% currently being charged on the balance of its outstanding debt to the City of Wanneroo of \$20,861.01.

The debt arose when the club appropriated \$30,000 of Commonwealth Government funds paid to the club for clubroom extensions which had been financed by the City of Wanneroo.

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

- 1 offer the Quinns Rocks Bowling Club (Inc) the option to alter its repayment programme from a fixed interest rate to a variable interest rate effective 1 February 1998;
- 2 in accordance with the provisions of Section 6.16 of the Local Government Act 1995 set a new charge for the repayment programme of the Quinns Rocks Bowling Club (Inc) to a variable interest rate equal to the Commonwealth Bank of Australia Corporate Overdraft interest rate (currently 8.45% per annum) applicable on the first day of each month.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA14-01/98      1997/98 RATE DISCOUNTS - [018-1]**

Council offered a 5% discount if rate payments were received by the close of business on 6 October 1997. There were approximately 900 payments made after this date on which the discount was claimed albeit that the amounts were received after the "cut off" period.

Previous reports have addressed various properties where the City believed consideration should be given to writing off amounts where it was considered appropriate.

This report lists a further 4 properties where payments of rates/refuse were received after the discount period but where for various reasons discount could be permitted.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners, in accordance with the provisions of Section 6.12 (1) of the Local Government Act 1995, writes off \$96.29 in rates levied as detailed in Attachment 'A' to Report No. FA14-01/98.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**Appendix IX refers**

**FA15-01/98      SPOT RATING - LOT 21 (334) KINGSWAY, LANDSDALE -  
[222/21/334]**

Council has received a request from Bruce and Judith Lantzke, the owners of rural zoned Lot 21 (334) Kingsway, Landsdale for their property to be rated on gross rental value, as the property is used for residential purposes only since the house was completed in 1995.

The basis of rating properties within the City of Wanneroo is that developed or subdivided residential, special residential, commercial, special rural and industrial lots and rural lots of 2.6 hectares or less where it is considered that the property is used predominantly for residential purposes are rated on gross rental values (GRV). Broadhectare residential, special rural and rural lots are rated on unimproved valuation (UV).

This property was included on the list of rural properties spot rated on a GRV basis approved by the Minister for 1997/98. However, an inspection of this property has been conducted and it was evident that the property should have been "spot rated" on GRV effective 1 July 1995.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners, in accordance with the provisions of Section 6.47 of the Local Government Act 1995 waive the amount of \$1,237.72 for rates on Lot 21 (334) Kingsway, Landsdale for 1995/96 and 1996/97 representing the difference between the rates calculated using a gross rental valuation as opposed to an unimproved valuation method of calculation.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA16-01/98      SPOT RATING - LOT 100 (103) ELLIOT ROAD, WANNEROO - [272/  
/103]**

Council has received a request from Mario Figliomeni, one of the owners of rural zoned Lot 100 (103) Elliot Road, Wanneroo, for the property to be rated on gross rental value, as the property and has been used for residential purpose only since 1989.

The basis of rating properties within the City of Wanneroo is that developed or subdivided residential, special residential, commercial, special rural and industrial lots and rural lots of 2.6 hectares or less where it is considered that the property is used predominantly for residential purposes are rated on gross rental values (GRV). Broadhectare residential, special rural and rural lots are rated on unimproved valuation (UV).

This property has only been rated on gross rental value since 1996. However, a visual inspection of this property and previous aerial photography of this lot has been conducted and it was evident that the property should have been "spot rated" on GRV from 1 July 1992.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners, in accordance with the provisions of Section 6.47 of the Local Government Act 1995 waive the amount of \$1,836.22 for rates on Lot 100 (103) Elliot Road, Wanneroo for 1992/93, 1993/94, 1994/95 and 1995/96 representing the difference between the rates generated using a gross rental valuation as opposed to an unimproved valuation method of calculation.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**FA17-01/98**

**FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER  
1997 - [002-3]**

This monthly report gives a broad overview of the Council's financial position at 31 December 1997. With 6 months (or 50% of the year) expired revenue and expenditure trends are emerging. While Council's earnings from investments of \$1.520 m, is (at this time of the year) short of the \$3.6 m expected for the full year, revenues from interim rating and building licence fees are generally on target. As depicted in the budget reallocation report the City has an over budget expenditure deficit of \$407,660 at 31 December 1997. The major contributing factors are:

- |  |           |
|--|-----------|
| • Discount on Rates                          | \$170,000 |
| • Information Directory                      | \$100,000 |
| • Urban Design Officer                       | \$ 35,000 |
| • Air-conditioning - Administration Building | \$ 25,000 |

This over budget deficit will be the subject of discussion following the materialisation of funds from the sale of land at North West Wangara and also the conduct of a budget review in February 1998.

At the Finance and Community Services Committee Meeting Cmr Ansell referred to pages 1 to 3 of Attachment A to Report FA17-01/98 and requested that a half year budget be included next to the actual budget.

Cmr Rowell advised that as a benchmark for local government, there should be a 60/40 ratio between operating and capital expenditure. The Director Resource Management advised he would investigate this matter with respect to the City of Wanneroo.

**MOVED** Cmr Buckley, **SECONDED** Cmr Rowell that the information regarding the Financial Report for the Period Ended 31 December 1997, be noted.

The Motion was put and

**CARRIED**

**TECHNICAL SERVICES COMMITTEE**

Items TS01-01/98 to TS10-01/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Buckley. Following a query from Cmr Buckley, Cmr Morgan amended the Motion to incorporate items TS01-01/98 to TS13-01/98 inclusive. Cmr Morgan gave notice of his intention to speak on Items TS03-01/98 and TS07-01/98.

**TS01-01/98                    TENDER 082-97/98, SUPPLY OF FRONT LOADER REFUSE BINS - [508-2, 208-082-97/98]**

Tenders were called for the supply of metal refuse bins for the commercial service for a 12 month period with a 12 month option. The lowest tender was from Waste Master which has been a reliable supplier in the past and is recommended for this contract.

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

- 1                    accept the tender from Waste Master for Tender Number 082-97/98 - Supply of Front Loader Refuse Bins in accordance with the submitted tender schedule;**
- 2                    agree to the signing of the contract documents.**

**The Motion was put and**

**CARRIED**

**TS02-01/98                    TENDER NUMBER 058-97/98 - HIRE OF EXCAVATORS AND ROCKBREAKERS - [208-6]**

In order for the City to meet its annual works programme commitments, it is necessary to hire plant to supplement the resources within the existing day labour workforce. In August 1997, Tender Number 015-97/98 was called for a comprehensive range of hire plant. Tenderers were engaged for all items of plant except excavators, which were re-advertised since no compliant bid was received. The tender period for the re-advertised hire of excavators closed on 1 December 1997. Evaluation of the tenders is complete and the recommendations are now available for the Joint Commissioners' consideration.

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

- 1                    accept Tender Number 058-97/98 for the hire of excavators and hydraulic hammers as listed below and as detailed on Attachment 2 to Report No TS02-01/98**

<b>Item No 1</b>	<b>:</b>	<b>Alvito Pty Limited</b>
<b>Item No 2</b>	<b>:</b>	<b>Alvito Pty Limited</b>
<b>Item No 3</b>	<b>:</b>	<b>Alvito Pty Limited</b>
<b>Item No 4</b>	<b>:</b>	<b>Executive Plant Hire</b>
<b>Item No 5</b>	<b>:</b>	<b>Alvito Pty Limited (Rubber Tyred Machine)</b>
		<b>Kalcon Hire (Tracked Machine)</b>
<b>Item No 6</b>	<b>:</b>	<b>Kalcon Hire</b>
<b>Item No 7</b>	<b>:</b>	<b>Mayday Earthmoving</b>
<b>Item No 8</b>	<b>:</b>	<b>Kalcon Hire</b>



<b>Item No 9</b>	<b>:</b>	<b>Dalco Earthmoving</b>
<b>Item No 10</b>	<b>:</b>	<b>Kalcon Hire</b>
<b>Item No 11</b>	<b>:</b>	<b>Kalcon Hire</b>
<b>Item No 12</b>	<b>:</b>	<b>Candy Constructions Pty Limited</b>
<b>Item No 13</b>	<b>:</b>	<b>Kalcon Hire Pty Limited</b>
<b>Item No 14</b>	<b>:</b>	<b>Excavator &amp; Rockbreaker Hire Australia</b>

**2** **endorse the signing of the contract documents.**

**The Motion was put and**

**CARRIED**

**Appendix X refers**

**TS03-01/98      REMOVAL OF GRAFFITI - [210-7]**

Graffiti vandals are now targeting private and commercial face brick structures because the graffiti lasts longer as there is some reluctance from property owners to remove it particularly where it forms part of an estate wall. The Graffiti Program and the City of Stirling have recently joined forces for the removal of graffiti from fences and walls abutting public open space and private property.

Council will therefore need to give consideration as to whether it will agree to participate in the removal of graffiti from fences abutting roads, pedestrian accessways and public recreation areas. If Council agrees then the Director of Technical Services should be authorised to negotiate with the Graffiti Program with the view to joining forces with them and the City of Stirling to implement a twelve month pilot scheme.

It is recommended that Council authorises the Director of Technical Services to negotiate with the Graffiti Program with the view to entering into a joint venture to implement a pilot scheme to remove graffiti from fences abutting roads, pedestrian accessways and public recreation areas. It is also recommended that Council establishes an internal Taskforce to investigate and report on future strategies to reduce the incidence of graffiti within Council's District.

At the Technical Services Committee Meeting Cmr Rowell advised that his previous Council, the Town of Cottesloe, published photographs of Graffiti "tags" in the local newspaper, with a reward offered for information leading to identification of an offender. Cmr Rowell suggested this action could be taken within the City of Wanneroo. Director, Technical Services advised that the internal Task Force would give consideration to this suggestion.

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

- 1** **agree, in principle, to participate in the removal of graffiti from private fences and walls abutting roads, pedestrian accessways and parks;**
- 2** **authorise the Director of Technical Services to negotiate with the Graffiti Program on a cost sharing basis with regard to implementing a pilot scheme for the removal of graffiti from fences and walls abutting roads pedestrian accessways and parks and to submit a report on the outcome of the negotiations to the Technical Services Committee;**

- 3 establish an internal Task Force to investigate and report on initiatives and future strategies to reduce the incidence of graffiti within the Council's District;
- 4 advise the Chairman of the Graffiti Program Steering Committee of their decision.

Cmr Morgan spoke in support of the motion.

**The Motion was put and**

**CARRIED**

**TS04-01/98      FUNDING REQUEST - PROPOSED MODIFICATIONS TO GRAND BOULEVARD AND REID PROMENADE INTERSECTION - JOONDALUP CITY CENTRE - [510-3303]**

Following requests from both the Joondalup Owners and Traders Association and LandCorp Council, in October 1996, gave conditional temporary approval to intersection modifications at Grand Boulevard and Reid Promenade subject to LandCorp being fully responsible for the funding of the works. The Association has advised that LandCorp has agreed to fund 50% of the proposed modification works. Therefore, the Association seeks Council's favourable consideration to contributing 50% of the funds for the intersection modification costs.

The intersection modifications are not required on traffic grounds and no funds have been allocated in the Budget for these works. It is considered that this matter needs to be further addressed with LandCorp.

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

- 1 reiterate Council's previous decision to:  
  
"approve, on an initial temporary basis to October 2001, the modification of the existing Reid Promenade and Grand Boulevard intersection to allow right turn in movements to both sides of Reid Promenade, subject to:
  - (a) LandCorp being fully responsible for the funding of all the modification works to the satisfaction of the City Engineer;
  - (b) LandCorp and the Joondalup Owners and Traders Association entering into a legal agreement acknowledging that the temporary approval may be revoked after five years without claim for compensation on the City;"
- 2 make representation to LandCorp to fully fund the proposed intersection modifications at Reid Promenade and Grand Boulevard.

**The Motion was put and**

**CARRIED**

**TS05-01/98      PARKING PROHIBITIONS - CARRIPAN ROAD, LANDSDALE - [510-1657]**

The Kingsway Christian College has requested that the City install parking bans to regulate parking adjacent to the school in Carripan Road. The proposed parking prohibitions are submitted for consideration.

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

- 1            approve the installation of the ‘NO STANDING ANYTIME CARRIAGEWAY OR VERGE’ signs on the west side of Carripan Road as shown on Attachment 1 to Report No TS05-01/98;**
- 2            approve installation of the ‘NO PARKING 3:00-4:00 PM MONDAY - FRIDAY’ signs on the east side of Carripan Road as shown on Attachment 1 to Report No TS05-01/98;**
- 3            advise the Principal of Kingsway Christian College accordingly.**

**The Motion was put and**

**CARRIED**

**Appendix XI refers**

**TS06-01/98      VERGE PARKING PROHIBITION - MOOLANDA CHILD CARE CENTRE, BARGATE WAY, KINGSLEY - [510-1931, 510-1156]**

The Co-ordinator of the Moolanda Child Care Centre has requested that the City install a verge parking ban to prohibit verge parking adjacent to the Centre in Bargate Way, Kingsley. The proposed verge parking prohibition is submitted for consideration.

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

- 1            approve the extension of the existing ‘NO STANDING ANYTIME CARRIAGEWAY OR VERGE’ signs in Moolanda Boulevard to include the south side of Bargate Way adjacent to the Moolanda Child Care Centre as shown on Attachment 2 to Report No TS06-01/98;**
- 2            advise the Co-ordinator of the Moolanda Child Care Centre accordingly.**

**The Motion was put and**

**CARRIED**

**Appendix XII refers**

**TS07-01/98      WASTE MINIMISATION STRATEGY AND CHANGES TO RECYCLING PROGRAMME - [508-4]**

Since the preparation of the original report TS314-11/97 in October 1997, there have been sufficient changes to warrant a review of the recommendations relating to changes in the recycling programme. The other aspects of the report are still valid and are recommended for adoption. The report concludes that to allow Council to integrate the recycling with the region's long term waste

disposal strategy it is appropriate to upgrade the existing recycling service to allow time to undertake a trial using 2 part recycling carts and liaise with the Mindarie Regional Council.

At the Technical Services Committee Meeting, Commissioner Morgan spoke in support of the Motion.

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

- 1 adopt the Waste Minimisation Strategy as detailed in Attachment 1 to Report No TS07-01/98 and incorporates it into the 1998/99 Corporate Plan for the City of Wanneroo;**
- 2 in accordance with the provisions of Section 6.16 (3) of the Local Government Act 1995 adopt, the charge of \$60 per tonne and \$20 per cubic metre for the sale of compost and \$10 per cubic metre for the sale of shredded material;**
- 3 authorise, in accordance with section 6.8 (1) of the Local Government Act 1995, the appointment of a full time Technical Officer on a two year contract in Environmental Waste Services with the cost of \$21,000 for the balance of 1997/98 to be funded from the Refuse Disposal Reserve Account;**
- 4 authorise the addition of code 1 and 2 plastics (HDPE, PET) and steel cans to the fortnightly kerbside recycling service with an advertised commencement date of 1 May 1998;**
- 5 authorise, in accordance with section 6.8 (1) of the Local Government Act 1995, the allocation of \$180,000 to account 26875 Furniture and Equipment - major from the Refuse Disposal Reserve Account for the undertaking of suitable modifications to the Badgerup Road Material Recovery Facility to handle code 1 and 2 plastic steel cans and cardboard;**
- 6 authorise, in accordance with section 6.8 (1) of the Local Government Act 1995, the allocation of \$40,000 to account 26850 - Recycling Collection Service and \$10,000 to account 26858 - Recycling Materials Sorting from the Refuse Disposal Reserve Account to cover additional operating expenses for the balance of the current financial year;**
- 7 request the Director of Technical Services to expeditiously progress a study on integrating recycling into a long term disposal strategy for the region and the provision of Material Recovery facilities;**
- 8 authorise the preparation of a detailed proposal for a recycling trial using divided recycling carts. The trial to consider contamination and diversion rates and the level of actual community support for a user pay 240 l cart recycling service. The trial to be available to all areas in the municipality including rural Yanchep and Two Rocks;**

- 9 authorise the calling of tenders for a recycling collection truck suitable for collecting divided 240 l carts and for divided recycling carts to enable the cost of the proposed trial to be accurately assessed.

Cmr Morgan spoke in support of the motion.

**The Motion was put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XIII refers

**TS08-01/98      TECHNICAL SERVICES CURRENT WORKS - [220-0]**

The Current Works report is valid for works during the period ending December 1997.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that the information submitted regarding Technical Services Current Works for December 1997, be noted.**

**The Motion was put and**

**CARRIED**

**TS09-01/98      MONTHLY REPORT DECEMBER 1997 PARKS LANDSCAPING SERVICES - [250-0]**

This report details parks maintenance, play equipment, mowing, tree pruning, construction, reticulation, servicing of bores and pumps and general maintenance carried out during the month of December 1997 by Parks Landscaping Services.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that the information submitted relating to Monthly Report ending October 1997 - Parks Landscaping Services, be noted.**

**The Motion was put and**

**CARRIED**

**TS10-01/98      FINNEY PARK MARMION PETITION - FIRE HAZARD AND CONDITION OF PARK - [06127 (738179)]**

Council has received a petition signed by 20 residents regarding the condition of Finney Park in Marmion. The residents are concerned following a series of fires in the indigenous vegetation of the possible damage which may occur as a result of fire, or damage to person or property by people using the park for concealment.

It is recommended that indigenous bush islands remain in the park and that areas abutting private property be maintained weed free and clear of under story vegetation.

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

- 1 resolve that Finney Park Marmion be retained as a dry park with indigenous bush islands;
- 2 require that the area abutting the retirement village be maintained weed free and clear of understory vegetation.

- 3 advise the petitioners of the reasons for not adopting the requests outlined in the petition dated 15 December 1997.

The Motion was put and

**CARRIED**

**TS11-01/98      PERIDOT PARK NEERABUP DEVELOPMENT - [061-488]**

Homeswest has submitted a proposal to Council for pre-funding the development of the proposed Peridot Park active sports area which abuts the proposed Neerabup Primary School, and at Viridian Park which is a conservation area with a small section of passive park area.

Development of the Public Open Space is considered by Homeswest to be essential for the growth of the community.

This type of agreement has been approved previously by Council to encourage Public Open Space development in conjunction with the developer during suburb development. The proposal requires Council to repay the capital cost in mid 1999 and is conditionally supported as a priority consideration for inclusion in the 1998/99 Capital Works Budget.

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

- 1 accept the proposal as submitted by Homeswest for pre-funding of capital works associated with Peridot Park and Viridian Park in Neerabup, subject to the following:
  - (a) Homeswest agrees to fund all maintenance works for a period of two years;
  - (b) this two year maintenance period to commence from the date of completion of grass planting to the oval and surrounds;
- 2 in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995, amend the 1997/98 Budget to reflect the revenues and expenditures of \$233,500 in Report No. TS11-01/98;
- 3 make provision in the 1998/99 Budget to refund the amount of \$233,500 to Homeswest.

The Motion was put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix XIV refers

**TS12-01/98      YANCHEP SPORTS CLUB - PROPOSED MINOR BUILDING  
ADDITIONS - [323-03-1, 0454/1/81]**

The Yanchep Sports Club (Inc) is proposing to undertake a series of minor building improvements and seeks under the terms of the lease Council's endorsement for this course of action.

**MOVED** Cmr Morgan, **SECONDED** Cmr Buckley that the Joint Commissioners agree to the construction of the following facilities on Lot 1 (No 81) Yanchep Beach Road, Yanchep as requested by the Yanchep Sports Club (Inc):

- 1 the establishment of two Bochi courts;
- 2 an entrance patio to the eastern side of the existing clubhouse;
- 3 an entrance gateway north of green "A";
- 4 four pipe shade structures to the east side of the two Bochi courts.

**Subject to :**

- 1 the Yanchep Sports Club (inc.) funding the costs for all the works;
- 2 the Bochi courts being constructed to the required standards and to the satisfaction of the Parks Landscaping Services Manager;
- 3 the obtaining of planning and building licence approvals.

**The Motion was put and**

**CARRIED**

**TS13-01/98      WOODVALE COMMUNITY CARE CENTRE - PROPOSED NEW FACILITY - [890-11]**

Plans for the Woodvale Community Care Centre have been developed with the Welfare Services Manager and the placement of the centre agreed to by all other stake holders. The Centre will provide facilities for the frail, aged and disabled. Approval is now sought to proceed with documentation and calling of tenders for this new facility.

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

- 1 authorise the documentation for the new Woodvale Community Care Centre to be located adjoining the Woodvale Library on Lot 3 Trappers Drive, Woodvale;
- 2 agree to advertising the work for tender submissions;
- 3 authorise in accordance with the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$100,000 from account number 40375 - Tamala Park/Clarkson Library.

**The Motion was put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**DEVELOPMENT & PLANNING SERVICES**

Items DP01-01/98 to DP37-01/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan. Cmr Rowell gave notice of his intention to speak on Items DP01-01/98, DP05-01/98, DP15-01/98, DP16-01/98, DP20-01/98 and DP34-01/98.

**DP01-01/98****PROPOSED TWO STOREY DWELLING AT LOT 396 (13)  
CLONTARF STREET, SORRENTO - [0014/396/13]**

A building licence application has been received from Atrium Homes to construct a two storey dwelling at Lot 396 (13) Clontarf Street, Sorrento. As the side setbacks to the second storey adjacent the western boundary are not in accordance with the requirements of the Residential Planning Codes, the applicant has requested that the matter be presented to Council for determination.

Although comment has been received from the immediate affected adjoining owner indicating that they have viewed the plans and have no objections, it is considered that the amenity of that adjoining Lot 397 (11) Clontarf Street, is substantially affected by privacy, overlooking and visual intrusion. It is recommended that the application be refused.

**REPORT RECOMMENDATION:** THAT the Joint Commissioners refuse the application for a proposed dwelling at Lot 396 (13) Clontarf Street, Sorrento, for the following reasons:

- 1 the side setback to the upper storey portion of the dwelling adjacent to the western boundary with Lot 397 (11) Clontarf Street is not in accordance with the requirements of the Residential Planning Codes;
- 2 it is considered that approval of the application will have an effect on the amenity and privacy of the adjoining lot;
- 3 it is considered that approval of the application will impact upon the existing and future use and development of the adjoining lot;
- 4 the proposal fails to satisfy the objectives of the Residential Planning Codes;
- 5 the relaxation of the Residential Planning Codes is not warranted.

**COMMITTEE RECOMMENDATION:** That consideration of the application for a proposed dwelling at Lot 396 (13) Clontarf Street, Sorrento be deferred to allow for further consultation with both the owner and architect with a view to achieving a satisfactory conclusion to report to next meeting of Joint Commissioners.

**ADDITIONAL INFORMATION SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS**

Director, Development Services advised that the Committee at its meeting on Tuesday 20 January 1998 referred this matter to the Council meeting to enable further discussions to be held with the owners and to examine alternative options.



A meeting was held on 22 January with the owners and an option which involved extending the western lower wall up as a parapet wall to the same height as the offending window sill height of the upper floor retreat windows was discussed and considered satisfactory - Appendix XX refers.

The solution would provide an overlooking outcome which exceeds that obtained if the windows were at the required setback.

Whilst the solution does not comply with the R-Codes with respect to setbacks, it provides an acceptable solution to the amenity considerations of overlooking without increasing the building bulk.

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

- 1** pursuant to clause 1.5.7 of the Residential Planning Codes approve a reduced upper floor setback of 3.1 metres to the retreat windows with respect to the proposed dwelling on Lot 396 (13) Clontarf Street, Sorrento providing the external lower wall is a parapet with a height equal to the retreat sill level;
- 2** authorise the issue of a building licence.

Cmr Rowell spoke in support of the motion.

**The Motion was Put and**

**CARRIED**

Appendix XX refers

**DP02-01/98**

**ADOPTION OF GUIDELINES FOR CARINE GLADES MEWS ESTATE - [740-102233]**

The developers of the Carine Glades Mews Estate in Duncraig are seeking to comply with a condition of the development approval from the Western Australian Planning Commission and have submitted design guidelines for the development of the final stage of the subdivision. It is recommended that the guidelines should be adopted by Council as a draft policy and advertised in accordance with the Town Planning Scheme provisions.

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

- 1** accept the Guidelines as attached to Report DP02-01/98 for the control of development on Lots 710-738, Part Lot 3 in Swan Location 1315, in discharge of condition 21 in Western Australian Planning Commission's decision dated 13 March 1997 ref 102233;
- 2** pursuant to Clause 5.11 of the City of Wanneroo Town Planning Scheme No 1, adopt the Guidelines as attached to Report DP02-01/98 as a draft policy and make it available for public comment.

**The Motion was Put and**

**CARRIED**

Appendix XV refers

**DP03-01/98****DEVELOPMENT ASSESSMENT UNIT AND DELEGATED  
AUTHORITY COMMITTEE 25 NOVEMBER 1997 TO 23  
DECEMBER 1997 - [290-1]**

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 25 November 1997 to 23 December 1997.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners note the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report DP03-01/98.

The Motion was Put and

**CARRIED**

Appendix XVI refers

**DP04-01/98****MODIFICATION OF AMENDMENT NO 611 TO TOWN  
PLANNING SCHEME NO 1 - PORTION OF LOT 7 MARMION  
AVENUE, BUTLER - [790-611]**

Amendment No 611 to Town Planning Scheme No 1 seeks to rezone portion of Lot 7 Marmion Avenue, Butler from Rural to Residential Development R20 and R40. The amendment was adopted for final approval by Council at its meeting of 26 February 1997 (TP15-02/97 refers) and submitted to the Western Australian Planning Commission for consideration by the Minister for Planning. The Minister has directed that the amendment be modified to rezone the land to Urban Development in lieu of Residential Development R20 and R40. Noting that the City is obliged to comply with the Minister's direction prior to approval of the amendment, the modification requested is in any case supported. It is recommended that the Joint Commissioners agree to modify Amendment No 611 as directed.

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

- 1 in accordance with the direction of the Minister for Planning conveyed by letter dated 28 November 1997 from the Western Australian Planning Commission, modify Amendment No 611 by replacing all references to Residential Development with the Urban Development Zone;
- 2 affix the Common Seal to, and endorse the signing of, the amendment documents;
- 3 recommend to the Minister for Planning that the Town Planning Regulations be amended to include directions for local authorities in response to Ministerial direction;
- 4 advise the applicants, Mitchell Goff and Associates, accordingly.

The Motion was Put and

**CARRIED**

DP05-01/98

**MINISTERIAL FINAL APPROVAL: AMENDMENT NO 758 TO TOWN PLANNING SCHEME NO 1 TO REZONE PORTION OF LOT 1 (39) COUNTRY CLUB BOULEVARD, CONNOLLY FROM SPECIAL ZONE (RESTRICTED USE) GOLF COURSE TO RESIDENTIAL DEVELOPMENT R40 - [790-758]**

Amendment No 758 seeks to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40. In response to the objections of the Connolly Residents Association, at its meeting of 27 August 1997, Council resolved to not proceed with proposed Amendment No 758 to Town Planning Scheme No 1 (DP177-08/97 refers). Advice has now been received from the Western Australian Planning Commission that the Minister for Planning has dismissed the objecting submission and granted final approval to the amendment, and the executed amendment documents must be returned to the Commission for the Minister's endorsement. This case is an example of the Minister's powers under the planning legislation to direct local authorities to amend their schemes even though they may have resolved to the contrary. It is recommended that the Joint Commissioners adopt Amendment No 758 for final approval as directed.

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

- 1 in accordance with the direction of the Minister for Planning, conveyed by letter dated 17 December 1997 from the Western Australian Planning Commission, adopt Amendment No 758 to Town Planning Scheme No 1 to rezone portion of Lot 1 (39) Country Club Boulevard, Connolly from Special Zone (Restricted Use) Golf Course to Residential Development R40;
- 2 affix the Common Seal to, and endorse the signing of, the amendment documents;
- 3 recommend to the Minister for Planning that the Town Planning Regulations be amended to include directions for local authorities in response to Ministerial direction;
- 4 advise the applicants, Development Planning Strategies Pty Ltd accordingly.

Cmr Rowell spoke in support of the motion.

**The Motion was Put and**

**CARRIED**

DP06-01/98

**CLOSE OF ADVERTISING: AMENDMENT NO 794 TO TOWN PLANNING SCHEME NO 1 TO REZONE CLARKSON DISTRICT CENTRE TO URBAN DEVELOPMENT AND CENTRE ZONES - [790-794]**

Amendment No 794 to Town Planning Scheme No 1 seeks to rezone land within the Clarkson District Centre area to Urban Development and Centre Zones. The amendment was advertised for a 42 day period which closed on 23 December 1997. No submission was received as a result of the advertising. It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without modification.

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

- 1           pursuant to Town Planning Regulation 17(2), adopt Amendment No 794 to Town Planning Scheme No 1 to rezone portion of Lot 15 (1930) Marmion Avenue, Clarkson from various zones to Urban Development and Centre Zones without modification;
- 2           authorise the affixation of the common seal to, and endorses the signing of, the amendment documents.

**The Motion was Put and**

**CARRIED**

**DP07-01/98**

**CLOSE OF ADVERTISING: AMENDMENT NO 806 TO TOWN PLANNING SCHEME NO 1 TO REZONE PORTION OF LOT 1252 FENCHURCH STREET, ALEXANDER HEIGHTS FROM LOCAL RESERVE - PARKS & RECREATION TO RESIDENTIAL DEVELOPMENT R20 - [790-806]**

Amendment No 806 to Town Planning Scheme No 1 seeks to rezone portion of Lot 1252 Fenchurch Street (cnr Shaftesbury Avenue), Alexander Heights from Local Reserve - Parks & Recreation to Residential Development R20. The amendment was advertised for a 21 day period which closed on 23 December 1997. No submission was received as a result of the advertising. It is recommended that the Joint Commissioners resolve to adopt the amendment for final approval without modification.

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

- 1           pursuant to Town Planning Regulation 17(2), adopt Amendment No 806 to Town Planning Scheme No 1 to rezone portion of Lot 1252 Fenchurch Street, Alexander Heights from Local Reserve - Parks and Recreation to Residential Development R20 without modification;
- 2           authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

**The Motion was Put and**

**CARRIED**

**DP08-01/98**

**PROPOSED AMENDMENT NO 822 TO TOWN PLANNING SCHEME NO 1 TO RECODE PORTIONS OF LOT 412 AND PT LOT 6 LAKESIDE DRIVE, JOONDALUP FROM R40 TO R15 - [790-822]**

A request has been submitted by Taylor Burrell on behalf of LandCorp for the recoding of portions of Lot 412 and Pt Lot 6 Lakeside Drive, Joondalup from R40 to R15. The proposal applies to portions of the Lakeside District of the Joondalup City Centre (referred to by LandCorp as The Sanctuary). The recoding would facilitate the creation of larger lots abutting Yellagonga Regional Park. It is recommended that the Joint Commissioners resolve to initiate and adopt the proposed recoding amendment.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners, in pursuance of Section 7 of the Town Planning and Development Act 1928, amend Town Planning Scheme No 1 to recode portions of Lot 412 and Pt Lot 6 Lakeside Drive, Joondalup from Joondalup City Centre R40 to Joondalup City Centre R15, and adopt Amendment No 822 accordingly.

**The Motion was Put and**

**CARRIED**

**DP09-01/98**

**CLOSE OF ADVERTISING - POLICY FOR CONTESTING TOWN PLANNING APPEAL TRIBUNAL APPEALS - [702-1, 290-3]**

At its meeting of 22 October 1997, Council resolved to adopt the prepared policy Contesting of Town Planning Appeal Tribunal Appeals as a draft planning policy for advertising for a period of thirty days in accordance with Clause 5.11 of Town Planning Scheme No 1 (P96-10/97 refers). The advertising period closed on 19 December 1997, and no submission was received. It is recommended that the Joint Commissioners finally adopt the planning policy without modification.

At the Development and Planning Services Committee meeting, Cmr Buckley queried the type of costs and time involved in appeals going to mediation stage.

Director, Development Services advised individual costings were not available, but suggested a costing in the vicinity of approximately \$1,000.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners, in accordance with Clause 5.11 of Town Planning Scheme No 1, finally adopt the planning policy Contesting of Town Planning Appeal Tribunal Appeals shown in Attachment 1 to Report DP09-01/98 without modification.

**The Motion was Put and**

**CARRIED**

Appendix XVII refers

**DP10-01/98**

**DELEGATION OF SUBDIVISION CONTROL POWERS - [201-1, 906-1]**

At its meeting of October 1997, (Item DP247-10/97 refers) Council reviewed the matter of delegation of its subdivision control powers. This was necessary in view of legal advice that the City had received to reflect the role and responsibility of the new business units.

Unfortunately, that report did not accurately depict subdivision delegation Item 6 (ie: SCU 6). It is therefore necessary to modify SCU 6 to reflect the correct delegation wording accordingly.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners modify the subdivision delegation powers as resolved by Council in October 1997 (DP247-10/97) by deleting category SCU 6 and replacing it as follows:**

**SCU 6                    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.**

**The Motion was Put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**DP11-01/98                    SUBDIVISION CONTROL UNIT - 25 NOVEMBER - 30  
DECEMBER 1997 - [290-1]**

This report provides a resumé of the Subdivision Applications processed by the Subdivision Control Unit 25 November to 30 December 1997. All applications were dealt with in terms of Council's delegation of subdivision control powers to the Chief Executive Officer at its April 1997 meeting. The Chief Executive Officer subsequently delegated to the Director, Development Services, the authority to deal with these applications.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report DP11-01/98.**

**The Motion was Put and**

**CARRIED**

**Appendix XVIII refers**

**DP12-01/98                    DETERMINATION OF SUBDIVISION APPEAL: LOT 10  
EVANDALE ROAD, LANDSDALE - [740-103622]**

An application to subdivide Lot 10 Evandale Road, Landsdale into 2 lots of approximately 1 hectare each was not supported by the City of Wanneroo on the 17 June 1997 under delegated subdivision control powers (SCU 6). Although the locality has been zoned as Urban under the Metropolitan Region Scheme, the City is still assessing and formalising the appropriate zoning and road design. The application was considered to be premature by the City and the Western Australian Planning Commission and as such was refused. The applicant later appealed the decision to the Hon. Minister for Planning who rejected the appeal.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the information relating to the determination of Subdivisional Appeal - Lot 10 Evandale Road, Landsdale, be noted.**

**The Motion was Put and**

**CARRIED**

**DP13-01/98                    PROPOSED TWO STOREY ADDITION: LOT 12 (7) THE GLEN,  
KINGSLEY - [2738/12/7]**

A building licence application has been received from Mr C Nein to construct a two storey addition at Lot 12 (7) The Glen, Kingsley. While the proposed addition is large in area (700 square metres)

the setbacks comply with Council Requirements. The proposal is considered acceptable in terms of the objectives and requirements for Special Residential Zones.

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

- 1 approve the proposed two storey addition to be constructed at Lot 12 (7) The Glen, Kingsley as a declaration has been received from the owners of the property that it will only be used for residential purposes and the setbacks and site cover comply with Council requirements and guidelines for Special Residential Zones and authorise the City Building Surveyor to issue a building licence subject to conditions considered necessary;
- 2 advise the owners that the dwelling and extension has been approved as a single dwelling and may only be used for that purpose.

**The Motion was Put and**

**CARRIED**

**DP14-01/98**

**PROPOSED TWO STOREY DWELLING AT LOT 39 (31) ROBIN AVENUE, SORRENTO WITH A REDUCED FRONT SETBACK - [16/39/31]**

A building licence application has been received from Webb & Brown Neaves Pty Ltd on behalf of Mr M and Mrs E Ambler to construct a two storey dwelling on Lot 39 (31) Robin Avenue, Sorrento with a reduced setback of 3.7 metres.

The proposal is not considered acceptable in terms of the objectives of the Residential Planning Codes, particularly in relation to the impact on amenity and the streetscape. The nearby affected neighbours were consulted in accordance with the requirements of the Residential Planning Codes. Three objections have been received. An approval is therefore not recommended.

**REPORT RECOMMENDATION:** THAT the Joint Commissioners:

- 1 refuse the application by Webb & Brown Neaves Pty Ltd for the proposed two storey dwelling on Lot 39 (31) Robin Avenue, Sorrento with a reduced setback of 3.7 metres, pursuant to paragraphs 1.5.7 & 1.5.10 of the R-Codes, due to the detrimental impact on the streetscape and amenity of the adjoining properties;
- 2 refuse to issue a building licence for the above dwelling, pursuant to Section 374 (1b) of the Local Government Act (Miscellaneous Provisions).

**ADDITIONAL INFORMATION SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING**

Manager, Approval Services advised that a further objection to this proposal has been received.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners, having considered the submissions from adjoining owners/occupiers, pursuant to paragraph 1.5.7 of the Residential Planning Codes, approve the proposed two storey dwelling on Lot 39 (31) Robin Avenue, Sorrento, subject to the front setback to the porch being increased from 3.7 metres to 5 metres and authorise the issue of a Building Licence subject to the submission of amended plans.

**The Motion was Put and**

**CARRIED**

**DP15-01/98**

**PROPOSED THREE STOREY DWELLING : LOT 600 (72)  
ASHMORE WAY, SORRENTO - [2583/600/72]**

The Council in November 1997 refused the issue of a building licence application essentially under the amenity provisions of the Residential Planning Codes (R-Codes). The Minister for Local Government has upheld an appeal but has advised that his approval does not constitute an approval under the Town Planning Scheme. No approval under the Town Planning Scheme is required. It is recommended that the Joint Commissioners authorise the Building Surveyor to issue a building licence for the application.

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

- 1** note the determination made by the Hon Minister for Local Government and approve the issue of a Building Licence for Lot 600 (72) Ashmore Way, Sorrento, subject to the receipt of revised plans which incorporate the changes agreed to by the applicants and Council, as outlined in the report to Council in October 1997;
- 2** advise those persons that lodged comments of Point 1 above.

Cmr Rowell spoke in support of the motion.

**The Motion was Put and**

**CARRIED**

**DP16-01/98**

**OBJECTION TO PROPOSED CONSTRUCTION OF PARAPET  
WALL: LOT 181 (6) SANUR RISE, ILUKA. - [3959/181/6]**

A building licence application was received on 3 December 1997 from Ashmy Pty Ltd to construct a single storey residence on the above lot. The proposed works involve construction of a parapet wall on the left hand boundary, commencing 5 metres in from the front boundary, 7.082 metres long and 3.61 metres high. The proposal complies with section 1.5.8 (f) of the Residential Planning Codes (R-Codes) which states that "Walls not exceeding 3m average and 4m maximum height can be built to a maximum of a quarter of the length of the boundary".

In accordance with section 1.5.10 (a) of the R-Codes "Where the amenity of the adjoining lot is affected", the owner shall be advised in writing. Following a letter of objection from the adjoining owner, the owners of the subject lot have requested the matter be put before Council for consideration. It is considered that the height and appearance of the proposed parapet wall will be detrimental to the amenity of the adjoining property, and refusal is recommended.



**REPORT RECOMMENDATION: THAT the Joint Commissioners:**

- 1 refuse the application, pursuant to sub clause 1.5.10 of the R-Codes, to construct a facebrick parapet wall on the left hand boundary of Lot 181 (6) Sanur Rise, Iluka as it is considered the height of the proposed parapet wall will be detrimental to the amenity of the adjoining lot;
- 2 refuse the issue of a building licence pursuant to Section 374 (1b) of the Local Government Act (Miscellaneous Provisions).

**ADDITIONAL INFORMATION SUBMITTED TO THE DEVELOPMENT AND PLANNING SERVICES COMMITTEE MEETING**

A further letter of objection has been received from Mr Christopher Baker MLA representing Mr and Mrs J Hagen of 8 Sanur Rise, Iluka.

This additional information does not change the recommendation to this report. The City is not party to this type of Restrictive Covenant. In particular, Restrictive Covenant No 4 referred to in Mr Baker's letter does not apply in this case as the proposed parapet wall does not affect the height of the retaining wall or fence as it is proposed to be constructed parallel to and adjacent to the retaining wall and fence.

**COMMITTEE RECOMMENDATION:** That consideration of the application to construct a facebrick parapet wall on the left hand boundary of Lot 181 (6) Sanur Rise, Iluka be deferred to allow for further consultation with the applicant with a view to making a recommendation to next meeting of Joint Commissioners.

**ADDITIONAL INFORMATION (1) SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS**

Director, Development Services advised further to the debate at the Development and Planning Services Committee, Mr Hagen has submitted correspondence and photographs which might suggest that the trailer is the commercial vehicle which was raised in discussions at the meeting - Appendix XXI refers.

This information is submitted, however, it has no bearing on the determination of the Building Licence application.

**ADDITIONAL INFORMATION (2) SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS**

Director, Development Services advised that the Development and Planning Services Committee, at its meeting on 20 January 1998, referred this matter to the Joint Commissioners for determination to enable further discussions to be held with the applicant/objector to look for a solution to the objection.

The objections to the proposed dwelling were essentially:

- a parapet wall on the eastern boundary;

- the height of the wall (42 brick courses (42<sup>c</sup>))

A meeting between the parties was not possible, however, the builders, Ashmy Pty Ltd, at a meeting on 22 January 1998, put forward an alternative site layout which involves the following:

- the parapet wall being set back one metre from the eastern boundary;
- the parapet wall being reduced in height to 38<sup>c</sup>;
- the verandah and dwelling being set back from the western boundary 0.526m and 1.35m respectively;

The applicant has submitted an amended plan in accordance with the above and hence, as the eastern setback now complies, the only matter now before Council is the setback to the western side.

The setback to the western boundary does not comply with the requirements of the Residential Planning Codes which require the verandah and dwelling to be set back 1.5 metres from the boundary. The verandah, however, complies with the Council's policy on verandahs, and in any case, the area of non compliance is limited to the corner only. If approved, the impact on the amenity of the western owner would be minimal. The verandah would comply with the Building Code of Australia. If acceptable, the Joint Commissioners will need to relax the setback requirement.

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

- 1** pursuant to clause 1.5.7 of the Residential Planning Codes approve a reduced setback to the western boundary to 0.526m and 1.35m to the proposed verandah and dwelling to be constructed on Lot 181 (6) Sanur Rise, Iluka;
- 2** authorise the issue of a building licence.

Cmr Rowell spoke in support of the motion.

**The Motion was Put and**

**CARRIED**

Appendices XXI and XXII refer

**DP17-01/98**

**OBJECTION TO PROPOSED CONSTRUCTION OF PARAPET WALL: LOT 339 (73) DELONIX CIRCLE WOODVALE - [3894/339/73]**

A building licence application was received on 14 November 1997 from Don Russell Homes Pty Ltd to construct a single storey residence at Lot 339 (73) Delonix Circle, Woodvale. The proposed works include construction of a parapet wall on the left hand side boundary. The length of the common boundary is 26.59 metres; the wall will commence 5 metres in from the front boundary, be 6 metres long and 3 metres high. The proposal complies with section 1.5.8 (f) of the Residential Planning Codes (R-Codes) which state that "walls not exceeding 3m average and 4m maximum height shall not be more than one quarter of the length of any common boundary".

In accordance with section 1.5.10 of the R-Codes, which state "where the amenity of the adjoining lot is affected" the owners shall be advised in writing. Subsequently, a letter of objection was received from Mr Artonovic, the owner of Lot 338.

The owners of the subject lot have requested the matter be put before Council for determination. It is considered the height and appearance of the proposed parapet wall will have little effect on the amenity of the adjoining lot and approval is recommended.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners approve construction of the proposed dwelling and garage with parapet wall at Lot 339 (73) Delonix Circle, Woodvale for the following reasons:**

- 1           the lot size of 457m<sup>2</sup> is restrictive and encourages building on the boundary;**
- 2           the proposed wall will have little effect on the adjoining property;**
- 3           the proposed wall complies in all respects with Council requirements.**

**The Motion was Put and**

**CARRIED**

**DP18-01/98**

**PROPOSED CONSTRUCTION OF PERGOLA FORWARD OF  
THE BUILDING LINE: LOT 191 (18) BALGA WAY, MULLALOO,  
- [330/191/18]**

A building licence application has been received from the owners of Lot 191 (18) Balga Way, Mullaloo, for the construction of a pergola attached to the front of the existing dwelling, and forward of the building line. The proposal conflicts with Councils' policy J3/4 on outbuildings which states "*Buildings in front of a dwelling shall be limited to garages and carports only*". The proposal is however acceptable in terms of the objectives of the Residential Planning Codes (R-Codes), particularly in relation to the impact on the amenity and streetscape. Approval is, therefore, recommended.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners approve the proposed Pergola at Lot 191 (18) Balga Way Mullaloo as it is considered that the proposal will have no impact on the adjoining properties or streetscape and will, in fact, enhance the appearance of the property and authorise the City Building Surveyor to issue a building licence.**

**The Motion was Put and**

**CARRIED**

**DP19-01/98**

**PROPOSED ZINCALUME SHED: LOT 209 (17) JOEL WAY,  
WANNEROO - [3904/209/17]**

A building licence application has been received from Jarvis & Rogers Pty Ltd on behalf of Mr B Lemmon and Ms N Haines to construct a free standing zincalume shed on Lot 209 (17) Joel Way, Wanneroo.

The proposed 69 square metre zincalume shed is to be located 600mm from the side and rear boundary. The proposal is not considered acceptable in terms of the objectives and requirements of the Residential Planning Codes.

At the Development and Planning Services Committee meeting, Cmr Rowell raised his concerns in relation to the height and bulk of the shed and felt it would have a detrimental effect on neighbouring properties.

Director, Development Services advised that problems related to both the size and location of the shed and being of zincalume construction which occasionally created glare.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners refuse the application for the proposed zincalume shed to be constructed on Lot 209 (17) Joel Way, Wanneroo for the following reasons:**

- 1 the 600mm setbacks to the side and rear boundaries do not comply with the minimum setback of 1.5m in the Residential Planning Codes for a wall exceeding 9.0m in length;**
- 2 it is considered that the height and bulk of the shed would have a detrimental effect on the amenity of adjoining owners.**

**The Motion was Put and**

**CARRIED**

**DP20-01/98**

**2.7 METRE HIGH RETAINING WALL: LOT 112 (7) COLES PLACE, YANCHEP - [443/112/7]**

A building licence application was received on 15 September 1997 from McGrath Homes for a 2 storey brick veneer dwelling at Lot 112 (7) Coles Place. The works include construction of a new limestone retaining wall on the right hand boundary. The height of the wall varies between 1.7 metres at the lowest point to a maximum of 2.7 metres. In accordance with Council's policy J3-11 retaining walls exceeding 2.0 metres in height are to be referred to Council for consideration, and affected adjoining owners notified.

In this instance, approval is recommended.

**RECOMMENDATION** That the Joint Commissioners authorise the Co-Ordinator of Building Approvals to issue a Building Licence for the erection of a limestone retaining wall at Lot 112 (7) Coles Place Yanchep as it is considered that the height and appearance of the proposed retaining wall will not be detrimental to the amenity of the adjoining properties.

**ADDITIONAL INFORMATION SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS**

The Director Development Services advised that correspondence has been received from Mr Clifford E John advising that his concerns still remain unresolved.

In view of this advice it is recommended that the item be deferred so that discussions may be undertaken between the parties.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners defer the issue of a Building Licence for the erection of a limestone retaining wall on Lot 112 (7) Coles Place, Yanchep so that further discussions can be undertaken by the parties with a further report to be submitted in due course.

Cmr Rowell spoke in support of the motion to defer.

**The Motion was Put and**

**CARRIED**

**DP21-01/98**

**PROPOSED 3.500M HIGH RETAINING WALL: LOT 353 (2) PURITAN CLOSE, OCEAN REEF - [2333/353/2]**

The owners of the dwelling at Lot 353 (2) Puritan Close, Ocean Reef have submitted a building licence application to construct a bulk limestone retaining wall 3.500m to 1.800m in height along the street boundary and the side boundary adjacent to Lot 354 Puritan Close. It is recommended that the Joint Commissioners refuse the application for the proposed retaining wall.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners refuse the proposed 3.500m to 1.800m high retaining wall to be constructed on Lot 353 (2) Puritan Close, Ocean Reef along the Volunteer Place boundary and between Lot 354 (1) Volunteer Place and Lot 353 (2) Puritan Close for the following reasons:

- 1 the proposed wall will be excessive in height and would be prejudicial to the neighbourhood;
- 2 other options to reduce the height and impact of the wall are available.

**The Motion was Put and**

**CARRIED**

**DP22-01/98**

**BOUNDARY FENCE NOTICE: LOT 215 (11) GRATON LOOP, ILUKA - [3919/215/11]**

Mr & Mrs J & A Wilson, the owners of Lot 215 (11) Graton Loop, Iluka, have caused unauthorised and non-complying work to be carried out in that a common boundary fence has been heightened by the addition of timber-lap fencing material fixed to the top of the existing fence, contrary to Council's Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that Council issue a Notice, pursuant to Section 13.2 of Local Law F1, to the owners directing them to bring the fence into compliance with the requirements of this Local Law.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners, in accordance with Section 5.1 of Local Law F1 "Fencing and Private Tennis Court Floodlighting":

- 1 issue a Notice to the owners to bring the fence at Lot 215 (11) Graton Loop, Iluka into compliance with Local Law F1;
- 2 instigate prosecution proceedings if the owners fail to comply with the notice.

**The Motion was Put and**

**CARRIED**

**DP23-01/98****FENCING NOTICE: LOT 111 (18) BINNACLE ROAD, OCEAN REEF - [1512/111/18]**

Mr & Mrs Papadopoulos, the owners of Lot 111 (18) Binnacle Road, Ocean Reef, have caused non-complying work to be carried out at their property in that a combined brick fence and retaining wall has been constructed on common boundaries where the height of the fence is less than 1500mm in height above the finished ground level and the finished fence/retaining wall has been left in an unsightly manner in that the fence/retaining wall is constructed of a mixture of "fastwall" bricks and face bricks, thereby not achieving a uniform fair face finish to the wall, contrary to Councils Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that the Joint Commissioners issue a Notice, pursuant to Section 13.2 of Local Law F1, to the owners directing them to bring the fence into compliance with the requirements of Council's Local Law F1.

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

- 1** in accordance with Section 5.1 of Local Law F1 "Fencing and Private Tennis Court Floodlighting" instruct Council's solicitors to issue a Notice to the owners of Lot 111 (18) Binnacle Road, Ocean Reef to bring the fence into compliance with Local Law F1;
- 2** instruct Council's solicitors to instigate prosecution proceedings against the owners for being in breach of Local Law F1 should the notice be ignored.

**The Motion was Put and**

**CARRIED**

**DP24-01/98****FENCING NOTICE: LOT 1647 (52) RENSHAW BOULEVARD, CLARKSON - [3458/1649/52]**

University Building Society, the owners of Lot 1647 (52) Renshaw Boulevard, Clarkson, have caused unauthorised and non-complying work to be carried out in that a fence has been constructed with fibre reinforced cement sheeting within 7.5m of a street boundary which exceeds 1m in height, contrary to the City's Local Law F1 "Fencing and Private Tennis Court Floodlighting". It is recommended that Council issues a Notice, pursuant to Section 13.2 of Local Law F1, to the owners directing them to bring the fence into compliance with the requirements of the City's Local Law F1.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, in accordance with Section 5.1 of Local Law F1 "Fencing and Private Tennis Court Floodlighting" instruct Council's Solicitors to issue a Notice to the owners of Lot 1649 (52) Renshaw Boulevard, Clarkson to bring the non-conforming front boundary fence into compliance with Local Law F1.**

**The Motion was Put and**

**CARRIED**

DP25-01/98

**FENCING NOTICE: LOT 419 (52) KORELLA STREET,  
MULLALOO - [310/419/52]**

Mr and Mrs L and S Landrie, the owners of Lot 419 (52) Korella Street, Mullaloo, have caused non-complying work to be carried out at their property in that:

- (a) a metal (colorbond) type fence has been constructed on a common boundary within 7.5m of a street exceeding 1m in height;
- (b) a metal (colorbond) type fence has been constructed on a common boundary where the height of the fence is greater than 1800mm in height above the finished ground level;
- (c) the metal (colorbond) type fence may not be structurally sound;
- (d) soil has been placed against an existing fibre reinforced cement sheet fence causing that fence to become dangerous;

contrary to Council's Local Law F1 "Fencing and Private Tennis Court Floodlighting".

It is recommended that the Joint Commissioners issue a Notice, pursuant to Section 13.2 of Local Law F1, to the owners of Lot 419 (52) Korella Street, Mullaloo directing them to bring the fence into compliance with the requirements of Council's Local Law F1.

**REPORT RECOMMENDATION:** THAT the Joint Commissioners, in accordance with Sections 13.2, 13.3 & 16 of Local Law F1 "Fencing and Private Tennis Court Floodlighting":

- 1 instruct Council's Solicitors to issue a Notice to the owners of Lot 419 (52) Korella Street, Mullaloo to bring the fence into compliance with Local Law F1;
- 2 in the event of non-compliance with the notice, instruct Council's Solicitors to instigate prosecution proceedings against the owners of Lot 419 (52) Korella Street, Mullaloo for committing a breach of Council's Local Law F1.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that consideration of the issue of a Notice in relation to the non-complying work carried out at Lot 419 (52) Korella Street, Mullaloo be deferred to allow for issues in dispute to be clarified.

**The Motion was Put and**

**CARRIED**

DP26-01/98

**REDUCED FRONT SETBACK - CARPORT: LOT 429 (15) JUSTIN  
DRIVE, SORRENTO - [48/429/15]**

A building licence application has been received from the owners of Lot 429 (15) Justin Drive, Sorrento for the construction of a carport forward of the existing garage, with a reduced front setback of 2 metres. The proposal is considered acceptable in terms of the objectives of the Residential Planning Codes particularly in relation to the impact on the amenity and streetscape.

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

- 1** exercise discretion under clause 1.5.5(b) of the R-Codes and approve the proposed Carport at Lot 429 (15) Justin Drive, Sorrento with a reduced front setback of 2.00 metres as the amenity of the surrounding lots and streetscape is not unduly affected;
- 2** authorise the issue of a building licence.

**The Motion was Put and**

**CARRIED**

**DP27-01/98**                      **OFFENSIVE TRADE APPLICATION - MANURE WORKS :  
RESERVE 27580 (210) WESCO ROAD, NOWERGUP - [930-14  
30/1316]**

Council is advised of an application from the Water Corporation of Western Australia to establish an offensive trade (Manure Works) at Reserve 27590 (210) Wesco Road, Nowergup.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners approve the reserve utilised as an offensive trade (manure works) at Reserve 27590 (210) Wesco Road, Nowergup, subject to :**

- 1** the occupier complying in all aspects with the Health Act Regulations and Local Laws made thereunder;
- 2** the occupier complying in all aspects with the Department of Environmental Protection conditions of approval;
- 3** the occupier complying in all aspects with the Water and Rivers Commission conditions of approval.

**The Motion was Put and**

**CARRIED**

**DP28-01/98**                      **RESUMPTION OF LAND FOR ROAD WIDENING - WOODVALE  
DRIVE, WOODVALE - [510-1180]**

The City has purchased land along Woodvale Drive, Woodvale for the widening of the road. A small portion of land along Woodvale Drive is required to complete the road widening and as the land is held in an old Certificate of Title it is proposed to resume the required land. The executors of the estate have requested compensation for the land being resumed and it is suggested a nominal value of \$250.00 is set for the land.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners offer \$250.00 compensation to Perpetual Trustees WA Limited for the 51sqm of drain reserve held in Certificate Of Title Volume 371 Folio 42 required for the widening of Woodvale Drive, Woodvale.**

**The Motion was Put and**

**CARRIED**



**DP29-01/98****PEDESTRIAN ACCESSWAY CLOSURES MONTHLY PROGRESS  
REPORT - [520-2]**

Council, at its meeting on 26 February 1997 (Item No TP22-02/97 refers) resolved to include in the Business for Information section a report each month on the progress of pedestrian accessway closures.

This report provides a summary detailing the current situation regarding every pedestrian accessway closure application the City is processing.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Monthly Report relating to Pedestrian Accessway Closures be noted.**

**The Motion was Put and**

**CARRIED**

**DP30-01/98****REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY  
BETWEEN CORDOVA COURT AND COX PLACE, CRAIGIE -  
[510-1148]**

The four property owners adjoining the pedestrian accessway between Cordova Court and Cox Place, Craigie have requested the closure of the accessway on the grounds of vandalism and anti-social behaviour. A petition objecting to the closure has been received during the advertising period. Objections have also been received from the Ministry for Planning and the Department of Transport. Based on the number of objections received to the proposal, the closure should not be supported.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners do not agree to the closure of the pedestrian accessway between Cordova Court and Cox Place, Craigie and request the Director of Technical Services to investigate the feasibility of increasing the lighting in the accessway.**

**The Motion was Put and**

**CARRIED**

**DP31-01/98****DEDICATION OF A CROWN RIGHT OF WAY, PRIEST ROAD,  
LANDSDALE - [510-0216]**

A Crown right of way adjoins Priest Road, Landsdale. The owners of the two adjoining properties are in the process of subdividing their land and have requested the City to dedicate the right of way as a public road. A resolution from the Joint Commissioners is required to achieve the dedication.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners request the Department of Land Administration to dedicate the Crown Right of Way shown on Diagram 29180, Priest Road, Landsdale as a public road in accordance with the provisions of Section 288 of the Local Government Act (Miscellaneous Provisions).**

**The Motion was Put and**

**CARRIED**

DP32-01/98

**EAST WANNEROO DEVELOPMENT CELL NO 4 -  
ACQUISITION OF LAND FOR PUBLIC OPEN SPACE, PART OF  
LOT 24 NICHOLAS ROAD, HOCKING - [740-94006]**

The City is required to purchase land for public open space within each of the eight East Wanneroo Development Cells. Mr and Mrs N and N DeLaurentis, as owners within Cell No 4 have offered to sell the public open space on their land that is comprised in part Lot 24 Nicholas Road, Hocking.

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

- 1 give authority to pay an amount of \$199,018 subject to survey, from Account No 63322 (East Wanneroo Development Cell No 4 Public Open Space Land Acquisition) to Mr Nicolo and Mrs Nicola DeLaurentis for the public open space land comprised in Lot 24 Nicholas Road, Hocking;
- 2 give authority to sign and seal the Contract of Sale documents.

The Motion was Put and

**CARRIED**

DP33-01/98

**CLOSURE OF VEHICLE ACCESS TO THE BEACH AT  
PINNAROO POINT - [765-23]**

A request for closure of the access road to the beach at Pinnaroo Point was received from the Member for Hillarys, Rob Johnson, MLA on behalf of his constituents who have complained regarding four-wheel-driving and jet ski operation in this area. The jet ski operators drive their four-wheel-drive vehicles on the beach to transport the jet skis. The access road leads to a launching area used by the Whitfords Bay Sailing Club every Saturday between 10:30am and 6:00pm during summer seasons. It is recommended that the proposal to close the access road at the beach end with bollards and a suitable lockable gate with keys supplied to the Whitfords Bay Sailing Club, be advertised twice in the 'Wanneroo Times' and 'The West Australian' inviting public comment for a period of four weeks.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners advertise twice in the 'Wanneroo Times' and 'The West Australian', together with a sign on site, the proposal to install a suitable lockable gate and bollards to close the access road at the beach end at Pinnaroo Point in order to stop four-wheel-driving and jet ski operation at the beach, inviting public comment for a period of four weeks.

The Motion was Put and

**CARRIED**

DP34-01/98

**DRAFT POLICY - BAYPORT CIRCLE, MINDARIE - BUILDING  
HEIGHT LIMIT - [3189/26/38 [740-89020]]**

At its Ordinary Meeting held on 22 October 1997 the Council resolved that it:

*investigates the preparation of a policy to guide the future development of the small lot subdivision area generally bordered by Anchorage Drive, Honiara Way and Bayport Circuit, Mindarie.*

(DP243-10/97)

This report provides the Draft Policy for the Council's adoption for advertising.

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

- 1** pursuant to clause 5.10 of the City of Wanneroo Town Planning Scheme No 1, adopt the Draft Policy "Bayport Circle Mindarie - Building Height Limit".
- 2** pursuant to clause 5.11(b) of the City of Wanneroo Town Planning Scheme No 1, advertise the Draft Policy "Bayport Circle Mindarie - Building Height Limit" for a period of two (2) consecutive weeks;
- 3** require the Draft Policy "Bayport Circle Mindarie - Building Height Limit" be referred back to the Development and Planning Services Committee together with any submissions received during the advertising period for determination.

Cmr Rowell spoke in support of the motion.

**The Motion was Put and**

**CARRIED**

**DP35-01/98**

**CLARKSON/BUTLER DISTRICT DISTRIBUTOR ROAD  
FUNDING ARRANGEMENT - AMENDMENT NO 821 TO TOWN  
PLANNING SCHEME NO 1 - [780-20]**

The Western Australian Planning Commission (WAPC) has written to the City advising that it has resolved to adopt the principles of area base 'Option D' as the basis for the imposition of subdivision conditions for landowner contributions towards district distributor road infrastructure in the Clarkson/Butler planning district.

The Commission's resolution is subject to the City urgently resolving the collection mechanism and cost calculations methodology and that these details be submitted to the WAPC within 60 days for consideration for advertising. If not then Commission advises that it will consider abuttal as the only practical method of implementation.

The WAPC's decision is the end result of considerable negotiation between Council, the Ministry for Planning and developers in the Clarkson/Butler area about the basis for district distributor road infrastructure funding in the area. This matter has been ongoing since the late 1980's and has a considerable history.

To meet the Commission's requirements, it is proposed that new provisions be introduced into the City's Town Planning Scheme No 1 via the adoption of a new Part 12 to the scheme. Although the objectives are quite different, many of the provisions incorporated in Amendment 816 for East Wanneroo (and presently with the WAPC awaiting approval to advertise) have been used as a basis for proposed Part 12 Clarkson/Butler.

At the Development and Planning Services Committee meeting, Cr Rowell advised that new funding arrangements with developers were currently being investigated.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the Joint Commissioners in accordance with the provisions of Section 7 of the Town Planning and Development Act 1928, prepare Amendment No 821 to Town Planning Scheme No 1 by -

**1** inserting a new Part 12 into the Scheme Text, titled:

**“Part 12 - District Distributor Road Infrastructure Contribution Arrangements: Cells 1 to 4, Clarkson/Butler”**

**2** inserting a new Schedule into the Scheme Text titled:

**“Schedule No 12 - Clarkson/Butler District Distributor Road Infrastructure Developer Contribution Arrangements (Cells 1 to 4 Inclusive) Cell Works and Contribution Provisions”**

**The Motion was Put and**

**CARRIED**

**DP36-01/98**

**DEVELOPMENT OF AN ENVIRONMENTAL MANAGEMENT SYSTEM FOR THE CITY OF WANNEROO - [305-6]**

An opportunity has arisen for the City of Wanneroo to participate in a joint consultancy (with the Cities of Cockburn and Gosnells) directed towards developing a framework for the internal formulation of an Environmental Management System for the respective Councils which could become a model for more general use throughout Local Government. Progression towards an Environmental Management System is a logical and desirable adjunct of the City's present environmental initiatives, and the joint consultancy approach offers a number of benefits. The City's participation in the joint project is recommended.

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

**1** authorise participation by the City of Wanneroo in the joint Environmental Management System consultancy involving Dingle & Bird Environmental Pty Ltd and the Cities of Cockburn and Gosnells.

**2** approve expenditure of up to \$5,000 from the Local Conservation Strategy : Environment Studies allocation in the City's 1997/98 Budget Account 41235 to cover costs associated with the City's participation in the joint Environmental Management System consultancy.

**The Motion was Put and**

**CARRIED**

**DP37-01/98**

**LANDSCAPE PROTECTION ZONE - [290-0-1]**

Following a request from Council, a report has been prepared regarding what may be encompassed within a Landscape Protection Zone.

**MOVED** Cmr Rowell, **SECONDED** Cmr Morgan that the information in relation to Landscape Protection Zone be noted.

**The Motion was Put and**

**CARRIED**

**REPORT OF THE CHIEF EXECUTIVE OFFICER****C3-01/98 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Contract Tender  
 Parties: City of Wanneroo and the Contractor  
 Description: Tender No 057-97/98 Old Yanchep Road Sealing Works  
 Date: 23.12.97

Document: Interest in Land  
 Parties: City of Wanneroo and T M D Ashenden & S J Bain  
 Description: Lot 253 (291) Badgerup Road, Wanneroo  
 Date: 29.12.97

Document: Withdrawal of Caveats  
 Parties: City of Wanneroo and Yatala Nominees Pty Ltd  
 Description: Part of Swan Location 2579, Neerabup  
 Date: 29.12.97

Document: Lease in Triplicate  
 Parties: City of Wanneroo and A J S Motorcycle Club  
 Description: Part of Reserve 10866 Wattle Avenue, Neerabup  
 Date: 29.12.97

Document: Lease in Triplicate  
 Parties: City of Wanneroo and Minister for Education  
 Description: Davallia Pre-School, Duncraig  
 Date: 29.12.97

Document: Withdrawal of Caveat  
 Parties: City of Wanneroo and Silkchime Pty Ltd  
 Description: Lots 937, 946, 947, 956 Warwick Commercial Centre  
 Date: 29.12.97

Document: Contract of Sale  
 Parties: City of Wanneroo and Anthony John Crisafulli  
 Description: Lot 83, Gungurro Avenue, Hocking  
 Date: 5.01.98

Document: Scheme Amendment  
 Parties: City of Wanneroo and Minister for Planning  
 Description: TPS No 1 - Amendment No 796  
 Date: 5.01.98

Document:	Local Law Amendment
Parties:	City of Wanneroo
Description:	Amendments to Local Laws relating to fencing and private tennis court floodlighting
Date:	13.01.98
Document:	Transfer of Land
Parties:	City of "Wanneroo and Redanfer Pty Ltd
Description:	Lot 2 Uppill Place, Wangara
Date:	9.01.98
Document:	Transfer of Land
Parties:	City of Wanneroo and G J Crawford and E N Warwick
Description:	Lot 647 (2) Hyacinth Close, Heathridge
Date:	13.01.98
Document:	Transfer of Land
Parties:	City of Wanneroo and Ronald Alan Dawson
Description:	Lot 21 Finlay Place, Wangara
Date:	13.01.98
Document:	Transfer of Land
Parties:	City of Wanneroo and Australand Holdings Ltd
Description:	Archer Street and Willespie Drive, Pearsall
Date:	16.01.98
Document:	Scheme Amendment
Parties:	City of Wanneroo and Minister for Planning
Description:	TPS No 1 - Amendment No 756
Date:	20.01.98
Document:	Local Law Amendment
Parties:	City of Wanneroo
Description:	Repeal of Health Series A Local Law 29B - Keeping of Pigeons
Date:	20.01.98
Document:	Deed
Parties:	City of Wanneroo and George Russo
Description:	Copyright Agreement
Date:	20.01.98
Document:	Deed
Parties:	City of Wanneroo and Lena Agestino
Description:	Copyright Agreement
Date:	20.01.98
Document:	Deed
Parties:	City of Wanneroo and Dorothy Boyland
Description:	Copyright Agreement
Date:	20.01.98

Document: Local Law  
Parties: City of Wanneroo  
Description: Local Law Relating to the Keeping of Pigeons  
Date: 21.01.98

**MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the schedule of documents executed by means of Affixing the Common Seal be received.**

**The Motion was Put and**

**CARRIED**

**C4-01/98      FINANCIAL SYSTEMS REPLACEMENT - TENDER NO. 055-97/98 - [206-19]**

## **SUMMARY**

The City is in the process of evaluating tenders for the replacement of its financial management and accounting systems.

An integral part of the evaluation of the short listed tenderers is the viewings first hand, of the systems in the local government reference sites. Officers have viewed the Western Australian based sites. However, it is considered appropriate, given the magnitude of Council's investment in these systems, that the Director of Resource Management and the Manager of Information Services visit the reference sites in Victoria.

## **BACKGROUND**

The City is currently in the process of evaluating tenders for the replacement of its financial management and accounting systems. Proposals were received from 13 suppliers of which 3 were short listed as having the greatest potential to satisfy Council's requirements.

These were:

- **Data General / SAP Financials**
- **Chevron / Wachter**
- **Fujitsu / Oracle Financials**

Each of the short listed systems was subjected to detailed evaluation and assessment by the Financial Systems Replacement Working Party. This evaluation was conducted by way of presentations from each of the suppliers at the City of Wanneroo offices.

To further assess the suitability of the systems a verbal telephone check has been undertaken with the recommended reference sites named by each of the suppliers. The Chevron-Wachter system has reference sites in Western Australia. As such it was convenient to undertake a personal visit to the premier site - the City of Canning - earlier this month to view the system firsthand.

The Fujitsu / Oracle solution does not have any Western Australian local government sites. However in view of the large capital investment which the City will make in the systems it is considered appropriate to obtain firsthand knowledge in the working environment of the Fujitsu / Oracle local government system at the following reference sites:

- City of Melbourne
- City of Monash
- City of Geelong

In normal circumstances the Project Manager Terry Ord together with the Information Services Manager Roland Parrotte would be the most appropriate staff to visit these sites, however with Terry having recently tendered his resignation and leaving the City on the 30th January 1998, it would seem appropriate that the Director of Resource Management John Turkington accompany Roland Parrotte on these site visits to view the systems firsthand.

As it is proposed that the Commissioners consider the report of the financial systems replacement at the February 1998 Finance and Community Services Committee it is essential that these visits be undertaken prior to that. The suggested dates are Wednesday 4th to Friday 6th February 1998.

**FUNDING**

Costs per person associated with these site visits are:-

Airfares	\$ 1,680
Accommodation - 3 nights and meals	\$ 600
Car Hire (2 days)	\$ 150
Daily Allowance - 4 days (to be fully acquitted)	\$ <u>320</u>
	\$ <u>2,750</u>

Council's budget provision for this expenditure is as follows: -

Financial Planning & Management Accounting		Computing Services
A/C #	20406	20250
Budget Item	Conference Expenses	Conference Expenses
Budget Page #	4.123	3.94
Budget Amount	\$2,000	\$nil
YTD Actual	\$nil	\$nil
Actual Cost	\$2,750	\$2,750
Balance	(\$750)	(\$2,750)

The budget funds in Financial Planning & Management Accounting Business Unit is insufficient to accommodate all the abovementioned costs - however further funds to cover the \$750 shortfall and also the funds for the attendance of the Manager of Information Services (\$2,750) can be sourced from the Staff Training - Applications Support (Budget Item No. 45612).



The current position of this account is:-

**Applications Support**

A/C #	45612
Budget Item	Staff Training - Applications Support
Budget Page #	3.99
Budget Amount	\$50,000
YTD Actual	\$nil
Actual Cost	\$3,500
Balance	\$46,500

These expenditures will require budget reallocations to be undertaken.

**RECOMMENDATION** That the Joint Commissioners:

- 1
- approve the Director of Resource Management and the Information Services Manager conducting site visits to the Cities of Melbourne, Monash and Geelong for the purposes of assessing and evaluating their financial systems; and
- 2
- approve, pursuant to the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$3,500 from Budget Item No. 20151 Staff Training - Office of the CEO - to Budget Item No. 20406 (\$750) Conference Expenses - Financial Planning and Management Accounting and 20250 (\$2,750) Conference Expenses - Computer Services to accommodate the expenditure associated with conducting the site visits mentioned in this Report.

Chief Executive Officer advised of an error in the Budget item number within Point 2 of the recommendation.

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

- 1
- approve the Director of Resource Management and the Information Services Manager conducting site visits to the Cities of Melbourne, Monash and Geelong for the purposes of assessing and evaluating their financial systems; and
- 2
- approve, pursuant to the provisions of Section 6.8(1) of the Local Government Act 1995 the reallocation of \$3,500 from Budget Item No. 45612 Staff Training - Applications Support - to Budget Item No. 20406 (\$750) Conference Expenses - Financial Planning and Management Accounting and 20250 (\$2,750) Conference Expenses - Computer Services to accommodate the expenditure associated with conducting the site visits mentioned in this Report.

The Motion was Put and

CARRIED BY AN  
ABSOLUTE MAJORITY

**C5-01/98      LOCAL AGENDA 21 FRAMEWORK AND STATE OF THE ENVIRONMENT REPORT CONSULTANCIES - [305-6]**

**SUMMARY**

In accordance with motion DP 292-12/97 from the Joint Commissioners' December 1997 meeting, tenders have been sought for the City's Local Agenda 21 Framework and State of the Environment Reporting consultancies. Three of the four short-listed consultants have submitted tenders. These have been assessed and appointment of the preferred consultant to undertake the Local Agenda 21 and State of the Environment projects as a joint consultancy is recommended.

**INTRODUCTION**

At their December 1997 meeting, the Joint Commissioners considered a report dealing with the Expressions of Interest received in response to public advertisement of the above consultancies, and moved to (Report DP 292-12/97 refers) -

- (1) *request detailed tenders from the following consultants for undertaking the Local Agenda 21 and State of the Environment reporting consultancies individually and collectively (with the consultancy briefs being modified to accommodate these options)* -
  - *Murdoch University (The Institute for Science and Technology Policy) in conjunction with Marpet Consulting Pty Ltd,*
  - *ERM Mitchell McCotter,*
  - *Ecoscape in conjunction with Neil Blake and David Annandale,*
  - *Chambers and Galloway & Associates; and*
- (2) *endorse submission of a recommendation for appointment of the preferred consultant/s for the Local Agenda 21 and State of the Environment reporting consultancies through the Chief Executive Officer's report to the Meeting of Joint Commissioners scheduled for 27 January 1998.*

Tenders have been sought from the nominated consultants and have been assessed, and in accordance with the second part of Motion DP292-12/97, this memorandum (presenting the outcomes from the tender assessment and recommending appointment of the preferred tenderer) has been prepared for consideration at the 27 January 1998 meeting of the Joint Commissioners.

**DISCUSSION**

Tenders were received from Chambers and Galloway & Associates (CG), ERM Mitchell McCotter (ERM) and Murdoch University (MU). The fourth of the short-listed consultants (Ecoscape) advised that due to circumstances that had arisen subsequent to submission of their Expression of Interest (EOI) a tender would not be submitted. Each of the tenders received canvassed completion of the consultancies individually and jointly, the option of joint completion being incorporated into the consultancy briefs following assessment of the EOI.

The assessment process undertaken was similar to that outlined in Report D92-12/97 for the EOI, and entailed consideration of:

- the respondents’ appreciation of the Local Agenda 21 (LA21) and State of the Environment (SOTE) reporting principles, and application of these principles to the City of Wanneroo, and their approach to the tasks involved in completing the consultancies;
- the capability and competence of the proposed project team taking into account their expertise and experience; and
- costings.

Outcomes from the assessment are discussed hereunder.

1. Appreciation and Approach

The submission from CG establishes a thorough understanding of the LA21 and SOTE reporting principles, both within the context of the City and the broader context of which the City is part. Integration of work programmes for the two consultancies is specifically discussed. A more thorough appreciation and approach is demonstrated in the tender from CG than in their EOI.

The submissions from ERM and MU essentially reflect material presented in their EOI. Both demonstrate a sound appreciation of and approach towards the consultancies, although neither specifically addresses integration of the projects.

Of the submissions, that from CG is regarded as clearly the best in terms of the level of appreciation demonstrated and the methodological approach proposed, and is the only one regarded as an improvement upon the material presented in their earlier EOI.

Ranking in terms of appreciation and approach - CG	1
- MU	2
- ERM	3

2. Expertise and Experience

The project teams proposed by MU and CG reflect a similar range of expertise relevant to the LA21 and SOTE projects, although the MU team is rated slightly more highly because its structure provides more direct representation of some disciplines than does that of CG.

The ERM project team also reflects a good range of expertise albeit not as broad as the others. In addition, the unavailability of a key team member identified in ERM’s EOI tends to lessen the overall level of expertise represented in their team.

Few specific LA21 and SOTE reporting projects have been undertaken (or even initiated) in Western Australia. The extent of direct experience in such projects is, therefore, limited. Each of the tenderers can, nevertheless, demonstrate some relevant project experience, although that of the MU team would again be rated slightly more highly than that of the CG team. The ERM team's project experience, while relevant, does not relate as directly to the LA21 and SOTE projects as that of the MU or CG teams.

Ranking in terms of expertise and experience - MU	1
CG	2
ERM	3

3. Costings

Allocations for the LA21 and SOTE consultancies included in the 1997/98 budget are \$15,000 and \$30,000 respectively. The briefs for the consultancies identified these figures as the maximum amounts available for completion of the projects. The opportunity for cost savings in undertaking the consultancies jointly was raised in a number of the EOI received and was one reason the tenderers were asked to canvass the option of individual and joint completion of the projects.

In summary, costing information provided in the tenders is as follows.

	LA21	SOTE	Aggregate Cost	Joint Cost	Savings Over Aggregate Cost
• CG	\$14,925	32,815	47,740	44,975	6%
• ERM	\$14,410	29,275	43,685	41,500	5%
• MU	\$15,250	25,350	40,600	36,540	10%

While its cost estimate for the LA21 consultancy is the highest, MU's estimates for the SOTE consultancy and joint completion are clearly the lowest. In all instances, the cost estimates for joint completion are significantly less than the aggregate of the estimates for the individual projects. The MU estimate is again the best, a 10% discount being offered (the source of cost savings is not specified).

The MU and CG costings identify both the hourly fee rates for team members and the number of hours the respective team members will contribute per task. ERM's costings do not provide this information, but do identify the total fee component per task.

MU's hourly fees are significantly lower than those of CG (\$50-\$55 for senior personnel and \$30 for others, compared with \$85 for seniors, \$50 for intermediate and \$30 for others) and as a consequence, the total number of hours budgeted for the consultancies is greater. However, the MU costings indicate that a significantly greater proportion of the total budgeted hours is allocated to team members with the lowest fee rate, these presumably being the less experienced, junior personnel.

The CG costings also include significant “provisional” sums, in the case of the joint option totalling about one third of the overall cost. These sums have not been allocated to specific tasks identified in the proposed work programme, but would clearly contribute significantly to the aggregate number of hours encompassed by the project budget. Also, CG’s tender submission indicates that any funds from these provisional sums that are not expended in the directions to which they have been allocated could be redirected if necessary towards other tasks within the proposed work programme. Alternatively, unexpended funds from these provisional allocations could constitute a saving.

Although the maximum funding available was identified in the briefs for the consultancies, none of the cost estimates provided represents a lump sum figure and as can be seen from the above summary, CG’s estimate for the SOTE consultancy and MU’s estimate for the LA21 consultancy exceed the maximum sums indicated. In all instances, the joint cost estimates are within the available budget allocations although, as indicated above, the estimates are not lump sum figures (ie each indicates a potential for cost increases in some area/s).

Because of differences in approach and the way in which their cost estimates have been presented, direct comparison of the costings from the three tenderers is difficult. While the cost structure of the MU team provides an obvious competitive advantage, the consequent benefit is potentially diminished through allocation of a greater proportion of the budgeted hours to apparently junior team members.

Although direct comparison between the CG and ERM costings is not possible, the breakdowns per task do in some instances indicate a degree of comparability which may in turn suggest some similarity in cost structure and time allocation.

The approach proposed by CG also indicates that although its overall cost estimates are the highest, the scope of the work programme to be implemented is the broadest and most thorough.

Accordingly, while the assessment of the tenders from a cost perspective does not enable any of the tenders to be identified as categorically better or worse than the others, it does point towards the following conclusions -

- all can be regarded as deficient in that they are not lump sum estimates - it will therefore be necessary to ensure that the Instrument of Agreement between the City and the selected tenderer/s conclusively establishes the maximum cost of the consultancies;
- although MU’s estimates are, overall, clearly the lowest, and those of CG are the highest, the scope of the works proposed by CG is broader and more thorough than proposed by either MU or ERM.

## CONCLUSIONS

Based on the assessment as outlined above, the preferred tenderer can be regarded as a choice between CG and MU, ERM being eliminated based on its lowest ranking in terms of both appreciation and approach, and expertise and experience.

Overall, the tender submission from CG would be regarded as superior to that from MU. The LA21 and SOTE reporting principles as they apply to the City of Wanneroo and more broadly are thoroughly canvassed and a comprehensive and integrated work programme for completing the projects as a joint consultancy has been developed. The significantly higher cost is, nevertheless an important consideration although the greater scope of the work programme proposed by CG is a mitigating factor in this regard.

Particularly based on the approach advocated by CG, engagement of one tenderer to undertake the LA21 and SOTE reporting projects as a joint consultancy would be the preferred option, and in this regard, the tender from CG would be preferred over that from MU notwithstanding the cost differential.

Engagement of CG to undertake the LA21 and SOTE projects jointly is, therefore, recommended.

However, in effecting the engagement, it is considered important to ensure that the maximum cost of the joint consultancy does not exceed the available budgetary allocations for the projects. It is proposed that such a requirement be addressed through the Instrument of Agreement between the City and the consultant in respect of the consultancy.

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

- 1 authorise the appointment of Chambers and Galloway & Associates to undertake the following as a joint consultancy in accordance with their 17 January 1998 tender documents -**
  - **Tender No. 062-97/98 Development of a Local Agenda 21 Framework for the City of Wanneroo; and**
  - **Tender No. 063-97/98 Preparation of a State of the Environment Report for the City of Wanneroo.**
- 2 require the Instrument of Agreement between the City of Wanneroo and Chambers and Galloway & Associates in respect of the joint consultancy for Tender No. 062-97/98 and 063-97/98 to stipulate that the full cost of the joint consultancy is not to exceed the total allocation in the City's 1997/98 Budget of \$45,000 for the Local Agenda 21 and State of the Environment reporting projects.**

**The Motion was Put and**

**CARRIED**

**C6-01/98 URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA NATIONAL CONGRESS - 1-4 MARCH 1998 - [202-1]**

## **SUMMARY**

The Urban Development Institute of Australia National Congress is to be held in Brisbane from the 1-4 March 1998. The theme "Urban Futures" is particularly relevant to the City of Wanneroo due to the rapid growth that is occurring. Exposure to next planning design trends and ideas is essential

for providing advice and promoting improved urban design. It is recommended that the Director of Strategic Planning and a Commissioner attend.

## **BACKGROUND**

The Urban Development Institute of Australia (UDIA) National Congress is to be held from Sunday, 1 March to Wednesday, 4 March 1998 at the Brisbane Convention and Exhibition Centre.

The programme theme "Urban Futures" features prominently in the various sessions. Examples include:

- The Next Millennium - Richard Neville melds a practical and philosophical view that helps business understand the importance of preparing for the third millennium.
- Urban Renewal Field Trips - visits to renewal and new development sites around Brisbane
- Urban Futures - an International Perspectives by Dr Antonio Allesse, a former consultant to the World Bank and currently Executive Director of the Southern European Federation of Local Government Associations.
- The Environmental Future - a Burden or Benefit.

See Appendix I for programme.

## **COMMENT/FUNDING**

The Conference is expected to benefit the City by providing examples and insights into new and innovative planning design concepts.

Urban Development conferences in Brisbane provide a greater range of design and development options because of the diversity and number of development projects which are generally of a grander scale compared to other States.

The experience and information gained will be of assistance in the design and development of the City which is experiencing rapid growth and changes in urban design.

It is proposed that the Conference be attended by the Director of Strategic Planning and a Commissioner.

The cost of the Conference including airfares, accommodation, registration and incidental expenses is approximately \$3,350.00 per person.

Funding for the Director Strategic Planning has been allocated in the budget (40006 refers), while attendance of a Commissioner is budgeted in allocation 20006, Members Conference Expenses.

**RECOMMENDATION** That the Joint Commissioners:

1. endorse the attendance of the Director Strategic Planning at the Urban Development Institute of Australia National Congress to be held at the Brisbane Convention and Exhibition Centre from 1-4 March 1998, from allocation 40006 conference expenses;
2. nominate a Commissioner to attend the Congress;
3. authorise the payment of Congress registration fee, accommodation and airfares for the nominated Commissioner from Allocation No. 20006 Members Conference Expenses.

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

1. **endorse the attendance of the Director Strategic Planning at the Urban Development Institute of Australia National Congress to be held at the Brisbane Convention and Exhibition Centre from 1-4 March 1998, from allocation 40006 conference expenses;**
2. **nominate a Commissioner or Councillor to attend the Congress, if appropriate;**
3. **authorise the payment of Congress registration fee, accommodation and airfares for the nominated Commissioner from Allocation No. 20006 Members Conference Expenses.**

The Motion was Put and

**CARRIED**

Appendix XIX refers

**C7-01/98      CORPORATE MEMBERSHIP - AUSTRALIAN CENTRE FOR REGIONAL AND LOCAL GOVERNMENT STUDIES - [702-3]**

**SUMMARY**

The Australian Centre for Regional and Local Government Studies (ACRLGS) is currently offering corporate memberships to Councils. The main benefit of membership is the reduction in registration fees for short courses. This does not represent a significant cost saving to the City, as in the past there has been approximately two registrations per year. This report recommends that the Commissioners resolve not to subscribe for corporate membership of the ACRLGS.

**DETAILS**

The ACRLGS is a part of the Faculty of Management, University of Canberra and is one of the major providers of education and training for Councillors and local government management.

Recognising the need for Councils to make the best use of their resources, the ACRLGS is now offering the opportunity to subscribe to a corporate membership.



Corporate membership provides benefits such as:

- free attendance at one ACRLGS short course and significant discounts for multiple registrations
- direct input into the content of courses through an annual survey of client's needs
- up to date research output through ACRLGS Working Papers on the latest issues in local government
- regular ACRLGS newsletters
- first offer on overseas study tours
- opportunity to share in regional courses

## COMMENT/FUNDING

The subscription fee for a corporate membership is \$1,500 per annum or \$2,500 for two years.

The short course registration fee for corporate members is \$1,250 for the first registration and \$900 for each subsequent registration. The short course registration fee for non-corporate members is \$2,100 for each registration.

The short courses proposed for this year are:

Elected Members Course:	March 8-13; November 8-13
Advanced Elected Members Course:	March 29-April 3; September 20-25
Competitive Tendering and Contracting Out:	June 21-26

There have been five registrations by the City since 1995. Because of the infrequent and low number of registrations, the benefits of subscribing to a corporate membership do not represent a significant cost saving to the City. It is therefore recommended that the Commissioners resolve not to subscribe for corporate membership of the ACRLGS.

**MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners resolve not to subscribe for corporate membership of the Australian Centre for Regional and Local Government Studies.**

Cmr Morgan noted this motion did not prevent attendance by officers, only that a higher registration fee would be payable.

**The Motion was Put and**

**CARRIED**

**C8-01/98      ANNUAL GENERAL MEETING OF ELECTORS - 20 JANUARY 1998 - [702-0]**

Section 5.27 of the Local Government Act 1995 provides for local governments to conduct an Annual General Meeting of Electors once in each year. The purpose of the meeting is to discuss the Annual Report which includes the Financial Statements and the Auditor's Report. Section 5.33(1) of the Local Government Act 1995 requires all decisions made at an electors' meeting to be considered at the next ordinary council meeting.

Accordingly, the Annual General Meeting of Electors was held on Tuesday 20 January 1998, and the following business conducted:

- The Receiving of the Financial Statements for the 1996/97 Financial Year
- The Receiving of the Auditor's Report on the Financial Statements for the Year Ended 30 June 1997
- The Receiving of the Annual Report
- General Business

There were 35 electors and 1 member of the press in attendance. Questions and comments were raised by electors during General Business, with no further motions moved.

**MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that the information in relation to the holding of the Annual General Meeting of Electors on Tuesday 20 January 1998 be noted and items raised during Question Time be reported to the appropriate Standing Committee.**

**The Motion was Put and**

**CARRIED**

**C9-01/98      VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - WETLANDS CO-ORDINATING COMMITTEE - [312-2]****SUMMARY**

The Western Australian Municipal Association has invited member Councils to submit nominations to the Wetlands Co-ordinating Committee.

**DETAILS**

The Western Australian Municipal Association has invited member Councils to submit nominations for Member to the newly created Wetlands Co-ordinating Committee.

The Committee's terms of reference is to co-ordinate the implementation of the Wetlands Conservation Policy and the activities of relevant agencies with respect to wetlands.

The serving term is to be advised. Meetings will be held in Perth on week-days, and it is envisaged that between 2 and 4 meetings per year will be held. There is a travelling fee, but no meeting fee is paid.

**Committee membership comprises:**

- Department of Conservation and Land Management (Director of Nature Conservation as Chairman)
- Ministry for Planning
- Department of Environmental Protection
- Water and Rivers Commission
- Agriculture Western Australia
- Local Government
- Two representatives of the voluntary conservation movement with specific knowledge about wetlands and their biota
- a recognised, not-government, wetland scientist.

A ballot will be held at the WAMA Executive Committee following close of nominations.

**MOVED** Cmr Ansell, **SECONDED** Cmr Morgan that the Joint Commissions defer consideration of nominating a member to the Western Australian Municipal Association Member - Wetlands Co-ordinating Committee.

The Motion was Put and

**CARRIED**

**C10-01/98     VACANCY -WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER AND DEPUTY MEMBER - AGRICULTURAL PRACTICES BOARD - [312-2]**

**SUMMARY**

The Western Australian Municipal Association has invited member Councils to submit nominations to the Agricultural Practices Board.

**DETAILS**

A board position on the Agricultural Practices Board has been allocated to a Local Government Representative and the Western Australian Municipal Association has invited member Councils to submit nominations for Member and Deputy Member.

The Board's terms of reference is as follows:

- The Agricultural Board has statutory powers to help find a fair solution to disputes arising from the use of land for farming
- The Board has a wide range of expertise in Local Government, Agriculture and Law. It can intervene to prevent disputes escalating and help those involved reach an amicable solution through mediation.

The serving term will commence on appointment and expire in July 1999. Meetings are held 7-8 times annually, and are held in the morning on the last Friday every two months. Meetings are held at 2nd Floor, 32 St George's Terrace Perth.

There is a meeting fee of \$3,700 per annum plus travelling fee.

Membership comprises:

- Mr Colin Philpott (Chairman)
- 2 representatives from Farm Lobby Organisations
- 2 representatives on Environmental matters
- 2 representatives from the public.

**MOVED Cmr Ansell, SECONDED Cmr Morgan that the Joint Commissions defer consideration of nominating a member to the Western Australian Municipal Association Member and Deputy Member - Agricultural Practices Board.**

**The Motion was Put and**

**CARRIED**

**C11-01/98     DRAFT EAST WANNEROO DISTRICT AND LOCAL STRUCTURE PLANS, EXTENSION OF THE ADVERTISING PERIOD - [780-21]**

At its September 1997 meeting, Council resolved to advertise the East Wanneroo draft District and Local Structure Plans for public comment for a period of 60 days. Following comment from the Western Australian Planning Commission (WAPC) the advertising period commenced on 18 December 1997 and is currently intended to end on Friday, 20th February 1998.

There has been considerable public interest in the draft structure plans and a number of landowners have expressed a wish for the advertising period to be extended to enable them more time to prepare and submit their comments to the City.

Given the complex nature of the draft structure plans and the numbers of landowners affected by them, it does not seem unreasonable for the advertising period to be extended to meet their requirements. The draft structure plans are being advertised under Part 10 of the City's Town Planning Scheme and there is adequate scope under this Part for an extension of advertising.

City officers have also been holding discussions with officers at the Ministry for Planning and have suggested that Town Planning Scheme Amendment No 816 which addresses infrastructure contributions for East Wanneroo (which was recently forwarded to the WAPC for approval to advertise) be advertised at the same time as the above draft structure plans. The Ministry officers have agreed that that approach will be appropriate.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners extend the advertising period for the draft East Wanneroo structure plans to allow the close of advertising to coincide with that for Amendment No 816.**

**The Motion was Put and**

**CARRIED**

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## MOTIONS FOR FURTHER ACTION

Nil

## DATE OF NEXT MEETING

The next Meeting of the Joint Commissioners has been scheduled for **6.30 pm** on **TUESDAY 24 FEBRUARY 1998**.

## QUESTION TIME

**The following question was submitted by Mr Barry Higgins, Carabooda:**

*Q1 Re: P13-01/98. In Point 1 of this recommendation, why was approval not given to Cr Lynn for that legal account?*

*A1 Response by Director, Corporate Services:* Council's policy provides for Councillors to be given legal representation to defend themselves in cases where an issue comes before the Courts or an Inquiry. In this instance Cr Lynn wanted to clarify her position in relation to the split of the City. The costs were not related to a court action or representation before an inquiry and there was no indication of wrong doing on the part of Cr Lynn.

**The following questions were submitted by Mr Kirk Stergiou:**

*Q1 Re: TS03-01/98: The Koondoola Progress Association, in conjunction with the Perth City Mission and Neighbourhood Watch has been part of the Graffiti Removal Taskforce. We have obtained paint from the Taskforce to paint fences on walkways which have tags and graffiti. Regarding the negotiations with the Graffiti programme on a cost sharing basis, is this just for paint or will it include compressors and spray guns?*

*A1 Response by Cmr Morgan:* This could include the whole programme, together with equipment. What is to be discovered with discussions with the Graffiti Programme Director is what it is prepared to contribute. We understand that it is contributing at the present time to the City of Stirling.

*Q2 Will the programme we are running impede the Council's negotiations?*

*A2 Response by Cmr Ansell:* I would suggest that you liaise with the Chairman of the Graffiti Steering Committee. (Mr Daube, of the Premier's Office.)

**The following question was submitted by Mr Noel Gannon:**

*Q1 Re: Page 4 of Agenda "The recording of votes is not supported". Ratepayers do not know which way elected members are voting. Council is investigating the erection of an electronic scoreboard. I suggest this matter be expedited.*

A1 *Response by Cmr Ansell:* This matter is being considered.

**The following question was submitted by Mrs Zakrevski:**

*Q1 In relation to the green waste disposal which is being trailed at Badgerup tip. Could this be increased from the three free visits permitted per resident. This increase would save money for Council in that there would be less rubbish placed in the weekly bins, would reduce the rubbish for the twice yearly pick-up, and increase the amount of mulch which could then be made available to residents at a reasonable cost. Therefore, could the amount of free visits be increased and could mulch be made available?*

A1 *Response by Director Technical Services:* Council could look at increasing the free visits. This would have some cost implications but a report could be submitted on this issue. On the provision of mulch, a decision was made this evening to compost much of the mulch. A problem associated with the provision of mulch is that seeds are broadcast, therefore Council is looking at composting for parks and for public use.

**The following questions were submitted by Cr A Taylor:**

*Q1 Re: CS15-01/98: The report made comment of not setting a precedent. Are you aware that there is a precedent, that the City of Wanneroo has funded previous bus services within the City of Wanneroo?*

A1 *Response by Cmr Clark-Murphy:* Yes we are aware that a previous service was funded in the Two Rocks/Yanchep area.

*Q2 Was consideration given to requesting that the bus which the City of Wanneroo has paid for be used for the Neerabup service?*

A2 *Response by Director, Technical Services:* I am not aware that Council had bought a bus or whether specific consideration was given to its use. This is not a matter I had been aware of, but is something that could be investigated.

*Q3 I understand that in excess of \$243,000 was paid to Transperth, which more than pays for a bus, and this bus should still be operational. Were Commissioners made aware of this?*

A3 *Response by Cmr Ansell:* No, Commissioners were not made aware of this.

- Regarding electronic voting, Cr Taylor wished to point out that the electronic voting report which was called for, together with Graffiti and Recycling reports, were items raised by Councillors.

*Q4 Will ratepayers in the South and South-West wards be able to request a recycling bin and be guaranteed supply, or will there be a set number issued? I would like to be supplied with a bin.*

- A4 *Response by Cmr Morgan:* The trial is restricted to one truck with the maximum number of bins being 10,000. The rural Yanchep and Two Rocks areas will be covered fully (about 3,200 properties). The balance of 6,800 will be spread across a range of socio-economic areas to gauge the acceptance or otherwise of the ratepayers to the principle of a voluntary system. We propose to consult with the University which conducted the survey before making a final decision regarding the allocation of bins. A firm decision has not been made at this stage.
- Q5 *Do you still currently employ a Public Relations consultant? If so, can I be advised what the hourly rate of that consultancy is?*
- A5 *Response by Cmr Ansell:* Yes we do employ a consultant. I will take the question of the hourly rate on notice.
- Q6 *You announced the next Council meeting as being Tuesday 24 February, but I believe this has not been formally resolved.*
- A7 *Response by Cmr Ansell:* We have advertised the meeting for Tuesday 24 February 1998, with the Standing Committee on Tuesday 17 February 1998.

## CLOSURE

There being no further business, the Chairman declared the Meeting closed at 2012 hrs, the following Commissioners being present at that time:

COMMISSIONERS:	ANSELL
	MORGAN
	ROWELL
	CLARK-MURPHY
	BUCKLEY