

# **Council Agenda**

**ORDINARY COUNCIL MEETING**

**7.00pm, 19 July, 2005**

**Civic Centre,**

**Dundebar Road, Wanneroo**

## Public Question & Statement Time

Council allows a minimum of 15 minutes for public questions and statements at each Council meeting. If there are not sufficient questions to fill the allocated time, the person presiding will move on to the next item. If there are more questions than can be dealt with in the 15 minutes allotted, the person presiding will determine whether to extend question time.

### Protocols

During the meeting, no member of the public may interrupt the meeting's proceedings or enter into conversation. Each person seeking to ask questions during public question time may address the council for a maximum of 3 minutes each.

Members of the public wishing to submit written questions are requested to lodge them with the Chief Executive Officer at least 30 hours prior to the start of the meeting.

The person presiding will control public question time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. A person wishing to ask a question should state his or her name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated.

The following general rules apply to question and statement time:

- Questions should only relate to the business of the council and should not be a statement or personal opinion.
- Only questions relating to matters affecting Council will be considered at an ordinary meeting, and at a special meeting only questions that relate to the purpose of the meeting will be considered. Questions may be taken on notice and responded to after the meeting.
- Questions may not be directed at specific members of council or employees.
- Questions & statements are not to be framed in such a way as to reflect adversely on a particular Elected Member or Officer.
- The first priority will be given to persons who are asking questions relating to items on the current meeting agenda.
- The second priority will be given to public statements. Only statements regarding items on the agenda under consideration will be heard.

## Deputations

The Mayor and Councillors will conduct an informal session on the same day as the meeting of the Council at the Civic Centre, Wanneroo, commencing at 6.00pm where members of the public may, by appointment, present deputations. If you wish to present a deputation please submit your request for a deputation in writing addressed to the Chief Executive Officer or fax through to Executive Services on 9405 5097.

- A time period of 10 minutes is set aside for each deputation.
- Deputations shall not exceed five (5) persons in number and only three (3) of those persons shall be at liberty to address the Council and to respond to questions the Mayor and Councillors may have.

**Please ensure that mobile phones are switched off before entering the Council Chamber. Any queries on this agenda, please contact Executive Services on 9405 5027 or 9405 5018.**

## **Recording of Council Meetings Policy**

### **Objective**

- To ensure that there is a process in place to outline access to the recorded proceedings of Council.
- To emphasise that the reason for tape recording of Council Meetings is to ensure the accuracy of Council Meetings.

### **Statement**

#### ***Recording of Proceedings***

- (1) Proceedings for meetings of the Council, of electors and of the Audit Committee shall be recorded, by the City, on sound recording equipment except, in the case of meetings of the Council or the Audit Committee, where the Council or the Committee, as the case may be, closes the meeting to the public.
- (2) Notwithstanding sub clause (1), proceedings of a meeting of the Council or of the Audit Committee which is closed to the public shall be recorded where the Council or the Audit Committee, as the case requires, resolves to do so.
- (3) No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council.

#### ***Access to Recorded Tapes***

- (4) Members of the public may purchase a copy of the taped proceedings or alternatively listen to recorded proceedings with the supervision of a City Officer.
- (5) Elected Members may listen to a recording of the Council proceedings upon request, free of charge. However, no transcript will be produced without the approval of the Chief Executive Officer.
- (6) Costs of providing taped proceedings to members of the public will be the cost of the tape plus staff time to make the copy of the proceedings. The cost of supervised listening to recordings will be the cost of the staff time. The cost of staff time will be set in the City's schedule of fees and charges each year.

#### ***Retention of Tapes***

- (7) Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the Library Board of Western Australia Act (1951-83), General Disposal Authority for Local Government Records. The current requirement for the retention of recorded proceedings is thirty (30) years.

#### ***Disclosure of Policy***

- (8) This policy shall be printed within the agenda of all Council, Special Council, Electors and Special Electors and the Audit Committee meetings to advise the public that the proceedings of the meeting are recorded.



Notice is given that the next Ordinary Council Meeting will be held at the Civic Centre,  
Dundobar Road, Wanneroo on **Tuesday 19 July, 2005 commencing at 7.00pm.**

C JOHNSON  
Chief Executive Officer  
14 July 2005

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## **A G E N D A**

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**Item 2    Apologies and Leave of Absence**

**Item 3    Public Question Time**

**Item 4    Confirmation of Minutes**

**OC01-07/05    Minutes of Ordinary Council Meeting held on 28 June 2005**

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**That the minutes of the Ordinary Council Meeting held on 28 June 2005 be confirmed.**

**Item 5    Announcements by the Mayor without Discussion**

**Item 6    Questions from Elected Members**

**Item 7    Petitions**

**New Petitions Presented**

**Update on Petitions**

**PT01-06/05    Hepburn Avenue Extension Between Rangeview Road and  
The Avenue, Alexander Heights**

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Cr Treby presented a petition at the 28 June 2005 Council Meeting, signed by 11 residents whose properties back onto the above extension requesting Council to consider their concerns regarding the height of the Hepburn Avenue extension, the security of their properties and the increased level of traffic noise.

### **UPDATE**

A report should be presented to Council on 30 August 2005 after community consultation has taken place.

## Item 8 Reports

### **Declarations of Interest by Elected Members, including the nature and extent of the interest. Declaration of Interest forms to be completed and handed to the Chief Executive Officer.**

Cr Stewart to declare a financial interest in Item MN03-07/05 due to being employed as a part-time bus driver for Mindarie Bus Charter.

Cr Stewart to declare an impartial interest in Item CS05-07/05 due to being a member of Twin Cities and also an Announcer on a Program.

Cr Monks to declare an impartial interest in Item GS01-07/05 due to being a member of St John of God's Lighthouse Committee.

## **Planning and Development**

### **Town Planning Schemes and Structure Plans**

#### **PD01-07/05 Pinjar Road And Caporn Street Road Widening: Reserve 26542, Mariginiup**

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File Ref:	PR20/0003V01
Responsible Officer:	Director, Planning Development
Disclosure of Interest:	Nil
Attachment(s):	2

### **Issue**

To consider the excision of a portion of Reserve 26542 (Caporn Park) and the dedication of the land for the purpose of road widening and intersection realignment to construct a new roundabout for Pinjar Road and Caporn Street in Mariginiup.

### **Background**

At its meeting on 27 April 2004 (item TS14-04/04), Council endorsed the East Wannon Arterial Road Plans, which included the preliminary road design and land requirement plans for Pinjar Road and Caporn Street abutting East Wannon Cells 1 and 2. The land requirement plans identify that 1.6484 hectares is required from Reserve 26542 for road widening and intersection realignment to construct a new roundabout for Pinjar Road and Caporn Street. A locality plan is included at **Attachment 1**. The relevant land requirement plans are included at **Attachment 2**.

The Agreed Structure Plans for East Wannon Cell Nos. 1 (Ashby-Tapping) and 2 (Sinagra) also identify the road widenings and the deviation of the existing intersection for Pinjar Road and Caporn Street through the western and southern portions of Reserve 26542 (Caporn Park).

## **Detail**

Caporn Park, comprising 10.5471 hectares and bounded by Pinjar Road, Edward Street, Wells Street and Caporn Street, is a Crown reserve for recreation that was set aside at the time the Mariginiup Townsite was gazetted. It has been placed under the care, control and management of the City of Wanneroo for the purpose of recreation by a management order issued by the Minister for Lands.

The reserve contains native bushland, including stands of tuart trees, banksias and other vegetation. The reserve is fenced and limited public access is available. The area to be excised from the reserve is 1.6484 hectares. The Pinjar Road widening extends along the entire western boundary encroaching by 1.7 metres at its narrowest point near Edward Street and expanding to 25.9 metres at its widest point near the new intersection with Caporn Street. The Caporn Street widening is 37.8 metres at its greatest near the new intersection but is generally between 20 metres and 16.3 metres wide from that point to Wells Street. Truncations are also required at both Edward Street and Wells Street.

Part 10 of District Planning Scheme No.2 (DPS2) sets out the Developer Contribution Arrangements for each of the eight East Wanneroo Cells. The developer contributions in each Cell are used to fund the Cell Works specified in Schedule 9 of DPS2. The Cell Works include the acquisition of land for public open space and regional roads, the construction of regional roads as well as management and funding costs. The acquisition of road widening and construction of Pinjar Road between the existing Yandella Promenade (Tapping) and Caporn Street is a Cell Work in Cell 1. The acquisition of road widening and construction of Caporn Street between Pinjar Road and the eastern boundary of Cell 2 is a Cell Work in Cell 2.

This section of Pinjar Road is currently proposed to be constructed in 2008 in the Cell 1 Business Plan, whereas Caporn Street is proposed to be constructed in 2010 in the Cell 2 Business Plan. However, as there has been substantial subdivision activity in Cells 1 and 2 in the last 12-18 months, the priority of Cell Works in these Cells is likely to be amended as part of the City's next Cell review. The excision from Caporn Park and dedication of the land required for the Pinjar Road and Caporn Street will take approximately 12-15 months to be completed. It is important that the relevant approvals are obtained and road widenings are finalised to ensure that the East Wanneroo arterial roads can be constructed, when the Council requires these roads to be constructed.

## ***Consultation***

The public was notified of the road widening and deviation at the time the Agreed Structure Plans for Cells 1 and 2 were advertised for public comment. Further direct notification of the proposal was given between 12 April and 15 May 2005 by the placement of a sign in a prominent position on the reserve and inclusion in the local community newspaper on 12 April 2005. Both notices invited comment on the proposed excision and a period of 35 days was allowed for the lodging of those comments.

One submission was received from a nearby rural resident of Wells Street objecting to the proposed excision. The issues raised in this submission are discussed further in the Comment Section of this report.

The Department of Planning and Infrastructure (DPI), Western Power, Water Corporation, Telstra and Alinta Gas were also invited to comment on the proposed excision. These government agencies either supported or raised no objection to the proposal, subject to any services being relocated when the roads are constructed.

## **Comment**

### ***Response to the Submission***

The issues raised by the submission, together with a comment on each is outlined below:

#### **Issue 1 – Loss of Vegetation**

The submission of objection was concerned with the loss of many old growth tuart, marri and other native trees, bushes and wildflowers, which are located within the proposed road widening. The submission suggests that this type of native flora has been drastically reduced in recent years in Wanneroo and is becoming increasingly rare.

#### **Comment**

The proposal will result in the clearing of native vegetation to accommodate the proposed road pavements and related infrastructure. The road widening area does not contain any declared rare flora. Whilst the majority of Reserve 26542 is identified as a Bush Forever Site (No.469), the road widening for Pinjar Road and Caporn Street is not included within the Bush Forever site or proposed Parks & Recreation reservation in the Bush Forever Major Metropolitan Region Scheme Amendment No.1082/33. The Bush Forever documents have acknowledged for many years that this Reserve is subject to road widening for Pinjar Road and Caporn Street. The construction of Pinjar Road and Caporn Street is likely to be subject of environmental assessment and further consultation will occur with the DPI's Bush Forever office and the Department of Environmental Protection. The City can ensure that the proposed earthworks for the road reserves are constructed to minimise the impact on existing native vegetation, wherever practicable. The majority of the vegetation within Reserve 26542 will not be affected by the road works and could be retained in its natural state.

#### **Recommendation**

That the road be designed in a manner that minimises the impact on existing native vegetation wherever practicable.

#### **Issue 2 – Alternative Alignment Proposed**

The submittor has suggested that the resumption occur on the other side of Pinjar Road.

#### **Comment**

The Urban zoned land south and west of Caporn Park has been granted subdivision approval and part of the land has already been subdivided and new houses constructed, which will prevent any further realignment of Pinjar Road further west.

The City should not resume the land west of Pinjar Road, as suggested by the submitter, as the land contains newly constructed houses which would result in high acquisition costs and disruption to new residents, when the current proposed road widening through Reserve 26542 has been identified, adopted and known for many years.

### Recommendation

To pursue the road alignment as currently proposed.

The excision from Caporn Park and dedication of the land required for the Pinjar Road and Caporn Street new intersection and road widenings is required to ensure that the arterial road network can be constructed in a timely manner and when adequate funds are available in the relevant Cell Accounts.

### **Statutory Compliance**

The dedication of the road widening is authorised by the provisions of the Land Administration Act 1997, and will be implemented in accordance with the Department for Planning and Infrastructure guidelines for the administration of reserves.

Section 52 of the Land Administration Act 1997 provides that the Minister for Lands may by order cancel, change the purpose or amend the boundaries of a reserve. Section 56 provides that where a local government requests the Minister to dedicate land as a road it is to indemnify the Minister against any claim for compensation that may arise from that action.

### **Strategic Implications**

The excision from Caporn Park and the widening and realignment of Pinjar Road and Caporn Street is consistent with the Healthy Communities goal of the City's strategic plan by managing infrastructure to meet the needs of the community.

### **Policy Implications**

Nil

### **Financial Implications**

Dedication of the excised portion of the reserve will not involve any expenditure from the Municipal Fund. The costs of all surveying and application fees for the excision are a Cell Work in Cells 1 and 2 and will be paid from the relevant Cell Accounts.

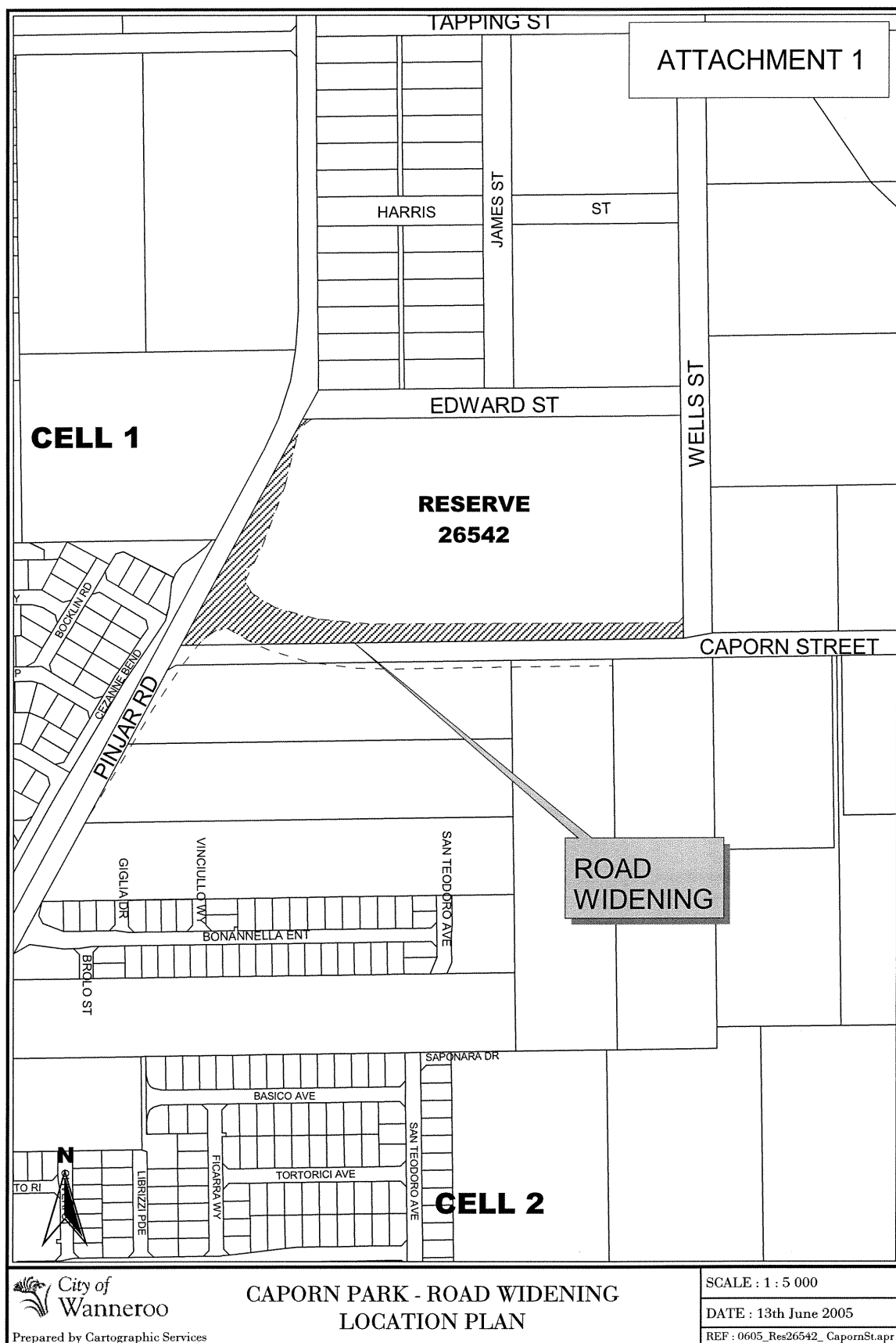
### **Voting Requirements**

Simple Majority.

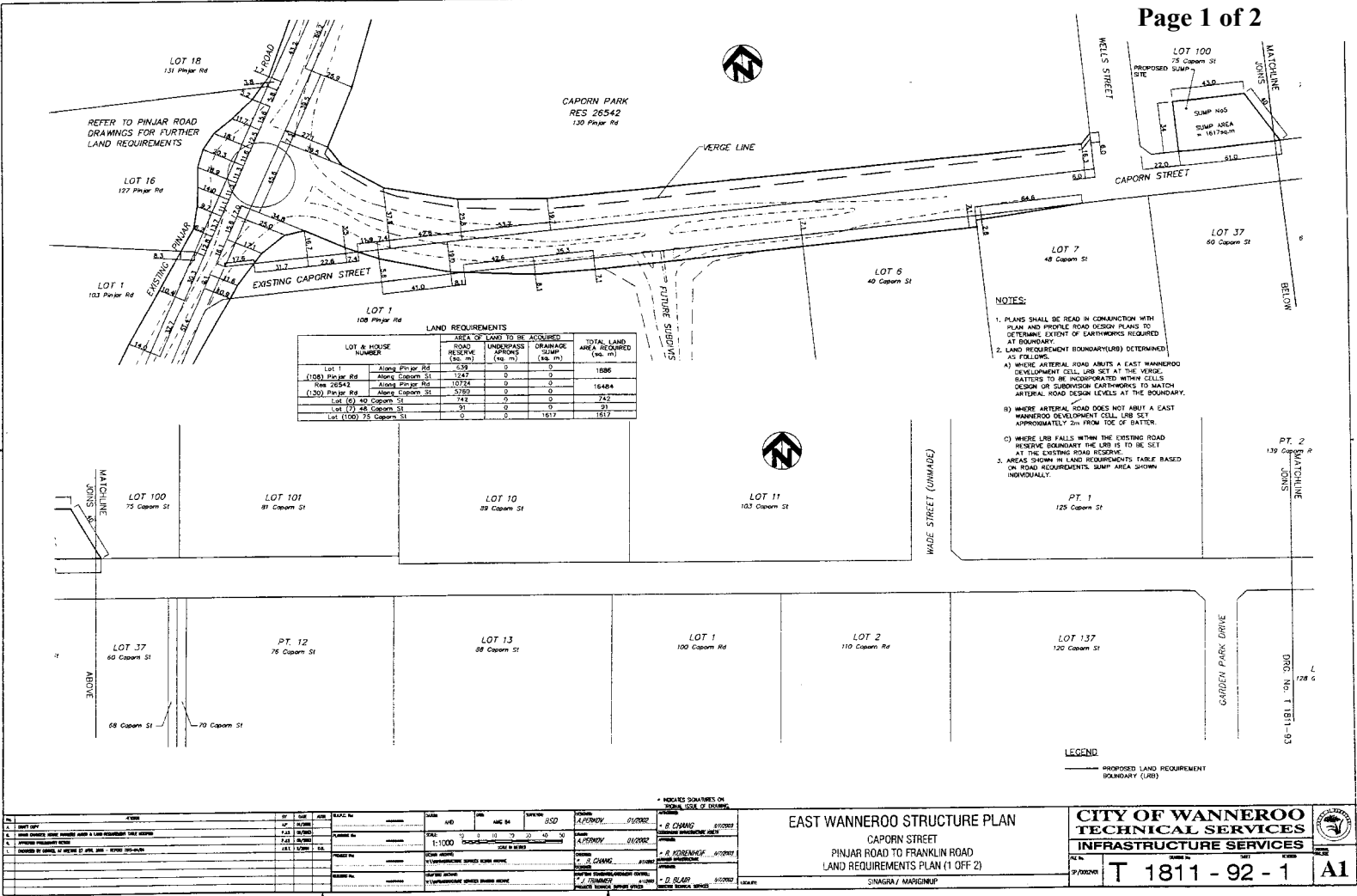
## **Recommendation**

### **That Council:-**

- 1. AUTHORISES a request being made to the Minister for Lands to dedicate as a road the widening for Pinjar Road and Caporn Street as outlined on Attachment 2 to this report to be excised from Reserve 26542 Pinjar Road, Mariginiup and indemnify the Minister against any claim for compensation arising from the dedication.**
- 2. AUTHORISES the surrender of the Management Order over the portion of Reserve 26542 that will be dedicated for the widening and realignment of Pinjar Road and Caporn Street.**
- 3. ENDEAVOURS to minimise the extent of clearing of native vegetation at the time it undertakes the earthworks for the construction of Caporn Street and Pinjar Road.**

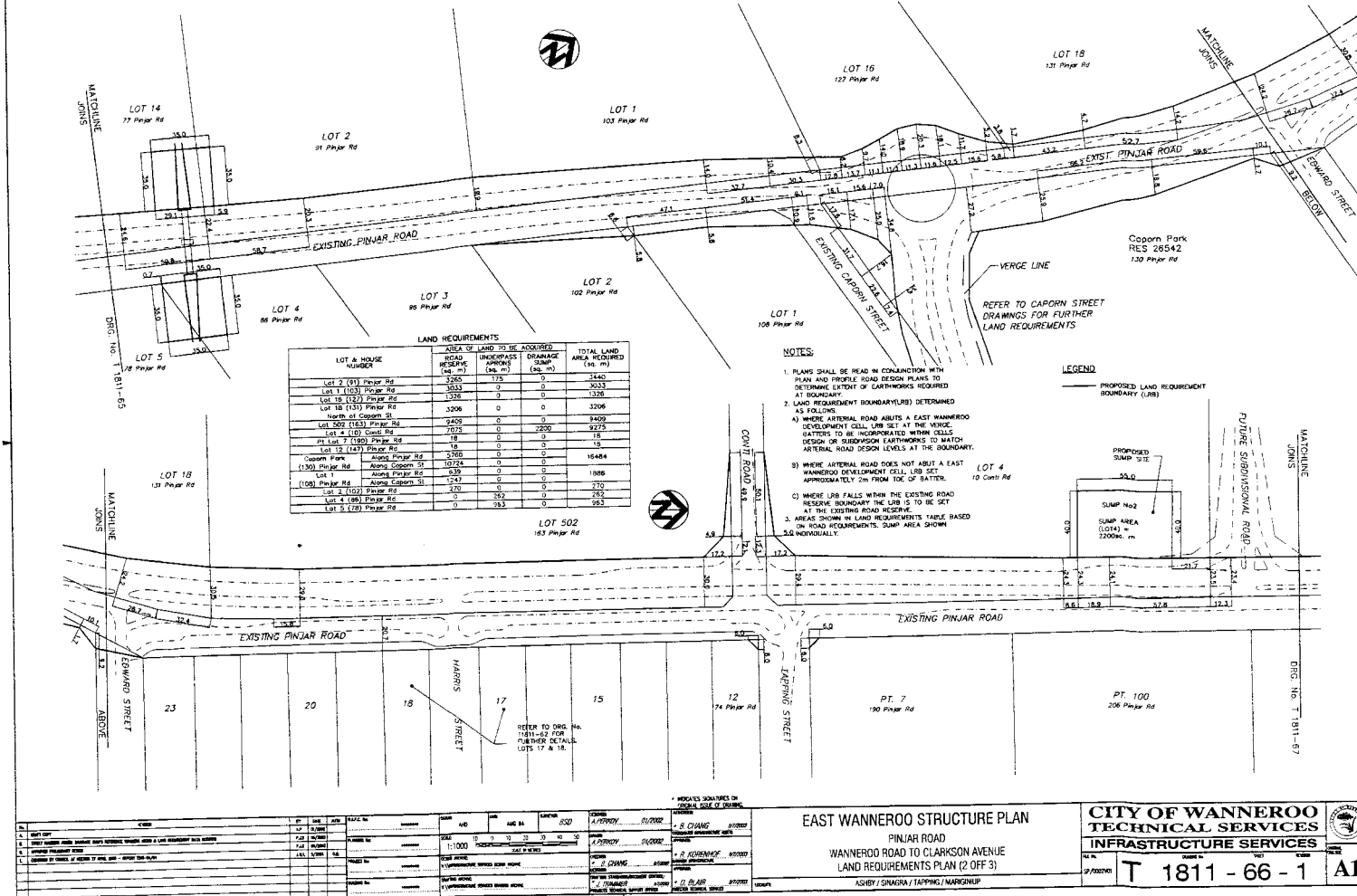


ATTACHMENT 2  
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# ATTACHMENT 2

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## **PD02-07/05 Amendment No. 1 to the Wanneroo Town Centre Agreed Structure Plan No. 23**

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File Ref:	SP/0020/01V01
Responsible Officer:	Director, Planning and Development
Disclosure of Interest:	Nil
Attachment(s):	2

### **Issue**

To consider modifications to Amendment No. 1 to the Wanneroo Town Centre Agreed Structure Plan No. 23, as required by the Western Australian Planning Commission (WAPC).

### **Background**

At its meeting on 22 July 2003, Council considered Amendment No.1 to the Wanneroo Town Centre Agreed Structure Plan to enable the rationalisation and redevelopment of a new primary school in the Wanneroo Town Centre (refer item PD10-07/03).

The amendment proposed the rezoning of the Wanneroo Primary School site from Public Purpose (Primary School) to the Business and Residential zones, the rezoning of the rear portion of the business site north of Shaw Road from Residential to Public Purpose (Primary School) together with associated traffic management and other consequential changes to the structure plan provisions. The Structure Plan map showing the zoning amendments is included as **Attachment 1** to this report.

In summary, Council resolved to:

1. Adopt the amendment subject to various changes being incorporated into the Structure Plan document, including a requirement for the full opening of the Shaw Road/Wanneroo Road intersection.
2. Seek to impose various conditions on applications for development or subdivision of the subject land. The key conditions related to various traffic management works, including the modification of traffic signals at the Shaw Road and Hastings Street intersections with Wanneroo Road, the connection of the road pavement together with all associated works at the Shaw Road/Wanneroo Road intersection, the construction of a roundabout at the intersection of Shaw Road and Keane Street together with traffic calming works within Shaw Road, Frederick Street and access ways at the rear of the two Business zones adjacent to Wanneroo Road, the erection of speed control signs on Shaw Road, construction of car parking areas and drop off areas for the new primary school and negotiations to close the McDonalds exit only point onto Shaw Road.
3. Seek a letter of undertaking from the relevant landowners stating that they will enter into formal negotiations with the City over funding for the above works;
4. Inform the landowners that if the necessary funding for the above traffic management works cannot be obtained by Council, then it may not be possible for any or all of the necessary works to be undertaken.

The various modifications were made to the structure plan documentation, which was then forwarded to the WAPC for adoption under Clause 9.6 of District Planning Scheme No.2 (DPS2) in August 2003.

The City also subsequently received letters of undertaking from the Department of Education and Training (DET) and Suburban Properties, the other affected landowner, undertaking to enter into negotiations with the City in respect to the various traffic management works.

In January 2004, the WAPC advised the City that it had agreed to adopt the structure plan amendment, subject to various minor changes being made. The requested changes were made to the structure plan and the document was resubmitted to the WAPC in March 2004 for its certification.

An application for approval to commence development of the new Wanneroo Primary School was received by the City in mid-December 2003. The City advised the WAPC, as the determining authority for the application, on 24 February 2004 that it did not support the application due to various design matters that had not been satisfactorily addressed. The City also provided the WAPC with a series of conditions that should be imposed in the event that it resolved to approve the application. These included the conditions relating to the various traffic management works outlined above. The application was approved by the WAPC in May 2004. Following objection to several of the City's recommended conditions by the DET, the WAPC approval did not include a requirement for any traffic management works other than the DET meeting the cost of 40kph signage on Shaw Road and contributing 50% of the cost of a roundabout and associated kerb modifications at the intersection of Shaw Road and Keane Street, up to a maximum contribution of \$20,000.

Construction of the new primary school is now nearing completion.

## **Detail**

In September 2004, the WAPC resolved to finally adopt Amendment No. 1 to the Wanneroo Town Centre Agreed Structure Plan, however in doing so required further modifications to its original January 2004 decision. The modifications can be summarised as follows:

1. To delete the requirement for a public access laneway from the old Wanneroo Primary School site.
2. To revise the requirements for traffic management works and in particular propose a contribution arrangement for the costs of the works.
3. To allocate certain traffic management works to the new consolidated primary school site (north of Shaw Road) and to the old Wanneroo Primary School site (south of Shaw Road).

The full detail of the modifications requested by the WAPC is included as **Attachment 2** to this report.

## **Consultation**

This structure plan amendment was subject to a public advertising period of 42 days, closing on 4 June 2003.

A total of 15 submissions were received, arguing both for and against the proposal. A petition of 122 signatures was also tabled at Council's meeting on 1 July 2003 (refer Item PT01-07/03), objecting to the opening of Shaw Road.

## **Comment**

Comments on each of the modifications requested by the WAPC are outlined below:

### ***Deletion of Provision requiring a Public Access Laneway to the Old School site***

This modification relates to deleting proposed clause 6.3(f) from the structure plan. The clause required the provision of a public access laneway along the rear of the Business zone proposed over the old Wanneroo Primary School site in order to promote vehicular, bicycle and pedestrian access between Shaw Road and Hastings Street.

Given that a 'Mixed Use' zone, originally proposed by this amendment (between the Business zone fronting Wanneroo Road and the Residential zone to the west) has now been deleted and that a public access easement is proposed to replace this provision (discussed later in the Comment section of this report), there is no objection raised to this modification.

### ***Revised Traffic Management Arrangements***

This modification seeks to retain the requirement to open the Shaw Road/Wanneroo intersection and the majority of the traffic management works identified by the City. The major omission being the inclusion of a requirement for modifications to the Hastings Street/Wanneroo Road intersection. The WAPC has however required the inclusion of contribution arrangement involving the City and adjacent landowners to fund the opening of the Shaw Road intersection and other associated road works. The contributions as recommended by the WAPC are to be provided in the following proportions:

- 25% of total cost (to a maximum \$87,500) from the owners of Lots 1, 2, 70 (Westpac Bank, Pharmacy and Shell sites) and Lot 145 Wanneroo Road (CALM site);
- 25% of total cost (to a maximum \$87,500) from the owner of Lot 121 Wanneroo Road (former Wanneroo Primary School site);
- 50% of total cost from the City (with no specified maximum cost).

It is considered that this arrangement is flawed, as it is inequitable and prejudices a number of landowners whose businesses will not contribute significantly to the intersection traffic. The costings used by the WAPC for contribution arrangement are also out of date, do not consider escalation in construction costs, are not based on detailed design and exclude land resumption requirements. The model used by the WAPC is therefore considered highly inappropriate in the circumstances.

When originally considering the structure plan amendment the City considered the several options suggested in the proponents traffic study as well as additional alternatives in order to accommodate the traffic that would be generated by the new school. The preferred arrangement at that time included the opening of the Shaw Road intersection with Wanneroo Road, so long as this was supported by traffic management measures within Shaw Road. On the basis of the information available at that time, this was considered the option that would provide the most appropriate net benefit.

Since the original decision was made, additional broader traffic assessment of the Wanneroo Town Centre has been undertaken by both traffic consultants on behalf of the City and also the City's Infrastructure Directorate. This assessment indicates that the connection of Shaw Road to Wanneroo Road is not essential to accommodate the traffic movements in the town centre, given the availability of alternative connections from the west side of Wanneroo Road and the relatively low traffic volumes on these roads. Furthermore, when factoring in additional future traffic from the shopping centre as well as major civic and other proposed developments in the town centre, the assessment indicates that the opening of the intersection would result in delays and reduced capacity at the intersection.

At the time of the original decision, design options for the intersection works had also not been fully considered. Three design scenarios have now been assessed for the opening of the intersection. This assessment concludes that the opening of the intersection will be difficult to achieve in a design sense, costly and will adversely impact on the pedestrian priority objectives of the Town Centre Structure Plan.

In light of the further broader assessment that has been undertaken since the time that Council considered this matter, it is recommended that the City now not pursue the opening of the Shaw Road/Wanneroo Road intersection. Accordingly, the structure plan should not be modified as per this aspect of the WAPC's request, but rather amended to delete reference to proposed clause 6.3(j).

#### ***Allocation of certain traffic management works***

These modifications require additional clauses to be included in the structure plan being:

1. Clause 6.3(k) which requires:

- a) Negotiations to be undertaken with the owners of the McDonalds site regarding the closure of the exit only access to Shaw Road.

This requirement was initially included by the City as part of clause 6.3 (j), however if the Shaw Road intersection works are now not to proceed then this requirement is no longer necessary.

- b) A public access easement along the rear of the Business zone proposed over the old Wanneroo Primary School site in order to promote vehicular, bicycle and pedestrian access between Shaw Road and Hastings Street.

This is considered an acceptable alternative to the laneway required by the City and therefore no objection is raised to this modification, subject to a minor wording change to delete reference to the reopened Shaw Road. As the rest of the new clause required by the WAPC is not supported however, the requirement should be included as a separate clause to replace the present wording of clause 6.3(f).

2. Clause 6.3(l) which requires the following conditions to be fulfilled as part of the development of the new primary school:

- a) A roundabout and associated traffic calming at the intersection of Shaw Road and Keane Street.

This was a requirement originally imposed by the City as part of clause 6.3(j). The need for the roundabout mainly stemmed from a major school access way proposed opposite the intersection of Keane Street with Shaw Road which created a four way intersection. The roundabout would also provide a traffic calming function that was necessary given the additional traffic flow resulting from the then proposed opening of the Shaw Road/Wanneroo Road intersection. The development approval for the new primary school as issued by the WAPC in May 2004 required the DET to contribute 50% of the cost of a roundabout and associated kerb modifications at the intersection of Shaw Road and Keane Street up to a maximum of \$20 000. As the roundabout was estimated to cost in the order of \$80 000 and no money had been budgeted by the City for this, the design was modified to stagger the school access point away from the Keane Street intersection. Given this and the recommendation to now not connect Shaw Road with Wanneroo Road, the roundabout will now be less likely to be required at this intersection. The clause requested by the WAPC is therefore not appropriate, although given that the condition of development approval for the primary school requires a contribution for this, an undertaking should be sought from the Department of Education and Training to provide a 50% contribution to a future roundabout at the intersection should the need arise.

- b) 40kph signage on Shaw Road in the vicinity of the primary school.

This represents only a minor change to the wording requested by the City under 6.3(j) and a requirement for this has been included in the development approval for the new primary school. No objection is therefore raised to this modification in principle however, given that the rest of the new clause required by the WAPC is not supported, the requirement should be added to clause 6.3(g) of the structure plan.

## **Statutory Compliance**

This structure plan amendment has followed the procedures outlined in the City's District Planning Scheme No. 2.

## **Strategic Implications**

Consideration of this structure plan amendment is consistent with Goal 2 of the City's Strategic Plan, which seeks to foster an identity that promotes lifestyle choice and the provision of quality services and infrastructure. One of the Strategies of the Planning and Development Directorate Plan that arises from this Goal, is to provide for a cohesive system of integrated land use planning and to update and revise structure plans, policies and local laws.

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Voting Requirements**

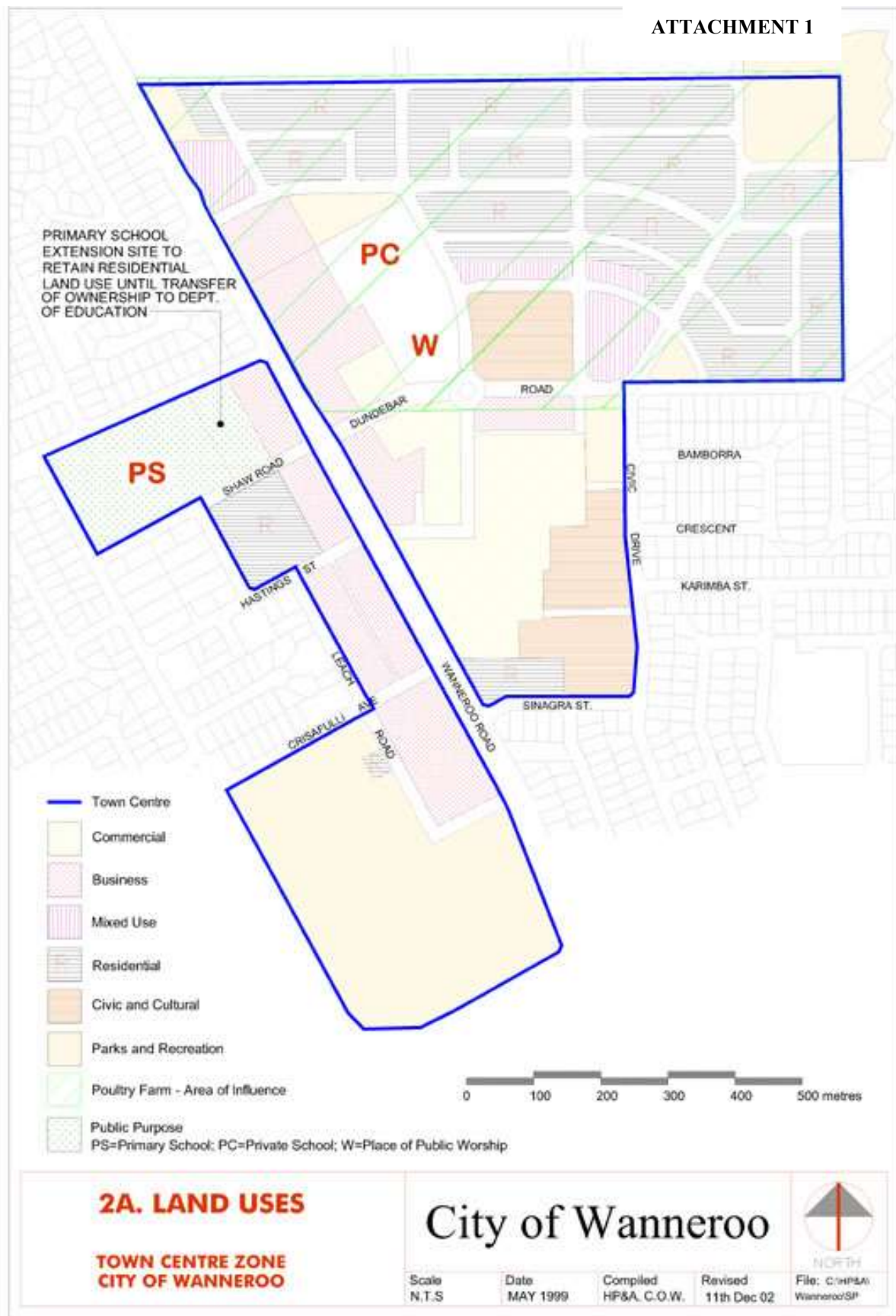
Simple Majority.

## **Recommendation**

**That Council:-**

- 1. Pursuant to Clauses 9.6 and 9.7 of District Planning Scheme No. 2 RESOLVES that Amendment No.1 to the Wanneroo Town Centre Agreed Structure Plan is satisfactory, subject to the following modifications being made to the Structure Plan text:**
  - a) Modifying Clause 6.3(f) to read “Provision of a public access easement over a Right of Way linking Hastings Street to Shaw Road, suitable for pedestrian and vehicular access, and servicing of the proposed businesses, along the western boundary of the business zone on Lot 121. The right of way shall be appropriately signposted and traffic calmed. This Right of Way will be secured by an ‘easement in gross’ pursuant to section 195 and 196 of the Land Administration Act.”**
  - b) Modifying Clause 6.3(g) by adding the sentence “40km/h signage shall be provided on Shaw Road in the vicinity of the new Primary School, as per appropriate standards.”**
  - c) Deletion of Clause 6.3 (j).**
- 2. Upon the structure plan documents being modified in accordance with point 1 above, SUBMITS three copies of the modified structure plan amendment documents to the Western Australian Planning Commission for its adoption and certification;**
- 3. Pursuant to Clause 9.6.5 of District Planning Scheme No. 2 ADOPTS, SIGNS and SEALS the amended structure plan documents once certified by the Western Australian Planning Commission;**
- 4. ADVISES the Western Australian Planning Commission that in view of further assessment of the impact of the opening of the Shaw Road/Wanneroo Road intersection and the terms and conditions imposed on Commission’s Approval to Commence Development of the new primary school, the City no longer wishes to pursue the opening of this intersection and therefore has made the appropriate adjustments to the structure plan;**
- 5. SEEKS a letter of undertaking from the Department of Education and Training for a 50% contribution toward the cost of a roundabout at the intersection of Shaw Road and Keane Street together with association kerb modifications, should the City determine that this is required on traffic management grounds in the future.**

## ATTACHMENT 1



## ATTACHMENT 2

## Page 1 of 2

**SCHEDULE OF MODIFICATIONS****Wanneroo Town Centre Structure Plan****Part One - Statutory Provisions**

- (i) Section 6.3 (f) - Delete the paragraph relating to the 'Public Access Laneway'.
- (ii) Section 6.3 (j) - Delete the section and replace with the following text:

*"6.3(j) The opening of the Shaw/Wanneroo Road intersection needs to be undertaken in order to improve traffic flows and permeability in the Wanneroo Town Centre. Works required as part of the road opening include:*

- *Modification of traffic signals;*
- *Connection of road pavements;*
- *Movement of servicing located within or near the intersection;*
- *and*
- *Provision of additional traffic calming/management devices.*

*The funding of these works shall be provided via a partnership between the City of Wanneroo and developers/subdividers of business/commercial land surrounding the intersection. Contributions relating to the works required for the opening of Shaw Road will be determined on the following basis:*

- *50% of total cost from the City of Wanneroo.*
- *25% of total cost (to a maximum of \$87,500) from 'Business' and 'Commercial' zoned land on the eastern side of the intersection of Wanneroo and Shaw Roads. ( Lots 145, 70, 1 and 2 Wanneroo Road)*
- *25% of total cost (to a maximum of \$87,500) from the owners of Lot 121 Wanneroo Road.*

*The Western Australian Planning Commission will require the contribution as a condition of any subdivision or development approval for the lots mentioned above. The exact contribution required (up to the maximum specified) will be subject to negotiation with the City of Wanneroo. Should a decision be taken not to open Shaw Road, any monies paid shall be returned to the relevant contributor."*

- (iii) Add the following section to Section 6.3:

*6.3 (k) The following tasks associated with the opening of Shaw Road need to be undertaken as conditions of development approval for Lot 121 (the former Wanneroo Primary School site). These conditions are to be fulfilled at the applicants expense, and to the satisfaction of the City (unless already conditions of other approvals).*

- (i) *Negotiations being undertaken with the City regarding the closure of the existing 'exit-only' point to Shaw Road from the McDonald's site; and*
- (ii) *Provision of a public access easement over a Right of Way linking Hastings Street to Shaw Road, suitable for pedestrian and vehicular access, and servicing of the proposed businesses, along the western boundary of the 'Business' zone on Lot 121. The Right of Way shall be appropriately signposted and traffic calmed in order to prevent conflict with the reopened Shaw Road. This Right of Way will be secured as an 'easement in gross' pursuant to section 195 and 196 of the Land Administration Act.*

**ATTACHMENT 2****Page 2 of 2**

6.3 (l) *The following tasks associated with the opening of Shaw Road need to be undertaken as conditions of development approval for Lot 22 (the proposed consolidated school site). These conditions are to be fulfilled at the applicants expense, and to the satisfaction of the City (unless already conditions of other approvals).*

- (i) *A roundabout and associated traffic calming being provided at the intersection of Shaw Road/Keane Street;*
- (ii) *40 km/h signage being provided on Shaw Road in the vicinity of the new Primary School, as per appropriate standards.*

## Sub-Division Applications

### PD03-07/05 Proposed Rural Subdivision - Lot 11 (59) Safari Place, Carabooda

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File Ref: SD127837V01  
 Responsible Officer: Director, Planning and Development  
 Disclosure of Interest: Nil  
 Attachment(s): 2

#### Issue

To consider a proposed rural subdivision of Lot 11 (59) Safari Place, Carabooda into two lots of 10.1893 hectares (ha) and 10.1335 ha.

<b>Applicant</b>	MGA Town Planners
<b>Owner</b>	Nassington Pty Ltd & T M Risborough
<b>Location</b>	Safari Place, Carabooda
<b>Site Area</b>	20.3228 hectares
<b>DPS 2 Zoning</b>	Rural Resource

#### Background

The Western Australian Planning Commission (WAPC) has referred the subject application to the City for its comments. The subject land is situated on the western side of Safari Place and is bordered by 20 hectare lots to the north and east of Safari Place, a 12 hectare lot and a 6 hectare lot to the south and Special Rural zoned lots between 2 and 8 hectares to the west (refer **Attachment 1**). The proposal is to subdivide the property into two lots of 10.1893 and 10.1335ha (refer **Attachment 2**).

Subdivision applications are generally assessed under the City's delegated authority to ensure a timely and efficient response. However, this application has been referred to Council for determination, as it requires special consideration of the City's Rural Subdivision Policy.

#### Detail

The subject lot has been substantially cleared and contains two houses and a number of sheds. The property has been used as a turf farm, market garden and rural industry (producing pelletised fertiliser for Yates Dynamic Lifter). Very little remnant vegetation has been retained on the site.

#### Consultation

Under the provisions of the Town Planning and Development Act 1928, as a referral agency, the City is required to make comments to the WAPC within a 42-day period. The Act does not make provision for public consultation on subdivision applications.

## Comment

The following matters are noted in regard to this application:

### Lot Sizes

Under the City's current Rural Subdivision Policy, the subject lot falls within an area where subdivision below 20 hectares should not be supported because it would tend to undermine the Rural Resource zone objectives of District Planning Scheme No.2 (DPS2). However, in special circumstances the policy provides that the City may consider lot sizes smaller than 20 hectares, to a minimum of eight hectares, provided the applicant could demonstrate that the proposed lot size does not undermine the objectives of the Rural Resource zone.

The objectives of Rural Resource zone are to protect intensive agriculture, horticultural and animal husbandry areas as well as key resource extraction areas from incompatible use or subdivision.

The applicant has provided justification for the proposed subdivision including:

- The site contains a number of rural activities including market garden, turf farm, rural industry and two dwellings. It should be noted that whilst there are two dwellings on the land, there is no deed to prevent the subdivision of the property.
- The applicant seeks to retain the turf farm and rural industry on the southern lot as they have both been proven profitable and viable agricultural industries. The sale will provide the owner of the land with more capital to invest in the existing turf farm and rural industry on the proposed southern lot.
- The proposed subdivision will result in the removal of the market garden from the northern lot to facilitate the expansion of Benara Nursery. Benara Nursery is an important industry in the area, particularly for local employment.
- There are a number of examples of smaller lots in close proximity to the subject site, particularly to the south of the subject land, which are smaller than the lots proposed in this application. Immediately to the west are smaller lots zoned Special Rural. These lots are generally 2 to 4 ha in area (except for an 8 ha lot) and were created through previous subdivisions.

Further to the above, there are a number of properties within the area that are 10 hectares or less in size. **Attachment 1** demonstrates this point.

The property has already been segregated between the uses with approximately 10 hectares (northern portion) being used for a market garden. The southern portion of the property is used for a turf farm and a large shed located on the southern boundary is used for the rural industry. The proposed subdivision will result in the market garden being removed, however it will not impact on the continued operation of the turf farm and rural industry.

Benara Nursery, located on the eastern side of Safari Place, particularly Lots 2, 3 and 4 Safari Place, have advised that its existing site has been developed to its capacity. Benara Nursery has also advised that given the growth in demand for plants the proposed subdivision will enable the nursery to expand to meet the demand. Benara Nursery is a significant and viable industry within the area and the expansion of the nursery will result in the employment of local people to add to its existing 82 employees currently on the site.

As the land will continue to be used for rural production, it is considered that the subdivision proposal would not undermine the objectives of the Rural Resource zone.

### **Water Allocation**

Water availability on Rural zoned properties is important for the viability of the rural land uses and ultimately to meet the objectives of the DPS2 for the Rural Resource zone.

The property currently contains a market garden, turf farm and rural industry. The Department of Environment (DOE) has informally advised the City that Lot 11 Safari Place is currently seeking renewal of their water license for 283,000 kilolitres (kl) per annum. The water allocation is dependant on the activity on the land and the DOE has verbally advised that generally a nursery requires approximately 18,000kl per hectare/annum of water and a turf farm requires approximately 16,000kl per hectare/annum of water.

The DOE further advised that no new applications for a water license would be considered and trading of water allocations between properties that are in close proximity to a sensitive environmental area would not be supported. However, the DOE would support the transferring of the water licences between owners due to the sale of the land. The contract of sale includes 170,000kl per annum of the water licence for the proposed nursery lot. The owner has verbally advised that the turf farm is approximately 7 ha of the proposed southern 10ha lot.

It should also be noted that the DOE has advised the Western Australian Planning Commission that it has no objection to the proposed subdivision.

Based on the above, it is considered that the proposed subdivision will not impact on the sustainability of the existing and proposed land uses, as there is adequate water available for these uses.

### **Limestone Resource Areas**

A small portion of the south-western corner of the property has been identified as an important limestone resource in accordance with Part 8 of the Subdivision of Rural Zoned Land Policy. It is considered the limestone resource area located on the lot is insignificant and unlikely to be viable to extract. Limestone extraction would be unlikely to be approved on the lot in any case, given the amenity impacts that it would cause on the adjoining special rural area.

### **East Wanneroo Land Use and Water Management Strategy (EWLUWMS)**

In 2002, the Hon Minister for Planning requested the preparation of the East Wanneroo Land Use and Water Management Strategy (EWLUWMS). The Strategy is to provide guidelines of existing and future development, subdivision, land use and zoning, private and public water allocation and groundwater source protection, the protection of significant rural agricultural lands for continuing agricultural production and the protection of significant environmental values in the East Wanneroo area.

To date a discussion paper on the EWLWMS has undergone a preliminary consultation period, wherein three land use scenario options were considered for the study area. The Department for Planning and Infrastructure is currently considering the submissions received and is finalising the land use option that will form the basis of a draft Strategy for community consultation. The City will be provided with an opportunity to consider the draft Strategy prior it being made available for community consultation. It is currently expected that community consultation on the draft Strategy will commence in the near future.

Until such time as the EWLWMS has been finalised, the recommendations of the City's Rural Subdivision Policy should be used when assessing subdivision applications in this locality.

### ***Conclusion***

The subdivision is considered to be consistent with the objectives of the Rural Resource zone, which seeks to enable the continued or expanded use of intensive agricultural, horticultural and animal husbandry areas as prescribed in the City's DPS2. Whilst the subdivision will result in the removal of the market garden on the proposed northern lot, the proposal will allow for the expansion of the Benara nursery, which is a significant industry and employer in the area. The rural industry and turf farm will be retained on the southern lot, which are also considered viable agriculture activities. The proposed subdivision is considered to be consistent with the special cases as described by Item 2 of the City's Subdivision of Rural Zoned Land Policy.

### **Statutory Compliance**

Under Section 24(2) of the Town Planning and Development Act 1928, the City is required to forward its comments to the WAPC within 42-days of receiving the referral. The application was received on 22 March 2005, however further advice was requested from the applicant to justify the proposed subdivision. To comply with the WAPC's 42-day referral period, the City has advised the WAPC of its request for additional justification for the proposed subdivision and requested the WAPC's deferral of the application pending the submission of the additional information by the applicant. This information has only recently been submitted to the City to allow its assessment of the application to be completed.

### **Strategic Implications**

Support for this proposal would be consistent with the Healthy Communities Goal of the City's Strategic Plan, which seeks to provide a cohesive system of integrated land use planning.

### **Policy Implications**

Under the City's current Rural Subdivision Policy, this lot falls within an area where subdivision below 20 hectares should not be supported because it would tend to undermine the Rural Resource zone objectives of DPS2. However, in special circumstances the policy provides that the City would consider lot sizes smaller than 20 hectares, to a minimum of 8 hectares, provided the applicant could demonstrate that the proposed lot size does not undermine the objectives of the Rural Resource zone.

**Financial Implications**

Nil

**Voting Requirements**

Simple Majority.

**Recommendation**

**That Council SUPPORTS the application submitted by MGA Town Planners for the Subdivision of Lot 11 (59) Safari Place, Carabooda as depicted on the plan dated 14 March 2005 (WAPC 127837) subject to all buildings and effluent disposal systems having the necessary clearance from the new lot boundaries as required by the City of Wanneroo District Planning Scheme No.2.**

**ATTACHMENT 1**

Lot 9  
21.29ha

3ha

Lot 7  
19.77ha

Lot 6  
20.74ha

Lot 5  
20.18ha

Lot 4  
20.18ha

Lot 3  
20.19ha

Lot 2  
20.21ha

Lot 10  
20.32ha

2.4ha

4ha

2ha

**SUBJECT LOT**

Lot 37  
6ha

Lot 1  
12ha

2ha

2ha

2ha

2.1ha

2ha

2ha

2ha

6ha

6.38ha

16.19ha

8.1ha

8.1ha

8.1ha

4.2ha

4ha

4ha

4ha

4.09ha

8.08ha

8.08ha

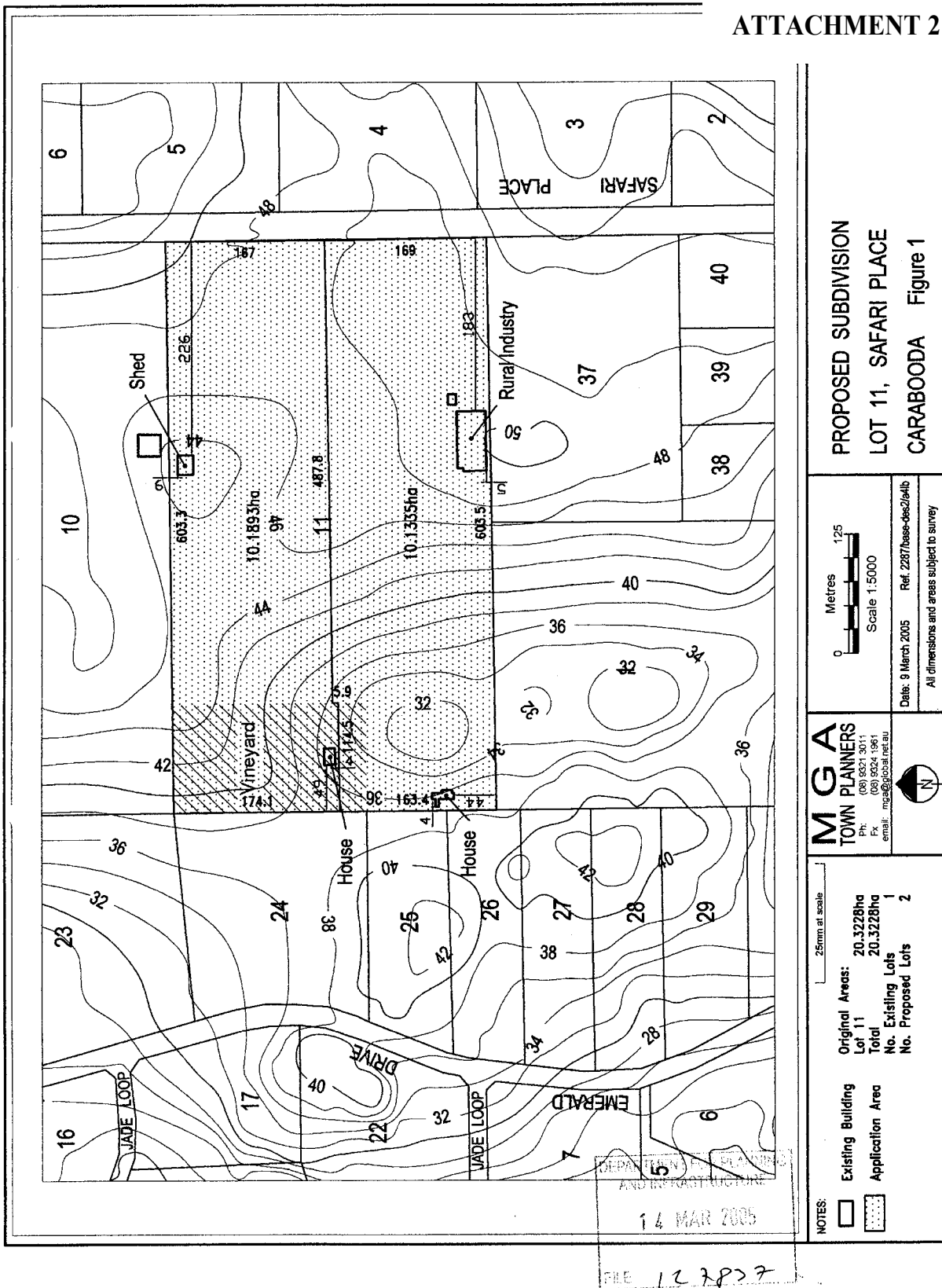
8.08ha

8.08ha

13ha

4ha

## ATTACHMENT 2



## Delegated Authority Reports

### PD04-07/05 Development Applications Determined By Delegated Authority For June 2005

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File Ref:	S09/0009v01
Responsible Officer:	Director, Planning and Development
Disclosure of Interest:	Nil
Attachments:	1

#### Issue

Development Applications determined by Development and Health Services between 1 June 2005 and 30 June 2005, acting under Delegated Authority from Council.

#### Background

Nil

#### Detail

The City of Wanneroo District Planning Scheme 2 (DPS2) provides Council with development approval powers which are designed to avoid conflict between different land uses on adjoining lots. It is also necessary to ensure the completed developments meet the required standards such as building setbacks, carparking and landscaping. Planning approvals are not generally required for single residential houses unless they seek to vary the requirements of the Residential Design Codes (RD Codes.)

The City of Wanneroo continues to experience very rapid growth pressures. Since the commencement of 2005, the City has received over 70 development applications on average per month in addition to an average of over 570 building licence applications.

Council has delegated some of its responsibilities for decision making on development applications to certain officers in Administration which enables the processing of applications within the required 60 day statutory period and within normal customer expectations.

The Administration, in assessing development proposals, attempts to extract from the relevant planning documents the key policies and requirements of Council in order to make comments and recommendations on the issues raised in the assessment of each individual development application.

Development applications determined by Development and Health Services between 1 June 2005 and 30 June 2005, acting under Delegated Authority from Council are included in the attached **Schedule 1**.

#### *Consultation*

Nil

## **Comment**

Nil

## **Statutory Compliance**

A Delegated Authority Register was adopted by Council at its meeting on 31 August 2004 (item CE06-08/04 refers). The decisions referred to in schedule 1 of this report are in accordance with this register.

## **Strategic Implications**

This report is consistent with the corporate management and development goal of the City's Strategic Plan, which seeks to establish an organisation that is open, accountable and committed to customer services.

## **Policy Implications**

Nil

## **Financial Implications**

Planning applications incur administration fees which are generally based on the Town Planning (Local Government Planning Fees) Regulations and have been adopted by Council in its annual budget. The estimated cost of development for each application is listed in schedule 1. Applications where an estimated cost has not been provided, are either applications for the exercising of discretion or for a change of use.

## **Voting Requirements**

Simple Majority.

## **Recommendation**

**That Council NOTES the determinations made by Development and Health Services acting under delegated authority from Council on development applications processed between 1 June 2005 and 30 June 2005.**

## Development Applications determined for Period

## City of Wanneroo

*WHERE (Issued\_date BETWEEN 01/06/2005 00:00:00 AND 30/06/2005*

*Note: Estimated cost not provided on applications for use only or where a flat fee is applicable*

<b>Ram Id</b>	<b>Date</b>	<b>Owners</b>	<b>Days</b>	<b>Est Cost</b>	<b>Decision</b>
DA05/0321	06/05/2005	ERIC TATASCIORE, GARY TATASCIORE, LUKE	23	\$680,000.00	Approved
<i>Prop address</i>	41 BARETTA ROAD WANGARA WA 6065				
<i>Land</i>	Lot 282 P 12576 Vol 1517 Fol 563				
<i>Description</i>	SHOWROOM/WAREHOUSE, FACTORY UNITS AND RETAINING WALLS				
<i>Applicants</i>	E TATASCIORE				
<i>File Number</i>	P33/0414V01				
DA05/0231	05/04/2005	RIVER WIND PTY LTD	52	\$0.00	Approved
<i>Prop address</i>	21 WARMAN STREET NEERABUP WA 6031				
<i>Land</i>	Lot 36 D 63844 Vol 1630 Fol 970				
<i>Description</i>	CHANGE OF USE FACTORY/WAREHOUSE TO SMASH REPAIRS STATION				
<i>Applicants</i>	UNIVERSAL PANEL & PAINT				
<i>File Number</i>	P23/0045V01				
DA05/0296	26/04/2005	CONGREGATION OF VIETNAMESE BUDDHISTS IN	16	\$4,027.00	Approved
<i>Prop address</i>	BUDDHIST CENTRE 19 BRADFORD PLACE MARANGAROO WA 6064				
<i>Land</i>	Lot 101 D 89810 Vol 2076 Fol 845				
<i>Description</i>	PLACE OF WORSHIP - 1 X SHED PLUS 3 X RETROSPECTIVE SHED ADDITIONS				
<i>Applicants</i>	NORTHWEST SHEDMASTERS PTY LTD				
<i>File Number</i>	P19/0406V01				
DA05/0331	09/05/2005	ZULKIFLI C ABDULLAH & ROHANI PAL	27	\$1,350.00	Approved
<i>Prop address</i>	24 TRIFUND COURT MERRIWA WA 6030				
<i>Land</i>	Lot 359 P 16531 Vol 1816 Fol 297				
<i>Description</i>	MAST AND ANTENNA - SATELLITE DISH - RETROSPECTIVE (3.0M DIAMETER)				
<i>Applicants</i>	ZC ABDULLAH				
<i>File Number</i>	P21/1138V01				
DA05/0301	28/04/2005	MITCHELL IPSEN & STEWART IPSEN	31	\$59,090.91	Approved
<i>Prop address</i>	208 GNANGARA ROAD LANDSDALE WA 6065				
<i>Land</i>	Lot 103 D 69665 Vol 1726 Fol 578				
<i>Description</i>	SALVAGE YARD - SHED ADDITION				
<i>Applicants</i>	M IPSEN				
<i>File Number</i>	P17/0570V01				
DA05/0164	10/03/2005	WILLIAM S OWEN & KATHLEEN OWEN	15	\$30,000.00	Refused
<i>Prop address</i>	7 FACEY ROAD GNANGARA WA 6065				
<i>Land</i>	Lot 12 P 8480 Vol 1328 Fol 765				
<i>Description</i>	SINGLE HOUSE - STABLES ADDITION				
<i>Applicants</i>	ACME DESIGN				
<i>File Number</i>	P13/0166V01				
DA05/0306	29/04/2005	JOSEPH P HEALY, MARY J HEALY, MICHAEL J	34	\$49,000.00	Approved
<i>Prop address</i>	SERVICE STATION 2624 WANNEROO ROAD NOWERGUP WA 6032				
<i>Land</i>	Lot 1 D 45509 Vol 1501 Fol 999				
<i>Description</i>	SERVICE STATION - SHED ADDITION				
<i>Applicants</i>	PA HEALY				
<i>File Number</i>	P24/0011V01				
DA05/0302	27/04/2005	MULLINGAR FARMS PTY LTD	38	\$50,000.00	Approved
<i>Prop address</i>	TURF FARM 59 SYDNEY ROAD GNANGARA WA 6065				
<i>Land</i>	Lot 1768 DP 115778 Vol 129 Fol 018A				
<i>Description</i>	INTENSIVE AGRICULTURE - MACHINERY SHED ADDITION				
<i>Applicants</i>	MUCHEA RURAL SHEDS				
<i>File Number</i>	P12/0233V01				

## Development Applications determined for Period

WHERE (Issued date BETWEEN 01/06/2005 00:00:00 AND 30/06/2005

Note: Estimated cost not provided on applications for use only or where a flat fee is applicable

## City of Wanneroo

<i>Ram Id</i>	<i>Date</i>	<i>Owners</i>	<i>Days</i>	<i>Est Cost</i>	<i>Decision</i>
DA04/0718	25/10/2004	THI N HUYNH & VAN T LE	106	\$250,000.00	Refused
<i>Prop address</i>	94 SAFARI PLACE CARABOODA WA 6033				
<i>Land</i>	Lot 6 D 41471 Vol 1865 Fol 927				
<i>Description</i>	GROUPED DWELLING - ADDITIONAL DWELLING (3rd)				
<i>Applicants</i>	D BATHURST				
<i>File Number</i>	P06/0071V01				
DA04/0795	19/11/2004	LAKE VISTA NOMINEES PTY LTD	27	\$6,580,000.00	Approved
<i>Prop address</i>	35 PINJAR ROAD SINAGRA WA 6065				
<i>Land</i>	Lot 18 D 41935 Vol 1356 Fol 390				
<i>Description</i>	GROUPED DWELLING - 65 DWELLINGS AND ASSOCIATED INFRASTRUCTURE				
<i>Applicants</i>	NU WEST PROPERTY SYSTEMS LTD				
<i>File Number</i>	P03/0003V01				
DA05/0262	13/04/2005	LAKELANDS COUNTRY CLUB INC	46	\$62,424.00	Approved
<i>Prop address</i>	LAKELANDS GOLF COURSE 120 CLUBHOUSE LANE GNANGARA WA 6065				
<i>Land</i>	Lot 72 D 95399				
<i>Description</i>	CARETAKER'S RESIDENCE - ADDITION TO GOLF COURSE & CLUB				
<i>Applicants</i>	MCGRATH HOMES				
<i>File Number</i>	P12/0092V01				
DA05/0266	14/04/2005	HOMESWEST RENTALS	50	\$5,800.00	Approved
<i>Prop address</i>	20 SHALFORD WAY GIRRAWHEEN WA 6064				
<i>Land</i>	Lot 439 P 10868				
<i>Description</i>	GROUPED DWELLING - CARPORT ADDITIONS TO UNITS 20A & B				
<i>Applicants</i>	AP NAUGHTIN				
<i>File Number</i>	P11/1326v01				
DA05/0338	13/05/2005	MARIA A FUENTES	28	\$6,500.00	Approved
<i>Prop address</i>	12C CASSERLEY AVENUE GIRRAWHEEN WA 6064				
<i>Land</i>	Lot 21 Vol 2072 Fol 621 S/P 29148				
<i>Description</i>	GROUPED DWELLING - BATHROOM ADDITION				
<i>Applicants</i>	MA FUENTES				
<i>File Number</i>	P11/1116V01				
DA05/0379	27/05/2005	NICULAE M SINGEORZAN	14	\$3,700.00	Approved
<i>Prop address</i>	JARRAH MEWS 15F CALVERT WAY GIRRAWHEEN WA 6064				
<i>Land</i>	Lot 9 Vol 2516 Fol 324 S/P 41547				
<i>Description</i>	GROUPED DWELLING - PATIO ADDITION (UNIT F)				
<i>Applicants</i>	SWAN PATIOS				
<i>File Number</i>	P11/0021V01				
DA05/0344	16/05/2005	TROY M ABBOTT	30	\$2,169.00	Approved
<i>Prop address</i>	TALLOW ROW 13A SHALFORD WAY GIRRAWHEEN WA 6064				
<i>Land</i>	Lot 14 Vol 2522 Fol 314 S/P 42046				
<i>Description</i>	GROUPED DWELLING - PATIO ADDITION TO UNIT 13A				
<i>Applicants</i>	FACTORY DIRECT				
<i>File Number</i>	P11/0124V01				
DA05/0300	28/04/2005	KYLE D HITCHEN & JAMIE C BOGOIAS	35	\$1,000.00	Approved
<i>Prop address</i>	NATIONAL BANK 12 CONLAN AVENUE WANNEROO WA 6065				
<i>Land</i>	Lot 64 P 11072 Vol 1502 Fol 319				
<i>Description</i>	CHANGE OF USE BANK TO MEDICAL CENTRE - 2 PRACTITIONERS				
<i>Applicants</i>	JC BOGOIAS				
<i>File Number</i>	P34/0281V01				

## Development Applications determined for Period

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## City of Wanneroo

<b>Ram Id</b>	<b>Date</b>	<b>Owners</b>	<b>Days</b>	<b>Est Cost</b>	<b>Decision</b>
DA05/0380	27/05/2005	NATIONAL LIFESTYLE VILLAGES	16	\$6,000.00	Approved
<i>Prop address</i>	AMALGAMATED 1140 WANNEROO ROAD ASHBY WA 6065				
<i>Land</i>	Part Lot 7 D 16981 Vol 1817 Fol 460				
<i>Description</i>	PARK HOME PARK - ENCLOSING OF EXISTING PATIO TO UNIT 381				
<i>Applicants</i>	R JENNINGS				
<i>File Number</i>	P03/0021V01				
DA05/0319	05/05/2005	LARED INVESTMENTS PTY LTD	23	\$1,200,000.00	Approved
<i>Prop address</i>	33 TRIUMPH AVENUE WANGARA WA 6065				
<i>Land</i>	Lot 43 P 17245 Vol 1860 Fol 504				
<i>Description</i>	GENERAL INDUSTRY - WAREHOUSE, WORKSHOPS AND INCIDENTAL OFFICE				
<i>Applicants</i>	VERUCA SALT PTY LTD				
<i>File Number</i>	P33/0159V01				
DA05/0378	27/05/2005	CHRISTOPHER G BURDEN & DIANNE J BURDEN	13	\$1,870.00	Approved
<i>Prop address</i>	BAY54 54/30 MANGANO PLACE WANNEROO WA 6065				
<i>Land</i>	Lot 54 Vol 1787 Fol 54 S/P 15622				
<i>Description</i>	PARK HOME PARK - PATIO TO SITE 54				
<i>Applicants</i>	QUALITY PATIOS & CARPORTS				
<i>File Number</i>	P34/0051V01				
DA05/0291	26/04/2005	SIEU L QUACH & RAYMOND WONG	23	\$40,000.00	Approved
<i>Prop address</i>	251 BADGERUP ROAD WANNEROO WA 6065				
<i>Land</i>	Lot 259 P 20358 Vol 2027 Fol 181				
<i>Description</i>	SINGLE HOUSE - SWIMMING POOL ADDITION				
<i>Applicants</i>	MATRIX POOLS				
<i>File Number</i>	P34/2317V01				
DA05/0431	16/06/2005	SIEU L QUACH & RAYMOND WONG	0	\$0.00	Approved
<i>Prop address</i>	251 BADGERUP ROAD WANNEROO WA 6065				
<i>Land</i>	Lot 259 P 20358 Vol 2027 Fol 181				
<i>Description</i>	SINGLE HOUSE - MODIFICATION OF BUILDING ENVELOPE				
<i>Applicants</i>	R WONG				
<i>File Number</i>	P34/2317V01				
DA05/0330	10/05/2005	MICHELLE P KILDAHL	24	\$320,000.00	Approved
<i>Prop address</i>	30 CLARECASTLE RETREAT MINDARIE WA 6030				
<i>Land</i>	Lot 35 D 87577 Vol 2056 Fol 484				
<i>Description</i>	GROUPED DWELLING - SECOND DWELLING				
<i>Applicants</i>	MP KILDAHL				
<i>File Number</i>	P22/0828V01				
DA05/0347	17/05/2005	CORNELIA MADER & URS M MADER	18	\$11,000.00	Approved
<i>Prop address</i>	6 SEMINARA PLACE MARIGINIUP WA 6065				
<i>Land</i>	Lot 2 D 86459 Vol 2095 Fol 443				
<i>Description</i>	SINGLE HOUSE - SWIMMING POOL ADDITION INCLUDING BUILDING ENVELOPE				
<i>Applicants</i>	C MADER				
<i>File Number</i>	P20/0128V01				
DA05/0325	04/05/2005	YANCHEP SUN CITY PTY LTD & CAPRICORN	25	\$60,000.00	Approved
<i>Prop address</i>	599 TWO ROCKS ROAD YANCHEP WA 6035				
<i>Land</i>	Lot 303 P 21926 Vol 2097 Fol 795				
<i>Description</i>	USE NOT LISTED - TEMPORARY LAND SALES OFFICE AND TEMPORARY 22 BAY				
<i>Applicants</i>	ROBERTS DAY GROUP				
<i>File Number</i>	P36/0256V01				

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DA05/0364	23/05/2005	BSD HOLDINGS PTY LTD	28	\$181,800.00	Approved
<i>Prop address</i>	67 FURNISS ROAD DARCH WA 6065				
<i>Land</i>	Lot 32 D 97580 Vol 2169 Fol 117				
<i>Description</i>	WAREHOUSE x 3				
<i>Applicants</i>	A D'AMELIO				
<i>File Number</i>	P09/0632V01				
DA05/0412	09/06/2005	AUSTRA HOLDINGS PTY LTD	11	\$227,272.73	Approved
<i>Prop address</i>	27 FURNISS ROAD DARCH WA 6065				
<i>Land</i>	Lot 22 D 97581 Vol 2169 Fol 125				
<i>Description</i>	WAREHOUSE WITH INCIDENTAL OFFICE				
<i>Applicants</i>	TREND DEVELOPMENTS				
<i>File Number</i>	P09/1092V01				
DA03/1138	18/12/2003	AUSTRALIAN PENSIONERS LEAGUE	304	\$1,600,000.00	Approved
<i>Prop address</i>	AMALGAMATED 25 SIDERNO RISE HOCKING WA 6065				
<i>Land</i>	Lot 168 D 97051 Vol 2173 Fol 398				
<i>Description</i>	GROUP DWELLINGS - 21 UNITS				
<i>Applicants</i>	AUSTRALIAN PENSIONERS LEAGUE				
<i>File Number</i>	P13/0525V01				
DA05/0126	24/02/2005	CLARKSON SHOPPING CENTRE PTY LTD	85	\$0.00	Approved
<i>Prop address</i>	OCEAN KEYS SHOPPING CENTRE 36 OCEAN KEYS BOULEVARD CLARKSON WA 6030				
<i>Land</i>	Lot 406 P 23838 Vol 2183 Fol 315				
<i>Description</i>	CHANGE OF USE SHOP TO BANK - BANKWEST INCLUDING SIGNAGE				
<i>Applicants</i>	SNEATH & KING				
<i>File Number</i>	P/0020V02				
DA05/0367	25/05/2005	WILLIAM L DUNN & SUSAN DUNN	26	\$3,880.00	Approved
<i>Prop address</i>	72 TURQUOISE LOOP BANKSIA GROVE WA 6031				
<i>Land</i>	Lot 77 P 24258 Vol 2196 Fol 079				
<i>Description</i>	SINGLE HOUSE - RETAINING WALL				
<i>Applicants</i>	CONWOOD RETAINING WALL				
<i>File Number</i>	P04/0352V01				
DA05/0109	16/02/2005	MASON J CLARK	46	\$40,000.00	Approved
<i>Prop address</i>	336 KAROBORUP ROAD CARABOODA WA 6033				
<i>Land</i>	Lot 29 P 23944 Vol 2203 Fol 746				
<i>Description</i>	ART GALLERY - WITH STUDIO				
<i>Applicants</i>	T ALLEN				
<i>File Number</i>	P060031V01				
DA05/0350	17/05/2005	GLEN P HANNAN & LYN D HANNAN	32	\$250,000.00	Approved
<i>Prop address</i>	19 EMERALD DRIVE CARABOODA WA 6033				
<i>Land</i>	Lot 4 DP 24938 Vol 2205 Fol 793				
<i>Description</i>	SINGLE HOUSE, SHED, SWIMMING POOL AND MODIFICATION OF BUILDING ENVELOPE				
<i>Applicants</i>	GP HANNAN, LD HANNAN				
<i>File Number</i>	P06/0061V01				
DA05/0388	31/05/2005	LAURELEA MIDDLETON & LEE FAGENCE	16	\$0.00	Approved
<i>Prop address</i>	80 EMERALD DRIVE CARABOODA WA 6033				
<i>Land</i>	Lot 26 DP 24939 Vol 2205 Fol 809				
<i>Description</i>	SINGLE HOUSE - MODIFICATION OF BUILDING ENVELOPE				
<i>Applicants</i>	L FAGENCE				
<i>File Number</i>	p06/0137v01				

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## City of Wanneroo

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DA05/0352	18/05/2005	JUDITH A SILVERLOCK	30	\$1,000.00	Approved
<i>Prop address</i>	63 GOLFVIEW PLACE GNANGARA WA 6065				
<i>Land</i>	Lot 211 DP 24895 Vol 2212 Fol 756				
<i>Description</i>	SINGLE HOUSE - RURAL SHED FOR TEMPORARY ACCOMMODATION				
<i>Applicants</i>	D JUDITH				
<i>File Number</i>	P12/0038V01				
DA05/0200	23/03/2005	JUDITH A SILVERLOCK	32	\$250,000.00	Approved
<i>Prop address</i>	63 GOLFVIEW PLACE GNANGARA WA 6065				
<i>Land</i>	Lot 211 DP 24895 Vol 2212 Fol 756				
<i>Description</i>	SINGLE HOUSE/ALTERATIONS TO EXISTING SHEDS/ WATER TANKS/ RETAINING				
<i>Applicants</i>	JA SILVERLOCK				
<i>File Number</i>	P12/0038V01				
DA03/0757	01/08/2003	GAIL S RASMUSSEN & STEVEN P RASMUSSEN	494	\$116,000.00	Approved
<i>Prop address</i>	143 GIBBS ROAD NOWERGUP WA 6032				
<i>Land</i>	Lot 56 DP 29109 Vol 2515 Fol 711				
<i>Description</i>	RETROSPECTIVE APPROVAL -SINGLE HOUSE - RURAL ZONE				
<i>Applicants</i>	SP RASMUSSEN, GS RASMUSSEN				
<i>File Number</i>	P24/0017V01				
DA05/0217	29/03/2005	AUTOMOTIVE HOLDINGS GROUP PTY LTD	39	\$2,500,000.00	Approved
<i>Prop address</i>	6 AUTOMOTIVE DRIVE WANGARA WA 6065				
<i>Land</i>	Lot 301 DP 28518				
<i>Description</i>	VEHICLE SALES/HIRE PREMISES - NISSAN DEALERSHIP				
<i>Applicants</i>	BRUCE MCLEAN ARCHITECTS				
<i>File Number</i>	P33/0417V01				
DA05/0323	06/05/2005	LENORI PTY LTD	29	\$800,000.00	Approved
<i>Prop address</i>	95 EXCELLENCE DRIVE WANGARA WA 6065				
<i>Land</i>	Lot 264 DP 34905 Vol 2529 Fol 392				
<i>Description</i>	WAREHOUSE AND INCIDENTAL OFFICE				
<i>Applicants</i>	M TADDEI				
<i>File Number</i>	P33/0354V01				
DA05/0258	12/04/2005	RAMORE PTY LTD & RHEA PTY LTD	47	\$0.00	Approved
<i>Prop address</i>	10 ADVANTAGE WAY WANGARA WA 6065				
<i>Land</i>	Lot 217 DP 35032 Vol 2533 Fol 913				
<i>Description</i>	CHANGE OF USE FROM SHOWROOM/ WAREHOUSE TO SHOWROOM/ MOTOR VEHICLE				
<i>Applicants</i>	TW SHEEN				
<i>File Number</i>	P33/0343V01				
DA05/0390	31/05/2005	CHRISTINE M LARDI	16	\$346,628.00	Approved
<i>Prop address</i>	134 HELLFIRE DRIVE DARCH WA 6065				
<i>Land</i>	Lot 979 DP 36884 Vol 2540 Fol 641				
<i>Description</i>	GROUPED DWELLING - 2 UNITS				
<i>Applicants</i>	DALE ALCOCK DEVELOPMENT SOLUTIONS				
<i>File Number</i>	P09/0568V01				
DA05/0303	29/04/2005	LANDCORP	19	\$550,000.00	Approved
<i>Prop address</i>	24 CALLAWAY STREET WANGARA WA 6065				
<i>Land</i>	Lot 9015 DP 38472 Vol 2547 Fol 277				
<i>Description</i>	WAREHOUSE AND INCIDENTAL OFFICE				
<i>Applicants</i>	VERUCA SALT PTY LTD				
<i>File Number</i>	P33/0410V01				

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## City of Wanneroo

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DA05/0354	18/05/2005	BRIGHTWATER CARE GROUP	25	\$3,450.00	Approved
<b>Prop address</b>	KINGSWAY COURT 11 VISCOUNT LOOP MADELEY WA 6065				
<b>Land</b>	Part Lot 103 Sec 23 DP 36095				
<b>Description</b>	RETIREMENT VILLAGE - PATIO ADDITION TO UNIT 23				
<b>Applicants</b>	PEARCY CONSTRUCTIONS				
<b>File Number</b>	P18/0925V01				
DA05/0365	24/05/2005	WEBB & BROWN-NEAVES PTY LTD	23	\$1,909,091.00	Approved
<b>Prop address</b>	12 CATALINA PLACE QUINNS ROCKS WA 6030				
<b>Land</b>	Lot 11 DP 38737 Vol 2557 Fol 874				
<b>Description</b>	GROUPED DWELLINGS - 9 UNITS				
<b>Applicants</b>	WEBB & BROWN-NEAVES PTY LTD				
<b>File Number</b>	p27/1732V01				
DA05/0426	15/06/2005	DAWN M ROUND & SCOTT F KEOGH	7	\$8,432.00	Approved
<b>Prop address</b>	177 HARVEST CIRCLE TWO ROCKS WA 6037				
<b>Land</b>	Lot 120 DP 39433 Vol 2559 Fol 440				
<b>Description</b>	SINGLE HOUSE - SHED ADDITION				
<b>Applicants</b>	POULTER INSTALLATIONS				
<b>File Number</b>	P32/0507V01				
DA05/0351	18/05/2005	GEOFFREY O'CONNOR & NARELLE J O'CONNOR	31	\$2,000.00	Approved
<b>Prop address</b>	20 CAPRI LEONE WAY SINAGRA WA 6065				
<b>Land</b>	Lot 278 DP 40112 Vol 2560 Fol 960				
<b>Description</b>	USE NOT LISTED - RETAINING WALL				
<b>Applicants</b>	G O'CONNOR				
<b>File Number</b>	P29/0077V01				
DA05/0372	26/05/2005	NANCY HOLL	14	\$3,100.00	Approved
<b>Prop address</b>	KALLISTA GARDENS 38/5 CALABRESE AVENUE WANNEROO WA 6065				
<b>Land</b>	Lot 38 Vol 2572 Fol 750 S/P 45330				
<b>Description</b>	RETIREMENT VILLAGE - PATIO TO UNIT 38				
<b>Applicants</b>	POULTER INSTALLATIONS				
<b>File Number</b>	P34/0315V01				
DA05/0346	13/05/2005	LORRAINE A CALLAGHAN & MARCUS J JORDAN	20	\$200,000.00	Approved
<b>Prop address</b>	35 WYATT ROAD HOCKING WA 6065				
<b>Land</b>	Lot 431 DP 42362 Vol 2575 Fol 401				
<b>Description</b>	GROUPED DWELLING - 2 UNITS				
<b>Applicants</b>	DANMAR HOMES				
<b>File Number</b>	P13/0893V01				
DA05/0370	26/05/2005	BRIGHTWATER CARE GROUP	14	\$3,855.00	Approved
<b>Prop address</b>	KINGSWAY COURT 22 BARON LOOP MADELEY WA 6065				
<b>Land</b>	Part Lot 103 Sec 141 DP 36095				
<b>Description</b>	RETIREMENT VILLAGE - PATIO TO U141				
<b>Applicants</b>	OUTDOORWORLD				
<b>File Number</b>	P18/0933V01				
DA05/0362	20/05/2005	BRIGHTWATER CARE GROUP	29	\$3,050.00	Approved
<b>Prop address</b>	KINGSWAY COURT 34 IMPERIAL CIRCUIT MADELEY WA 6065				
<b>Land</b>	Part Lot 103 Sec 167 DP 36095				
<b>Description</b>	RETIREMENT VILLAGE - PATIO ADDITION TO UNIT 167				
<b>Applicants</b>	THORN ROOFING CONTRACTORS				
<b>File Number</b>	P18/0927V01				

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DA05/0329	10/05/2005	BRUNO PULICH NOMINEE PTY LTD	26	\$136,363.00	Approved
<b>Prop address</b>	6 GRALLINA WAY TAPPING WA 6065				
<b>Land</b>	Lot 203 DP 41707 Vol 2578 Fol 120				
<b>Description</b>	DISPLAY HOME CENTRE - DISPLAY HOME				
<b>Applicants</b>	PETER STANNARD HOMES PTY LTD				
<b>File Number</b>	P31/0819V01				
DA05/0160.01	11/05/2005	JOHNNY A RUOCCHIO, LAURA J RUOCCHIO, VIENNA	17	\$250,000.00	Approved
<b>Prop address</b>	15 FLORIDA DRIVE LANDSDALE WA 6065				
<b>Land</b>	Lot 216 DP 42128 Vol 2577 Fol 645				
<b>Description</b>	GROUPED DWELLING - X 2 (TWO STOREYS)				
<b>Applicants</b>	JA RUOCCHIO				
<b>File Number</b>	P17/1036V01				
DA05/0343	16/05/2005	KINGSWAY AND FOXWOOD NOMINEES PTY LTD &	23	\$800,000.00	Approved
<b>Prop address</b>	25 EDISON RISE WANGARA WA 6065				
<b>Land</b>	Lot 1 DP 43073 Vol 2577 Fol 574				
<b>Description</b>	WAREHOUSE (4 UNITS) AND INCIDENTAL OFFICE				
<b>Applicants</b>	GAVIN CONSTRUCTION				
<b>File Number</b>	P33/0386V01				
DA05/0310	02/05/2005	LLEWELLYN JB D'SOUZA & CASSANDRA M D'SOUZA	17	\$193,838.00	Approved
<b>Prop address</b>	9 LAMONT LINK PEARSALL WA 6065				
<b>Land</b>	Lot 718 DP 43670 Vol 2581 Fol 575				
<b>Description</b>	GROUPED DWELLING - 2 UNITS				
<b>Applicants</b>	JWH GROUP (METRO STYLE)				
<b>File Number</b>	P25/0509V01				
DA05/0358	19/05/2005	HOTAY PTY LTD	20	\$328,136.00	Approved
<b>Prop address</b>	7 CULLEN RISE PEARSALL WA 6065				
<b>Land</b>	Lot 723 DP 43670 Vol 2581 Fol 580				
<b>Description</b>	GROUPED DWELLING - TWO 2-STOREY UNITS				
<b>Applicants</b>	JWH GROUP (IN-VOGUE)				
<b>File Number</b>	P25/0394V01				
DA05/0017	13/01/2005	JOHN S FOWLER & JANIS FOWLER	109	\$185,000.00	Approved
<b>Prop address</b>	21 LAMONT LINK PEARSALL WA 6065				
<b>Land</b>	Lot 730 DP 43670 Vol 2581 Fol 587				
<b>Description</b>	GROUPED DWELLING x 2 units				
<b>Applicants</b>	NORFOLK HOMES				
<b>File Number</b>	P25/0390V01				
DA05/0348	17/05/2005	THE HOMEBUYERS CENTRE PTY LTD	19	\$95,454.00	Approved
<b>Prop address</b>	63 MONET DRIVE ASHBY WA 6065				
<b>Land</b>	Lot 403 DP 43587 Vol 2583 Fol 786				
<b>Description</b>	DISPLAY HOME CENTRE - DISPLAY HOME				
<b>Applicants</b>	HOMEBUYERS CENTRE				
<b>File Number</b>	P03/0467V01				
DA05/0316	04/05/2005	THE HOMEBUYERS CENTRE PTY LTD	37	\$10,000.00	Approved
<b>Prop address</b>	63 MONET DRIVE ASHBY WA 6065				
<b>Land</b>	Lot 403 DP 43587 Vol 2583 Fol 786				
<b>Description</b>	DISPLAY HOME CENTRE - DISPLAY HOME SIGNAGE				
<b>Applicants</b>	THE HOMEBUYERS CENTRE PTY LTD				
<b>File Number</b>	P03/0467V01				

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DA05/0139	25/02/2005	SATTERLEY WANNEROO PTY LTD	76	\$20,000.00	Approved
<b>Prop address</b>	17 LAUTREC LOOP ASHBY WA 6065				
<b>Land</b>	Lot 9017 DP 43587				
<b>Description</b>	DISPLAY HOME CENTRE - 3 SITES INCLUDING BULK EARTHWORKS AND INCIDENTAL				
<b>Applicants</b>	CARDNO BSD PTY LTD				
<b>File Number</b>	SDS122911/s2dv01				
DA05/0399	07/06/2005	HOTAY PTY LTD	7	\$212,263.63	Approved
<b>Prop address</b>	10 SALITAGE LINK PEARSALL WA 6065				
<b>Land</b>	Lot 736 DP 43686 Vol 2584 Fol 912				
<b>Description</b>	GROUPED DWELLING - 2 UNITS				
<b>Applicants</b>	JWH GROUP (METRO STYLE)				
<b>File Number</b>	P25/0490V01				
DA05/0215	31/03/2005	HOMESWEST RENTALS	0	\$5,000,000.00	Approved
<b>Prop address</b>	SUBDIVIDED 650 CONNOLLY DRIVE CLARKSON WA 6030				
<b>Land</b>	Lot 9027 DP 44781				
<b>Description</b>	SHOP & MULTIPLE DWELLING - 3 SHOPS, 35 MULTIPLE DWELLINGS				
<b>Applicants</b>	CAMERON CHISHOLM & NICOL (WA) PTY LTD				
<b>File Number</b>	P08/1422V01				
DA05/0216	31/03/2005	HOMESWEST RENTALS	0	\$4,100,000.00	Approved
<b>Prop address</b>	SUBDIVIDED 650 CONNOLLY DRIVE CLARKSON WA 6030				
<b>Land</b>	Lot 9027 DP 44781				
<b>Description</b>	GROUPED DWELLING - 24 DWELLINGS				
<b>Applicants</b>	CAMERON CHISHOLM & NICOL (WA) PTY LTD				
<b>File Number</b>	P08/1422V01				
DA05/0224	01/04/2005	HOMESWEST RENTALS	54	\$4,900,000.00	Approved
<b>Prop address</b>	SUBDIVIDED 650 CONNOLLY DRIVE CLARKSON WA 6030				
<b>Land</b>	Lot 9027 DP 44781				
<b>Description</b>	GROUPED DWELLING - 9 TWO STOREY UNITS, 26 MULTIPLE UNITS				
<b>Applicants</b>	CAMERON CHISHOLM & NICOL (WA) PTY LTD				
<b>File Number</b>	P08/0789V01				
DA05/0225	01/04/2005	HOMESWEST RENTALS	64	\$3,100,000.00	Approved
<b>Prop address</b>	SUBDIVIDED 650 CONNOLLY DRIVE CLARKSON WA 6030				
<b>Land</b>	Lot 9027 DP 44781				
<b>Description</b>	MULTIPLE DWELLINGS & SHOP - 3 SHOPS & 21 UNITS				
<b>Applicants</b>	CAMERON CHISHOLM & NICOL (WA) PTY LTD				
<b>File Number</b>	P08/0789V01				
DA05/0368	25/05/2005	BRIGHTWATER CARE GROUP	15	\$2,679.00	Approved
<b>Prop address</b>	KINGSWAY COURT 11 BARON LOOP MADELEY WA 6065				
<b>Land</b>	Part Lot 103 Sec 125 DP 36095				
<b>Description</b>	RETIREMENT VILLAGE - PATIO ADDITION (UNIT 125)				
<b>Applicants</b>	PEARCEY CONSTRUCTIONS				
<b>File Number</b>	P18/0931V01				
DA05/0361	20/05/2005	BRIGHTWATER CARE GROUP	23	\$3,065.00	Approved
<b>Prop address</b>	KINGSWAY COURT 14 BARON LOOP MADELEY WA 6065				
<b>Land</b>	Part Lot 103 Sec 131 DP 36095				
<b>Description</b>	RETIREMENT VILLAGE - PATIO ADDITION TO UNIT 131				
<b>Applicants</b>	THORN ROOFING CONTRACTORS				
<b>File Number</b>	P18/0926V01				

## Development Applications determined for Period

## City of Wanneroo

*WHERE (Issued\_date BETWEEN 01/06/2005 00:00:00 AND 30/06/2005*

*Note: Estimated cost not provided on applications for use only or where a flat fee is applicable*

<i><b>Ram Id</b></i>	<i><b>Date</b></i>	<i><b>Owners</b></i>	<i><b>Days</b></i>	<i><b>Est Cost</b></i>	<i><b>Decision</b></i>
DA05/0369	26/05/2005	WAVERANGER PTY LTD	17	\$90,900.00	Approved
<i><b>Prop address</b></i>	3/39 INNOVATION CIRCUIT WANGARA WA 6065				
<i><b>Land</b></i>	Lot 3 Vol 2590 Fol 622 S/P 46610				
<i><b>Description</b></i>	CHANGE OF USE - SHOWROOM/WAREHOUSE TO RECREATION CENTRE (DANCE				
<i><b>Applicants</b></i>	CR BROOKS, MA BROOKS				
<i><b>File Number</b></i>	P33/0331V01				

## **Economic Development**

### **PD05-07/05 City of Wanneroo Response to Proposed Future Funding Structure for the Business Enterprise Centre Network of Western Australia**

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File Ref:	S36/0010V01
Responsible Officer:	Director, Planning and Development
Disclosure of Interest:	Nil
Attachments:	Nil

#### **Issue**

To consider the State Government announcement of the proposed future funding structure for the Business Enterprise Centre (BEC) Network of Western Australia.

#### **Background**

The City of Wanneroo believes strongly in the value that BEC's add to the small business start-ups and growing businesses. The City of Wanneroo, through Economic Development, has been working since early 2000 to secure the establishment of a Business Enterprise Centre (BEC) in Wanneroo.

City of Wanneroo research has shown a clear lack of small business services within Wanneroo within access to Wanneroo businesses. The City has responded to a number of calls for submission regarding future strategies for the Business Enterprise Centre Network of Western Australia, and has worked constantly with groups such as the Wanneroo Business Association to find a solution to the City of Wanneroo's lack of small business service dilemma.

In 2003, the Small Business Development Corporation undertook a BEC Review and issued a call for public comment from all interested parties and stakeholders. The City responded and the essence of the response is represented below.

In the July 30, 2003 submission to Dr. Tim Mazzarol, co-ordinating the BEC Review at that time, the City called for:

1. A new structure situated in Wanneroo to maximise spatial, financial and network efficiencies;
2. Recognition of the northern corridor small business demands within the next 25-30 years and delivering timely small business assistance and other services;
3. A service delivery point that is well recognised and easy to find that incorporates broader small business assistance, tourism support services and other services as demanded such as taxation assistance.

At the time, the City favoured:

“...A network that includes Major Service Hub’s incorporating satellite outreach points managed by business facilitators. We believe this model would apportion the resources of the BEC network most effectively and proportionately. The City of Wanneroo is of the opinion that the existing network of 10 BEC’s for the Perth metropolitan area does not adequately address the demand of the rapidly growing outer suburbs. The north western corridor of Wanneroo is grossly under serviced, and is likely to be increasingly under serviced as the development front continues. Rationalisation of some of the remaining BEC’s could produce economies of scale.

The City would like the BEC network to better integrate with the State agenda of providing an economic development map for the northwest corridor. This includes the recent commitment by the Department of Industry and Resources (DoIR) to focus on strategically planning the northwest sector of the Perth metropolitan area”.

The submission went on to include comment on the preferred proposed structure:

“...The structure of these should comprise an independent, but representative board that oversees the operational matters of the service hub, but that aligns closely with the other service hubs and the strategic direction of the Perth headquarters”.

## Detail

The City now has the opportunity to comment on the June 30, 2005 announcement by the Minister for Small Business, John D’Orazio stating that there will be a re-establishment of BEC’s within the State from early 2006. There is also the possibility of a name change to BEC’s to help re-brand the offering.

The proposed structure results in the delivery of the BEC service through 26 centres, 7 within the metropolitan area and 19 within regional Western Australia. Core funding to the Network will increase from \$2.28M to \$2.83M in the first full year of operation. In addition, the SBDC will distribute a further \$185,000 of capital funding to the network. Responsibility for a number of key functions currently undertaken by the SBDC’s BEC Support Unit will also be transferred to the network. Some of the key outcomes arising from the review (as quoted from the state government document), and addressed by the proposed future structure, are as follows:

- Reduction of infrastructure and administrative costs;
- Re-aligns facilitation capacity and resources to areas of existing and future high demand;
- More effectively integrates the BED service within zones;
- Increases the mobility of facilitation services throughout the network.

The proposed core operational funding to contracted BECs with specific reference to Perth metropolitan are as follows:

Metropolitan Zone	
Proposed Locations	Funding
Swan based in Midland	\$100,000

North West Metro	\$120,000
Belmont (TCF Enterprise)	\$90,000
Stirling	\$120,000
East Metro based in Gosnells Armadale	\$120,000
South Metro based in Rockingham	\$100,000
Coastal based in Fremantle	\$100,000
Total 7 BECs	\$750,000

- The BECs at Malaga and Stirling have agreed to merge and form one organisation that will service their area.
- The location of the North West Metro BEC, currently situated in Joondalup, will be subject to mutual agreement between the Cities of Wanneroo and Joondalup, and other key stakeholders, to ensure that the future needs of small businesses in the northern corridor are adequately addressed.
- The area currently serviced by the South East Metro BEC based in Welshpool will now be serviced through the BECs located in Midland and Gosnells/Armadale.
- The Belmont BEC will have an emphasis on the Textile, Clothing and Footwear industries, however, it will still provide the full range of BEC services to clients within the Belmont area.
- The Stirling BEC will take on a co-ordination role for the zone in the first year and will be allocated \$15,000 for this.

In preparing the report, the SBDC analysed all submissions received as part of the review, sourced information on small business activity and growth from local governments and utilised its own knowledge of the Network in determining a model which will ensure that the small business sector of Western Australia receives a consistent and effective service.

### ***Consultation***

The Wanneroo Business Association has recently endorsed these sentiments. This group welcomes the opportunity for the cities and respective business associations of Wanneroo and Joondalup to work together through a newly created management committee structure that may be set up as an independent incorporated association. The Wanneroo Business Association favours a model where the funding set aside by SBDC can be used to operate two offices within North West Metro, one being located in the City of Wanneroo at the Wanneroo Business Grow Centre, which is to be established.

### **Comment**

The formation of an independent, incorporated association will give a new BEC the best possible opportunity to succeed. Within this structure it is suggested that the membership consists of equal representation from the City of Wanneroo, the City of Joondalup, the Wanneroo Business Association, the Joondalup Business Association and a representative from Edith Cowan University.

If all parties can agree to a suitable management structure, and given sufficient funds set aside by the two local government authorities, two full-time facilitators with an administrative support can be employed. These can be located in two separate offices located in both the Cities of Wanneroo and Joondalup. This is the preferred option of Administration.

The Business Grow Centre in Wanneroo would provide an ideal location for one of these BEC services as it will become a hub of complimentary business attraction and support services. This includes commercial and industrial development, tourism development, training support and assistance, investment attraction and export assistance.

A major advantage of the new North West Metro Business Enterprise Centres will be their ability to constantly monitor areas of demand for small business assistance. The flexible structure will allow the offices to pre-empt and predict areas of future demand and resource for that demand appropriately. It is expected that different demand levels in different small business sectors will need greater assistance from time to time. The ability to service those demand spikes will require a flexible structure that is non-region specific. In this way, both Wanneroo and Joondalup have the potential to work together to ensure maximum efficiencies.

The NWM BEC's will be involved in supporting small business needs in the northwestern sector for the next 30 years. Small business growth will take the form of micro to large industrial developments and all in between. They will be an integral part of the growth strategies for a region demanding high employment-producing outcomes. There is no doubt that this type of small business support mechanism will significantly add to the overall competitiveness of Perth as a producer of high quality services and net exporter of goods, services and intellectual capital.

### **Statutory Compliance**

Nil

### **Strategic Implications**

The decision by the Small Business Development Corporation to support micro, small and medium businesses within the Wanneroo region needs to be acknowledged. This decision fits well with the types of initiatives endorsed by council in 2004, and contained within the City of Wanneroo Economic Development Strategy "Open For Business 2020".

The City of Wanneroo has recently received Federal Government funding support to open a "Wanneroo Business Grow" Centre, which will house the Wanneroo Business Association, promote tourism and commercial development opportunities, have SBDC outreach support services and offer job network opportunities through BJL Connecting Communities and the Department of Education and Training.

All of this activity directly relates to a number of actions within the ED Strategy, including but not limited to:

Action number	
4.2.1	ED Portfolio as a mechanism for investment attraction opportunities
4.2.2	Promotion of small business support services
4.2.3	Marketing of the City's business attraction services

4.2.4	Marketing the City as an investment destination
4.4.5	Working with land developers, business associations etc.
4.4.6	Consideration of new visions of urban design connecting communities
4.4.7	Networking investors across public/private opportunities
4.4.9	Offering greater local training and further education opportunities
4.4.10	Developing partnerships with other local governments
5.1.12-15	Encouraging broadband services and awareness
5.2.16	Commercial/Industrial opportunities in business parks – Wangara/Neerabup
5.2.17	Working closely with the WBA
5.2.18	Promotion of industrial/commercial areas through business relocation services
5.3.21/23	Support Wanneroo & regional farming activities – balance of planning urban/rural
5.3.27	Promote agricultural-tourism opportunities of the region
5.4.30-33	Provision of support to home-based businesses (facilitate mentoring/information/training/networking opportunities)
5.4.35	Develop a Wanneroo Brand & unique Wanneroo identity
5.5.41	Provide tourism-related links to support networks such as WBA & SBDC

## Policy Implications

Nil

## Financial Implications

In order for the proposed management committee to oversee two BEC-type operations from Wanneroo and Joondalup locations, a cash and in-kind contribution of approximately \$50,000 is required of the City of Wanneroo.

## Voting Requirements

Simple Majority.

## **Recommendation**

### **That Council:-**

- 1. SUPPORTS the restructure report for the Business Enterprise Centre Network released by the Small Business Development Corporation.**
- 2. NOTES that Administration will enter into discussions with the City of Joondalup to determine a suitable structure for a future North West Metro Enterprise Business Centre.**
- 3. WRITES to the Small Business Development Corporation to confirm its support for the Business Enterprise Centre restructure report.**

## Other Matters

### **PD06-07/05 Jindee Innovation Project Agreement between Westminster Estates, the Western Australian Planning Commission and the City of Wanneroo**

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File Ref:	SP/0068V01
Responsible Officer:	Director, Planning and Development
Disclosure of Interest:	Nil
Attachments:	Nil

## Issue

To consider entering into a Project Agreement with Westminster Estates and the Western Australian Planning Commission for the “Jindee Innovation Project”.

## Background

‘Jindee’ is the estate name for the land located at Lot 10 Marmion Avenue, Jindalee. Lot 10 comprises some 112 hectares of undeveloped land just north of the City’s coastal development front.

The land is zoned “Urban” under the Metropolitan Region Scheme (MRS) and predominantly “Urban Development” under District Planning Scheme No 2 (DPS2), indicating that the land is suitable for urban development subject to detailed planning. The adjacent foreshore is reserved for “Parks and Recreation” under the MRS and comprises a portion of Bush Forever Site No. 397.

A Structure Plan for Lot 10 was approved in 1994 and formed the basis for the rezoning of the property. The plan preceded the introduction of the Liveable Neighbourhoods Community Design Code and the other more recent concept of sustainability and could reasonably be described as a conventional subdivision design.

In 2001/02, a new structure plan was prepared which reflected the requirements of Liveable Neighbourhoods. While the structure plan significantly improved the proposed development for the land, the plan still did not fully utilise the unique topographic and environmental features of the site.

In 2001, United States based planning consultants Duany Plater-Zyberk (DPZ) were commissioned by the landowner to prepare a new plan for the site based on the Transect Model, Smart Code (a DPZ unified planning ordinance) and the principles of traditional neighbourhood design.

In November 2002, a charrette was convened to develop the plan for Jindee. The charrette process entailed extensive tours and comprehensive evaluation of the urban form of Rottnest, Fremantle, Cottesloe, Scarborough, Hillary’s, Mindarie and the original townsites of Quinns Rocks and Burns Beach. The process also included meetings with relevant Ministers and representatives of both the City and relevant government agencies.

The charrette workshops were attended by a diverse representation from the land and housing industry of Western Australia and resulted in three comprehensive design options over Lot 10, one of which was further developed in consultation with the City and government agencies. The charrette concluded with a presentation of the charrette outcomes to both the City's Elected Members and industry representatives.

In October 2004, a Jindee Implementation Workshop was convened by the Department of Planning and Infrastructure (DPI) in conjunction with the landowners and the City of Wanneroo. The aim of the workshop was to consider and develop a suitable regulatory framework to support the implementation of the proposal for Jindee. The design for the site was also the subject of discussions with the Department of Environment (DoE); the City and the DPI which further explored the acceptability for a planned land exchange between Lot 10 and the adjoining foreshore reserve. The planned 'like for like' exchange was proposed on the basis of a 'net environmental benefit' to the community by preserving portions of remnant vegetation within Lot 10 that were considered valuable by the DoE. The Implementation Workshop established an agreed regulatory framework to enable the project to proceed in a timely manner. It included consideration for the processing of an MRS Amendment to rationalise the zoning of the land planned to be exchanged, EPA referral requirements and District Planning Scheme/Structure Plan considerations.

## **Detail**

The vision for Jindee is to create a community lifestyle and village premised on close interaction with the surrounding beach and landscape. The implementation of this vision is planned to re-establish the link with the beach, creating urban beach experiences which will establish the Jindee Innovation Project as the dominant focus of lifestyle and entertainment for the local community, the wider district and the regional community. The approach is planned to mirror that taken in older coastal suburbs and is planned to set a new benchmark for land development for Western Australia.

The Innovation Project aims to create an integrated coastal community that demonstrates an alternative to the 'urban sprawl' prevalent along the Perth metropolitan coastline. The indicative Jindee master plan is based on the principles of traditional neighbourhood design which seek to create compact, walkable, mixed use neighbourhoods with an interconnected street network. The plan promotes pedestrian movement and seeks to reduce the dominance of the car. It emphasises the creation of a 'community', rather than a suburb, which respects, rather than destroys, the natural topography of the land. This focus on maintaining the natural topography and environmental features of the site is vastly different to the current general attitude to land development within Perth which involves considerable bulk earthworks and land re-contouring.

The proposed provisions for the implementation of Jindee will extend beyond the preparation of a structure plan and the creation of lots and will seek to include provisions relating to the built form within both the public and private realm to allow the vision for 'Jindee' to be achieved.

The successful implementation of the plan will require a clear direction for the WAPC, the City and the landowner. The Jindee Innovation Project Agreement provides this direction by addressing issues such as project goals, shared visions, land exchanges, valuation method, public works and project management all within the context of statutory town planning processes.

In essence, the Agreement provides that the parties will acknowledge the project vision and agree to pursue the project on merit, as a demonstration project to be tested through the statutory processes of MRS and DPS2 amendments, structure planning, subdivision and development applications. The Agreement does not purport to provide certainty in the outcome of these statutory processes; rather it sets a framework for the parties to work together to achieve the vision.

The Agreement provides for a framework of project meetings to develop and maintain strong lines of communication in implementing the project and for the allocation of a case manager with delegated authority as appropriate, to manage the approval processes through the City's planning system.

The Agreement also contains a framework for progressing the proposed land exchange. In essence, this is planned to involve an equal area exchange, with the extent and detailed location of land being determined through the MRS amendment process. The land is to be valued in accordance with a valuation brief agreed to by the WAPC (as the other landowner) which forms part of the agreement. In the event of a cost differential in the two pieces of land to be exchanged, the differential will be provided by way of the construction of various regional foreshore works, with any residual balance being paid to the WAPC.

Given the planned integrated nature of the coastal village adjacent to the foreshore reserve and the extent of rear car parking facilities proposed throughout the project area, the agreement also includes a provision for the car parking requirements to acknowledge the integration of uses and to credit on-street parking bays. This is a similar approach taken by the City in other mixed use areas, such as the Mindarie Marina precinct.

### ***Consultation***

The preparation of the draft Jindee plan has been developed through a charrette process involving a broad range of stakeholders.

The Project Agreement has been developed by the landowner in close consultation with representatives of both the Department for Planning and Infrastructure and the City.

The various statutory processes associated with the project, including the MRS and DPS2 amendments and the structure planning process will include future opportunities for the widespread consultation with the community, government agencies and other relevant stakeholders.

### **Comment**

The objectives behind the Jindee project are closely aligned to the principles contained within the City's Smart Growth Strategy and the objectives of the State Sustainability Strategy and Liveable Neighbourhoods Code. The landowner has agreed to implement this plan as a Smart Growth demonstration project and to work with the City to trial its new Smart Growth Assessment Tool.

In pursuing a highly innovative project such as that planned at Jindee, the landowner is exposed to a greater level of risk, including risk associated with both decision making outcomes and timeframes.

Whilst the agreement does not fetter the City's decision making processes, it endeavours to reduce this risk by providing direction in respect to key matters and a framework within which the parties can work together to achieve the agreed project vision. From the City's viewpoint, the agreement will improve the likelihood of a superior planning outcome and is therefore recommended for endorsement.

In the early 1990's as part of the original rezoning of the land for urban purposes, the landowner entered into an agreement with City to cede land for a community purpose site in a defined central location, adjacent to a planned neighbourhood centre. The location of the original planned community purpose site is no longer appropriate in the context of the new structure plan and current statutory structure planning provisions provide an adequate means to secure the provision of such land. The project agreement therefore provides for the earlier agreement to be superseded and for the withdrawal of the associated caveat. This is considered appropriate in this case.

For information, a full copy of the project agreement has been placed in the Elected Members reading room.

### **Statutory Compliance**

Nil

### **Strategic Implications**

The endorsement of the Jindee Innovation Project Agreement will support the implementation of key goals and strategies contained within the City's current Strategic Plan, including:

*"Goal One*

*Environmental Sustainability*

*To value, protect and enhance our natural environment in harmony with the growth and progress of our City.*

*Goal Two*

*Healthy Communities*

*To foster an identity that promotes lifestyle choice and the provision of quality services and infrastructure.*

*Goal Three*

*Economic Development*

*To maximise the opportunities for balanced economic growth and development within the City."*

The endorsement of the agreement will also support the implementation of the City's Smart Growth Strategy.

### **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Voting Requirements**

Simple Majority.

## **Recommendation**

**That Council:-**

- 1. ENDORSES the Jindee Innovation Project Agreement between Westminster Estates Pty Ltd, the Western Australian Planning Commission and the City of Wanneroo as prepared by Freehills in respect to Lot 10 Marmion Avenue, Jindalee and the adjoining foreshore reserve.**
- 2. AUTHORISES the signing of and the affixation of the City's common seal to the agreement documents.**
- 3. AGREES to withdraw the Caveat from the title of Lot 10 Marmion Avenue, Jindalee, which was lodged pursuant to the deed dated 2 September 1992 between the landowner and the City, upon execution of the Jindee Innovation Project Agreement.**
- 4. NOTES that the project agreement will not fetter its decision making in respect to the required Metropolitan Region Scheme and District Planning Scheme amendments and future structure planning applications and that these applications will be subject to wide spread consultation.**

## **Infrastructure**

### **Tenders**

#### **TS01-07/05 Tender No 05516 - The Provision of Building Services Consultancy**

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File Ref:	C05516
Responsible Officer:	Director, Technical Services
Disclosure of Interest:	Nil
Attachment(s):	1

### **Issue**

To consider Tender No. 05516 for The Provision of Building Services Consultancy for a Period of Three Years.

### **Background**

The economic provision of community services from City owned building assets depends upon the efficient and effective operation of their associated building services. These include:

- Heating, ventilation and air-conditioning services (HVAC);
- Mechanical plant and equipment including emergency generator sets;
- Fire services including prevention, detection and fighting;
- Emergency lighting and signage;
- Electrical services;
- Hydraulics; and
- Elevators

The City utilises the services of its day labour workforce and a range of contractors to provide maintenance and minor works services for its building assets. Specialist advice is however required to assist in the management of building services and superintending contracts, for the types of services outlined above. The range of professional knowledge, qualifications and experience required to give this advice is extensive and is only available by seeking the services of a suitably qualified and experienced Building Services Consultancy.

The objectives of the consultancy contract are to:

- Provide specialist building services advice to the City;
- Act as Superintendent for the City's various building services maintenance contracts;
- Oversee works to comply with statutory and legal responsibilities;
- Maintain and improve the levels of the systems and performance, reliability and availability;
- Develop and maintain maintenance record systems;
- Design and document minor building services installations;

- Energy management;
- Provide structural building advice; and
- Provide a single point of responsibility for building services maintenance.

Therefore the provision of building services consultancy for the maintenance and installation of mechanical, electrical and HVAC services for the City's 197 building infrastructure assets, has been addressed in the past by the awarding of term contracts.

Other local authorities who do not have the in-house specialist capabilities, also outsource these services under consultancy contracts. As part of this process the City awarded the following contract:

**Contract No W01198** – The Provision of Building Services Consultancy, Comprising Mechanical Services, HVAC Services, Fire Fighting Services and Electrical Services for a Period of Three Years commencing 1 August 2001.

Contract No W01198 contained a one year extension option clause. Subsequently in May 2004, the Chief Executive Officer under delegated authority approved the following recommendation:

*“That the Chief Executive Officer in accordance with Clause 35 – Extension of Contracts, of the Delegated Authority Register:*

*ACCEPTS the extension of Contract No W01198 from Lincolne Scott Australia Pty Ltd for the Provision of Building Services Consultancy, Comprising Mechanical Services, HVAC Services, Fire Fighting Services and Electrical Services for a further period of 12 months to 31 July 2005 under the same terms and conditions of the current contract.”*

As Contract No W01198 expires on 31 July 2005, the Provision of Building Services Consultancy for a Period of Three Years was advertised for tender.

## Detail

Tender No 05516 was advertised on 14 May 2005 and closed on Tuesday 7 June 2005.

**Essential details of the new contract are shown in the following table:**

<b>Contract Type</b>	Fixed Sum and Schedule of Rates
<b>Contract Duration</b>	Three years with the option of a further extension of one year
<b>Commencement Date</b>	1 August 2005
<b>Expiry Date</b>	31 July 2008
<b>Extension Permitted</b>	Yes – 12 months to 30 June 2009
<b>Rise and Fall Included</b>	No

Tenders were received from the companies listed as follows:

- Lincolne Scott Australia Pty Ltd
- GHD Pty Ltd
- BEST Consultants Pty Ltd

The tender submission received from BEST Consultants Pty Ltd was not complete, as only prices for items 1, 2, 22A, 22B and 22C in relation to electrical consultancy were submitted and was therefore deemed to be non compliant. Therefore only the tender submissions from Lincolne Scott Australia Pty Ltd and GHD Pty Ltd were evaluated.

**Attachment 1** details the items included in the tender documents.

### **Tender Evaluation**

The Tender Evaluation Team, comprising the City's Manager Infrastructure Maintenance and Building Officer has evaluated the tender submissions in accordance with the following assessment criteria as detailed in the tender document:

- Price for the Services offered;
- Tenderer's resources - Qualifications and relevant experience of the Tenderers key personnel;
- Tenderer's previous experience in carrying out similar services or projects;
- Tenderer's quality assurance system.

The Tender Evaluation Team scored each tender against the established criteria and reported as follows:

#### **1. Price for the Services offered**

This was assessed on the prices submitted over the three year period based on 'once off' fixed sum items in the first year of the contract and on the fixed sum and hourly rate price schedules submitted by each tenderer.

The estimated contract value over the three year period was therefore calculated as follows:

- The fixed sum tender price submitted by each tenderer for 'once off' data input, audit and specification preparation works in the first year;
- Annual fixed sum costs for superintending the Mechanical and HVAC, Lift and Fire Detection and Fighting maintenance contracts for the three year period; and
- Estimated percentage of requirements for the three year period, for the services that were listed in the tender documentation and based on the tenderers hourly rates, structural and energy Audit rates.

It should also be noted that Lincolne Scott Australia Pty Ltd will charge a 10% mark up on the engagement of hydraulic and structural sub-consultants, which has been included in the estimates. GHD Pty Ltd has all required disciplines in-house.

### **Overall Price Ranking**

The overall pricing criterion represents 60% of the total score, which includes the Fixed Sum Costs plus the total estimated costs over the three year contract. This resulted in the following ranking:

<b>Rank</b>	<b>Tenderer</b>	<b>Estimated Overall Cost</b>
1	GHD Pty Ltd	\$393,700
2	Lincolne Scott Australia Pty Ltd	\$404,142

## 2. Tenderer's Resources

Assessment of this criterion considered resources currently available to the tenderer to fulfil the contract. This includes the number of key personnel for each discipline, qualifications/training and experience of key members that the tenderers have allocated to the works.

The following is a summary of key personnel who have the associated qualifications and experience in the appropriate discipline and allocated to the works by each tenderer:

<b>Discipline</b>	<b>Number of Staff GHD Pty Ltd</b>	<b>Number of staff Lincolne Scott Australia Pty Ltd</b>
Project Manager/Director and/or Team Leader	1	2
Mechanical	3*	1
Electrical	5*	2*
Fire	5*	1
Lift/Elevators	3*	1
Energy	3*	Not identified
Hydraulic	3	Sub-consultant
Structural	3	Sub-consultant

*\* Some team members are listed under multiple disciplines.*

The GHD Pty Ltd tender submission demonstrated that it had more depth of in-house personnel support in each discipline.

This criterion represents 15% of the total score and resulted in the following ranking:

<b>Rank</b>	<b>Tenderer</b>
1	GHD Pty Ltd
2	Lincolne Scott Australia Pty Ltd

## 3. Tenderer's Previous Experience in Carrying out Similar Services or Projects

The tenders were assessed on the tenderers experience with previous contracts completed of a similar size and nature, and references from satisfied clients who were willing to support the tenderer.

The two tenderers provided comprehensive tender submissions and have demonstrated experience in providing services of a similar size and nature. Lincolne Scott Australia Pty Ltd was scored higher due to the fact that it is the City's current building services consultant and has provided a satisfactory service to the City during the contract period.

The servicing and maintenance references listed in GHD Pty Ltd's tender submission were contacted and stated that they were more than satisfied with GHD Pty Ltd's performance.

This criterion represents 20% of the total score and resulted in the following ranking:

Rank	Tenderer
1	Lincolne Scott Australia Pty Ltd
2	GHD Pty Ltd

#### **4. Tenderer's Quality Assurance System.**

Both tenderers are quality endorsed companies, operating in accordance with AS/NZ ISO 9001:2000.

This criterion represents 5% of the total score and resulted in the following ranking:

Rank	Tenderer
1	GHD Pty Ltd
1	Lincolne Scott Australia Pty Ltd

### **Comment**

Based on the overall ranking of tenders, it is recommended that the tender from GHD Pty Ltd for the Provision of Building Services Consultancy for a Period of Three Years be accepted, as they provide the best overall value to the City.

### **Statutory Compliance**

Tenders were invited in accordance with the requirements of section 3.57 of the Local Government Act. The tendering procedures and evaluation complied with the requirements of Part 4 of the Local Government (Functions and General) Regulations 1996.

The Manager Contracts and Property has reviewed the tender selection process for fairness and compliance and is satisfied with the evaluation process and result.

### **Strategic Implications**

The provision of building services consultancy, comprising mechanical, HVAC, fire detection and fighting, hydraulics, electrical services and structural audits to infrastructure assets is consistent with the following City of Wanneroo Strategic plan (2002-2005) goals and strategies:

*Healthy Communities*

*2.4 Support safe and secure communities*

*2.6 Provide and manage infrastructure to meet the needs of the community*

### **Policy Implications**

Nil

## **Financial Implications**

The expenditure associated with building services consultancy for City building assets is an operational cost, which is accommodated in the Building Maintenance budget each financial year.

The estimated cost for 2005/2006 is \$122,980, an increase of 26% on the 2004/2005 expenditure, which reflects the addition of hydraulic, electrical and structural consultancy services to the contract. These services were not included in previous tender documentation.

## **Voting Requirements**

Simple Majority

## **Recommendation**

**That Council ACCEPTS Tender No 05516 from GHD Pty Ltd for the Provision of Building Services Consultancy as per the fixed sums, schedule of rates and general conditions of tendering, for a period of three years from 1 August 2005 to 31 July 2008, with an option to extend the contract for a further 12 months to 31 July 2009 at the Council's discretion.**

**ATTACHMENT 1**

<b>Mechanical and HVAC Services</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
1	Fixed Sum	Review of the City's data bases
2	Fixed Sum	Update all data in City's data base
3	Fixed %	Percentage mark up on the engagement of sub-consultants
4	Fixed Sum	Superintending the Mechanical and HVAC maintenance contract
5	Hourly Rate	Senior Engineer, Engineer and Drafting services
6	Fixed Sum	Preparation of Mechanical and HVAC maintenance tender
7	Fixed Sum	Remote building management system monitoring

<b>Elevator Services</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
8	Fixed Sum	Superintending lift maintenance contract
9	Hourly Rate	Senior Engineer and Engineer
10	Fixed Sum	Preparation of lift maintenance tender

<b>Fire Detection and Fire Fighting Equipment Services</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
11	Fixed Sum	Superintending fire detection and fighting equipment maintenance contract
12	Hourly Rate	Senior Engineer and Engineer
13	Fixed Sum	Preparation of fire detection and fighting equipment maintenance tender

<b>Energy Management</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
14	Fixed Sum	Audits (desktop)
15	Hourly Rate	Audits (walk through)
16	Fixed Sum	Audits (square meter rate)

<b>Hydraulic Services</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
17	Hourly Rate	Senior Engineer, Engineer and Drafting services
18	Fixed Sum	Preparation of plumbing specifications
19	Fixed Sum	Preparation of hydraulic specifications
20	Fixed Sum	Preparation of hydraulic audits
21	Fixed Sum	Preparation of sewer maintenance specifications

<b>Electrical Consultancy Services</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
22	Hourly Rate	Senior Engineer, Engineer and Drafting services
23	Fixed Sum	Preparation of electrical specifications
24	Fixed Sum	Electrical services audits

<b>Structural Services</b>		
<b>Item</b>	<b>Price Type</b>	<b>Description</b>
25	Hourly Rate	Senior Engineer, Engineer and Drafting services
26	Fixed Sum	Structural surveys (per audit)

## **TS02-07/05 Tender No 05506 - Supply and Installation of Delaware Thriebeam Guard Rails and Ancillary Works - Hester Avenue**

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File Ref: C05506V01  
Responsible Officer: Director Technical Services  
Disclosure of Interest: Nil  
Attachment(s): Nil

### **Issue**

To consider Tender No: 05506 – Supply and Installation of Delaware Thriebeam Guard Rails and Ancillary Works – Hester Avenue.

### **Background**

The pedestrian underpass in Hester Avenue west of Porongorup Drive was extended prior to the construction of second carriageway in Hester Avenue. Further investigations and design has been completed for the provision of a guardrail and tenders invited for the proposed works.

Council considered a report at its meeting on 1 February 2005 (Item TS06-01/05 refers) regarding the need for a Delaware Thriebeam barrier, pathway adjustments and new handrail at this location. An amount of \$76,950 was allowed for this project on the basis of information available at the time.

### **Detail**

The tender for the Supply and Installation of Delaware Thriebeam Guard Rails and Ancillary Works in Hester Avenue was advertised on 9 April 2005 and closed at the City's offices at 3.00pm on Tuesday, 27 April 2005. The following submissions were received:

<b>Tenderers</b>	<b>Tendered Price</b>
Structural Systems (Western) Pty Ltd	\$207,301.00
WARP Pty Ltd	\$196,335.83

The Tender Assessment Team comprising the City's Manager Infrastructure Projects and Coordinator Projects Construction assessed the tenders in accordance with the following evaluation criteria:

- Price for the Works offered
- Tenderer's resources
- Tenderer's previous experience in carrying out work similar to the Works
- Safety management.

The evaluation indicated that the tender prices offered by both tenderers are significantly higher than the estimated cost provided by the GHD Pty Ltd, the consulting engineers

commissioned to design these works. A tender summary was therefore forwarded to GHD seeking advice on the tender prices.

The City has now received advice that the tender prices submitted by both tenderers are very high and recommendation has been made that the City review the tenders with both tenderers and recall tenders.

In view of the consulting engineer's advice, it is now proposed not to accept any tender, review the scope of works included in this tender with Main Roads WA and also discuss the costs projects incurred by MRWA for similar projects. It is also proposed to seek clarification from both tenderers regarding the scope of works and related costs. A further course of action will be proposed based on further investigation.

### ***Consultation***

GHD Pty Ltd has been consulted with a view to determine the validity of the tender prices. It was indicated that the original cost estimated did not include mobilisation, demobilisation, preliminaries and traffic control. These items alone accounted for \$49,000 and \$26,000 in the two tenders. GHD also considered that the unit rates for the supply and installation of the complete barrier system are excessive.

### **Comment**

Since the tender prices are significantly higher than those estimated by GHD, it is necessary that the further investigations be undertaken to review the scope of works and determine the costs incurred by other organisations for similar projects prior to making a further decision on the future direction on this project. It is therefore appropriate that City does not award this tender to any of the two tenderers.

### **Statutory Compliance**

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the Local Government (Functions and General) Regulations 1996.

The Manager Contracts and Property has reviewed the process and endorses the recommendations of this report.

### **Strategic Implications**

The Supply and Installation of Delaware Thriebeam Guard Rails and Ancillary Works in Hester Avenue is consistent with the following City of Wanneroo Strategic Plan (2002-2005) goals and objectives:-

*"Healthy Communities*

*2.6 Provide and manage infrastructure to meet the needs of the community".*

### **Policy Implications**

Nil

## **Financial Implications**

The amount of \$69,584 remains in Project No 842111 for the installation of the guardrail and associated pathway and handrail works.

Based on the tender prices received, and also GHD's advice, it is likely that there will be a substantial shortfall in funding to complete this project. After the review process relating to the scope of works and tender prices is completed, the accurate requirement of funds will be known. It is therefore proposed to seek further funding for these works only after a decision is made on the future course of action for these works.

## **Voting Requirements**

Simple Majority

## **Recommendation**

**That Council DOES NOT accept any submissions for Tender No 05506 – Supply and Installation of Delaware Thriebeam Guard Rails and Ancillary Works – Hester Avenue**

## **Corporate Services**

### **Finance**

#### **CS01-07/05    Change Basis for Valuation of Land - Various Properties**

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File Ref:	S28/0007V02
Responsible Officer:	Director, Corporate Services
Disclosure of Interest:	Nil
Attachments:	3

### **Issue**

To consider making a recommendation to the Director General of the Department of Local Government and Regional Development that the basis for rating the various land be changed from unimproved value to gross rental value.

### **Background**

*Section 6.28 of the Local Government Act 1995* requires the Minister to determine the method of valuation of land to be used by a local government and publish a notice of the determination in the Government Gazette.

In determining the method of valuation to be used by a local government, the Minister is to have regard to the principle that the basis for a rate on any land is to be either: -

- a) Where the land is used predominantly for rural purposes, the unimproved value of the land; and
- b) Where the land is used predominantly for non-rural purposes, the gross rental value of the land.

This authority has been delegated to the Director General of the Department of Local Government and Regional Development.

Each local government has a role in ensuring that the rating principles of the *Local Government Act 1995* are correctly applied to rateable land within their district.

### **Detail**

Administration considers that the following properties currently valued on unimproved values should be valued on gross rental values pursuant to *Section 6.28 of the Act*:-

1.     Lots 1414-1467 & 1481-1490, Connolly Drive, Clarkson

On 22 December, 2003, the City received a subdivision application for Lot 9031 Connolly Drive, Clarkson. The City supported the subdivision application and a letter was sent to the Western Australian Planning Commission (WAPC) on 8 January, 2004.

WAPC subsequently approved the subdivision application on 27 May, 2004. This lot has been subdivided into Lots 1414-1467, 1481-1490 and 9032 on deposited plan 45445 (**Attachment 1 refers**).

The current method of valuation of land used for Lots 1414-1467 and 1481-1490, Connolly Drive, Clarkson is unimproved value. Due to the subdivision, the predominant use of Lots 1414-1467 and 1481-1490 has changed to non-rural. The use for Lot 9032 has not changed and therefore the valuation method for this lot should remain as unimproved. In order to maintain an equitable rates base and in accordance with *Section 6.28 of the Local Government Act 1995*, it is recommended that the method of valuing the land for Lots 1414-1467 and 1481-1490 on deposited plan 45445 be changed from unimproved value to gross rental value.

2. Lots 440-452, 455-459, 461 and 9020 Wanneroo Road, Ashby

On 28 November, 2003, the City received a subdivision application for Lot 10 Wanneroo Road, Ashby. The City supported the subdivision application and a letter was sent to the Western Australian Planning Commission (WAPC) on 18 December, 2003. WAPC subsequently approved the subdivision application on 29 March, 2004. This lot has been subdivided into Lots 440-452, 455-459, 461 and 9020 on deposited plan 45010 (**Attachment 2 refers**).

The current method of valuation of land used for Lot 10 Wanneroo Road, Ashby is unimproved value. Following subdivision, the predominant use of the properties will change to non-rural. In order to maintain an equitable rates base and in accordance with *Section 6.28 of the Local Government Act 1995*, it is recommended that the method of valuing the land be changed from unimproved value to gross rental value.

3. Lots 101-166, 294-302, 453-459, 9000 Pinjar Road, Tapping

On 23 February, 2004, the City received a subdivision application for Lot 2706 Pinjar Road, Tapping. The City supported the subdivision application and a letter was sent to the Western Australian Planning Commission (WAPC) on 18 August, 2004. WAPC subsequently approved the subdivision application on 27 September, 2004. This lot has been subdivided into Lots 101-166, 294-302, 453-459, 489-491 and 9000 on deposited plan 44773 (**Attachment 3 refers**).

The current method of valuation of land used for Lot 2706 Pinjar Road, Tapping is unimproved value. Following subdivision, the predominant use of the properties will change to non-rural. In order to maintain an equitable rates base and in accordance with *Section 6.28 of the Local Government Act 1995*, it is recommended that the method of valuing the land be changed from unimproved value to gross rental value.

### **Consultation**

Guidelines issued by the Department of Local Government and Regional Development recommend that affected property owners be informed of proposed changes to the method of valuing their property, although a modified consultation process may be considered where the change is driven by large scale subdivisions.

Consultation was not considered necessary, as the subdivision of the land has resulted in the creation of new residential lots for which the predominant use is clearly non-rural.

### **Comment**

Under *Section 6.28 of the Local Government Act 1995* the Minister for Local Government is to determine the method of valuation of land. The Minister's approval is required before the method of valuation of a property can be changed.

The Department of Local Government and Regional Development has confirmed that the process of subdivision does not automatically give rise to a change in the method of valuing land. Instead, upon receiving advice from a local authority the Minister is required to make a determination and advise the Valuer General accordingly.

### **Statutory Compliance**

*Section 6.28 of the Local Government Act 1995* requires the Minister to determine the method of valuation to be used by a local government and publish a notice of the determination in the Government Gazette.-

*“(1) The Minister is to –*

*(a) determine the method of valuation of land to be used by a local government as the basis for a rate; and*

*(b) publish a notice of the determination in the Government Gazette.*

*(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –*

*(a) where the land is used predominantly for rural purposes, the unimproved value of the land; and*

*(b) where the land is used predominantly for non-rural purposes, the gross rental value of land.”*

The Department Local Government and Regional Development has advised that the powers under *Section 6.28 of the Local Government Act 1995* have been delegated to the Director General of the Department. In addition, the Department has advised that the effective date of the change is the date of the Director General's approval.

## Strategic Implications

*“Goal 4 – Corporate Management and Development” – “proper management of our natural, financial and human resource”.*

Maintenance of an equitable rating system is one of the objectives listed by the Corporate Services Directorate to achieve Goal 4.

## Policy Implications

Nil.

## Financial Implications

The change in basis of rating to gross rental value as opposed to the unimproved value will result in the owners making a more equitable contribution to the City's rate income.

## Voting Requirements

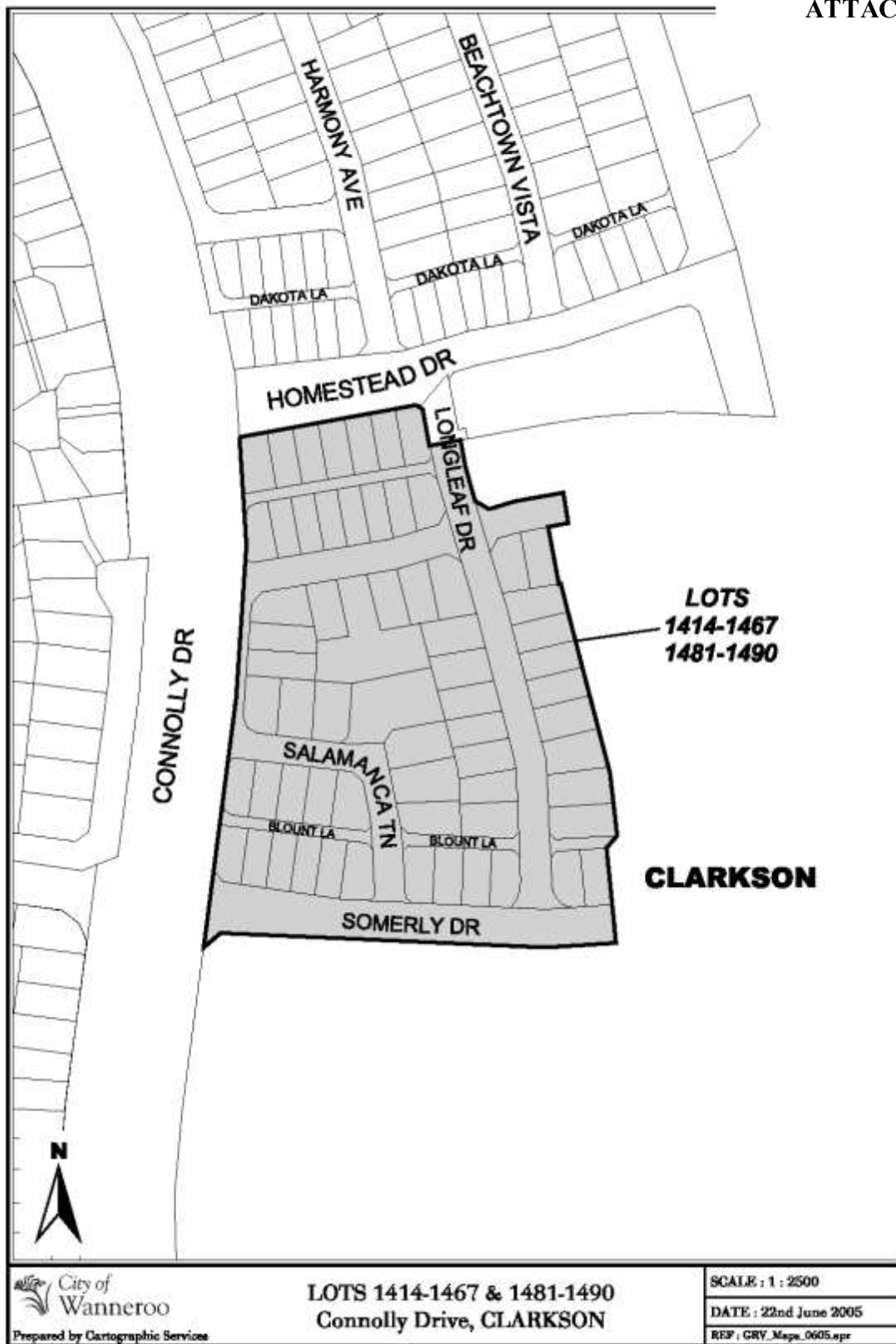
Simple Majority

## Recommendation

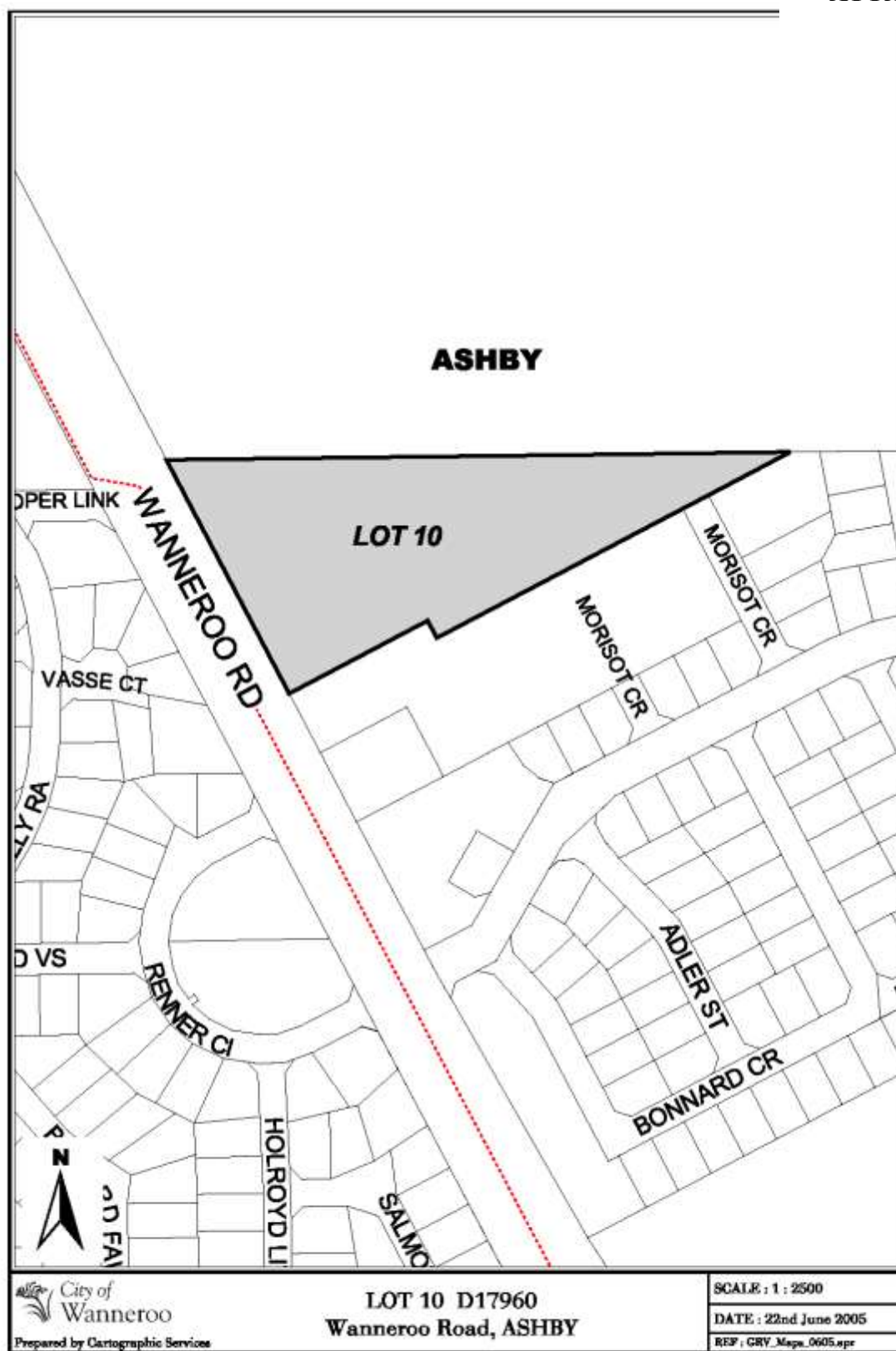
**That Council:-**

- 1. NOTES the change in predominant use of the following land:-**
  - a) Lots 1414-1467 and 1481-1490 on deposited plan 45445, formerly known as Lot 9031 Connolly Drive, Clarkson;**
  - b) Lots 440-452, 455-459, 461 and 9020 on deposited plan 45010, formerly known as Lot 10 Wanneroo Road, Ashby; and**
  - c) Lots 101-166, 294-302, 453-459, 489-491 and 9000 on deposited plan 44773, formerly known as Lot 2706 Pinjar Road, Tapping.**
- 2. RECOMMENDS to the Director General of the Department of Local Government and Regional Development that pursuant to *Section 6.28 of the Local Government Act 1995*, that the method of valuation for land outlined in 1. above be changed from unimproved value to gross rental value.**
- 3. NOTES that the effective date of the new method of valuation for each property outlined in 1. above to be the date of gazettal.**

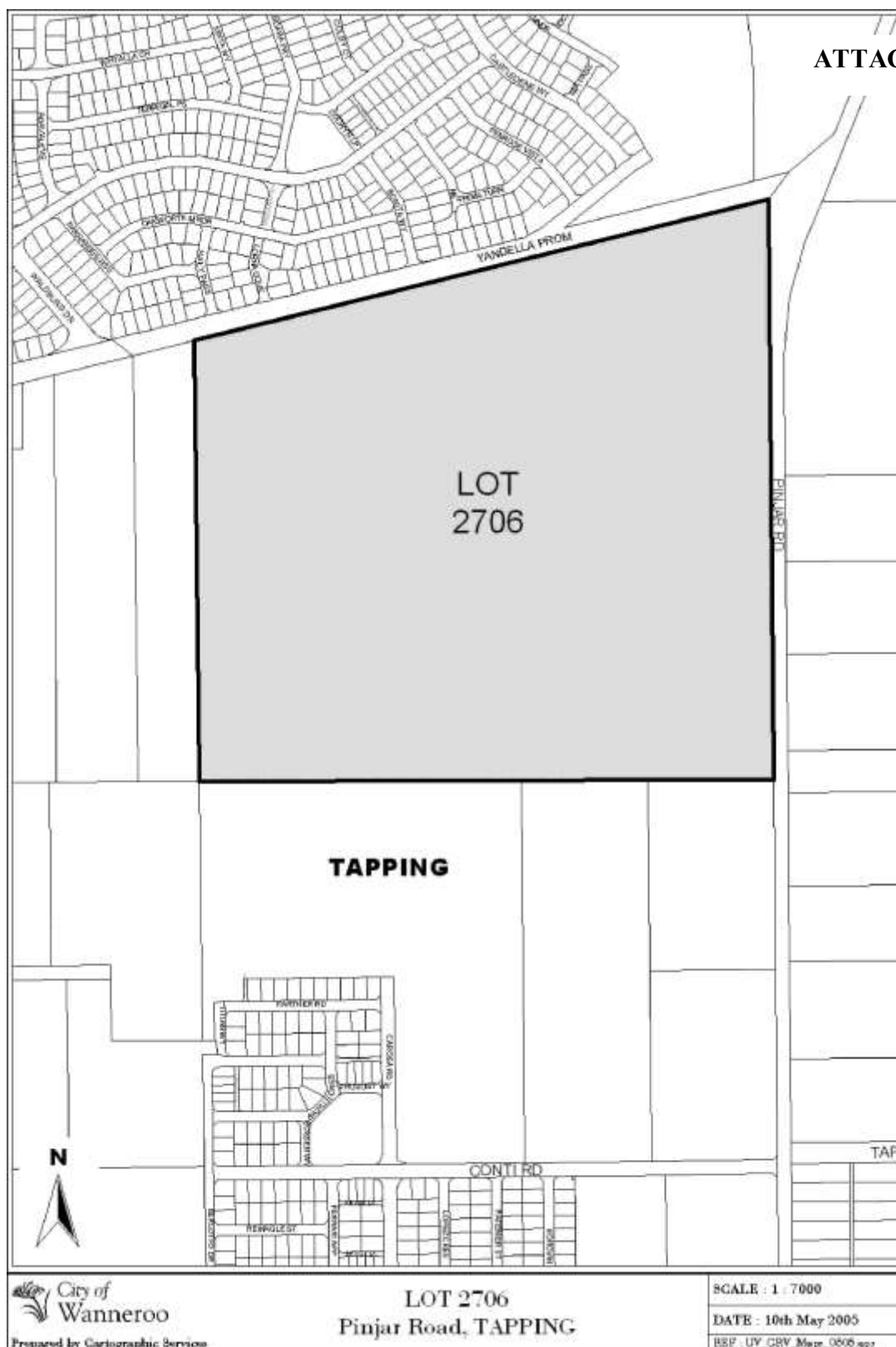
## ATTACHMENT 1



## ATTACHMENT 2



## ATTACHMENT 3



## **CS02-07/05 Options Available to Council in Relation to the Raising and Collection of Domestic Refuse Rate**

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File Ref: S28/0003V01  
Responsible Officer: Director, Corporate Services  
Disclosure of Interest: Nil  
Attachments: 2

### **Issue**

To consider the options available to Council in relation to the raising and collection of the Domestic Refuse Rate.

### **Background**

During deliberations for the 2003/04 and 2004/05 Budgets, the issue of the Domestic Refuse Rate was raised, in particular, the impact of this charge on eligible pensioners.

Under the Rates and Charges (Rebates and Deferments) Act 1992, while eligible pensioners and seniors are entitled to a rebate on their general rates and the Emergency Services Levy of up to 50%, the rebate does not apply to Domestic Refuse Charges.

The City's Domestic Refuse Charge for 2004/05 was \$140.00 and it is proposed to increase this charge to \$150.00 for 2005/06.

Administration has been requested to provide a report on the options available to Council in relation to the raising and collection of the Domestic Refuse Rate.

### **Detail**

There are three (3) options worthy of consideration should the Council seek to minimise the cost of providing domestic waste services to eligible pensioners and seniors. The first being to offer a smaller 120 litre cart, the second being to incorporate the Domestic Refuse Charge into the general rate and the third being to lobby the State government to further extend the Pensioner/ Concession arrangements.

#### **Option 1 – Offer smaller 120 litre carts to eligible pensioners and seniors**

This option is available in other local governments at a slightly reduced cost. For example, the City of Stirling offers a 120 litre cart for a cost of \$125 compared to \$153 for the 240 litre cart.

In the case of Stirling, the service is only offered to grouped developments and retirement villages as they use a special truck that has been modified to collect the carts. Should the City of Wanneroo wish to offer a similar service, the City's trucks would require modification to enable the lifters to collect both the 120 and 240 litre cart sizes.

The Manager Waste & Fleet has estimated that a 120 litre cart could result in savings of approximately \$26.50 per annum per cart due to reduced tipping costs and reduced trip to tip costs. However, these savings would be offset by the additional costs to modify the existing fleet of domestic waste trucks to enable the collection of the smaller carts.

In addition, it was noted that when the former City of Wanneroo first moved to carts, the 120 litre cart was an available option. However, the service was discontinued due to the following reasons:-

1. a 120 litre cart can highlight a pensioner household, increasing the ratepayers security risk;
2. there was no cost saving in purchasing 120 litre carts compared to existing 240 litre carts;
3. the 240 litre cart is more stable for elderly people to push;
4. many ratepayers, including pensioners prefer the 240 litre carts for gardening waste; and
5. there will be additional costs in repairing different sized carts.

An alternate option to the 120 litre cart is the provision of an insert to limit the internal capacity of the cart to 120 litres. However, as noted above, this would only reduce the cost of these services by \$26.50 per annum per property concerned.

#### **Option 2 – Incorporate the Domestic Refuse Charge in the general rate – improved residential properties only**

As mentioned above, under the Rates and Charges (Rebates and Deferments) Act 1992, the State Government provides a subsidy to eligible pensioners and seniors on their general rates and the Emergency Services Levy of up to 50%. The concession does not apply to Domestic Refuse Charges.

However, if the City incorporated the Domestic Refuse Charge into the general rate, the subsidy would be applicable to the whole amount and eligible pensioners and seniors would benefit accordingly. A review of rates raised by other councils during 2004/2005 shows that 10 of the 29 Perth metropolitan local governments do not impose a separate charge for the collection and disposal of domestic refuse. The remaining 19, impose a separate Domestic Refuse levy of between \$128 and \$207 per service/per annum. The City of Wanneroo's 2004/2005 Domestic Refuse Charge was \$140 per service/per annum.

To incorporate the Domestic Refuse Charge into the general rate the Council may consider increasing the rate in the dollar for residential and rural improved properties with an associated increase in the minimum rates for each category (**Scenario 1 - Attachment 1 refers**). The rate in the dollar and minimum rate for residential vacant lots should not be affected, as there are no domestic refuse services to these lots. The City would need to set a separate differential rate for residential and rural improved properties.

Alternatively the Council could consider increasing the rate in the dollar for all categories of property and adjusting the minimum rate for only the residential and rural improved properties (**Scenario 2 - Attachment 2 refers**).

Based on the 2004/2005 revenue derived from the Domestic Refuse Charge, the City collects approximately \$4.9 million from approximately 35,000 residential and rural improved properties. The charge is set on a cost recovery basis. Total rates revenue for 2004/2005 of \$33.37 million can be broadly summarised as follows: -

Residential and Rural Improved properties (GRV and UV based)	\$22.51 million
Other rates (including Commercial, Industrial and Rural Unimproved)	\$10.86 million

To raise an additional \$4.9 million in general rates from residential improved/rural improved ratepayers an increase of around 19% would be required, whereas to raise the additional \$4.9 million from the total rate base of the City an increase of only about 12% would be necessary.

It is noted that the vast majority of Western Australian local governments that include the cost of the domestic refuse service in their rates use one general rate (i.e. they do not opt for differential rates for residential as opposed to commercial/industrial properties). This one general rate approach, in itself, could be considered to be the equivalent of a differential rate as it recovers the cost of the domestic refuse service from all ratepayers and yet the service is only provided for domestic refuse. Having said this however, such an approach is consistent with the funding of the vast majority of other services provided by local governments – rate funded rather than “user pays”.

Adoption of the Scenario 1 approach for 2005/2006 will have a significant impact on approximately 35,000 of the City’s residential and rural ratepayers with many experiencing a reduction in rates and many others experiencing an increase (in some cases, substantial) in rates. Similarly, opting for the Scenario 2 approach would see significant shifts in the distribution of the City’s rate burden – albeit, to a lesser extent per property but across all categories of rate payer.

In considering whether the City should move to incorporating the Domestic Refuse Charge into its general rate, the Council should be mindful of the fact that few ratepayers will be unaffected. It is also worth noting that 2005/2006 is also the first year of a revaluation triennium, which usually heralds some significant shifts in valuations between the various sectors of the community. The impact of the 2005 revaluation on the outcomes would exacerbate the effects of either scenario.

### **Option 3 – Seek an extension of the Pensioner/Concession Arrangements**

Another option for Council to consider would be to lobby the State government to further extend the Pensioner/Concession Arrangements to include domestic bin charges.

The State government introduced the Emergency Services Levy in 2002/03 and extended the Pensioner/Concession arrangements at that time to include the ESL. As outlined in Option 2 above, across the metropolitan area, some Councils separately charge for domestic refuse and some do not. Eligible pensioners residing within local authorities that do not separately charge for domestic refuse receive a proportionately greater rebate from the State government than those living within Councils that do separately raise this charge. Given this inequity, it would seem appropriate to write directly to the Deputy Premier and also raise the matter through the WALGA North Metropolitan Zone.

### ***Consultation***

The matter was raised with Elected Members at a recent Council Forum.

### **Comment**

Given the impact of Scenario's 1 and 2 on ratepayers across the City, an alternative to incorporating the Domestic Refuse Charge into the general rate would be to lobby the State government to consider a further expansion of the Pensioner/Senior Concession arrangements to allow the concession to extend to the Domestic Refuse Charge consistent with its application to the recently introduced Emergency Services Levy (ESL).

### **Statutory Compliance**

Under the Rates and Charges (Rebates and Deferments) Act 1992, while eligible pensioners and seniors are entitled to a rebate on their general rates and the Emergency Services Levy of up to 50%, the rebate does not apply to Domestic Refuse Charges.

### **Strategic Implications**

The proposal is consistent with *“Goal 4 – Corporate Management and Development – proper management of our natural, financial and human resources”*.

Maintenance of an equitable rating system is one of the objectives listed by the Corporate Services Directorate to achieve Goal 4.

### **Policy Implications**

Nil.

### **Financial Implications**

The proposal to incorporate the Domestic Refuse Charge into the general rate by either of the approaches outlined in Scenarios 1 and 2 in this report would result in rates for residential and rural improved properties being increased by 19% or an across the board rate increase of approximately 12%. The total revenue of the City would be unaffected but the distribution of the rate burden will alter significantly in terms of the number of ratepayers affected and the quantum of change in some instances. Eligible pensioners/seniors would benefit through the receipt of a proportionate concession increase from the State government.

### **Voting Requirements**

Simple Majority

## **Recommendation**

### **That Council:-**

- 1. SUPPORTS Option 3 to seek an extension of the Pensioner/Concession arrangements;**
- 2. WRITES to the Deputy Premier, in his capacity of Treasurer, REQUESTING that consideration be given to the further expansion of the Pensioner/Senior Concession arrangements to allow the concession to extend to the Domestic Refuse Charge consistent with its application to the recently introduced Emergency Services Levy (ESL); and**
- 3. RAISES this issue with the Western Australian Local Government Association (WALGA) through the WALGA North Metropolitan Zone; and**

**SCENARIO 1****SUBURB**ALEXANDER HEIGHTS  
ALKIMOS

ASHBY

BANKSIA GROVE

BUTLER

CARABOODA

CARRAMAR

CLARKSON

DARCH

EGLINTON

GIRRAWHEEN

GNANGARA

HOCKING

JANDABUP

JINDALEE

KOONDOOLA

LANDSDALE

MADELEY

MARANGAROO

MARIGINIUP

MERRIWA

MINDARIE

NEERABUP

NOWERGUP

PEARSALL

PINJAR

QUINNS ROCKS

RIDGEWOOD

SINAGRA

TAMALA PARK

TAPPING

TWO ROCKS

WANGARA

WANNEROO

WOODVALE

YANCHEP

**TOTAL**

SAVINGS					PAY MORE						ATTACHMENT 1		
More than \$20 but Less than \$50		Less than \$20		BREAK	Less than \$20		More than \$20 but Less than \$50		More than \$50		Largest Increases		
No.	Amount	No.	Amount	EVEN	No.	Amount	No.	Amount	No.	Amount			
1,288	\$ 36,513	949	\$ 11,552	285	92	\$ 443	10	\$ 263	16	\$ 6,676	\$ 1,061	\$ 1,286	\$ 1,347
45	\$ 1,159	140	\$ 1,691	1	10	\$ 38	1	\$ 46	11	\$ 14,106	\$ 1,140	\$ 1,170	\$ 8,431
270	\$ 8,774	73	\$ 727	209	1	\$ 15	1	\$ 46	2	\$ 503	\$ 435		
927	\$ 26,900	178	\$ 2,667	48									
1	\$ 26	1	\$ 18		3	\$ 44	20	\$ 714	118	\$ 17,242	\$ 293	\$ 455	\$ 1,412
555	\$ 15,248	655	\$ 7,466	16	118	\$ 666	15	\$ 409	9	\$ 1,436	\$ 118	\$ 136	\$ 827
1,569	\$ 49,105	322	\$ 3,179	346			3	\$ 118	3	\$ 620	\$ 151	\$ 169	\$ 300
80	\$ 1,986	428	\$ 4,410	1	115	\$ 325	1	\$ 24	31	\$ 21,261	\$ 1,271	\$ 1,271	\$ 1,372
1	\$ 28				2	\$ 37	4	\$ 168	7	\$ 12,490	\$ 92	\$ 137	\$ 11,956
128	\$ 3,997	131	\$ 1,268	2,875	4	\$ 27	1	\$ 22	23	\$ 10,425	\$ 997	\$ 1,491	\$ 1,605
18	\$ 441	42	\$ 352	3	74	\$ 712	64	\$ 1,844	96	\$ 16,655	\$ 364	\$ 535	\$ 566
429	\$ 11,546	642	\$ 8,701	46	20	\$ 120			13	\$ 10,281	\$ 1,049	\$ 2,118	\$ 2,118
		9	\$ 83	1	5	\$ 18	9	\$ 293	81	\$ 12,653	\$ 238	\$ 314	\$ 485
5	\$ 123	9	\$ 111										
17	\$ 511	30	\$ 266	1,266	3	\$ 21			10	\$ 4,572	\$ 514	\$ 969	\$ 1,120
267	\$ 7,289	1,021	\$ 10,568	6	254	\$ 1,026	23	\$ 722	68	\$ 29,154	\$ 868	\$ 868	\$ 868
76	\$ 2,177	325	\$ 3,240	2	83	\$ 349	7	\$ 171	32	\$ 23,475	\$ 1,473	\$ 1,473	\$ 5,844
2,023	\$ 61,216	395	\$ 4,588	1,099	9	\$ 35	11	\$ 343	12	\$ 6,054	\$ 793	\$ 821	\$ 884
42	\$ 1,181	54	\$ 459	19	41	\$ 336	19	\$ 610	95	\$ 17,594	\$ 465	\$ 707	\$ 868
1,030	\$ 32,737	134	\$ 1,318	323	2	\$ 32	12	\$ 369	5	\$ 51,287	\$ 801	\$ 24,070	\$ 26,157
124	\$ 3,338	675	\$ 5,884	1	901	\$ 7,026	288	\$ 8,302	63	\$ 17,659	\$ 382	\$ 456	\$ 7,468
1	\$ 27	1	\$ 13	1	4	\$ 55			35	\$ 16,784	\$ 1,876	\$ 2,017	\$ 4,900
4	\$ 122			1	1	\$ 2	4	\$ 167	57	\$ 10,353	\$ 535	\$ 535	\$ 838
86	\$ 2,329	320	\$ 3,595	5	15	\$ 96			19	\$ 9,973	\$ 616	\$ 848	\$ 2,128
3	\$ 63	3	\$ 57		1	\$ 12	8	\$ 288	27	\$ 5,696	\$ 354	\$ 364	\$ 364
1,593	\$ 48,450	712	\$ 7,712	398	128	\$ 731	28	\$ 850	10	\$ 1,492	\$ 188	\$ 372	\$ 379
293	\$ 8,867	26	\$ 320	21			1	\$ 28	1	\$ 5,650	\$ 5,650		
85	\$ 2,569	16	\$ 250	5	2	\$ 24			20	\$ 58,056	\$ 8,932	\$ 9,285	\$ 28,084
188	\$ 4,879	296	\$ 3,807	1	27	\$ 136	2	\$ 55	15	\$ 16,073	\$ 1,674	\$ 2,118	\$ 2,394
178	\$ 5,598	71	\$ 731	638	3	\$ 20	1	\$ 25					
				1	5	\$ 84			40	\$ 21,282	\$ 928	\$ 928	\$ 1,977
1,340	\$ 40,363	737	\$ 7,299	1,338	241	\$ 1,497	77	\$ 2,218	146	\$ 33,937	\$ 1,079	\$ 1,372	\$ 1,726
4	\$ 139						1	\$ 26	13	\$ 3,941	\$ 384	\$ 414	\$ 545
345	\$ 10,719	97	\$ 1,048	703	2	\$ 22	1	\$ 21	3	\$ 445	\$ 84	\$ 143	\$ 218
13,015	\$ 388,420	8,492	\$ 93,380	9,659	2,166	\$ 13,949	612	\$ 18,142	1,081	\$ 457,825			

**SCENARIO 2****SUBURB**

ALEXANDER HEIGHTS  
 ALKIMOS  
 ASHBY  
 BANKSIA GROVE  
 BUTLER  
 CARABOODA  
 CARRAMAR  
 CLARKSON  
 DARCH  
 EGLINTON  
 GIRRAWHEEN  
 GNANGARA  
 HOCKING  
 JANDABUP  
 JINDALEE  
 KOONDOOLA  
 LANDSDALE  
 MADELEY  
 MARANGAROO  
 MARIGINIUP  
 MERRIWA  
 MINDARIE  
 NEERABUP  
 NOWERGUP  
 PEARSALL  
 PINJAR  
 QUINNS ROCKS  
 RIDGEWOOD  
 SINAGRA  
 TAMALA PARK  
 TAPPING  
 TWO ROCKS  
 WANGARA  
 WANNEROO  
 WOODVALE  
 YANCHEP

**TOTAL**

SAVINGS					PAY MORE				Largest Increases		
More than \$50		Less than \$50		BREAK  EVEN	Less than \$50		More than \$50				
No.	Amount	No.	Amount		No.	Amount	No.	Amount			
1,948	\$ 158,515	399	\$ 9,863	285	3	\$ 82	36	\$ 16,243	\$ 8,140	\$ 875	\$ 735
-	\$ -	-	\$ -	-	-	\$ -	2	\$ 21,390	\$ 13,340	\$ 8,050	
195	\$ 16,052	3	\$ 99	1	3	\$ 99	371	\$ 56,372	\$ 3,770	\$ 458	\$ 444
116	\$ 8,318	230	\$ 6,331	209	-	\$ -	129	\$ 31,112	\$ 12,294	\$ 1,053	\$ 349
904	\$ 72,283	201	\$ 5,963	48	-	\$ -	964	\$ 143,526	\$ 4,600	\$ 3,106	\$ 1,845
27	\$ 1,680	87	\$ 2,643	1	19	\$ 489	65	\$ 7,715	\$ 568	\$ 336	\$ 322
1,281	\$ 104,104	70	\$ 2,123	17	-	\$ -	265	\$ 41,674	\$ 4,140	\$ 541	\$ 345
1,237	\$ 93,219	658	\$ 14,703	366	3	\$ 60	532	\$ 111,854	\$ 15,880	\$ 9,079	\$ 3,848
622	\$ 49,991	8	\$ 172	13	1	\$ 5	483	\$ 73,924	\$ 1,373	\$ 722	\$ 550
7	\$ 452	6	\$ 213	-	-	\$ -	2	\$ 26,080	\$ 20,700	\$ 5,380	
90	\$ 6,772	180	\$ 3,967	2,880	4	\$ 108	53	\$ 25,400	\$ 11,767	\$ 3,941	\$ 1,028
199	\$ 14,202	36	\$ 1,049	3	53	\$ 828	54	\$ 8,314	\$ 1,887	\$ 837	\$ 377
1,010	\$ 83,712	83	\$ 2,288	47	2	\$ 55	443	\$ 66,351	\$ 890	\$ 890	\$ 756
23	\$ 1,617	45	\$ 1,111	1	34	\$ 546	33	\$ 3,436	\$ 173	\$ 163	\$ 152
14	\$ 1,173	-	\$ -	-	-	\$ -	128	\$ 33,163	\$ 7,130	\$ 6,670	\$ 1,863
16	\$ 1,188	36	\$ 648	1,266	1	\$ 29	20	\$ 5,067	\$ 663	\$ 603	\$ 435
1,503	\$ 119,948	78	\$ 2,043	40	19	\$ 611	346	\$ 73,980	\$ 4,787	\$ 1,983	\$ 1,566
483	\$ 38,327	20	\$ 574	6	2	\$ 32	470	\$ 103,837	\$ 30,984	\$ 2,590	\$ 1,938
1,773	\$ 140,143	668	\$ 16,416	1,100	2	\$ 66	56	\$ 9,162	\$ 456	\$ 345	\$ 327
142	\$ 10,721	70	\$ 1,471	19	28	\$ 572	65	\$ 8,543	\$ 320	\$ 285	\$ 246
765	\$ 56,913	414	\$ 10,953	324	2	\$ 3	232	\$ 59,742	\$ 11,856	\$ 10,904	\$ 2,441
1,986	\$ 147,412	37	\$ 1,260	3	14	\$ 368	523	\$ 66,974	\$ 3,330	\$ 2,058	\$ 1,266
6	\$ 450	7	\$ 98	58	26	\$ 388	39	\$ 25,865	\$ 10,120	\$ 2,193	\$ 2,160
9	\$ 546	38	\$ 1,109	1	8	\$ 182	40	\$ 6,848	\$ 603	\$ 363	\$ 331
414	\$ 33,782	12	\$ 388	6	1	\$ 35	244	\$ 36,102	\$ 1,215	\$ 895	\$ 644
12	\$ 802	14	\$ 346	-	8	\$ 226	18	\$ 1,849	\$ 285	\$ 143	\$ 140
1,989	\$ 155,662	479	\$ 12,252	399	1	\$ 10	495	\$ 68,613	\$ 4,262	\$ 544	\$ 247
274	\$ 22,097	46	\$ 1,392	21	-	\$ -	16	\$ 9,528	\$ 4,072	\$ 2,501	\$ 585
98	\$ 7,877	6	\$ 215	5	2	\$ 49	230	\$ 51,072	\$ 12,740	\$ 4,161	\$ 4,000
			\$ -	-	-	\$ -	-	\$ -	\$ -	\$ -	\$ -
512	\$ 42,660	2	\$ 67	1	-	\$ -	526	\$ 85,413	\$ 6,670	\$ 1,016	\$ 890
114	\$ 8,359	139	\$ 3,271	638	-	\$ -	358	\$ 77,054	\$ 23,230	\$ 3,680	\$ 2,668
5	\$ 342	9	\$ 122	412	41	\$ 988	629	\$ 156,651	\$ 3,692	\$ 3,270	\$ 2,193
1,707	\$ 132,792	740	\$ 17,480	1,360	67	\$ 1,278	364	\$ 73,457	\$ 10,236	\$ 2,486	\$ 2,167
3	\$ 216	3	\$ 93	-	6	\$ 200	9	\$ 1,161	\$ 259	\$ 175	\$ 173
232	\$ 17,782	215	\$ 5,198	725	1	\$ 23	489	\$ 83,974	\$ 7,360	\$ 4,692	\$ 3,082
19,716	\$ 1,550,109	5,039	\$ 125,921	10,255	351	\$ 7,332	8,729	\$ 1,671,446			

## Contracts and Property

### CS03-07/05 Major Land Transaction - Sale of Lot 155 Wanneroo Road, Wanneroo

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File Ref:	S24/0096V01
Responsible Officer:	Director, Corporate Services
Disclosure of Interest:	Nil
Attachments:	3

#### Issue

To consider a revised offer from the owners of the Wanneroo Central Shopping Centre for the purchase of Part Lot 155 Wanneroo Road, Wanneroo for the redevelopment of the shopping centre.

#### Background

In 1999, the City entered into negotiations with the then owners of the Wanneroo Central Shopping Centre, ML Holdings Pty Ltd to facilitate the redevelopment of the shopping centre. A formal Deed was entered into to affect the following land transactions (**Attachment 1 – Lot Boundaries**).

##### Stage 1

- ML Holdings to transfer Lot 506 (fronting Dundobar Road) to the City in exchange for portion of Lot 502 (Charles Searson Park);
- ML Holdings Pty Ltd to surrender a portion of land to the Crown for road reserve (Rocca Way).

##### Stage 2

- ML Holdings Pty Ltd to surrender a further portion of land to the Crown for road reserve (Rocca Way through to Conlan Avenue).
- City to transfer 834m<sup>2</sup> of Lot 502 (now Lot 510) fronting Wanneroo Road and approximately 1670m<sup>2</sup> of the Senior Citizen's land (now Lot 155).

In March 2002, the City entered into a Deed of Variation with ML Holdings Pty Ltd to transfer responsibility for the land swap to the new owners of the shopping centre, Alfrina Pty Ltd. In May 2002, Alfrina Pty Ltd changed their company name to Wanneroo Central Pty Ltd.

At the Council meeting held on Tuesday 16 December 2003, the Council considered a report (**Attachment 2 - CS06-12/03**), dealing with the Wanneroo Town Centre revitalisation project and specifically addressing an investigation into the potential for the sale of part of Lot 155 Wanneroo Road, Wanneroo to Wanneroo Central Pty Ltd (WCPL). As a result, the following resolution was adopted:-

*“That Council:-*

- 1. ENDORSES the draft Wanneroo Town Centre Master Plan for release to the public for consultation purposes;*
- 2. APPROVES the advertising of the disposition as detailed in the Business Plan in accordance with Section 3.58 of the Local Government Act;*
- 3. APPROVES the advertising of the Business Plan as detailed in Attachment 4, for the Disposal of Part of Lot 155 Wanneroo Road, Wanneroo for a period of 42 days in accordance with Section 3.59 of the Local Government Act;*
- 4. AGREES in Principle to the proposal for a Partnership Agreement with the State Government for the revitalisation of the Wanneroo Town Centre, and authorizes the Chief Executive Officer to progress negotiations with the State Government prior to submitting a final agreement to Council for consideration; and*
- 5. NOTES that the expenditure on consultancies related to the Wanneroo Town Centre is likely to exceed the original 2003/04 budget; and*
- 6. AUTHORISES funding of excess expenditure in 6) above from the City of Wanneroo Townsite Reserve.”*

Following the advertising of the two notices in the Western Australian Newspaper in accordance with section 3.58 and 3.59 of the Local Government Act (the Act), a further report (CS07-02/04) was submitted to the Council meeting held on 3 February 2004, with the following resolution adopted:

*“That Council:-*

- 1. NOTES the public submissions received in response to the Notices advertised on 20 December 2003 and 10 January 2004 in accordance with Section 3.58 and 3.59 of the Local Government Act, dealing with the proposed disposition of part of Lot 155 Wanneroo Road, Wanneroo;*
- 2. APPROVES BY AN ABSOLUTE MAJORITY the disposition of part Lot 155 Wanneroo Road, Wanneroo, in accordance with the approved Business Plan; and*
- 3. AUTHORISES the Chief Executive Officer to instruct the City’s Solicitors to draft an appropriate Deed of Agreement between the City of Wanneroo and Wanneroo Central Pty Ltd to effect the disposition in 2. above and further AUTHORISES the Mayor and Chief Executive Officer to execute and affix the Common Seal of the City of Wanneroo to this Deed of Agreement.”*

## **Detail**

The transaction approved by Council and detailed in the business plan identified that the shopping centre additional land requirements were approximately 9,300m<sup>2</sup>, however as a portion of that (2500m<sup>2</sup>) was part of the (1999) Deed, negotiations were restricted to the balance, being approximately 7800m<sup>2</sup>. Therefore, WCPL submitted the following offer:-

Property:	Part of Lot 155 Wanneroo Road, Wanneroo
Area Required:	approximately 7800m <sup>2</sup>

- Consideration: \$1,400,000 plus –
- transfer of ownership to the City of Wanneroo of a portion (approx. 1790m<sup>2</sup>) of Lot 507 (owned by WCPL) adjacent to the Aquamotion Centre
  - rationalisation of land parcels for the service road (net increase to City of approx, 500m<sup>2</sup>)

Essentially, the City was to sell an area of Lot 155, being 7800m<sup>2</sup> for \$1,400,000 and receive land parcels from WCPL totalling 2290m<sup>2</sup>.

The land area requirements were based on the preliminary shopping centre redevelopment designs available during the master planning exercise, however, as WCPL has continued to refine its plans, this has had a significant impact on their land area requirements. Legal opinion has confirmed that as the proposal has changed, the Council is not in a position to proceed with the previously agreed transaction, as it is bound by legislation to review the business plan and publish the notice required by Section 3.59 of the Act.

Accordingly, negotiations have been undertaken with WCPL to seek an updated offer for the additional land area required for the shopping centre redevelopment. WCPL have submitted a revised plan which identifies that the area required from the City is:-

Part Lot 510	834m <sup>2</sup>
Part Lot 155	<u>11,249m<sup>2</sup></u>
Total	12,083m <sup>2</sup>

One major factor increasing the land area involved in the transaction is the proposal for the shopping centre to be constructed over a portion of its land currently linking Rocca Way to Conlan Avenue. As this land was identified in the (1999) Deed to be transferred by the shopping centre owners to the Crown as road reserve, the corresponding stage 2 land swap of 2504m<sup>2</sup> by the City would no longer be enforced and consequently is not offsetting the total area. In addition, there are three other factors that have resulted in the total land area needing to be transferred for the shopping centre increasing from a net of 5,510m<sup>2</sup>. They are:-

- the shopping centre development encroaching further east and therefore requiring a greater proportion of Lot 155;
- the service/access road being straightened up and not requiring rationalising of boundaries, which previously proposed a net transfer to the City (500m<sup>2</sup>); and
- the retention of an area for car parking previously identified as being transferred from WCPL to the City (1790m<sup>2</sup>).

In negotiating an appropriate price for the City's land, two other land parcels have also been the subject of discussion:-

1. the area of land to be provided by WCPL for the extension of Yagan Place. Whilst the main beneficiary of the road is the shopping centre, given that the City controls land on the eastern side of the proposed extension, a contribution is considered reasonable and could be based on the land area east of the centre line of the section of road fronting the park. This equates to approximately 500m<sup>2</sup>.
2. during the design process of the shopping centre, it has been identified that there are distinct advantages in constructing the proposed library/museum on the corner of Wanneroo Road and Conlan Avenue, with direct interface to the shopping centre.

Accordingly, the concept of incorporating an appropriate area of land of approximately 2544m<sup>2</sup> within the overall transaction has been promoted.

As a result, the latest proposal from WCPL is as follows:-

Total area required	12,083m <sup>2</sup>
Less City's contribution towards Yagan place	500m <sup>2</sup>
<b>Area required to be purchased</b>	<b>11,583m<sup>2</sup></b>
Offer per square metre	\$185
<b>Value of City's land</b>	<b>\$2,142,855</b>
<b>Less 2544m<sup>2</sup> @ \$185</b>	<b>\$470,640</b>
<b>TOTAL PURCHASE PRICE</b>	<b>\$1,672,215</b>

During the original negotiations for the sale of Lot 155 Wanneroo Road, a market valuation was obtained that indicated a range between \$150 - \$175/m<sup>2</sup>. In view of the changes in the land area requirements and necessity to renegotiate the land transaction, Australian Property Consultants were instructed to review the valuation. Whilst there are no recent comparable land sales in the locality to provide a guide to land values, APC have suggested that the range is now likely to be \$250-\$300/m<sup>2</sup>.

### ***Consultation***

The proposal to dispose of a part of the land currently occupied by the Wanneroo Senior Citizen Centre has been the subject of considerable consultation over the last two years, including:-

- formal community consultation was held prior to adoption of the master plan;
- statutory advertising with an invitation for public submissions as part of the previously approved land transaction and business plan in accordance with section 3.58 and 3.59 of the Local Government Act;
- Public involvement through the Wanneroo Town Centre Community Facility Sub-committee comprised of representative from user groups.

It should also be noted that amendments to the agreed Structure Plan for the Wanneroo Town Site will also be required and this will be subject to an advertising period along with any specific development application for the centre.

### **Comment**

The Council has previously recognised the significant community benefits from achieving a redevelopment of the Wanneroo Central Shopping Centre and has actively supported the process by agreeing to a series of land transactions. Given that the scope of the transaction approved by Council on 3 February 2004 has been changed by WCPL, section 3.59 of the Act requires the Council to amend the business plan, reinstitute the advertising process along with an invitation for public submissions and consequently formally review its previous decision.

The benefits originally identified from the overall development are unchanged and effectively, the main issue to be considered is whether the change in the size of the transaction and value associated can still be supported. The following points are relevant:-

- whilst WCPL own the area previously proposed for the extension to Rocca Way and are therefore entitled to utilise this land (subject to statutory approvals), by not transferring it to the Crown for a road reserve as detailed in the (1999) Deed, this consequently removes the requirement for the City's remaining transfer under that Deed. That land area of 2504m<sup>2</sup> therefore needs to be included within the revised transaction.
- the revised plans do require a greater area of Lot 155 Wanneroo Road, however other than a buffer zone, the remaining land would not have permitted an active use. It should be noted that the recently refurbished 'community centre' is located on a separate lot (Crown Reserve) and is not involved in this transaction.
- Although the most recent market valuation obtained for lot 155 identified a range between \$250-\$300 per square metre, when the original transaction was approved, the valuation range was \$150-\$175 per square metre.
- The significant changes in levels across the proposed development area, including the City's Lot 155, impose certain constraints on the development and no doubt increase the cost of building. This has been a major issue to WCPL and featured in their negotiations.

Other considerations accruing from the sale of this land and consequential redevelopment of the shopping centre include:-

- Significant economic development with additional retailing activities established within the centre.
- Increased rate revenue through the conversion of a non rateable property to rateable and the increased size of the shopping centre and consequential impact on the gross rental value (GRV).
- The inclusion of an area of land for the library opens up other opportunities for the use of the City's lot 506 Dundobar Road.

In view of the long term benefits from the redevelopment of the Wanneroo Central Shopping Centre and recognised community support to the project, it is considered that the Council should continue to pursue the proposed sale of the required land to WCPL and therefore advertise the revised business plan.

If subsequently approved, it will be necessary to enter into a new Deed with WCPL. The Deed will outline relevant conditions of sale and will address issues such as the location and availability of the proposed library site and residual elements of the (1999) Deed.

### **Statutory Compliance**

All discussions with Wanneroo Central Pty Ltd have been undertaken on the basis that the previous approval to dispose of Lot 155 Wanneroo Road is no longer valid and any negotiations would be 'in principle' only due to the following specific requirements of the Act:-

*“3.58 Disposing of property*

*As the potential sale has been negotiated outside of a public tender or auction process, the details of the disposition must be advertised and the Council must consider any public submissions received prior to agreeing to the sale. Under recent changes to the Regulations, the details of the disposition can be incorporated into the business plan.*

*3.59 Commercial enterprises by local governments*

*The disposal of Lot 155 would be deemed a Major Land Transaction and therefore require the City to prepare and advertise a Business Plan including an overall assessment of the land transaction and addressing specific criteria. Public submissions are to be invited for a period of 42 days and considered prior to the Council committing to the disposition.”*

Whilst the City has previously advertised a business plan, Section 3.59, subsection (5) goes on to state:-

*“After the last day for submissions, the local government is to consider any submissions made and may decide to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.”*

As the proposal has changed significantly, a revised business plan has been prepared (**Attachment 3 – Revised Business Plan refers**) and subject to Council endorsement is proposed to be advertised on Saturday, 23 July 2005, with the public submission period expiring on 5 September 2005. The outcome of the public submissions will then be presented to Council on 20 September 2005 for a formal decision on the land transaction.

## Strategic Implications

The City’s Strategic Plan 2002-2005 highlights the importance of “Healthy Communities” and incorporates the following strategic goals:-

- “2.1 Achieve an understanding of our community’s needs – present and future*
- 2.6 Provide and manage infrastructure to meet the needs of our community*
- 2.7 Provide community focused services and lifestyle opportunities”*

## Policy Implications

Nil

## Financial Implications

The 2004/05 budget had a provision for the receipt of \$1.4m (including GST), which was to be applied towards the cost of refurbishing the old Civic Centre, which has now been completed. As the transaction was not completed in the financial year, Council resolved on 28 June 2005 (CS11-06/05):-

*“That Council:-*

- 1. NOTES the delay in finalising the proposed sale of Lot 155 Wanneroo Road, Wanneroo to Wanneroo Central Pty Ltd;*
- 2. NOTES the requirement for the reserve funding of Project No. 815014 - Old Civic Centre Refurbishment listed on the 2004/05 Capital Budget to be*

*transferred from the Asset Replacement Reserve in lieu of the Wanneroo Townsite Reserve; and*

3. *AUTHORISES the transfer of an amount equivalent to the final cost of Project No. 815014 (estimated at approximately \$1,500,000) from the Wanneroo Townsite Reserve to the Asset Replacement Reserve upon settlement of the sale of Lot 155 Wanneroo Road, Wanneroo."*

Subject to approval of the sale, the net capital income under the latest proposal is \$1,672,215.

### **Voting Requirements**

Simple Majority

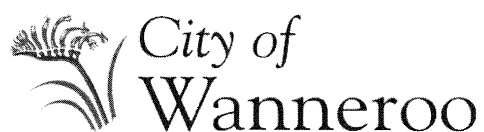
### **Wanneroo Town Centre Advisory Committee Recommendation – 12/07/05**

**That Council ADOPTS the Wanneroo Town Centre Advisory Committee's recommendation as detailed below:-**

1. **NOTE that the revised concept plans for the redevelopment of the Wanneroo Central Shopping Centre impact on the land disposition for part of Lot 155 Wanneroo Road, Wanneroo as approved by Council on 3 February 2004 (CS07-02/04);**
2. **APPROVE the advertising of the revised Business Plan as detailed in Attachment 3, for the Disposal of Part of Lot 155 Wanneroo Road, Wanneroo for a period of 42 days in accordance with Section 3.59 of the Local Government Act; and**
3. **NOTE the intention to undertake an assessment of the potential library/museum site on Wanneroo Road, near the corner of Conlan Avenue.**

ATTACHMENT 3

Page 1 of 8



*BUSINESS PLAN*

PREPARED PURSUANT TO SECTION 3.59(2) OF  
THE LOCAL GOVERNMENT ACT 1995

**PROPOSAL TO DISPOSE OF  
A PORTION OF  
LOT 155 & LOT 510 WANNEROO ROAD,  
WANNEROO**



## ATTACHMENT 3

Page 2 of 8

**City of Wanneroo Business Plan  
Proposal to dispose of Part of Lot 155 & 510  
Wanneroo Road, Wanneroo**

**BACKGROUND**

On 20 April 1999 the Joint Commissioners of the Shire of Wanneroo adopted a Business Plan for the Wanneroo Townsite Redevelopment. The Plan addressed a number of land transactions to facilitate implementation of the Concept Development Plan for the new Town Centre.

Amongst other proposals, the Plan included land exchanges between the Shire of Wanneroo and:

1. the owner of the shopping centre; and
2. the Crown.

The transactions in 1) above were required to assist the owners to redevelop the shopping centre and were formalised into a Deed dated 22 June 1999 that outlined in detail the mutual requirements on both parties. One element of this transaction was an agreement to dispose of a small portion of Lot 155 and Lot 510 Wanneroo Road, Wanneroo in exchange for the extension of Rocca Way through to Conlan Avenue.

In June 2003, the current owners of the Wanneroo Central shopping centre, Wanneroo Central Pty Ltd (WCPL) requested that the Council consider a further sale of a portion of adjoining City land to enable them to undertake a staged redevelopment of the shopping centre.

In order to assess the implications of this request, in addition to the financial aspects of a land sale or exchange, it was essential to consider the broader issues of the City's land holdings, community facilities and relationship to the shopping centre. Accordingly, in August 2003, the City appointed a team of consultants to prepare a Master Plan for the Town Centre, bounded by Wanneroo Road, Conlan Avenue, Rocca Way, Dundobar Road, Civic Drive and Sinagra Street.

As a result of that process, the concept drawings indicated that an additional area of approximately 9300m<sup>2</sup> of Lot 155 would be required to facilitate the redevelopment of the shopping centre. As the terms of the previous Land Exchange Deed already provided for the transfer of a portion of this land, negotiations concentrated on the balance of the area, being approximately 7800m<sup>2</sup> (see **Addendum 1**).

The details of the proposed negotiated settlement were:

Purchaser:	Wanneroo Central Pty Ltd
Property:	Part of Lot 155 Wanneroo Road, Wanneroo
Land Area:	approximately 7800m <sup>2</sup>
Consideration:	\$1,400,000 plus the transfer of ownership to the City of Wanneroo of portions (approx. 2290m <sup>2</sup> ) of Lot 507 (owned by Wanneroo Central Pty Ltd) adjacent to the Aquamotion Centre.

**ATTACHMENT 3**  
**Page 3 of 8****City of Wanneroo Business Plan**  
**Proposal to dispose of Part of Lot 155 & 510**  
**Wanneroo Road, Wanneroo**

At the Council meeting held on Tuesday 16 December 2003, Council considered a report (CS06-12/03) dealing with the Wanneroo Town Centre revitalisation project and specifically addressing an investigation into the potential for the sale of part of Lot 155 Wanneroo Road, Wanneroo to WCPL.

Whilst it was recognised that the proposal had repercussions on existing facilities provided by the City, the redevelopment of the shopping centre was considered to be a significant strategic element of the revitalisation of the Wanneroo Town Centre and therefore warranted support. Council therefore resolved to:

- ENDORSE the draft Wanneroo Town Centre Master Plan for release to the public for consultation purposes;
- APPROVE the advertising of the disposition as detailed in the Business Plan in accordance with Section 3.58 of the Local Government Act;
- APPROVE the advertising of the Business Plan (dated 5 December 2003), for the Disposal of Part of Lot 155 Wanneroo Road, Wanneroo for a period of 42 days in accordance with Section 3.59 of the Local Government Act;

Following the advertising of the two notices in the Western Australian Newspaper on 20 December 2003 and 10 January 2004, a further report (CS07-02/04) was submitted to the Council meeting held on 3 February 2004. After considering the submissions received, Council resolved to approve the disposition of part Lot 155 Wanneroo Road, Wanneroo, in accordance with the approved Business Plan.

The business plan and consequently the approved transaction was based on the land area requirements assessed during the master planning exercise, however, as WCPL continued to refine its plans, this has had an impact on their overall land area requirements.

Three major factors are increasing the land area involved in the transaction:

- the proposal for the shopping centre to retain a portion of its land currently linking Rocca Way to Conlan Avenue. As this land was identified in the (1999) Deed to be transferred to the Crown as road reserve, the corresponding stage two land swap of 2500m<sup>2</sup> by the City would no longer be enforced and consequently is not offsetting the total area.
- the shopping centre development encroaching further east and therefore requiring a greater proportion of Lot 155;
- the retention of an area for car parking previously identified as being transferred from WCPL to the City (500m<sup>2</sup> + 1790m<sup>2</sup>).

Legal opinion has confirmed that as the proposal has changed significantly, Council is not in a position to proceed with the previously agreed transaction. Further negotiations have therefore been undertaken with WCPL to address the shortfall.

**ATTACHMENT 3**  
**Page 4 of 8**

**City of Wanneroo Business Plan**  
**Proposal to dispose of Part of Lot 155 & 510**  
**Wanneroo Road, Wanneroo**

**MAJOR LAND TRANSACTION**

WCPL have submitted a revised plan (see **Addendum 2**) which identifies that the area required from the City is 12,083m<sup>2</sup> as detailed below:

Lot No:	<b>(Part) 155 Wanneroo Road</b>	<b>(Part) 510 Wanneroo Road</b>
Title:	Vol 2226 Folio 37	
Ownership:	City of Wanneroo in fee simple	City of Wanneroo in fee simple
Land Area:	11,249 m <sup>2</sup>	834 m <sup>2</sup>
Use:	Senior Citizen Centre/Community Hall	Park

In negotiating an appropriate price for the City's land, two other land parcels have also been the subject of discussion;

1. the area of land to be provided by WCPL for the extension of Yagan Place. Whilst the main beneficiary of the road is the shopping centre, given that the City controls land on the eastern side of the proposed extension, a contribution is considered reasonable. 50% of the portion fronting the park equates to approximately 500m<sup>2</sup>.
2. during the design process of the shopping centre, it has been identified that there are distinct advantages in the City constructing the proposed library on Wanneroo Road, near the corner of Conlan Avenue, with direct interface to the shopping centre. Accordingly, the concept of incorporating an appropriate area of land of approximately 2544m<sup>2</sup> within the overall transaction has been promoted.

As a result, the latest proposal from WCPL is as follows:

Total area required	12,083m <sup>2</sup>
Less City's contribution towards Yagan place extension	<u>500m<sup>2</sup></u>
<b>Area required to be purchased</b>	<b>11,583m<sup>2</sup></b>
Offer per square metre	\$185
<b>Value of City's land</b>	<b>\$2,142,855</b>
<b>Less 2544m<sup>2</sup> @ \$185</b>	<b>\$470,640</b>
<b>TOTAL PURCHASE PRICE (NET)</b>	<b>\$1,672,215</b>

During the original negotiations for the sale of Lot 155 Wanneroo Road, a market valuation was obtained that indicated a range between \$150 - \$175/m<sup>2</sup>.

In view of the changes in the land area requirements and necessity to renegotiate the land transaction, Australian Property Consultants were instructed to review the valuation. Whilst there are no recent land sales in the locality to provide a guide to land values, APC have suggested that the range is now likely to be \$250-\$300/m<sup>2</sup>.

Whilst the rate offered by WCPL is significantly lower than the latest market valuation, the rate recognises that the negotiations commenced in 2003 and are also affected by an agreement dating back to 1999.

**City of Wanneroo Business Plan  
Proposal to dispose of Part of Lot 155 & 510  
Wanneroo Road, Wanneroo**

**EXPECTED EFFECT ON THE PROVISION OF FACILITIES AND SERVICES  
BY THE CITY (SECTION 3.59(3)(a))**

The main effect of the sale of this portion of land is the loss of the existing community facilities, which comprise a Senior Citizens' Centre and Community Hall. This building was constructed in two stages:

1. the community hall was constructed in 1963 and comprises approximately 720m<sup>2</sup>
2. the building was extended in 1990 to provide the senior citizen's centre which comprises approximately 620m<sup>2</sup>

A consultation strategy was developed to ensure that stakeholders had input into the planning requirements of the replacement facilities and the development of suitable implementation strategies.

As a result, following the original agreement to dispose of the subject property, plans for a major refurbishment of the old Civic Centre were prepared. These works, along with the creation of a memorial park on the corner of Civic Drive and Sinagra Street have now been completed and it is proposed to relocate the majority of the users, including the Wanneroo Senior Citizens Club into the refurbished Wanneroo Community Centre.

**EXPECTED EFFECT ON OTHER PERSONS PROVIDING FACILITIES AND  
SERVICES IN THE DISTRICT (SECTION 3.59(3)(b))**

Assistance is being provided to regular users of the existing Community Hall to identify suitable alternative facilities in an endeavour to minimise any potential inconvenience.

The sale of this land will enable Wanneroo Central Pty Ltd to commence redevelopment of the Wanneroo Shopping Centre. This redevelopment is anticipated to provide significant improvements to service levels and facilities available for the local community.

**THE EXPECTED FINANCIAL EFFECT ON THE CITY OF WANEROO  
(SECTION 3.59(3)(c))**

In accordance with Section 3.58 (4)(c) of the Local Government Act, a valuation has been obtained for the area of land proposed for inclusion in the land transaction with WCPL.

Whilst a greater land area is required to be provided in the latest proposal, in 'cash' terms, the revised transaction will result in an additional \$272,215 (less GST) being received by the City.

**ATTACHMENT 3**  
**Page 6 of 8****City of Wanneroo Business Plan**  
**Proposal to dispose of Part of Lot 155 & 510**  
**Wanneroo Road, Wanneroo**

Other direct financial implications on the City arising from the transaction are:

- provision of a premium site (2544m<sup>2</sup>) on Wanneroo Road to be held in fee simple by the City with a potential use as a library site;
- opportunity to review the future use of the City's Lot 506 Dundobar Road, previously identified as the site for the proposed library/regional museum;
- reduced establishment and ongoing maintenance costs for the remaining portion of Lot 155 Wanneroo Road;
- increased rate revenue arising from the conversion of Lot 155 from a 'non-rateable' to 'rateable' status, along with the significant increase in rate revenue from the shopping centre redevelopment.

**EXPECTED EFFECT ON MATTERS CONTAINED IN THE CITY'S PRINCIPAL ACTIVITIES PLAN (SECTION 3.59(3)(d))**

The City's Principal Activities Plan 2002-2006 highlights the importance of "Healthy Communities" and incorporates the following strategic goals:

- 2.6 *Provide and manage infrastructure to meet the needs of our community*
- 2.7 *Provide community focused services and lifestyle opportunities*

**THE ABILITY OF THE CITY TO MANAGE THE TRANSACTION (SECTION 3.59(3)(e))**

Throughout the negotiation process, the City has sought relevant professional support, including:

- land valuations
- commercial advice
- architectural advice

In terms of the land transaction, the City will be obtaining legal support in the preparation and execution of a Deed to address the relevant land transaction issues.

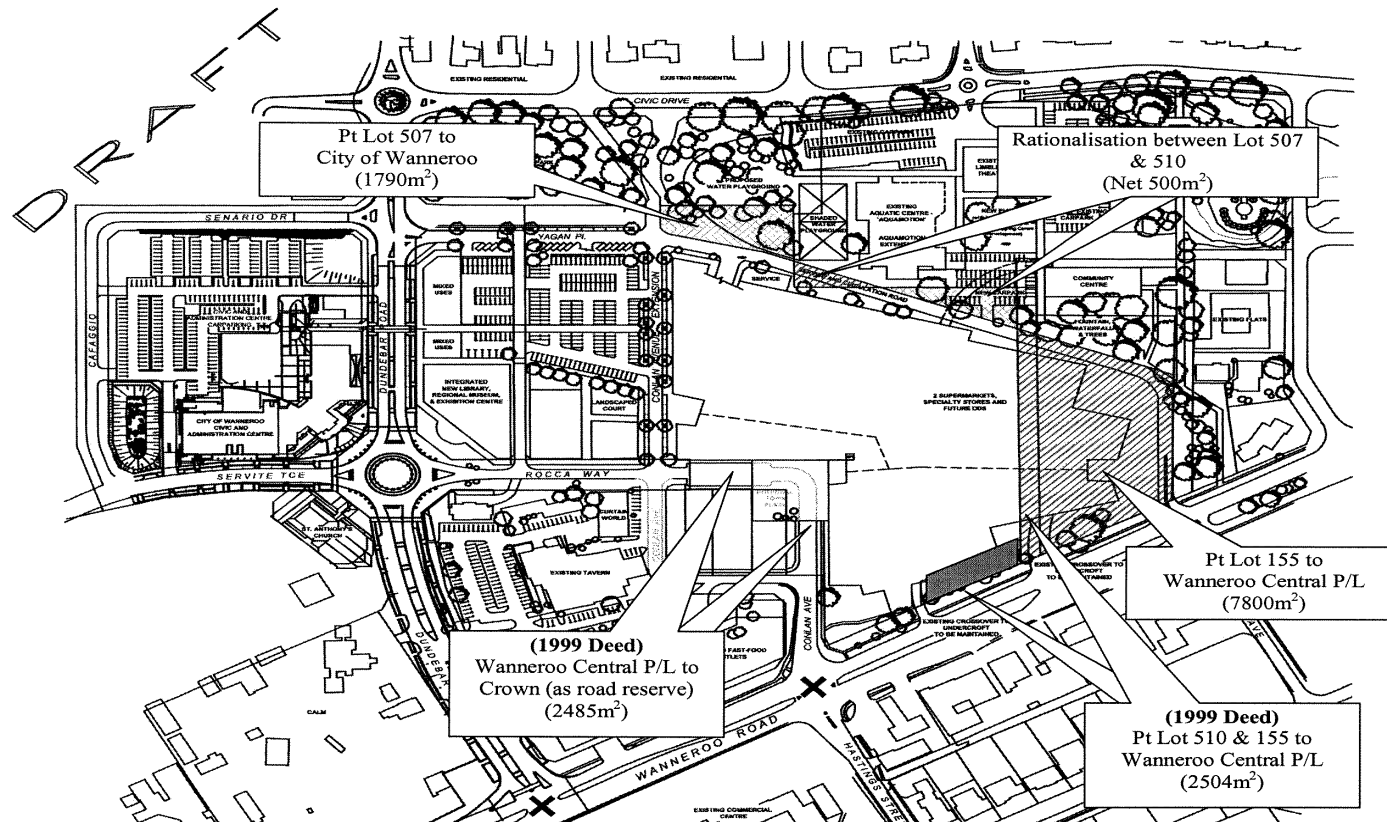
The building and other works arising from this major land transaction can all be managed by the City of Wanneroo, with appropriate support from professional consultants.

**OTHER MATTERS (SECTION 3.59(3)(f))**

The City is not aware of any other matters or regulations, which are relevant to the proposed lease of this property.

**City of Wanneroo Business Plan**  
**Proposal to dispose of Part of Lot 155 & 510 Wanneroo Road, Wanneroo**

### **Addendum 1 – Previously Agreed Transaction**



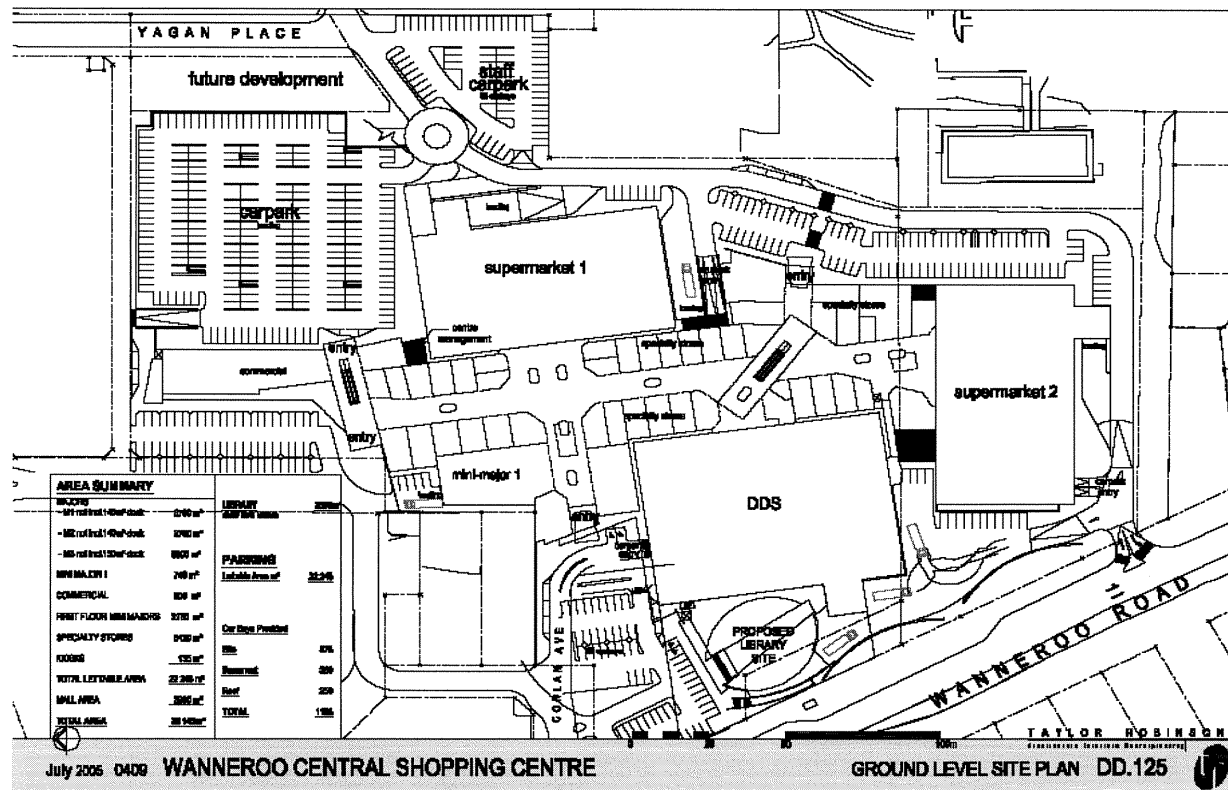
## ATTACHMENT 3

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# City of Wanneroo Business Plan

## Proposal to dispose of Part of Lot 155 & 510 Wanneroo Road, Wanneroo

## Addendum 2 – Proposed Shopping Centre Design



## CS04-07/05 Quinns Mindarie Surf Lifesaving Club - Old Clubroom

File Ref: S25/0058V02  
 Responsible Officer: Director, Corporate Services  
 Disclosure of Interest: Nil  
 Attachments: 2

### Issue

To consider the demolition of the old Quinns Mindarie Surf Lifesaving Club clubrooms.

### Background

Council at its meeting of 22 February 2005 considered report CS07-02/05 (**Attachment 1 refers**), dealing with a proposal to demolish the old Quinns Mindarie Surf Lifesaving Club clubrooms. The report included the following recommendation:-

*“That Council:-*

- 1. ENDORSES the proposal to demolish and remove all improvements on the site of the old Quinns Mindarie Surf Lifesaving Club at an estimated cost of \$25,000;*
- 2. pursuant to Section 6.8(1)(b) of the Local Government Act 1995, APPROVES by an ABSOLUTE MAJORITY, the expenditure to be incurred in respect to Recommendation 1; and*
- 3. NOTES that the cost associated with the demolition of the old Quinns Mindarie Surf Lifesaving Club is to be funded from budget savings, giving rise to the following budget amendment –*

<i>Project/ Account No</i>	<i>From</i>	<i>To</i>	<i>Description</i>
<i>71301 0001 4615</i>	<i>\$25,000</i>		<i>Parks Maintenance Overhead General – External Material Purchases</i>
<i>815037</i>		<i>\$25,000</i>	<i>Demolition – old Quinns Surf Lifesaving Club”</i>

In view of the issues raised on behalf of the Quinns Rocks Fishing Club (QRFC) during ‘Public Question Time’ (**attachment 2 refers**), the following Procedural Motion was carried unanimously:-

*“That the item be deferred pending further stakeholder consultation to reach a satisfactory solution regarding short and long term accommodation for the Quinns Rocks Fishing Club.”*

## **Detail**

The QRFC was established approximately 15 years ago and currently operates from premises owned by Captam Pty Ltd at the Mindarie Marina. The club obtained a Restricted Club Licence in 1989 and has approximately 100 members. It is understood that their lease has expired and they are now on a monthly tenancy.

A meeting was held on 21 March 2005, with representatives from the City, QRFC, Captam Pty Ltd and Mirvac Fini, to discuss the club's current tenancy arrangements and opportunities for the future. A subsequent meeting was held with the club on 6 April 2005 and the City's Leisure and Library Services has been liaising with the group in an endeavour to assist them in identifying alternative arrangements.

Throughout this process it has been reiterated that the old Quinns Mindarie Surf Lifesaving Club clubrooms (shed) is impractical to be utilised by the QRFC, due to its location, 'temporary' approval granted and cost to upgrade to meet (if possible) all relevant Health, Building and Town Planning regulations.

## ***Consultation***

As detailed above, a number of meetings have been held with the Quinns Rocks Fishing Club to discuss their requirements for clubrooms in the Mindarie/Quinns area. Ward Councillors have been fully involved as has Mirvac Fini and Captam Pty Ltd the current landlord to the Club. A number of options have been investigated and either discounted or identified for further research.

In the case of the old Quinns Mindarie Surf Lifesaving Club clubrooms, this has been discounted and the QRFC understand this position.

## **Comment**

The City, along with Captam Pty Ltd and Mirvac Fini are endeavouring to assist the QRFC to identify suitable long-term premises. In the interim however, the old Quinns Mindarie Surf Lifesaving Club clubrooms remain empty and continue to experience spates of vandalism. A decision is therefore required on the future of this building.

Given the condition of the building and planning issues involved, the most appropriate outcome is for the building to be demolished and removal of all structures, to permit the natural revegetation of the area.

## **Statutory Compliance**

In addition, the demolition would need to be undertaken in accordance with the appropriate regulations and approvals.

## **Strategic Implications**

The City's Strategic Plan 2002-2005 incorporates the following strategic goals:-

*"Environmental Sustainability*

*1.1 Conserve and enhance environmental assets*

*Healthy Communities**2.6 Provide and manage infrastructure to meet the needs of our community”***Policy Implications**

Nil

**Financial Implications**

A preliminary estimate of \$25,000 has been provided for the removal of the structures associated with the old surf club premises, including a provision for the restoration of the dune area. Given that Council previously deferred this item, a budget provision was not made in the 2005/06 Budget.

During the budget preparation period, assumptions were made on the likely cost of the City's insurance portfolio. In the case of Industrial Special Risks (Property Insurance), an allowance of \$232,000 was made, which included a provision for excess payments of \$40,000. The Local Government Insurance Service under their 'pooled' Municipal Property Scheme provides this insurance cover. Due to increasing reserves in the scheme, notification has now been received that the MPS premium has actually been reduced for the 2005/06 year.

This surplus funding has therefore been identified as a suitable source for reallocation to meet this funding shortfall.

<b>Project Number/ GL Account</b>	<b>From</b>	<b>To</b>	<b>Description</b>
27301 0001 4703	\$25,000		Industrial Special Risks
815037		\$25,000	Demolition – old Quinns Surf Lifesaving Club

**Voting Requirements**

Absolute Majority

**Recommendation**

- 1. ENDORSES the proposal to demolish and remove all improvements on the site of the old Quinns Mindarie Surf Lifesaving Club at an estimated cost of \$25,000;**
- 2. pursuant to Section 6.8(1)(b) of the Local Government Act 1995, APPROVES by an ABSOLUTE MAJORITY, the expenditure to be incurred in respect to Recommendation 1; and**

3. **NOTES that the cost associated with the demolition of the old Quinns Mindarie Surf Lifesaving Club is to be funded from budget savings, giving rise to the following budget amendment -**

<b>Project/ Account No</b>	<b>From</b>	<b>To</b>	<b>Description</b>
<b>27301 0001 4703</b>	<b>\$25,000</b>		<b>Industrial Special Risks</b>
<b>815037</b>		<b>\$25,000</b>	<b>Demolition – old Quinns Surf Lifesaving Club</b>

## ATTACHMENT 1

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CITY OF WANNEROO AGENDA OF ORDINARY COUNCIL MEETING 22 FEBRUARY, 2005

**Contracts and Property****CS07-02/05 Quinns Mindarie Surf Lifesaving Club - Old Clubroom**

File Ref:	S25/0058V01
Responsible Officer:	Director, Corporate Services
Disclosure of Interest:	Nil
Attachments:	Nil

**Issue**

To consider the demolition of the old Quinns Mindarie Surf Lifesaving Club clubrooms.

**Background**

The Quinns Mindarie Surf Lifesaving Club (Club) was established in 1982. As the Club developed, it was recognised that club facilities were required and, over a period of time, the following initiatives were implemented:-

- in 1983, the first storage shed was erected on Crown Reserve 22915;
- on 12 February 1987, the then, State Planning Commission gave approval for a "temporary surf lifesaving club facility" on the Reserve. The report presented at the time to the Commission stated that the site was NOT considered to be suitable for a permanent facility. It was noted that the shoreline is in a fluctuating state, within a narrow reserve, and that the geotechnical report indicated that limestone elevations were below sea level, and that a permanent facility should be a minimum of 2.5 metres above sea level;
- the City approved the 'temporary' structure on 24 November 1987 as a shed for storage with future First Aid, Radio Room and Toilets (BA/5256); and
- additions to the facility were approved on 23 February 1993 subject to a temporary approval of five years with the expiry date being 28 February 1998.

At its meeting held on 25 June 1997, the then City of Wanneroo considered a report dealing with the ongoing appropriateness and maintenance of the site. The report stated:-

*"A suitable site has not been found for the permanent location of the Quinns Mindarie Surf Life Saving Club. The conditional approval for the Club to remain at its present location expires on the 28 February 1998 and an application is to be made to the State Authorities to extend the approval time for the current location. Approval is sought to provide assistance to the Club in their efforts to maintain the facility for the extended time of this temporary approval."*

The following resolution was adopted

*"THAT Council:*

- 1 agrees to fund maintenance of the external fabric required for this temporary Clubroom facility until new permanent premises are established for the Club;*

## ATTACHMENT 1

Page 2 of 3

CITY OF WANNEROO AGENDA OF ORDINARY COUNCIL MEETING 22 FEBRUARY, 2005

- 2 *authorises a feasibility study to determine the most appropriate location for the Quinns Mindarie Surf Life Saving Club facilities."*

Given the constraints of the site of the old clubrooms, the most appropriate location for a new facility was subsequently identified as Lot 211 Quinns Road, Mindarie. Construction of these premises was recently completed and a five (5) year lease negotiated with the Club. A report (CS03-10/04) dealing with the proposed lease was submitted to Council meeting held on 12 October 2004. The following recommendation formed part of the officer's report –

*That Council:-*

1. *AGREES to enter into a 5-year Lease with an option for a further 5 years with the Quinns Mindarie Surf Lifesaving Club over the new clubrooms on Lot 211 Quinns Road, Mindarie in accordance with the Council's Tenancy Policy and including a requirement that the Quinns Mindarie Surf Lifesaving Club removes the existing shed and reinstates the site within 90 days of taking occupancy of the leased premises; and*
2. *AUTHORISES the affixing of the Common Seal and execution by the Mayor and Chief Executive Officer."*

The following amendment was subsequently moved and adopted -

*"AMENDMENT*

*In Part 1 of the recommendation by deleting the words "and including a requirement that the Quinns Mindarie Surf Lifesaving Club removes the existing shed and reinstates the site within 90 days of taking occupancy of the leased premises" and adding a new recommendation 3:*

*Moved Cr Roberts, Seconded Cr Goodenough*

1. *AGREES to enter into a 5-year Lease with an option for a further 5 years with the Quinns Mindarie Surf Lifesaving Club over the new clubrooms on Lot 211 Quinns Road, Mindarie in accordance with the Council's Tenancy Policy ~~and including a requirement that the Quinns Mindarie Surf Lifesaving Club removes the existing shed and reinstates the site within 90 days of taking occupancy of the leased premises;~~*
2. *AUTHORISES the affixing of the Common Seal and execution by the Mayor and Chief Executive Officer.*
3. *DONATE the sum equivalent to the cost associated with Council rates (excluding Emergency Service Levy and rubbish charges) and the Contribution towards the Asset Preservation Fund for the leased premises above estimated in total to be \$2,300 per annum for the 2004/05 and 2005/06 financial years and these be applied against Governance Donations 05201.001.4401.*

*CARRIED UNANIMOUSLY*

*The amendment became the substantive motion*

*CARRIED UNANIMOUSLY"*

## ATTACHMENT 1

### Page 3 of 6

CITY OF WANNEROO AGENDA OF ORDINARY COUNCIL MEETING 22 FEBRUARY, 2005

#### Detail

Crown Reserve 22915 (Fred Stubbs Memorial Grove) is located on Ocean Drive, Quinns Rocks and is held by the City under a Management Order (previously Vesting Order). The purpose of the Reserve is 'Recreation and Parking' and whilst the Management Order provides the City with the "care, control and management" of the Reserve, the City has not been granted the power to lease.

The old clubrooms are located at the northern end of the car park. The structures consist of:-

- custom orb storage shed (12m x 8m);
- wooden pergola (8m x 6m); and
- a sea container

The site is:-

1. within approximately 30 metres of the high water mark;
2. located within Bush Forever Site 397 (Coastal strip from Wilbinga to Mindarie) and also a Regional Ecological Linkage corridor as defined by Perth Biodiversity Project (2003); and
3. located within a primary recreation node identified in the Mindarie-Quinns Rocks Foreshore Management plan (adopted June 2004).

Now that the Club have vacated these facilities, it is necessary to determine the future status of the building. In this respect, the following points are relevant:-

- the temporary approval period has expired and therefore the existing structures are now considered to be 'unauthorised';
- the site is a Regional Reserve under the Metropolitan Region Scheme (MRS) and given that the structures are now unauthorised, determination is required by the Western Australian Planning Commission (WAPC). Under the MRS there is no provision for retrospective development approval;
- given that the initial Council approval was for temporary use, a proposal to occupy the existing shed in the future would require substantial upgrading to comply with Health, Building and Town Planning regulations. These requirements include:-
  1. Compliance with the Public Building Regulations and the Building Code of Australia (BCA). Public Building application is required for the accommodation of people, i.e. maximum number of occupants;
  2. Electrical compliance Form 5 is to be submitted. Upgrading of infrastructure maybe required;
  3. Male and Female sanitary facilities to be provided with provision for Disabled facilities;
  4. Compliance with Government Sewerage Policy - this will require connection to sewer if upgrades to existing system are required;
  5. Exit signage is required to exit/egress doors;
  6. Exit doors to have approved locking devices and open to direction of egress;
  7. No point on the floor shall be more than 20 metres to an exit (Roller doors do not comply as a required exit);
  8. Fire emergency devices to be provided in accordance with table E1.6 of the BCA; and

9. The building to be damp and weatherproofed in accordance with the BCA.

- any new application for refitting of the building would need to be assessed in the context of the previously identified site constraints, unless current technical evidence indicates otherwise. The Department of Planning and Infrastructure has advised that if the site is still the subject of those previous characteristics then approval may not be forthcoming; and
- the site has been prone to vandalism and unless substantial upgrades are implemented, this is likely to continue with ongoing cost implications.

The Mindarie-Quinns Rocks Foreshore Management plan (FMP) highlighted a number of recommendations to enhance this 'recreation node' and also recommended the retention of the shed (clubroom). It should be noted however that the extent of works required to bring it up to a suitable standard was not considered in the FMP, rather the principle of having a facility for surf lifesaving patrols to cater for the high level of public use of this area.

### ***Consultation***

Negotiations with the Club and Surf Lifesaving Western Australia have been on the basis that patrols will be required from the adjacent section of beach, however operations will be undertaken from a mobile tower. Accordingly, the shed is surplus to their requirements.

### **Comment**

The occupation of the old clubroom facilities by the Quinns Mindarie Surf Lifesaving Club was never formalised in a lease and this is likely to be due to the temporary nature of the approval for the accommodation and the restriction on the City's power to lease under the Management Order. This restriction is still in place.

Given the relocation of the Club into their new purpose built clubrooms at Lot 211 Quinns Road Mindarie, the old facilities are now vacant and will quickly become a liability. It is therefore necessary to consider appropriate options for the facility. If the structures were to remain, they would require substantial upgrading to meet appropriate standards, however given the circumstances involved, it would seem unlikely that the WAPC will grant a planning approval for a continued use of the facility.

Accordingly, it appears that very strong arguments exist for the demolition and removal of all structures, to permit the natural revegetation of the area.

### **Statutory Compliance**

Given that the site is a Regional Reserve under the MRS, the demolition will require a Development Application to be submitted for approved by the WAPC. In addition, the demolition would need to be undertaken in accordance with the appropriate regulations and approvals.

### Strategic Implications

The City's Strategic Plan 2002-2005 incorporates the following strategic goals:-

*"Environmental Sustainability - 1.1 Conserve and enhance environmental assets*

*Healthy Communities - 2.6 Provide and manage infrastructure to meet the needs of our community"*

### Policy Implications

Nil

### Financial Implications

A preliminary estimate of \$25,000 has been provided for the removal of the structures associated with the old surf club premises, including a provision for the restoration of the dune area.

An amount of \$65,000 was approved in the Parks Operations maintenance account to maintain seven parks together with various streetscapes and roundabouts within the Brighton development in Butler to an elevated standard after handover in 2004/05 (Report TS18-04/04 refers). Since this budget provision was made however, negotiations associated with the Butler Collaborative Infrastructure Agreement (Report CD 04-07/04 refers) have secured a deferment of handover to the City of this infrastructure from the developer, Ocean Springs Pty Ltd, until 1 October 2005.

This funding has therefore been identified as a suitable source for reallocation to meet budget funding shortfalls. Council was advised at its meeting on 2 November 2004 (TS01-11/04) that \$34,755 was reallocated to accommodate a shortfall at the Quinns Beach Coastal Management project. An amount of \$30,245 therefore remains unexpended on the Parks Operations maintenance account and can be used to fund the demolition works estimated at \$25,000.

Project Number/ GL Account	From	To	Description
71301 0001 4615	\$25,000		Parks Maintenance Overhead General –External Material Purchases
815037		\$25,000	Demolition – old Quinns Surf Lifesaving Club

### Voting Requirements

Absolute Majority

## Recommendation

### That Council:-

1. **ENDORSES** the proposal to demolish and remove all improvements on the site of the old Quinns Mindarie Surf Lifesaving Club at an estimated cost of \$25,000;
2. pursuant to Section 6.8(1)(b) of the Local Government Act 1995, **APPROVES** by an **ABSOLUTE MAJORITY**, the expenditure to be incurred in respect to Recommendation 1; and
3. **NOTES** that the cost associated with the demolition of the old Quinns Mindarie Surf Lifesaving Club is to be funded from budget savings, giving rise to the following budget amendment -

Project/ Account No	From	To	Description
71301 0001 4615	\$25,000		Parks Maintenance Overhead General – External Material Purchases
815037		\$25,000	Demolition – old Quinns Surf Lifesaving Club

## ATTACHMENT 2

## Page 1 of 2

During ‘public question time’, at the Council meeting held on 22 February 2005, the Chief Executive Officer read out a series of questions received in writing prior to the meeting from Mr E Couzens. Questions 4-9 dealt with the Quinns Rocks Fishing Club (QRFC) as follows:-

- “4. Does council recognize the Quinns Rocks Fishing Club as a vibrant community group dedicated to the education of children and adults in respect of safe use of the marine environment, sensible rationalization of the environment, fishing for the future, and support of communities generally.
5. Does council recognize that the Quinns Rocks Fishing Club has some specific long and short-term accommodation needs.
6. Does council also recognize that some resolution of the short term needs can be addressed by club occupation of the old surf club building at Quinns Beach.
7. Is council prepared to reaffirm the QRFC can and will be accommodated in the community facility building to be constructed as Stage 3 of the Lot 211 development.
8. Is council aware of the restricted club license held by the Quinns Rocks Fishing Club.
9. Will council approve the QRFC bringing to, and operating its restricted club license within the community facility to be constructed at Lot 211.
10. Will council instruct its relevant officers to enter into and maintain informative communication with the officers of the QRFC in respect of developing solutions to our short and long term accommodation needs.
11. Will council defer the demolition of the old surf club building at Quinns Beach until such time as the needs of QRFC accommodation can be reasonably discussed and resolved.”

In response, the Director Community Development advised:-

“Q4-9. The City has been liaising with the QRFC for more than four years to ascertain options for medium and long-term accommodation for the club and other community organisations in the Mindarie Quinns Rocks area. To facilitate the club’s requirements, the recently completed Surf Life Saving Club building was constructed with a sacrificial roof to allow for the future development of a second storey. This community facility will be available for groups such as the QRFC to use on an as needs basis.

The ability of the club to relocate its Restricted Club Liquor license to any new facility will depend upon their ability to secure a lease – a requirement of liquor licensing. The Manager Contracts and Property can assist with providing a draft of the City’s standard lease document. As this time, it is not envisaged that a lease will be extended to the new community facility as it will operated on a multi-use basis.

**ATTACHMENT 2****Page 2 of 2**

- Q10. Ongoing communication with the club will be facilitated through the Club's membership of the Quinns Mindarie Community Facility Reference Group. Recent meetings have been devoted to the functional requirements of the surf club building under construction (phase 1). Phase 2 provides for the construction of the café/restaurant. Phase 3, the community facility, will be the subject of further consultation with the fishing club and other community groups with construction subject to budget consideration by council.*
- Q11. Council has deferred consideration of the demolition of the old Surf Club building at Quinns Beach to allow for further consultation with the QRFC. Ward councillors are arranging a meeting with Captam and Mirvac Fini to discuss the future occupation of the club in their existing facilities in Mindarie Keys."*

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**CS05-07/05 Twin Cities FM - Depot Lease**

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File Ref: S26/0015V01  
Responsible Officer: Director, Corporate Services  
Disclosure of Interest: Nil  
Attachments: 1

**Issue**

To consider granting a three (3) year lease to the Wanneroo Joondalup Regional Broadcasting Association Incorporated (Twin Cities FM) for the continued occupation of a portion of Building 1 at the City's Ashby Depot.

**Background**

At its meeting held on 8 August 2000, the Council considered a business case to enter into an agreement with the Joondalup City and Districts Broadcasting Association to house the community radio station at the City's Depot, in Building 1, 1204 Wanneroo Road, Ashby. As a result, the following resolution was adopted:-

*"That Council:*

- 1. ENTER INTO a service agreement with JCDBA (Twin Cities FM) for the provision of air time and advertising in accordance to the value of \$43,284 per annum for a 3 year period starting from the commencement date of going to air;*
- 2. GRANT the JCDBA (Twin Cities FM) a Lease for a 3 year period of the highlighted portion of Building One, 1204 Wanneroo Road, in accordance with Council's general conditions of Lease; and*
- 3. NOTE that the lease fee will be the provision of airtime and advertising as outlined in the service agreement.*
- 4. ADVISE the JCDBA (Twin Cities FM) that it requires the word "Wanneroo" to be included in its formal name.*
- 5. That Council ADD the words "and the scope of services/service agreement" to the Formal Instrument of Agreement – Recitals, to read:*

*The City, in its capacity as the local government under section 2.5 and its subsections of the Local Government Act 1995, desires the performance of the Services and the provision of the Goods and the Provider has agreed to perform the same upon the terms and conditions set out in this Agreement and the scope of services/service agreement."*

The commencement of the lease with Twin Cities FM was subject to the relocation of the City's administration to the new Civic Centre. Consequently, the Schedule to the Lease included the following key Terms:-

Land:	Reserve No 27366 and being the whole of land comprised in Crown Land Title Volume 3045 Folio 749
Premises:	That portion of the building located on the Land which portion is shown edged in green on the attached plan being an area of approximately 110m <sup>2</sup> ( <b>Attachment 1 refers</b> )
Lessor's Interest:	The land is under the management of the Lessor pursuant to Management Order No. 950840-004 issued under the Land Administration Act 1997
Term:	3 Years
Commencement Date:	3 August 2001
Expiry Date:	2 August 2004
Annual rent:	\$43,284.00
Manner of payment of rent:	As per service agreement allowing for the provision of airtime and advertising in lieu of actual payment
Rent Review Dates:	Not Applicable
Permitted Purpose:	Community Radio Site

The service level agreement provided for the City to receive the following services from Twin Cities FM in lieu of the annual lease fee:-

<u>Service</u>			<u>Notional Value</u>
Weekday Program	The Heartbeat	125 minutes/week	\$10,800
Weekends	City Voice	60 minutes/week	\$10,000
Sponsor Credits			\$ 9,380
On-air Credits			<u>\$13,104</u>
			<b>\$43,284</b>

## Detail

The lease with Twin Cities FM expired on 2 August 2004 and they have consequently requested the City consider a further lease of three (3) years, with an option for another two (2) years over the 110m<sup>2</sup> premises in Building 1. They have suggested that the Terms be similar to the previous lease, with a contra arrangement covering any lease fee that may be applied.

Lease discussions have been held with representatives of Twin Cities FM, however, formal consideration was deferred pending finalisation of a strategic planning process implemented by the Association. This position was taken as it was considered that the long term positioning and viability of the station formed an important part of the ongoing lease deliberations.

Twin Cities FM is a wholly volunteer run operation and has a permanent broadcasting licence. The station's stated strategic aims are:-

1. To become an integral community focused organisation with the capacity to generate a recurrent income of \$200-300,000 through sponsorship packages, to sustain goals identified in the business plan.
2. To become the primary source of local news and information that is required by the community.

3. To become the first point of reference for sourcing of journalists, broadcasters, MC's and DJ's.
4. To become a Registered Training Organisation able to offer scholarships/cadetships to students studying Journalism and Radio Broadcasting.
5. To become a recognized promoter of local music and artists and to partner a music organisations to provide recording facilities/contracts to winners of local band/music competitions.
6. To become a sought after opportunity for both volunteers, graduates and paid staff seeking work experience.
7. To become the first point of information dissemination by local community groups, businesses, organisations and educational institutions, the Cities of Wanneroo and Joondalup and members of the community.

The Strategic Implementation Plan for Twin Cities FM identifies the following critical success factors:-

1. **Introduction of Paid Staff**  
Reducing reliance on volunteers by phasing in the recruitment of key management and marketing staff to enhance the potential of the station.
2. **Signal Improvement**  
Approval required for an increase in the signal strength to cover the station's entire service area.
3. **Stakeholder Commitment**  
Reinforcing the importance of a number of key stakeholders, including the City of Wanneroo and City of Joondalup.

### ***Consultation***

Twin Cities FM has been consulted on the proposed lease provisions, including term and contra arrangements. Whilst they are generally supportive, they have indicated that given the delay in the commencement of the lease, the remaining two (2) years of the term could impose pressure for their relocation.

### **Comment**

In determining whether a further lease of the current premises to Twin Cities FM can be supported, two factors need to be considered:-

#### Community benefit

It is difficult to gauge the level of community benefit, or in fact the size of the station's audience, as little hard data is available.

The previous lease provided for a contra arrangement in lieu of payment of lease fees. This provided the City with a defined number of hours on air, along with credits as one of the station's Foundation Sponsors.

Whilst there is some marketing benefits from the radio station announcements, compiling the weekly content was found to be very time consuming and therefore provided a questionable level of direct benefit.

### Competing demand for depot space

There are two (2) major factors that will impact on the demand for space at the depot over the next few years:-

- the demand for additional office space to accommodate the City's increasing staff establishment. During 2004/05, Ranger Services and a number of operational staff were relocated from the Civic Centre to the depot; and
- the impact of residential development encroaching on the southern and eastern boundaries of the depot. As a substantial part of the southern half of the depot is leased to the City of Joondalup, when they vacate the area (approximately three (3) years) there is likely to be a requirement to rationalise the depot operation to create a buffer along the boundary.

The City is a supporter of Twin Cities FM and the objectives of community radio, however it is considered that the City's operational requirements at the depot generally and office space in particular must take precedence. Notwithstanding this, Twin Cities FM is not in a position to relocate in the short term, so a reasonable lease period is required.

Accordingly, it is considered that Twin Cities FM should be offered a three (3) year lease commencing 3 August 2004, over their existing premises in Building 1, without further option periods. The station should be on notice that the City is not in a position to guarantee any future lease renewals and they should plan to identify appropriate alternative locations during this lease term.

Discussions have been undertaken with Twin Cities Fm on the provision of free airtime and other sponsorship credits in recognition of the lease renewal. It is proposed that these will take a form that is less onerous on City resources, thereby maximising the benefits. This can be formalised through the negotiation of a suitable service agreement and implemented in conjunction with the lease.

### **Statutory Compliance**

The Management Order for Reserve 27366 provides the City with the power to lease for the designated purpose (Municipal Depot and Community Radio Station) for a period not exceeding 21 years *"subject to the approval in writing of the Minister for Lands being first obtained to each and every Lease or assignment of lease, pursuant also to the provisions of section 19 of the Land Administration Act 1997"*.

A lease to a not-for-profit community group is an exempt disposition under section 30(2)(b) of the Local Government (Functions and General) Regulations 1996, and is therefore excluded from the requirements of section 3.58 of the Local Government Act 1995. Accordingly, the City is in a position to enter into a lease with Twin Cities FM, subject to the approval of the Minister for Lands.

### **Strategic Implications**

The proposed lease is consistent with the City's Strategic Plan - *"2.6 Provide and manage infrastructure to meet the needs of our community"*.

## Policy Implications

The City's Tenancy Policy has the following Statement:-

*“Where exclusive use of a City facility, or part of a facility is enjoyed, a lease will be required to be entered into between the City and the relevant user, group or organisation.”*

Under the policy, the nature of the lease is dependant on which of the following ‘categories’, applies to the proposed Tenant:-

- Government
- Commercial (non residential)
- Residential
- Non-Commercial (ie. sporting, community and recreational)

In the case of Twin Cities FM, they generally meet the ‘non commercial’ criteria, albeit that there are commercial aspects associated with its activities. The income potential is however constrained by licensing conditions that prevent the broadcasting of advertising and limit the number of ‘sponsorship’ announcements.

The lease negotiations have therefore been conducted based on a non-commercial category and in accordance with the City's Tenancy Policy.

## Financial Implications

Under the terms of a standard non-commercial lease, the following provisions apply:-

Lease Rental:	\$1.00 per annum
Outgoings (water, electricity etc)	Lessee Responsibility
Rates & Taxes (including Council Rates)	Lessee Responsibility
Building Insurance	Lessee Responsibility
Building Maintenance	Lessee Responsibility
Asset Preservation Fund	Lessee Responsibility

The Twin Cities FM lease will be modified to reflect that any of the financial responsibilities of the Lessee will be waived subject to Twin Cities FM entering into a suitable agreement for the provision of air-time and sponsorship credits.

This arrangement will exclude building maintenance, which will remain the responsibility of the Lessee and addresses issues such as cleaning and minor maintenance to the internal area of their premises. The other financial responsibilities are relatively minor, particularly when considered in respect to the balance of the building and will be adequately offset through the contra arrangement.

## Voting Requirements

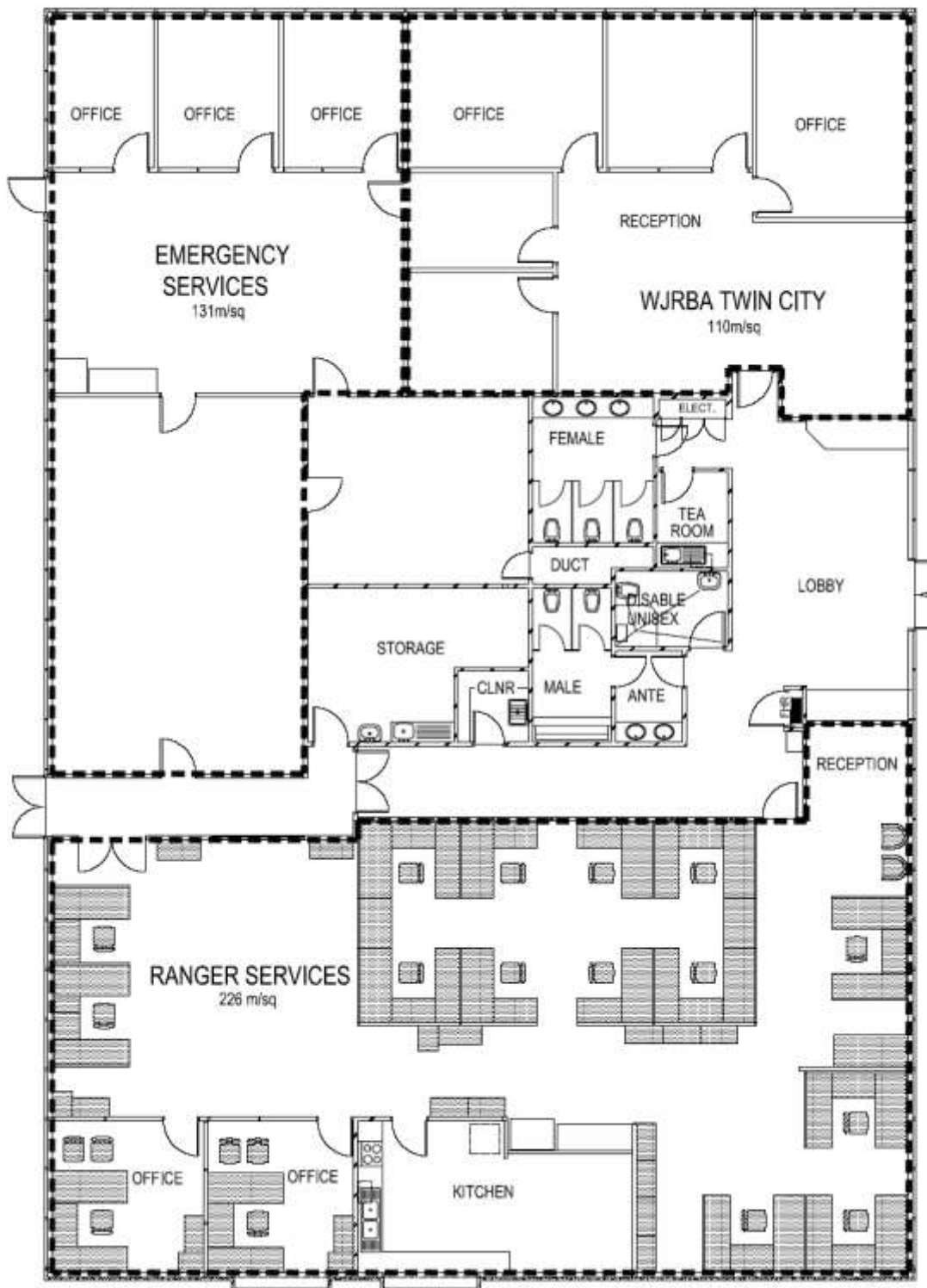
Simple Majority

## **Recommendation**

### **That Council:-**

- 1. Subject to the approval of the Minister for Lands, AGREES to enter into a three (3) year lease with Wanneroo Joondalup Regional Broadcasting Association Incorporated (Twin Cities FM), commencing 3 August 2004, for a 110m<sup>2</sup> portion of Building 1, 1204 Wanneroo Road, Ashby.**
- 2. AUTHORISE the Chief Executive Officer to:-**
  - a) enter into a three (3) year service agreement with Wanneroo Joondalup Regional Broadcasting Association Incorporation for the provision of air time and sponsorship credits commensurate with the lease period; and**
  - b) draft the Lease for 1) above to provide that the Lessees financial obligations be waived subject to compliance with the service agreement in a) above.**

## ATTACHMENT 1



## **Community Development**

### **Community Services**

#### **CD01-07/05 Community Transport Service – Transport Requirements**

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File Ref:	S07/0067V01/#421237
Responsible Officer:	Director, Community Development
Disclosure of Interest:	Nil
Attachment(s):	Nil

### **Issue**

To consider the future transport needs and operational issues associated with the City's Community Transport Service (CTS).

### **Background**

The City currently operates a Transport Service that is funded by the City and is operationally located within the Community Services Business Unit.

The City's CTS has been in operation for approximately twenty years and focuses mainly on transporting seniors to shopping centres and to Senior Citizen Centres for social activities. The City currently provides in excess of 515 transport services per month for seniors and each transport service includes the journey to and from the resident's home. A fee of \$1.50 per person is charged for a Transport Service for Senior Citizen Centres and a fee of \$2.00 per person is charged for a Transport Service for shopping trips.

The current service is perceived to be predominately for use within Aged & Disability Services however, various groups, both in-house and external, occasionally use the service in the evenings, weekends and during weekdays when not in use by the seniors. User groups currently include Mercy Family Centre, Salvation Army, Girrawheen Army Cadets, Marmion Naval Cadets, CALM, FESA, Youth Services, Family Services, Leisure Services and Community Events. The vehicles are loaned, not hired, and user groups are requested to re-fuel the vehicles after use.

The administration of the Transport Service and recruitment of Volunteers is coordinated within the Community Services Business Unit. An Administration Officer oversees vehicle bookings and the recruitment of Volunteers. A small out of pocket reimbursement is paid to volunteers. User groups can provide their own driver if desired, however, the driver's licence must comply with the necessary legislation relating to the vehicles. A copy of the licence must be provided to the Administrative Officer prior to using the vehicles. Feedback received has established that the service is highly valued by current users.

As a result of a review of the future operational needs of the CTS conducted in 2003, at its meeting of 6 April 2004, refer CD01-04/04, it was resolved:-

*“That Council:-*

- 1. ENDORSES the ongoing provision of a Community Transport Service for residents and groups living within the City of Wanneroo.*
- 2. ENDORSES the priority list for use of the Community Transport Service as outlined below:*
  - a. Council programs and services*
  - b. Not for profit community groups*
  - c. Community events*
- 3. ENDORSES the revised conditions of hire as at Attachment 3;*
- 4. NOTES that in the event of an emergency situation, for example a “Bush Fire”, the Community Transport Service vehicles would be automatically prioritised to assist in evacuation processes if required.*
- 5. ENDORSES the expansion of the Community Transport Service to meet the identified needs of the community as identified through the Community Consultation processes and to ensure equity of access for the community, with due regard to available resources.*
- 6. ENDORSES a submission to Lotterywest for funds to install a wheelchair hoist and child restraints to the 22-seater vehicle in the current Community Transport fleet.*
- 7. ENDORSES a submission to Lotterywest for funds to purchase two 12-seater commuter vehicles, one vehicle equipped with a wheelchair hoist and both vehicles with child restraints for the financial year 2004/2005.*
- 8. LISTS for consideration the purchase of two 12-seater vehicles and the ongoing maintenance of those for the 2004/2005 financial year, estimated at \$70,600.00 subject to Recommendation 7. above.”*

Subject to a successful Lotterywest grant, (Recommendation 6. above), an amount of \$108,000.00 was endorsed as a Council Initiative in the 04/05 budget to facilitate the purchase of a 22-seater bus.

In September 2004, further discussions with Lotterywest indicated that it would be very unlikely to support two applications for funding from the City.

As the City had already purchased a 22-seater vehicle with hoist as part of its adult day centre program, now providing two vehicles with hoists, the need for a hoist to be fitted to the existing community transport vehicle is not a high priority.

As a result of this decision, the recommendation to purchase two 12-seater vehicles was seen as the issue of most importance, (Refer #356165), and a submission was made to Lotterywest on this basis in January 2005. In June 2005, the City was notified that the application was successful. The approved amount for the Lotterywest grant is \$45,272.00.

The amount of \$108,000.00 was carried forward in the 2004 / 2005 budget and has now been carried forward in the 2005/2006 budget for future expenditure on vehicles for the CTS.

## **Detail**

Current use of the CTS has increased, from 300+ trips per month in December 2003 to 500+ trips per month in April 2005. The service continues to be highly beneficial to many residents, particularly seniors and those living in geographically isolated areas such as Yanchep, Two Rocks and Banksia Grove. Whilst seniors groups within the city benefit greatly from the service and rely on it for shopping in particular, use by other community groups such as schools, cadets and church groups, continues to increase.

As the population continues to grow within the City, it is anticipated that the demand for access to the service will also increase and the current fleet of vehicles will be unable to meet the future needs of the community.

The success of the Lotterywest application for the amount of \$45,272.00 means that the City is now able to consider the purchase of two 12-seater Buses. The total cost to purchase and modify the two vehicles is \$97,272.00, (exclusive of GST). This includes modification to the amount of \$15,903.33 (exclusive of GST). Modifications include making one vehicle wheelchair accessible, the addition of non-slip floor coverings, tinted windows, a slide out step for easy access, handrails and two seats with child restraints.

## ***Consultation***

N/A

## **Comment**

As stated, the Lotterywest funding application was based upon a quote to purchase two Toyota Commuter vans. At the time, these vehicles were considered to be suitable for the purpose of supplying a transport service to the elderly and other community groups.

The City has a standard process to follow when purchasing vehicles that minimises vehicle ownership costs and ensures the suitability of the vehicles for staff to undertake their duties. This process will be followed for the purchase of these vehicles if recommended by council.

Note, a further report on the recruitment of suitable drivers for the CTS may be presented to Council in the future.

## **Statutory Compliance**

Nil

## Strategic Implications

The continuing provision and expansion of the CTS is in line with the City's Strategic Plan, Healthy Communities in the following areas:

*“2.1 Achieve an understanding of our community's needs - present and future  
2.3 Support and encourage the delivery of a safe and effective transport network  
2.5 Foster a community that finds strength in its diversity, and  
2.7 Provide community focussed services and lifestyle opportunities”*

## Policy Implications

Nil

## Financial Implications

The City provides funding to operate the Community Transport Service and revenue is generated through senior's user fees.

The total Municipal grant required to purchase the two vehicles is depicted in Table A below.

**Table A**

<b>Total Capital Expenditure</b>	<b>Grants</b>	<b>Capital Cost to Council</b>	<b>Operational Costs*</b>
Cost of purchasing 2 Vehicles, including Modifications	Lotterywest Grant for Capital purchase	Cost of purchase to Council	Annual Costs
<b>\$97,272.00</b>	<b>\$45,272.00</b>	<b>\$52,000.00</b>	<b>\$32,500.00</b>

\*Operational Costs

*These are costs that are incurred in the actual provision of the CTS and include direct salary costs, administration, volunteer reimbursements, photocopying, printing, stationary, vehicle running expenses and vehicle replacement costs.*

Accordingly, should Council support the recommendations, the total cost to the City will be \$84,500.00. This is comprised of:

- An approximate amount of \$52,000.00 towards the cost of the new vehicles, and
- \$32,500.00 to cover maintenance, vehicle expenses and replacement costs. This amount is based on a rate of .65c per kilometre per vehicle for an estimated 25,000 kilometres travelled per year.

## Voting Requirements

Simple Majority

## **Recommendation**

### **That Council:-**

- 1. NOTES the success of a submission to Lotterywest for \$45,272.00 to purchase two 12-seater commuter vehicles, one equipped with a wheelchair hoist and both vehicles with child restraints.**
- 2. ENDORSES the purchase of two 12-seater vehicles.**
- 3. NOTES that the operations of the Community Transport Service will be monitored over the next twelve months with a view to reviewing future service provision.**

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**CD02-07/05 Renewal of Contract for Federal Financial Counselling Service for 2005/06**

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File Ref: S17/0094  
Responsible Officer: Director Community Development  
Disclosure of Interest: Nil  
Attachment(s): Nil

**Issue**

To consider a renewal of contract between the City and the Federal Government Department for Family and Community Services (FaCS) for the delivery of the Financial Counselling Service in 2005/06.

**Background**

The City has been providing the Federally-funded Financial Counselling Service since successfully tendering for FaCS funding in 1998. Contractual arrangements between the City and FaCS for the provision of these services expired on 30 June 2005.

Demand for this service has grown substantially since 1998 and is currently very high. In 2004/05, the Federal Financial Counselling Service dealt with 406 new clients, 158 repeat clients and phone calls from 271 clients. 46 clients were assisted through community education seminars.

**Detail**

The Financial Counselling Service Contract represents a \$46,546.00 (inc GST) grant to the City for the provision of financial planning, advice and crisis management programs for low income and financially disadvantaged residents of the City in 2005/06. This funding is further complemented with State Government funding for further financial counselling and emergency relief services. FaCS funding employs a full time worker, with Council contributing to administrative and corporate program costs.

**Comment**

The services provided are well utilised, relevant and factor highly in supporting the needs of the financially disadvantaged population of the southern portion of the City. In 2004/05, 881 clients were assisted with major presenting problems being general debts, debt recovery, summonses, Warrant of Execution, utility debts, contract dispute, bankruptcy, business failure, housing, Centrelink, harassment by debt collectors, tax debts, budgeting and gambling.

There would be a considerable impact on the community should Council not enter into the offered Service Agreement. As previously stated, the services on offer are well utilised and provide valuable and relevant support to the community. There are limited options by way of alternate agencies to fill the resulting gaps in service delivery that would eventuate from not entering into new service contract arrangements.

## **Statutory Compliance**

Contracts and Property Management staff have checked the contract and advised that it raises no issues of concern to them. Annexures A and B form part of the standard Australian government contract, however, they do not relate to this funded service. The advice of FaCS is that Annexures A and B are not relevant in the contract and do not require signing by the City.

A copy of the full contract document is available in the Elected Members Reading Room. A Council resolution is required to allow the Mayor and CEO to affix the common seal.

## **Strategic Implications**

This matter is consistent with the City's Strategic Plan 2002-2005: Goal 2 Healthy Communities:

*"2.6 Provide and manage infrastructure to meet the needs of our community."*

## **Policy Implications**

Nil.

## **Financial Implications**

An operational budget for the provision of the Wanneroo Financial Counselling has been prepared and adopted as part of Council's 2005/06 budgetary processes. Acceptance of the FACS Service Agreement contract would ensure access to funding for 2005/06 as follows:

Wanneroo Financial Counselling Service - \$46,546 (inc GST).

The City's contribution over and above grant funding in 2004/05 is budgeted at approximately \$81,868, which includes corporate overheads associated with staff office accommodation and utility/service costs (\$54,000) plus IT support charges (\$5,640). Actual expenditure for 2004/05 is unavailable at the present moment.

## **Voting Requirements**

Simple Majority

## **Recommendation**

**That Council AUTHORISE the Mayor and Chief Executive Officer to execute and affix the common seal of the City of Wanneroo to the contract between Council and the Federal Department of Family and Community Services for the provision of the Wanneroo Financial Counselling Service in 2005/06.**

## Leisure & Library Services

### CD03-07/05 Approval of Liddell Park as a Location for Circus Joseph Ashton

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File Ref:	S07/0056
Responsible Officer:	Director Community Development
Disclosure of Interest:	Nil
Attachment(s):	Nil

#### Issue

To consider the use of Liddell Park, Girrawheen for Circus Joseph Ashton from 19 September to 9 October 2005.

#### Background

An Event Approval Application was received from Mr Joseph Ashton on 29 March 2005 to conduct a circus at Liddell Park, Girrawheen from 15 to 28 August. This application was declined in accordance with the then City of Wanneroo Circuses Policy that excluded the use of animals within performances and identified the Wanneroo Showgrounds as the only authorised location for circus type entertainment. Subsequently, another application was submitted by Circus Joseph Ashton to conduct a circus at the Wanneroo Showgrounds from 19 September to 9 October 2005. This application was assessed using the amended Circuses Policy that was adopted at the Ordinary Council Meeting on 26 April 2005 and permits the inclusion of *domesticated animals* as defined within the Code of Practice for the Conduct of Circuses in Western Australia (Department of Local Government & Regional Development, 2003).

#### Detail

Upon analysis of the Wanneroo Showgrounds as the location for the event it became apparent that previous bookings for the Wanneroo Football Club and Wanneroo Swapmeet significantly impact on the availability of space on the dates requested. Whilst the Wanneroo Showgrounds are the only approved site for the conduct of a circus the Circuses Policy enables the Chief Executive Officer to recommend to Council alternatives on a case-by-case basis. Therefore, upon investigation of available parks within the City it was considered that Liddell Park in Girrawheen is the most suitable alternate venue based on the availability of temporary parking facilities at adjoining Templeton Park, sufficient public transport links on Wanneroo and Beach Roads, previous use of the park for circus events and ground availability.

#### Consultation

Upon receipt of the Circus Joseph Ashton event approval application an internal working group was formed comprising Officers from Leisure Services, Parks and Development and Health Services. The event organiser was advised that the following information would be required prior to the event being considered further:

- Application to Construct, Extend or Alter a Public Building (Form 1 – Health Public Building Regulations 1992),
- Application for Certificate of Approval (Form 2 – Health Public Building Regulations 1992),
- Provision of a Certificate of Electrical Compliance (Form 5 – Health Public Building Regulations 1992),
- Application for a Street Trading Licence (Trading in Public Places Local Law 1999),
- Provision of information relating to the amount of waste generated (animal manures and putrescible waste) and how this will be managed,
- Provision of approximate numbers of patrons to be in attendance during any one day/session and the number of toilets (male, female and disabled) proposed for the event,
- Provision of a Acoustic Consultants Report on all installations (eg. generators, amplified music, PA systems) and activities (eg. vehicle movements) providing actual sound level measurements to ensure compliance with the requirements of the Environmental Protection Act 1986),
- Application for a Building Licence.

In addition, community consultation was undertaken for a four-week period between 30 May and 24 June 2005. This included a mail out to nearby residents (all residences contained within the area bordered by Beach Road - Blackmore Avenue - Balgonie Avenue - Mereworth Way), a public notice in the Wanneroo Link on 31 May, and within the 'Your Say' section on the City of Wanneroo website. During the public comment period a total of 167 submissions were received with 21 not supporting the proposed accommodation of Circus Joseph Ashton at Liddell Park and 146 supporting the proposal. The main issues raised by those not supporting Liddell Park as a suitable location are provided below in combination with relevant comments from Administration:

- Excessive litter and dust left by the event and attendees  
*Response: Inclusion of a strict event approval condition requiring the event organiser to leave the site litter free.*
- Concerns over noise levels due to close proximity to surrounding residences  
*Response: Strict enforcement of Environmental Protection (Noise) Regulations 1997 and establishment of an event curfew within the event approval.*
- Concerns over smell of circus animals  
*Response: Circus Joseph Ashton includes eight horses, two ponies, one turkey and two geese. Adherence to the Code of Practice for the Conduct of Circuses in Western Australia will require the event organiser to ensure animal housings are regularly cleaned and drained.*
- Increased traffic and parking problems  
*Response: Utilisation of Templeton Park as a temporary car parking location and engagement of Rangers Services to ensure Parking Local Laws are enforced.*
- Inability to use Liddell Park for walking or other pursuits  
*Response: Establishment of a site map identifying the area of the park that will host the circus tent and ancillary buildings/vehicles. It is anticipated that areas of the park will still be accessible for local residents.*

- Concerns relating to cruelty of animals and circuses in general  
*Response: The City's Circuses Policy and Code of Practice for the Conduct of Circuses in Western Australia addresses the issues of animal safety, behavioural training, medical attention and housing.*
- Increased crime, nuisances and antisocial behaviour  
*Response: Notification of Police and Rangers Services to ensure adequate surveillance during the event.*
- Proposed period of the event is too long  
*Response: Consideration of the event timeframe being restricted to a two-week period.*
- Damage to the grass surface  
*Response: Development of an action plan by Parks to ensure the park receives adequate maintenance after the event to ensure a quick recovery to the existing state. The cost of any required maintenance is to be deducted from the hirers bond.*

## **Comment**

Approval of the event will be dependant upon the completion of all relevant applications and adherence to relevant regulations as determined by Development & Health Services. In addition, the approval will be subject to a number of conditions addressing the major issues raised during the community consultation. These conditions will be developed based on advice from Development & Health Services, Parks & Leisure Services.

On this basis Administration is satisfied that the location of the circus at Liddell Park will be of benefit to residents whilst strict adherence to the Circuses Policy will ensure that community concerns relating to this event are addressed.

## **Statutory Compliance**

A circus event at any location within the City of Wanneroo will be required to comply with relevant local laws, policies, guidelines and conditions. These include:

- City of Wanneroo Local Laws
- City of Wanneroo Circuses Policy
- Code of Practice for the Conduct of Circuses in Western Australia
- Current Western Australian legislation relevant to the welfare of animals, health and public buildings

## **Strategic Implications**

The facilitation of circus events at locations within the City of Wanneroo is consistent with the 'Healthy Communities' goal identified within the City's Strategic Plan 2002 – 2005.

## **Policy Implications**

The Circuses Policy does not contain a delegated authority provision for the Chief Executive Officer to nominate approved grounds. The policy provides for a referral to Council for a decision on the usage of venues other than the Wanneroo Showgrounds.

## Financial Implications

Circus Joseph Ashton will be charged the commercial hire rate for the period of the event. The cost is \$250.00 per day with a \$500.00 bond payable in full prior to the commencement of the event.

## Voting Requirements

Simple Majority

## Recommendation

**That Council:**

1. **AUTHORISES the use of Liddell Park, Girrawheen to host Circus Joseph Ashton from 19 September to 9 October 2005 subject to:**
  - a) **Submission and approval of the following Development & Health requirements –**
    - i) **Application to construct, extend or alter a public building (Form 1 – Health Public Building Regulations 1992)**
    - ii) **Application for certificate of approval (Form 2 – Health Public Building Regulations 1992)**
    - iii) **Certificate of electrical compliance (Form 5 – Health public Building Regulations 1992)**
    - iv) **Application for a street trading licence (Trading in Public Places Local Law 1999)**
    - v) **Management of waste documentation (animal manures and putrescible waste)**
    - vi) **Provision of approximate patrons expected during any one day/session and the subsequent number of toilets to be provided**
    - vii) **Provision of an Acoustic Consultants Report**
    - viii) **Application for a Building Licence**
  - b) **Liddell Park being returned to a litter free state at the completion of the event.**
  - c) **Adherence to the *Environmental Protection (Noise) Regulations 1997*.**
  - d) **Adherence to the relevant clauses within the *Code of Practice for the Conduct of Circuses in Western Australia* relating to the housing of animals.**
  - e) **Utilisation of Templeton Park as a temporary carpark during show times and the mobilisation of the City's Rangers to enforce relevant *Parking Local Laws*.**
  - f) **Provision of a site map identifying the area of the park accommodating the circus and displaying areas unrestricted to park users during the event.**

- g) **Adherence to all relevant clauses within the *Code of Practice for the Conduct of Circuses in Western Australia* to ensure the safety and security of animals.**
  - h) **Provision of all show times to the City's Rangers and Local Police to ensure adequate surveillance during the event.**
  - i) **As a condition of park hire any maintenance costs required to return the park to a usable state is to be deducted from the hirers bond.**
- 2. NOTES that Circus Joseph Ashton will include the use of domesticated animals within the performance, in accordance with the City of Wanneroo Policy – 6.2.4 Circuses Policy.**
- 3. AUTHORISES the imposition of a bond to the value of \$2500 for this event, to cover any potential rectification costs.**

## CD04-07/05 Olympic Kingsway Soccer Club - Match Pitch Fencing Requirements

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File Ref: PR18/0001V02  
Responsible Officer: Director Community Development  
Disclosure of Interest: Nil  
Attachment(s): 1

### Issue

To consider a request from the Olympic Kingsway Soccer Club for the provision of a temporary post and rail barrier fence around the match pitch at the Kingsway Regional Sporting Complex (the Complex).

### Background

The Olympic Kingsway Soccer Club currently competes in Division 1 of the new Football West League, previously Division 1 of the Soccer West Coast Semi Professional League. To participate in this league, and to be eligible for promotion to the Premier League, clubs are required to provide specific items of infrastructure. Generally this infrastructure includes:

- An enclosed playing area (fencing around all sides to control access to the ground, clubrooms for the purpose of charging an entry fee),
- Barrier fencing around match pitches,
- Players race,
- Player/official shelters,
- Scoreboard,
- Public toilets,
- Canteen Facilities,
- Changeroom facilities for players and officials.

This information is provided as outlined within the Football West document “Criteria for Premier League”, which is currently under review. The onus is on the club to fund the provision of the above items.

Currently the match pitch utilised by the Olympic Kingsway Soccer Club in conducting its Division 1 matches does not have a permanent barrier fence (refer to **Attachment 1** for site plan of clubrooms and match pitch). The fence in question was removed by the City of Wanneroo in 2003 due to the fence being in a state of dis-repair and after it was identified as an occupational health and safety risk to City of Wanneroo Parks Officers. The purpose of the barrier fence is to control the movement of spectators to prevent them from moving onto the pitch when games are in progress.

To assist in the club’s ongoing participation in the Division 1 league, the City of Wanneroo has provided the club with star pickets and approximately 400m of rope to allow the erection of a temporary barrier fence for the club’s home games during the 2004 season. This temporary measure was provided as a result of discussions between City of Wanneroo Officers and club representatives, which occurred on Wednesday 27 April, and focussed on providing the minimum standard required.

The issue is further complicated with the re-development of the complex, which is scheduled to commence in the 2005/06 financial year. Based on the project staging approved by Council at its meeting on 7 June 2005, the re-development of the match pitch currently used by the Olympic Kingsway Soccer Club will not be completed until 2008/09.

As a result, a temporary solution is required for not only the period prior to the commencement of the re-development work, but also for the period when the current match pitch is under actual re-construction and the club is required to play elsewhere.

In addition to this, concerns have previously been raised by the club in relation to the current condition of the changerooms located directly north of the match pitch. As a result Administration undertook an inspection focussing on the following areas:

- Plumbing systems and hardware.
- Lighting equipment and electrical systems.
- Painting and wall coverings.
- High level cleaning.
- Doors and associated hardware.

As a result of this inspection, the following advice can be provided:

- Two water heaters are scheduled to be replaced in 2005/06.
- Painting to internal and external of the building is scheduled for 2006/07.
- All electrical fittings and systems will be subject to ongoing maintenance with no upgrades.
- Interior fittings and doors will be replaced when required (i.e. damaged).

The clubrooms currently utilised by the club are leased from the City for a period of 21 years, which expired on 31 July 2004. Administration has subsequently advised the club that the lease will remain in “holdover” pending finalisation of the redevelopment of the complex. In addition to the clubrooms, the club hires the match pitch and a number of other pitches at the complex (inclusive of floodlighting) during the winter season, in accordance with relevant policy and Council’s schedule of fees and charges.

To enable the club’s participation in the current Football West Division 1 competition, the following additional infrastructure is provided:

- Perimeter fence encompassing the existing clubrooms and match pitch to allow controlled access to the ground, with a view of charging a spectator entry fee.
- Fenced players race from the changerooms to the match pitch.
- Player changerooms.

## **Detail**

Administration met with Ward Councillors and the President of the Olympic Kingsway Soccer Club, Mr Nick Trandos, who has advised the City of Wanneroo that the temporary fencing made available to the club has been deemed to be unacceptable by the Soccer Australia Referees – WA. This is on the basis that it does not meet the current guidelines as set by Football West (as identified above).

In addition to this Mr Trandos was concerned that the lack of a barrier fence would prevent the club from being promoted to the Premier League in the future.

As a result, the Olympic Kingsway Soccer Club has requested that the City of Wanneroo provide a temporary post and rail type of barrier fence (i.e. not fixed into the ground) that can be removed and ultimately recycled to be used as a permanent barrier fence once the re-development of the Complex has been completed. This request is based on the City of Wanneroo meeting all costs relating to the purchase, installation and ongoing maintenance of the fence.

As an outcome of the meeting, it was agreed that Mr Trandos would seek written advice from Soccer Australia Referees – WA confirming their position in relation to the current barrier fence. It was also agreed that Administration would confirm with Football West (the new governing body of soccer in WA) whether the current temporary measure was acceptable and to identify any implications the provision of such a measure would have on the future promotion opportunities of the club.

In response, Football West have advised that:

- The provision of star pickets and rope is not generally acceptable as a temporary barrier fence.
- The lack of a permanent fence may not prevent the club from participating in the current or forthcoming season.
- The lack of a permanent fence may not prevent the club from consideration for promotion in current or forthcoming seasons.
- Referees are empowered on match days to cancel fixtures due to concerns such as safety issues, of which a rope barrier fence may be perceived potentially as an issue.

In addition to this, Football West have also suggested that an onsite meeting be held with Football West, the Referees Association, Olympic Kingsway Soccer Club and Administration to ascertain an acceptable short term solution for the current season.

Cost alternatives to the current rope barrier fencing are as follows:

Option	Description	Cost
Option 1	Post & Rail fence (minus wire mesh)	\$8,900 installed
Option 2	Post & Rail fence with wire mesh	\$15,200 installed
Option 3	Temporary Post & Rail fence – comprising of individual gates set in removable concrete footings)	\$35,000 installed

Administration recommends that the most suitable option in providing the barrier fence is Option 1. This is on the basis that the fence can be installed, removed for the re-development and put back into place once the re-development has been completed, with the only additional cost (apart from labour) being the installation of the required sleeves into the ground, which would be included as a part of the re-development of the pitch in any event.

Option 3 has not been considered on the basis that it is cost prohibitive.

## **Comment**

Based on the advice received from Football West in relation to the current temporary rope fence, it is apparent that the current fencing arrangement will not be a sustainable option for the period from the current season until the re-development of the match pitch is completed.

As a consequence it is recommended that a post and rail fence (as per option 1) be installed around the match pitch used by Olympic Kingsway Soccer Club and that the club meet all costs associated with the supply and installation of the barrier fence.

This recommendation is made on the basis that current advice deems the provision of the barrier fence is a requirement of the club (as a result of their participation in the Division 1 league) and not a requirement of the City. A similar approach has been undertaken by Administration in managing issues relating to the maintenance of the barrier fence around the match pitch used by the Wanneroo City Soccer Club and the perimeter fence currently in place around the football ground used by the Wanneroo Kingsway Football Club.

Administration feels that this position is consistent with the higher infrastructure requirements of the club (as a consequence of the current Football West guidelines) to enable the participation in the Division 1 League and in the future, Premier league. The position of Administration is also seen to be an equitable approach given the provision of playing grounds, floodlighting and changerooms for seasonal use and the provision of a lease agreement relating to the clubrooms.

## **Statutory Compliance**

Nil

## **Strategic Implications**

Provide and manage infrastructure to meet the needs of our community.

## **Policy Implications**

Nil

## **Financial Implications**

The cost of providing the barrier fence as per option 1 is estimated at \$8,900 supply and installed, the cost of which would be met by the club.

## **Voting Requirements**

Simple Majority

## **Recommendation**

### **That Council:-**

- 1. AGREES to the installation of a removable post and rail barrier fence at the match pitch utilised by the Olympic Kingsway Soccer Club, subject to the Olympic Kingsway Soccer Club meeting all costs associated with supply and installation.**
- 2. ADVISE Football West of the proposed works and continues dialogue with Football West in the management of the fencing issue and broader implications resulting from the Kingsway Regional Sporting Complex Redevelopment in general.**



## CD05-07/05 Proposed Edgar Griffiths Reserve - Toilet Facilities Upgrade

File Ref: PR34/0011V01  
 Responsible Officer: Director Community Development  
 Disclosure of Interest: Nil  
 Attachment(s): 3

### Issue

To consider the outcome of the public consultation exercise for the proposed Edgar Griffiths Reserve – Toilet Facilities Upgrade and to seek Council approval to list the item for consideration in the City's Forward Capital Works Budget.

### Background

At the Ordinary Meeting of Council on 2 November 2004 through resolution MN02-11/04 council resolved.

1. *Pursuant to Section 6.8(1)(b) of the Local Government Act 1995, APPROVES BY ABSOLUTE MAJORITY expenditure to a maximum of \$25,730 for the costs associated with the design and document preparation for the upgrading of the existing toilet facilities at Edgar Griffiths Reserve*
2. *NOTES the following consequential budget variation to give affect to 1 above: -*

<i>Project No</i>	<i>From</i>	<i>To</i>	<i>Description</i>
824543	\$25,730		<i>Edgar Griffiths Park – Construction of Floodlighting</i>
New		\$25,730	<i>Edgar Griffiths Park – Design and Drawings for Toilet Upgrade</i>

3. *ENSURES that appropriate consultation occurs in the preparation of the design and drawings to ensure the facility reflects the community's aspirations.*

The current facilities are old and in need of upgrading. In addition the use of the oval would be further enhanced by the provision of changing and storage facilities.

### Detail

In response to resolution three as identified above, three provisional designs for the upgrade of the toilet facilities at Edgar Griffiths Reserve were produced for public consultation, an overview of which is outlined below.

Options	Design Description	Estimated Cost
Scenario 1	Change room, 3 metres from the existing building, <b>Attachment 1</b>	\$215,000.00
Scenario 2	Change room with 3 metre separation from existing building being converted to a storeroom <b>Attachment 1</b>	\$230,000.00
Scenario 3	Change room, toilet, kiosk and storeroom with a 3 metre separation from existing building <b>Attachment 2</b>	\$420,000.00

### ***Consultation***

Consultation was undertaken via a mail survey in which the stakeholders were asked to consider three questions as outlined in **Attachment 3**. The survey was sent to 53 stakeholders, including surrounding residents, sporting groups and local members. The deadline for the return of surveys was Friday 3 June 2005.

A number of respondents chose more than one option, these responses have been shown as “adjusted”. The result of the survey was as follows:

Options	Responses in favour	Adjusted Responses in favour	Estimated Projected Cost
No Development	1	1	Nil
Scenario 1	2	2	\$215,000.00
Scenario 2	12	9	\$230,000.00
Scenario 3	12	9	\$420,000.00
Total	27	21	N/a

As a result of the survey outcome it is recommended that Council consider Scenario 3 for future funding. This is on the basis that this scenario represents an improvement and an increase on facilities currently available, meeting the requirements of the community and representing and effective use of city resources.

### **Statutory Compliance**

Nil

### **Strategic Implications**

The upgrade of the facilities at Edgar Griffiths Reserve supports the City’s Strategic objective of: *“Providing community based services and lifestyle opportunities”*

### **Policy Implications**

Nil

## **Financial Implications**

The project will be required to be considered in future Capital Works Budgets, as no allocation of funds is available in 2005/06.

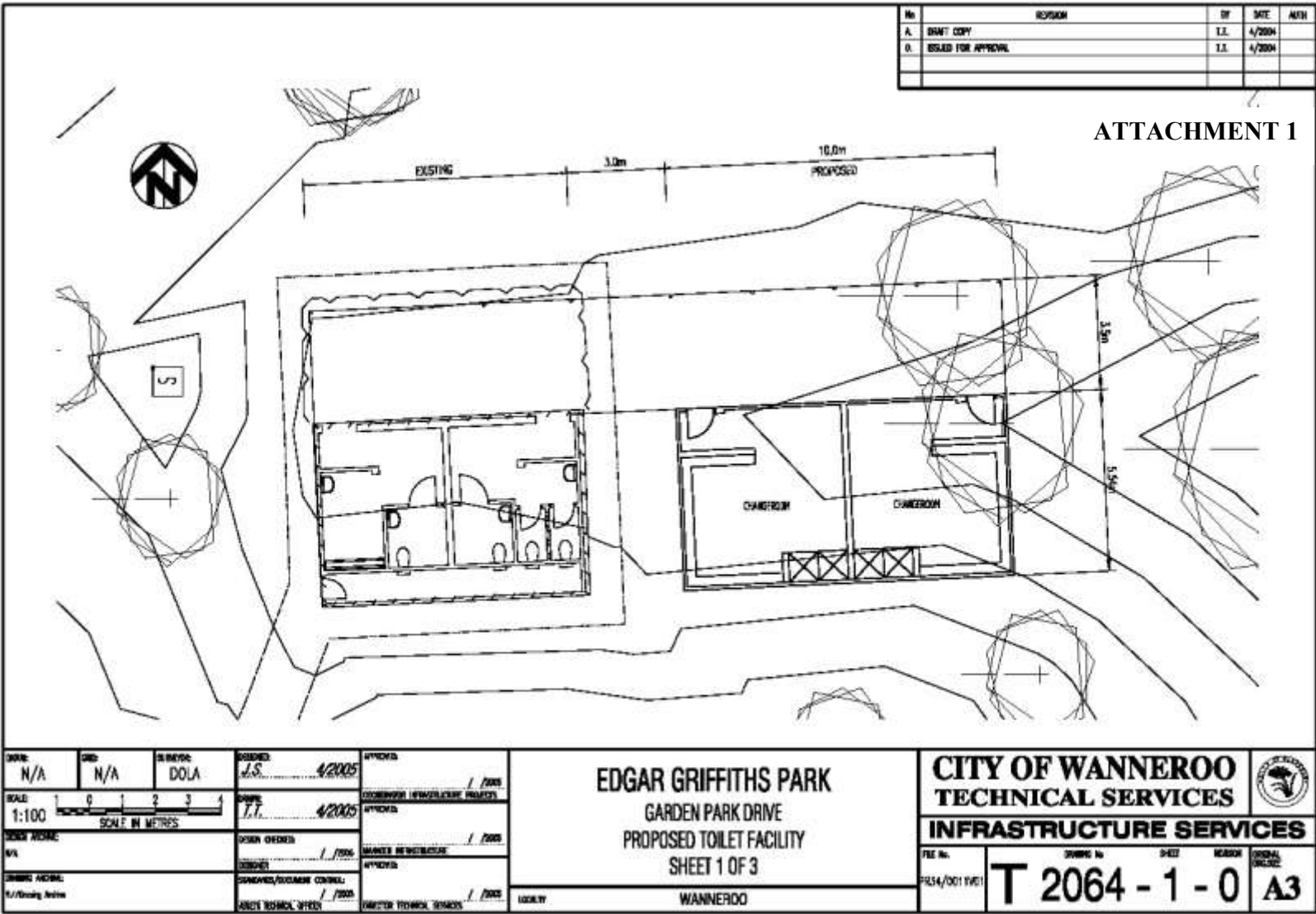
## **Voting Requirements**

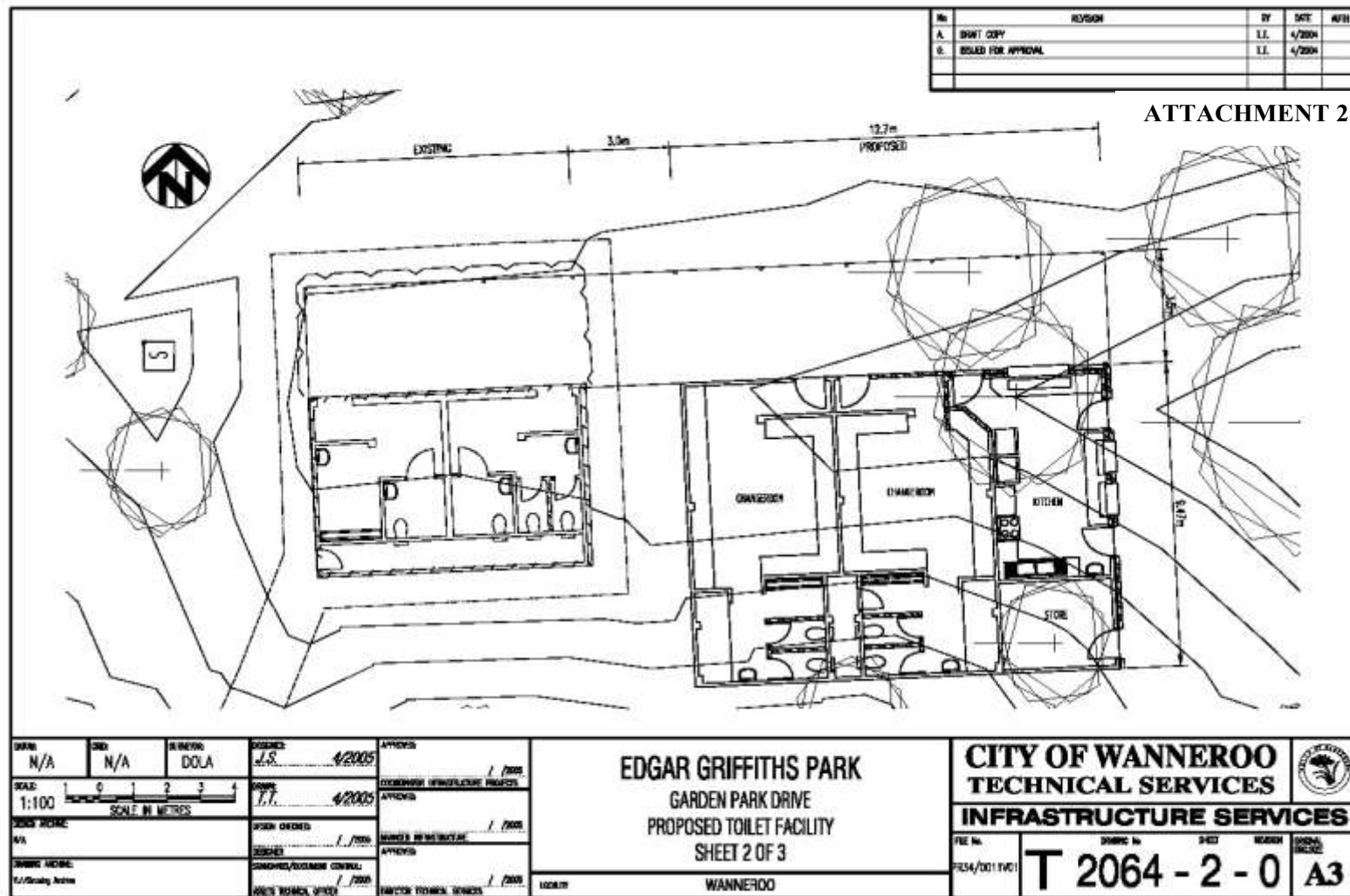
Simple Majority

## **Recommendation**

**That Council: -**

- 1. NOTES the outcome of the consultation process undertaken in the preparation of the design documentation for the upgrade of the existing toilet facilities at Edgar Griffiths Reserve.**
- 2. APPROVES the completion of design documentation for Scenario 3, - *“Change room, toilet, kiosk and storeroom with a 3 metre separation from existing building.”***
- 3. LISTS FOR CONSIDERATION on the 2006/07 capital budget \$420, 000 for the upgrade of the existing toilet facilities at Edgar Griffiths Reserve based on scenario 3.**





## ATTACHMENT 3



**EDGAR GRIFFITHS RESERVE - FACILITY UPGRADE  
PUBLIC COMMENT FORM**  
(please ✓ the appropriate box)

1. Are you in favour of upgrade works being undertaken on the toilet facilities at Edgar Griffiths reserve?

Yes ☐

No ☐

2. If Yes, Which of the proposals would be your preference?

**Scenario 1**

☐

Change room addition, 3 metres away from the existing building.

**Scenario 2**

☐

Change room addition with the 3 metres separation from existing building being converted to a storeroom.

**Scenario 3**

☐

Change room, toilet, kiosk and storeroom addition with a 3 metres separation from existing building.

3. Are there any further comments you would like to make in regards to the Edgar Griffiths Reserve - Facility Upgrade?

(completed forms should be returned in the enclosed postage paid envelope by Friday 3<sup>rd</sup> June 2005)

## CD06-07/05 Yanchep Surf Life Saving Club – Outcome of SLSWA Facility Audit

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File Ref: S25/0057  
Responsible Officer: Director Community Development  
Disclosure of Interest: Nil  
Attachment(s): 2

### Issue

To consider the outcomes of the Yanchep Surf Life Saving Club Facility Audit conducted by Surf Life Saving Western Australia.

### Background

The Yanchep Surf Life Saving Club (the Club) is located on Reserve 39022 (**refer to Attachment 1**), which is vested with the City of Wanneroo for the purpose of ‘Club Premises’. The premises are currently leased by the Club and this agreement will expire on 31 December 2007. The Club conducts life saving services during the summer period on a Sunday whilst the City contracts the Western Australian Surf Life Saving Association for professional lifeguard services on Mondays to Saturdays inclusive for the period December to March.

In April 2004, Administration appointed consultants to undertake the Yanchep Surf Life Saving Club and Coastal Management Services Report on the basis that club facilities were inadequate to cater for current usage levels and future demands from the emerging community. As a result, the Yanchep Surf Life Saving Club Relocation Project Reference Group was established comprising North Ward Councillors, Council Officers and representatives from the Yanchep Two Rocks Recreation Association, Two Rocks Yanchep Residents Association, Yanchep Surf Life Saving Club, Yanchep Sun City Pty Ltd, and Surf Life Saving Western Australia. Upon investigation the key issues raised were difficulty of beach access, dangerous gradient of beach ramp, inadequate storage and lack of space to expand the facility to cater for future demand.

The outcome of the study as resolved by Council at its meeting on 14 December 2004 (Report CD07-12/04) was as follows:

*That Council:*

1. *NOTES the Yanchep Surf Life Saving Club and Coastal Management Services Report as prepared by Arbor Vitae and as recommended by the Yanchep Surf Life Saving Club Relocation Reference Group.*
2. *NOTES the preferred option for the permanent location of the Yanchep Surf Life Saving Club as recommended in the Arbor Vitae report and supported by the Yanchep Surf Life Saving Club Relocation Reference Group is on the foredune adjacent to Club Capricorn*

3. *REFERS the Arbor Vitae report together with the recommendations of the Yanchep Surf Life Saving Club Relocation Reference Group for consideration in the Yanchep Foreshore Management Plan currently being prepared in consultation with the Capricorn Village Joint Venture.*
4. *NOTES that further discussions will be entered into with the Yanchep Surf Life Saving Club and the Capricorn Village Joint Venture to determine cost effective short-term solutions for additional support infrastructure.*

In April 2005, Administration received the Yanchep Surf Life Saving Club Facility Audit Report undertaken by Surf Life Saving Western Australia (a copy of the audit is available in the Elected Members Reading Room and the Executive Summary is included as **Attachment 2**). The audit was based on the Surf Life Saving Association's (Australia) own audit methodology and addressed all elements related to the facility including the club house, health and safety, amenities, housekeeping, first aid room, rehabilitation management system, beach access, patrol and surrounds. In addition, the Draft Two Rocks Yanchep Foreshore Management Plan endorsed for public comment by Council at its meeting on 7 June 2005 (Report: PD02-06/05) noted the relocation of the Club as a low priority and considered it as a long term action to be implemented within five years or longer. It was, however noted in the plan that the development timeframe for the new club together with any transitional arrangements be further investigated in consultation with relevant stakeholders during the public comment period of the Draft Foreshore Management Plan to enable Council to consider at the time of adopting the final plan.

## **Detail**

The Audit achieved an overall rating of 48.6% with a total of 114 recommendations being documented. The main issues identified included:

- Inadequate access for emergency vehicles
- Severe manual handling risks
- Ramp to beach requires immediate attention
- Insufficient storage space
- No disabled access
- Absence of fire/emergency evacuation procedures and critical documentation
- No regular audit or inspection programs

A significant number of the recommendations are deemed the responsibility of the Club as the lessee of the facility, however urgent action is required by the City of Wanneroo in some instances as the lessor. An onsite meeting between the President Yanchep Surf Life Saving Club and numerous club representatives, North Ward Councillor, and relevant Administration staff was conducted on 16 June 2005 to assess key recommendations. As a result of this meeting the following actions were identified as practicable solutions to be implemented by relevant Administration staff:

- **Recommendation 16: Installation of more external lighting around the outside of the building and along the pathway to the tower for night time security**

*Action: Relatively simple works that can be completed at low cost and in a short time frame. The installation of external security lighting has already been investigated and will be completed within current maintenance budgets.*

- **Recommendation 22: Installation of fire detection devices**

*Action: Australian Standards do not require existing facilities to be retrofitted with such devices. Such devices have a relatively low installation cost however ongoing servicing is costly as they are connected to the Club's internal alarm system. As an alternative solution the electrics and plumbing throughout the facility are being investigated and will be repaired subject to budget availability.*

- **Recommendation 23: Installation of emergency lighting**

*Action: Australian Standards do not require existing facilities to be retrofitted with such devices. However, advice from an electrical contractor has recommended the installation of emergency and exit lighting. Replacement of all internal lighting and upgrades to the main switchboard to include circuit breakers has also been recommended due to the poor state of current installations. The indicative cost of these works is \$3,000.*

- **Recommendation 38: Gravel road east of the club to be designated a no parking zone to enable access by emergency vehicles**

*Action: Relevant Administration staff are currently investigating a short-term traffic and parking strategy for the site. The Club will be advised accordingly.*

- **Recommendation 86: Extension of ramp to the full length of the main boat shed doors**

*Action: The forming of a concrete ramp to provide a safe transition for vehicles. The works can be completed promptly and within existing maintenance budgets.*

- **Recommendation 88: Testing should be carried out to determine whether dust in the roof contains asbestos as it could be unsettled with the movement of equipment currently being stored in the roof**

*Action: The roof was inspected/sealed in 2003 and deemed safe. It is included in the three yearly inspections program and is not scheduled until December 2006. No further action required.*

- **Recommendation 105: The ramp to the beach is unsafe and should be closed immediately. It requires major works, repairs and significant investment by the City of Wanneroo to make it safe for use. The closure of the ramp would prevent access by all vehicles, including private 4WD's.**

*Action: The beach access track can be resurfaced with bitumen-stabilised limestone (ESL) and where possible the grade will be modified. The paved area will be extended to the west to improve the vehicles approach speed to access the steeper gradient, however any major works are restricted by the fragile dunal system, lack of area available for expansion and Bush Forever protection. There will be a small bund formed across the eastern end of this access track to direct all stormwater runoff from the building & carpark onto the grassed area to the south of the clubrooms. These works cannot occur until late September and will cost in the order of \$3,000. A regular inspection and maintenance program will be implemented to monitor and repair any subsequent degrading.*

- **Recommendation 107:** If the club is going to continue to offer its lifesaving services to the community, the City of Wanneroo should move immediately to investigate and implement other options for beach access. It has been suggested that the path from the club to the BBQ area be widened to accommodate the ATV and trailers, and a new track cut between the BBQ area and the beach for beach access. This is an effective cost-saving option, which could be implemented quickly and easily and would negate the need for repairing and maintaining the current ramp.

*Action: Due to the fragility of the dunal system and Bush Forever implications the establishment of a new path is not considered viable. Surrounding dunes restricts further development on the existing surf club site and therefore a new path would be a temporary measure until permanent relocation. The repair and ongoing maintenance of the existing track and the negotiation of access from Club Capricorn are the preferred options.*

- **Recommendation 108:** Investigate and implement a traffic management strategy in consultation with the City of Wanneroo. A designated car parking area is essential to keep the current access road free of vehicles.

*Action: Relevant Administration staff are currently investigating a short-term traffic and parking strategy for the site.*

- **Recommendation 110:** Area around the club should be resurfaced to eliminate uneven surfaces and potential trip hazards. It should be regularly reviewed and maintained.

*Action: Minor works can be completed as part of the repairs to the beach access ramp at a relatively low cost. Regular reviews of potential hazards will be the responsibility of the Surf Club.*

## **Comment**

The completion of these maintenance items will ensure that coastal management and beach safety services can continue to be provided at the Surf Club at a basic level, however it must be recognised that these are only short-term measures.

Retaining the Club and its associated services at the existing site will not adequately address the major issues raised within the Yanchep Surf Life Saving Club and Coastal Management Services Report and severely restricts the ability for beach safety services to be provided along the Yanchep coastline. Major issues including restrictive beach access due to shoreline and dunal erosion, unsafe surface and gradient of the beach access ramp, insufficient carparking facilities, inadequate infrastructure and insufficient land area to expand the facility to meet future demand requires alternative arrangements to be established.

Action needs to be taken by the City to enable beach safety services to be provided in the short/medium term until a new facility is constructed. Subject to planning approvals a new Surf Club building could be constructed within 2 years at the proposed Club Capricorn location, however the site can only be accessed by the Club Capricorn private road. An effective short/medium term solution is the negotiation of an agreement between the City of Wanneroo and Capricorn Village Joint Venture for the Surf Club to have ongoing use of this road for beach access and mobile patrols. Such an agreement would enable easy beach access for patrol vehicles, establish a beach safety presence at the Club Capricorn location, and potentially allow the provision of temporary storage facilities. Dependant upon the extent of this interim solution provisions for power, water and sewerage would have to be made until infrastructure as part of the Club Capricorn Village development is available. The proposed Yanchep Two Rocks (St Andrews) District Concept Plan and Capricorn Coastal Village Structure Plan forecast considerable population increases in the area and as a result beach patronage can be expected to increase significantly, and as such the Council has a responsibility to ensure adequate infrastructure is planned for the region.

Whilst the recommendations contained within the Arbor Vitae Report have been considered within the Draft Two Rocks Yanchep Foreshore Management Plan a timeframe for permanent relocation of the Surf Club needs to be confirmed. The Draft Foreshore Management Plan has assigned a longer-term priority for the establishment a new Surf Club adjacent to the Club Capricorn groyne, however the emergence of major operational and facility issues at the current site requires the relocation to be investigated and a firm development timeframe established. As indicated above, it is intended that this be done during the current consultation period of the foreshore management plan for Council to consider when adopting the final plan. Any new facility will need to be considered within the context of the Capricorn Village Precinct to ensure the effective integration of new and upgraded carparking areas and the provision of public open space within the foreshore area. The involvement of the Capricorn Village Joint Venture in establishing this timeframe is vital to ensure Council develops a proactive approach to the provision of beach safety services and the development of important community infrastructure for the current and future residents of Yanchep.

### **Statutory Compliance**

Nil

### **Strategic Implications**

The provision of infrastructure to meet the needs of our community is consistent with the 'Healthy Communities' goal identified within the City's Strategic Plan 2002 – 2005.

### **Policy Implications**

Nil

## Financial Implications

The following budget identifies short-term responses to the key audit recommendations:

ITEM	INDICATIVE COST
1. Installation of external lighting*	\$ 1,000
2. Installation of fire detection devices**	\$ N/A
3. Installation of emergency lighting and other electrical works*	\$ 3,000
4. Designation of a no parking zone for emergency vehicles***	\$ TBC
5. Extension of ramp to the full length of the main boat shed doors*	\$ 600
6. Works to beach access ramp*	\$ 3,000
7. Implementation of traffic management strategy***	\$ TBC
8. Resurfacing of uneven surfaces and trip hazards*	\$ 1,000
<b>TOTAL COST</b>	<b>\$ 8,600</b>

\* Items 1, 3, 5, 6 & 8 are to be completed within appropriate 2005/06 Coastal Management and Facility Maintenance Budgets.

\*\* Item 2 will not be completed. Other electrical and plumbing works will be completed within relevant 2005/06 Maintenance Budgets.

\*\*\* Items 4 & 7 are still being investigated. Indicative costs and availability within relevant budgets is yet to be determined.

## Voting Requirements

Simple Majority

## Recommendation

**That Council:-**

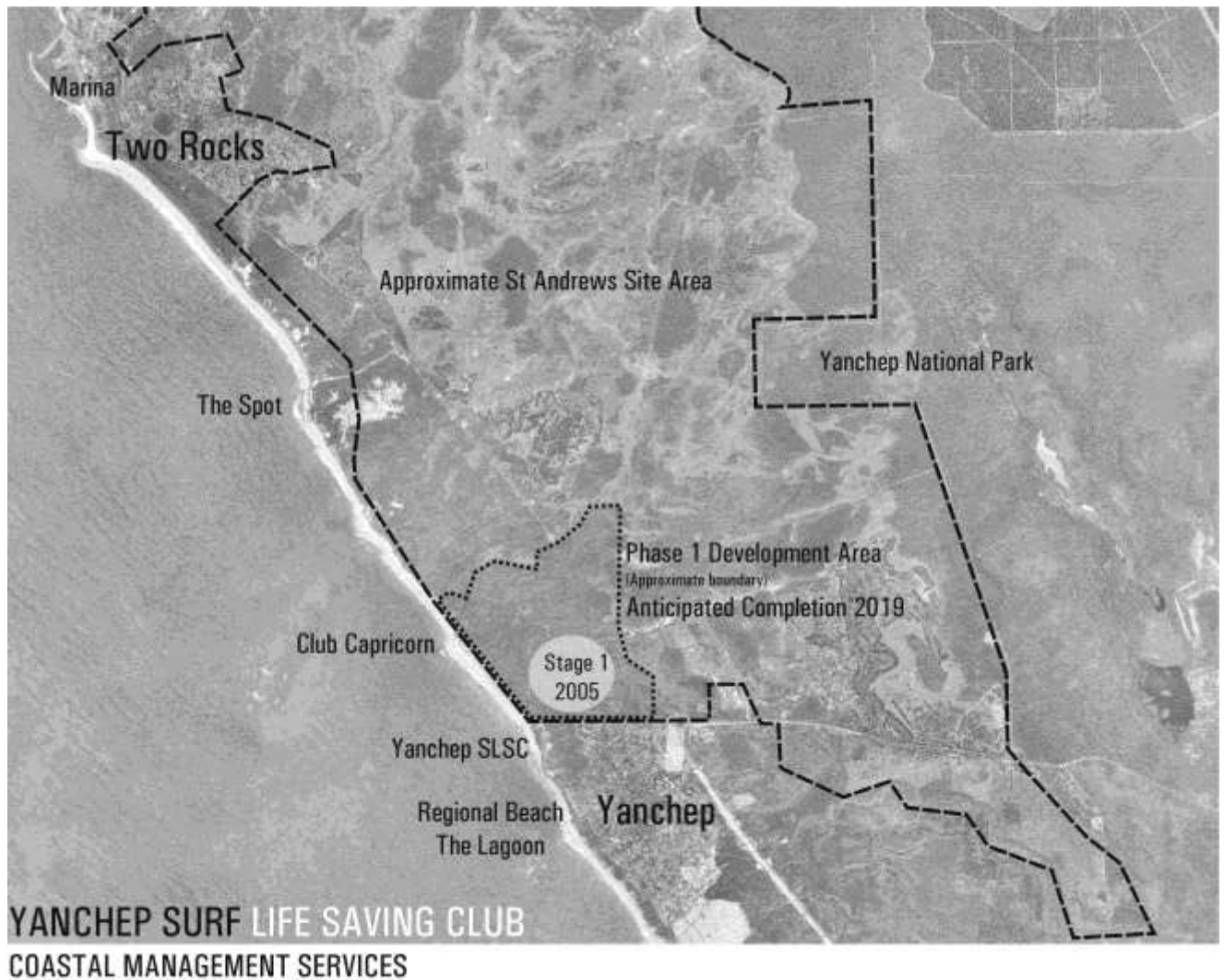
- NOTES the recommendations contained within the Yanchep Surf Life Saving Club Audit Report prepared by Surf Life Saving Western Australia.**
- AUTHORISES the implementation of the proposed actions in response to the recommendations contained within the Yanchep Surf Life Saving Club Audit that are considered the responsibility of Council, as outlined below:**

ITEM	INDICATIVE COST
<b>1. Installation of external lighting</b>	<b>\$ 1,000</b>
<b>2. Installation of fire detection devices</b>	<b>\$ N/A</b>

<b>3. Installation of emergency lighting and other electrical works</b>	<b>\$ 3,000</b>
<b>4. Designation of a no parking zone for emergency vehicles</b>	<b>\$ TBC</b>
<b>5. Extension of ramp to the full length of the main boat shed doors</b>	<b>\$ 600</b>
<b>6. Works to beach access ramp</b>	<b>\$ 3,000</b>
<b>7. Implementation of traffic management strategy</b>	<b>\$ TBC</b>
<b>8. Resurfacing of uneven surfaces and trip hazards</b>	<b>\$ 1,000</b>
<b>TOTAL COST</b>	<b>\$ 8,600</b>

- 3. SUPPORTS discussions with the Capricorn Village Joint Venture to secure access to the carpark at Club Capricorn to enable beach entry and safety services to be provided in the short/medium term, under the direction of Director Community Development**
- 4. REQUESTS the development of an acceptable time frame for the relocation of Yanchep Surf Life Saving Club to the Club Capricorn Groyne within the context of the Final Two Rocks Yanchep Foreshore Management Plan, in collaboration with the Capricorn Village Joint Venture and under the direction of Director Community Development.**

## ATTACHMENT 1





SLSWA Audit Report – Yanchep Surf Life Saving Club

**ATTACHMENT 2****Page 1 of 2****1. EXECUTIVE SUMMARY**

The Audit of Yanchep Surf Life Saving Club against the SLSA Elements was undertaken on 1st November 2004 by Martin Smart (Lead Auditor) and Kellie Wilson (Auditor) from Sustainability. The results of the audit are summarised in the table below.

SUMMARY OF AUDIT RESULTS – Yanchep					
Element Number	Element	Number of audit points	Total NA or NS	Total YES	Total NO
1	Documentation – HSR Mgt System	14	0	2	12
2A	Club House – Electrical	11	1	8	2
2B	Club House – Lighting	5	2	2	1
2C	Club House – Fire Protection	13	1	4	8
2D	Club House – Hazardous Substances	14	0	6	8
2E	Club House – Haz. Subs. (>250l)	8	8	0	0
2F	Club House – Welding/Hot Work	4	4	0	0
3	First Aid Room	20	0	15	5
4A	Gear Shed	12	2	2	8
4B	Workbenches	7	7	0	0
4C	Items Suspended from Ceilings	3	1	0	2
4D	IRB Shed	3	2	1	0
5	Housekeeping	9	1	3	5
6	Gymnasium	6	6	0	0
7	Amenities	5	0	5	0
8	Office	9	4	2	3
9	Kitchen/Bar	6	6	0	0
10A	Beach Access	4	0	1	3
10B	Beach Patrol	6	1	4	1
<b>TOTALS</b>		<b>159</b>	<b>46</b>	<b>55</b>	<b>58</b>
<i>NA – not applicable</i> <i>NS – not sighted</i>					

The audit revealed several positives within the Club. These include:

- Good use of posters in the first aid room
- Protective wire caging on strip lights

The main issues of concern identified within the Club are:

- Ramp to beach requires immediate attention, or closure, to prevent serious injury
- Inadequate access for emergency vehicles
- Severe manual handling risks



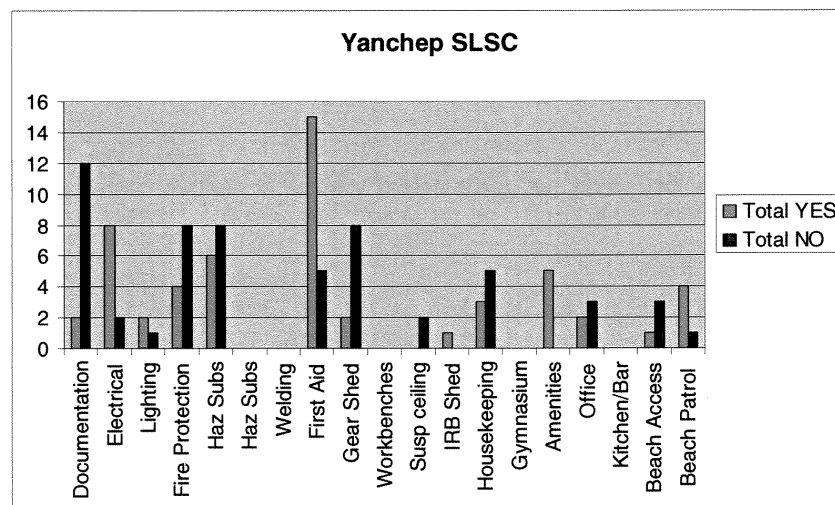
SLSWA Audit Report – Yanchep Surf Life Saving Club

## ATTACHMENT 2

### Page 2 of 2

- No designated disabled access
- Absence of fire and emergency evacuation procedures
- Poor use of notice boards
- No evidence sighted that safety systems and safety activities were regularly completed
- No critical documentation sighted
- No formal induction process or registration for visitors
- No hazard or chemical register or MSDS's
- No coordinated identification of hazards, assessments and control of risks
- No regular audit or inspection programs

A summary graph of the results is presented below. Refer to Section 4 for detailed audit findings for the Yanchep SLSC.



## Ranger & Safety Services

### CD07-07/05 Application to keep more than Two Dogs Various Addresses

File Ref: P08/0594V01, P17/1104V01  
 Responsible Officer: Director Community Development  
 Disclosure of Interest: Nil  
 Attachment(s): Nil

#### Issue

To consider applications for an exemption to Council's Local Laws made under Section 26(3) of the Dog Act 1976 to keep more than two dogs.

#### Background

Clause 14 of the City of Wanneroo Animal Local Laws 1999 stipulates:

*"A person shall not keep or permit to be kept on any premises more than:*

*a) 2 dogs over the age of 3 months and the young of those dogs under that age; or*

*b) 6 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a rural area or comprise a lot in a special rural area having an area of 4 hectares or more;*

*unless the premises is licensed as an approved kennel establishment or has been granted an exemption pursuant to section 26(3) of the Dog Act 1976 and have planning approval under the Town Planning Scheme."*

#### Detail

The following applications have been made under the dog Act 1976 and are submitted for consideration:

Address of Applicant	Description of Dogs
6 Pengilly Way, Clarkson	Male Sterilised Gold Labrador Retriever Male Sterilised Gold Labrador Retriever Female Brindle Irish Wolf Hound
126 The Broadview, Landsdale	Female Sterilised Tan Jack Russell Terrier Female Sterilised White Jack Russell Terrier Male Sterilised Jack Russell Terrier

Rangers have inspected the properties to ensure that means exist on the premises at which the dogs will ordinarily be kept for effectively confining the dogs within the premises.

Address of Applicant	Property Zoning	Size of Property
6 Pengilly Way, Clarkson	Residential	0.0609 ha
126 The Broadview, Landsdale	Residential	0.0634 ha

### ***Consultation***

It has been the practice where an application is received by the City to keep more than two dogs, that residents immediately adjoining the applicant's property in question have been consulted by letter to ascertain if they have any objections.

On this occasion the following objections have been received:

#### ***6 Pengilly Way, Clarkson***

Number of residents consulted: 2  
Number of objections received: 1

#### ***126 The Broadview, Landsdale***

Number of residents consulted: 2  
Number of objection received: 1

### **Comment**

In considering these applications for exemption, the following two options are available:

- a) Council may grant an exemption pursuant to Section 26(3) of the Dog Act 1976 subject to conditions;
- b) Council may refuse permission to keep more than two dogs.

#### ***6 Pengilly Way, Clarkson***

It should be noted that the applicant sought and received approval from Council to keep three dogs at their previous address at 24 Lalina Way, Wanneroo. This report was presented and approved by the Council on the 25 November 2003. A check of the City's records reveals that no complaints have been lodged with Ranger and Safety Services in relation to the dogs at the previous address and also at the current address in Clarkson. As previous approval was granted, the three dogs are currently registered with the City.

The Ranger noted all fencing around the boundary of the property is colourbond of 1.8m to 2.1m in height. There are two gates on the property, both left and right sides same height as the fencing, both gates picket fencing with padlocks. The backyard is of medium density. All dogs sleep outside under the patio and have access to the garage.

There was one objection received by a nearby resident stating the dogs bark and yelp between 6.00am and 6.30am. It should be noted this application may be varied or revoked should further complaints be received which are considered reasonable. The objecting neighbour will be invited to attend a deputation with the Mayor and Councillors prior to the Council Meeting where they will be given the opportunity to comment further on this application.

The inspecting Ranger advised that the property is adequate for the confinement and exercise of the dogs. Fences and gates are all in compliance with regulations. There is also adequate shelter for all dogs. The Ranger has recommended that an exemption to the City of Wanneroo Local Laws 1999 made under Section 26(3) of the Dog Act 1976 be granted.

### ***The Broadview, Landsdale***

The applicant is seeking approval for a third dog as her female Jack Russell had a litter in January 2004 and they successfully sold all the pups, but unfortunately the last pup to be sold had been playing in the yard and had injured his front paw. The applicant suspected that he may have crushed his paw in the fence and damaged it trying to pull it free. The prospective buyers still wanted to purchase the pup on the proviso that the sore paw was no more than bruised. Unfortunately “Wesley’s” injury was considerably more serious than just a bruise and the buyers returned the dog to the applicant. It was diagnosed that “Wesley” had fractured his humerus and therefore it could not be pinned because of the locality of the damage. The applicant had to make a decision whether to amputate or euthanase “Wesley”. Needless to say the applicant decided to give “Wesley” a chance as the Vet advised that he would adapt well to the loss of a limb due to his young age. The applicant was unable to find a home for “Wesley” as he now only has three legs and as a result of nursing “Wesley” the family has grown very attached to him.

The Ranger has noted there is sufficient room and all three dogs appear to be very healthy. The gate on the left side is 1.8m in height and is made of a wooden material. All boundary fencing is made of colourbond. All three dogs sleep inside with the applicant and her family.

It should be noted that a complaint was received whilst the application for the three dogs was being assessed. The complaint received was concerning one of the dog’s barking. The investigating Ranger has satisfactorily resolved this complaint with the complainant, who is now pleased with the outcome and actions taken.

The inspecting Ranger advised that the property is adequate for the confinement and exercise of the dogs. Fences and gates are all in compliance with regulations. There is also adequate shelter for all dogs. The Ranger has recommended that an exemption to the City of Wanneroo Local Laws 1999 made under Section 26(3) of the Dog Act 1976 be granted.

### **Statutory Compliance**

These applications for exemption to Council’s Local Laws made under Section 26(3) of the Dog Act 1976 has been detailed in this report.

## Strategic Implications

### 2. Healthy Communities

*“to foster an identity that promotes lifestyle choice and provision of quality services and infrastructure*

*Goal 2.5 Foster a community that finds strength in its diversity;*

*Goal 2.7 Provide community focussed services and lifestyle opportunities.”*

## Policy Implications

Nil

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Recommendation

**That Council:-**

1. **GRANTS an exemption to the City of Wanneroo Animal Local Laws 1999 made under Section 26(3) of the Dog Act 1976 to keep three dogs at the following listed properties subject to the specified conditions:**
  - **6 Pengilly Way, Clarkson**
  - **126 The Broadview, Landsdale**
  - a)
    - i) **If any one of the dogs die or is no longer kept on the property, no replacement is to be obtained;**
    - ii) **Any barking by the subject dogs is to be kept to a minimum;**
    - iii) **This exemption may be varied or revoked if any complaints are received which are considered reasonable.**
2. **RESERVES THE RIGHT to vary or revoke, at any future date, the exemption given to the applicant should any relevant conditions be contravened.**
3. **ADVISES the adjoining neighbours of this decision.**

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**CD08-07/05 Dog Exercise Parks**

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File Ref:	S24/0087V01
Responsible Officer:	Director, Community Development
Disclosure of Interest:	Nil
Attachments:	3

**Issue**

To consider the provision of exercise areas specifically set aside on Council Reserves for the purpose of exercising dogs.

**Background**

Ranger and Safety Services is responsible for enforcing the provisions of the Dog Act 1976 and by that also attending to measures that will encourage good dog management and control practices within the community.

Dog exercise areas have become a means whereby residents can take their pets to socialise with other dogs to assist in ensuring the dogs are well adjusted to suburban living and will behave better in regard to dog barking and nuisance situations. There is also a benefit as dogs will be under more effective control by owners as a result of being exposed to other dogs in a controlled environment that would lead to a decrease in opportunities for dog attacks. Members of the community have also shown interest by corresponding with the City for the introduction an agility area for dogs, providing some background information and types of exercise devices.

Dog agility parks are in use in Queensland, Australian Capital Territory and New South Wales with a very positive response from the community. Increasing numbers of councils in these states and territory are now adopting this idea as a result of this interest.

A proposal was put forward under the Edgar Griffiths Master Plan to provide an area to create an enclosed dog exercise park, however, at Council's meeting of 12 October 2004, due to opposition from the Garden Park Residents Group the Master plan was deferred, effectively preventing the dog exercise park proposal from being developed any further.

**Detail**

Ranger and Safety Services has been investigating other possible sites that may be appropriate for installation of trial dog exercise parks. Parks and reserves were considered on the basis of the level of community/sporting use, location, present facilities such as children's play areas, toilets, car parking available, and suitability for dog exercise use.

To facilitate a realistic trial it is suggested that three parks be commissioned to gauge support for the concept. Present usage of parks by training groups and dog owners indicates that exercise parks would be well utilised and would also be supported by local Veterinary practices that operate puppy training and socialisation classes.

Six locations have been chosen, a primary and secondary site, in the northern, central and southern areas of the City of Wanneroo. The three primary locations are shown in **attachments 1, 2 & 3**.

It is proposed that Pet Memorial Parks will be co located with the dog exercise areas consisting of opportunities to place commemorative plaques, which reflect the life of the beloved pet. This does not involve the burial or scattering of animal remains in these locations.

### **Northern Area**

Charnwood Park, Two Rocks or Oldham Reserve, Yanchep.

Both parks are large, but also have capacity for an area to be set aside for the purposes of a dog exercise park and are centrally located and well known and have a full range of facilities available. There are no seasonal bookings for Charnwood at present and Oldham Reserve is booked for three days a week presently, however due to the size and configuration of the park, could have an area set aside that would not interfere with any sporting activities.

### **Central Area**

Scenic Park – North or Kingsway (area to be specifically set aside)

Scenic Park is regularly used by dog owners and has RSPCA training bookings on Sundays. There are no other sporting bookings for this area. A separate report is being drafted in regard to modifying the Animal Local Law to ensure dogs being exercised in Scenic Drive remain on a leash in consideration of environmentally sensitive areas such as Lake Joondalup and the adjoining Yellagonga Regional Park.

Kingsway is a very large area that as a result of a previous amendment to the Animals Local Laws permits dogs to be walked on a leash. An area could be set aside for installation of a dog exercise park without interfering with other sporting activities.

### **Southern Area**

Paloma Park or Koondoola Park

Both parks are large well-located parks with available parking, limited or no sporting use (permanent bookings) and Paloma Park is already in use by Pegasus Dog Training five nights a week.

### **Consultation**

Implementation of Dog Exercise Parks/Pet Memorial Parks will require support and acceptance from the community and in particular the immediate residents surrounding the proposed parks. Accordingly, the City's Community Consultation and Engagement Policy indicates that a category 3/4 form of community consultation is required. The consultation proposed is:

1. Advertising in the Wanneroo Link and Sun City News inviting public comment;
2. Letters to immediate residents advising of the proposal and seeking comment and;
3. Consultation with local Canine Associations, Veterinarians and related organisations.

### **Comment**

Ranger and Safety Services is promoting responsible behaviour by dog owners through contact at the Wanneroo Animal Care Centre, registration, control and rehoming activities.

It is important to take the next step in accessing the community at a higher level by providing realistic training and socialisation activities that will lead to a reduction in associated offences such as dog attacks and dog barking. Both of these issues are prevalent throughout the City and the introduction of dog exercise parks is a positive step towards ensuring dog owners and dogs are provided with an opportunity to improve the level of dog control in the community.

Leisure Services have been consulted in regard to the proposed primary locations and have indicated that there would be support for use of these areas due to the frequency and nature of present bookings.

The results of Community Consultation design details and costing will be provided in a later report to Council.

### **Statutory Compliance**

There is no requirement on the City to provide dog exercise parks, however, in discharging the requirements of the Dog Act 1976, exercise parks can be a positive control method that will advantage City of Wanneroo residents.

### **Strategic Implications**

Dog exercise parks will promote a healthy community by providing infrastructure to meet the needs of our community in regard to effective dog control and management.

### **Policy Implications**

Nil.

### **Financial Implications**

Budgetary provision of \$12,500 was made in the 2004/05 budget under Project No 1406 and have been carried forward to the 2005/06 budget.

### **Voting Requirements**

Simple Majority

### **Recommendation**

**That Council:-**

- 1. APPROVES in principle the dog exercise park concept as an effective dog control and management practice for the City of Wanneroo;**
- 2. SUPPORTS the proposed Community Consultation process as outlined for the parks identified as primary sites, namely, Paloma Park, Scenic Park – North Charnwood Reserve;**
- 3. NOTES that the results of the Community Consultation will be resubmitted to the Council for further consideration.**

**ATTACHMENT 1**

There are a number of areas that could be used depending on configuration and use considering a proposed pet memorial walk or wall.



There are a number of potential sites in this area, which would be enclosed but would also lend towards installation of a pet memorial walk trail



**ATTACHMENT 3**

There are a number of opportunities for possible exercise area on this reserve utilising pockets of passive space.

There is also opportunity for construction of walk trails in consideration of a pet memorial trail.



## **Governance and Strategy**

### **Governance & Customer Relations**

#### **GS01-07/05 Donation Requests to be Considered by Council**

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File Ref:	S07/0057V02
Responsible Officer:	Director, Governance & Strategy
Disclosure of Interest:	Nil
Attachments:	1
Attachments:	1

### **Issue**

To consider requests for donations in accordance with the City's Donations, Sponsorships and Waiver of Fees and Charges Policy.

### **Background**

Council endorsed the reviewed Donations, Sponsorships and Waiver of Fees and Charges Policy at its ordinary meeting held on 20 July 2004.

This policy requires applications for over \$500.00 from individuals and organisations to be determined by Council. Consequently a report is prepared for Council meetings, coinciding with a period where applications of this nature have been received.

### **Detail**

During this period the City has received three (3) requests for sponsorship and one (1) request for a waiver of fees to be considered by Council. These requests are summarised on the following pages. The applications are included as an attachment to this report (**Attachment 1**).

**Comment**

<b>Applicant 1 – School Sports WA</b>	
Name of Individual/s	Alicia Hallett, Paul Berenger, Nicole Palmer, Ethan Heywood and Simon Marsiglia
Reside in City of Wanneroo	Yes – Gnangara, Wanneroo, Clarkson, Quinns Rocks and Carramar
18 years of age or under	Yes 14 and 12
Event details	National Cross Country Championships to be held in Adelaide from the 25 – 29 August 2005
Commitment to providing a written report regarding the event	Yes
Commitment to acknowledgement of the City of Wanneroo	Yes
Eligibility level	Each individual is eligible for up to \$200.00 each to a maximum of \$600 to an organisation for the same competition.
<b>Recommendation</b>	<b>APPROVE a donation of \$600.00 to School Sports WA for sponsorship of Alicia Hallett, Paul Berenger, Nicole Palmer, Ethan Heywood and Simon Marsiglia to support their participation in the National Cross Country Championships to be held in Adelaide from the 25-29 August 2005.</b>

<b>Applicant 2 – Wanneroo City Junior Soccer Club</b>	
Name of Individual/s	Joseph Libri, Darran Hall, Scott Doust, Lee Thompson, Jordan Barnes, Joshua Reid, Joshua Arends
Reside in City of Wanneroo	Yes – Pearall, Wanneroo, Mindarie, Ridgewood, Carramar, however two boys reside in Kinross
18 years of age or under	Yes – 12 and 13
Event details	Youth Cup Championships in Soccer to be held in Brisbane from the 16 to 25 September 2005
Commitment to providing a written report regarding the event	Yes
Commitment to acknowledgement of the City of Wanneroo	Yes – in newspaper, club newsletter and family fun day
Eligibility level	Up to \$200.00 each for each individual residing in the City of Wanneroo to a maximum of \$600.00 to the organisation for this competition.
<b>Recommendation</b>	<b>APPROVE a donation of \$600.00 to the Wanneroo City Junior Soccer Club for sponsorship of Joseph Libri, Darran Hall, Scott Doust, Lee Thompson, Joshua Reid and Elliott Oliver to support their participation in the Youth Cup Championships in Soccer to be held in Brisbane from the 16 to 25 September 2005.</b>

<b>Applicant 3– School Sport WA</b>	
Name of Individual/s	Peter D’Agostino, Pablo Caceras, Jason Harun, Justin Harun, Jessica Bunford, Gianna Leone and Alicia Hallett.
Reside in City of Wanneroo	Yes – Wanneroo, Madeley, Carramar, Landsdale and Gnangara
18 years of age or under	Yes
Event details	Pacific School Games (Swimming Division) to be held in Melbourne from the 26 November to 4 December 2005
Commitment to providing a written report regarding the event	Not specified
Commitment to acknowledgement of the City of Wanneroo	Not specified
Eligibility level	A maximum of \$200.00 per individual to a maximum of \$600.00 per organisation for the same competition.
Comment	Alicia Hallett is recommended for support in this same report for the National Cross Country Championships therefore is not eligible to receive support again for a different competition.
<b>Recommendation</b>	<b>APPROVE a donation of \$600.00 to School Sport WA for sponsorship of Peter D’Agostino, Pablo Caceras, Jason Harun, Justin Harun, Jessica Bunford and Gianna Leone to support their participation in the Pacific School Games (Swimming Division) to be held in Melbourne from the 26 November to 4 December 2005.</b>

<b>Applicant 4 – St John of God Foundation Inc</b>	
Request Amount	\$2,500
Description of Request	Request for sponsorship of the Corporate Charity Golf Day to be held at the Melville Glades Golf Course on 12 October 2005
<b>Criteria</b>	<b>Evaluation</b>
Potential for income generation	This is a fundraising venture for the St John of God Foundation
Status of the applicant organisation	Charitable organisation
Exclusivity of the event or project	144 players in total will be participating in this event
Alignment with Council's existing philosophies, values and strategic direction.	This request supports the Healthy Communities initiative in the City's Strategic Plan
Potential benefits to the Wanneroo community	The St John of God Foundation Lighthouse Program has a house located in Wanneroo. This house provides accommodation for up to six young people who would otherwise be homeless
Alternative funding sources available or accessed by the organisation	Other organisations have been approached for sponsorship for this event
Contribution to the event or activity made by the applicant or organisation	Organisation and running of the event
Previous funding assistance provided to the organisation by the City	Nil
Commitment to acknowledgement of the City of Wanneroo	<ul style="list-style-type: none"> <li>• Signage opportunity,</li> <li>• Naming rights for a hole,</li> <li>• Distribution of the City's merchandise material to the 144 players,</li> <li>• Name supplied on written material for the event, and</li> <li>• Good media exposure.</li> </ul>
Comments	<p>The policy states that 75% of the membership of a group needs to be City of Wanneroo residents therefore this request cannot be supported.</p> <p>However, a direct donation to the St John of God Foundation Lighthouse will show direct support for the Lighthouse located in Wanneroo, acknowledging the valuable contribution that this has in the community.</p>
<b>Recommendation</b>	<p><b>NOT APPROVE a sponsorship request from the St John of God Foundation to support the Corporate Charity Golf Day on 12 October 2005.</b></p> <p><b>APPROVE a donation of \$250.00 to the St John of God Foundation Lighthouse to recognise the valuable contribution to the community of the Lighthouse in Wanneroo.</b></p>

<b>Applicant 5 – YMCA Perth Outside School Hours Care</b>	
Request Amount	\$7,800.00
Description of Request	Request for a waiver of fees for the hire of the Wanneroo Recreation Centre for after school hours and vacation care for children of school age
<b>Criteria</b>	<b>Evaluation</b>
Potential for income generation	Some – profits are put towards resources for community and projects
Status of the applicant organisation	Incorporated not for profit
Exclusivity of the event or project	This care is for school aged children from the local area currently amounting to approximately 30 each day
Alignment with Council's existing philosophies, values and strategic direction.	This request supports the Healthy Communities initiative of the City's Strategic Plan
Potential benefits to the Wanneroo community	This provides affordable care for school aged children whose parents are working
Alternative funding sources available or accessed by the organisation	None specified
Contribution to the event or activity made by the applicant or organisation	None specified
Previous funding assistance provided to the organisation by the City	
Commitment to acknowledgement of the City of Wanneroo	Acknowledgement to be in the YMCA Perth Inc Annual General Report
Comments	<p>Only childcare service operating outside of school hours in the local area specifically for school aged children. Outside school hours care programs do not receive funding support from the Commonwealth.</p> <p>Community Services at the City support this program.</p> <p>The policy states that a maximum of 50% of a waiver of fees will be considered. The recommendation to this report reflects this.</p> <p>Leisure Services have increased the hire rates of this facility. If this organisation is not successful with this request for a waiver of fees, they will be seeking to relocate the service. This could disadvantage City of Wanneroo residents, depending on where the service is relocated.</p>
<b>Recommendation</b>	<b>APPROVE a donation of \$3,900.00 to the YMCA Perth Outside of School Hours Care for a 50% waiver of fees for the hire of the Wanneroo Recreation Centre for the duration of 2005.</b>

## Statutory Compliance

Nil

## Strategic Implications

The provision of donations is aligned with the City's strategic goals of developing and supporting Healthy Communities as follows:

*"2. Healthy Communities*

*Foster an identity that promotes lifestyle choices and the provision of quality services and infrastructure*

*Goal 2.5: Foster a community that finds strength in its diversity*

*Goal 2.6: Provide community focused services and lifestyle opportunities."*

## Policy Implications

This report complies with the provisions and delegations of the Donations, Sponsorships and Waiver of Fees and Charges Policy.

## Financial Implications

Budget 2005/2006 Elected Members Donations		\$40,000.00
Amount expended to date:-		
• Under delegated authority:		
• By Council Determination:		
Impact of approval of recommended application		
Sponsorships:	\$1,800.00	
Donations	\$250.00	
Waiver of Fees and Charges	\$3,900.00	\$5,950.00
Remaining Funds:		\$34,050.00

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. **APPROVE a donation of \$600.00 to School Sports WA for sponsorship of Alicia Hallett, Paul Berenger, Nicole Palmer, Ethan Heywood and Simon Marsiglia to support their participation in the National Cross Country Championships to be held in Adelaide from the 25-29 August 2005.**

2. **APPROVE** a donation of \$600.00 to the Wanneroo City Junior Soccer Club for sponsorship of Joseph Libri, Darran Hall, Scott Doust, Lee Thompson, Joshua Reid and Elliott Oliver to support their participation in the Youth Cup Championships in Soccer to be held in Brisbane from the 16 to 25 September 2005.
3. **APPROVE** a donation of \$600.00 to School Sport WA for sponsorship of Peter D'Agostino, Pablo Caceras, Jason Harun, Justin Harun, Jessica Bunford and Gianna Leone to support their participation in the Pacific School Games (Swimming Division) to be held in Melbourne from the 26 November to 4 December 2005.
4. **NOT APPROVE** a sponsorship request from the St John of God Foundation to support the Corporate Charity Golf Day on 12 October 2005.
5. **APPROVE** a donation of \$250.00 to the St John of God Foundation Lighthouse to recognise the valuable contribution to the community of the Lighthouse in Wanneroo.
6. **APPROVE** a donation of \$3,900.00 to the YMCA Perth Outside of School Hours Care for a 50% waiver of fees for the hire of the Wanneroo Recreation Centre for the duration of 2005.

## **GS02-07/05 Review of Policy - Elected Members Allowances and Expenses**

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File Ref: S09/0028V01  
Responsible Officer: Director Governance & Strategy  
Disclosure of Interest: Nil  
Attachment(s): Nil

### **Issue**

To consider amending Council's Policy relating to Elected Members Allowances and Expenses as a result of changes to the *Local Government (Administration) Regulations 1996*.

### **Background**

In September 2000, Council adopted a policy relating to Elected Members Allowances and Expenses. Minor amendments to the policy were made in 2002 and 2003 clarifying the provision of stationery and office equipment to elected members and in accordance with the Local Government Act 1995 and associated regulations.

The Department of Local Government and Regional Development have now reviewed the *Local Government (Administration) Regulations 1996* to allow for an increase in elected members allowances, which has not substantially changed since 1999. This increase would bring allowances in line with CPI movements and more equitably reimburse elected members for their time and commitment to serving their local communities.

### **Detail**

Council can therefore consider the following increases in Elected Members Allowances and Expenses in light of the recent Local Government Act Amendment:-

#### **Meeting Allowances:-**

Mayor From \$12,000 to \$14,000  
Councillors From \$6,000 to \$7,000

#### **Telecommunications Allowances:**

From \$2,000 to \$2,400

#### **Information Technology Allowance**

An annual allowance of \$1,000 per annum on the basis that elected members are responsible for the cost of operating related equipment including all consumables currently provided by the City and meeting the cost of the provision of an ISP address also currently provided by the City.

**Mayoral Allowance and Mayoral Vehicle**

No changes.

**Deputy Mayor Allowance**

Section 33A of the Local Government Allowance requires that the Deputy Mayor Allowance shall be no more than 25% of the Mayoral Allowance. As the total Mayoral Allowance is proposed to remain at \$60,000 then the Deputy Mayoral Allowance could increase from \$7,500 to \$15,000.

**Child Care Costs**

From \$10 per hour to a maximum of \$20 per hour.

**Comment**

Given the potential for the increased minimum fees and allowances to have an impact on the budget, the increased fees and allowances will only become mandatory after 01 July 2005.

An anomaly has been identified within the current legislation in regards to the provision of a Mayoral Vehicle and in particular how to treat the private use component of the vehicle.

It is common practice within the industry to provide a vehicle to the position of Mayor for business and private use. In many ways this option is the most cost effective way for Council to provide resources to the Mayor in recognition of the substantial commitment that the Mayor has to attend Civic functions and meetings on behalf of the Council that are predominantly outside of normal business hours. As a result the Chief Executive Officers from the Cities of Wanneroo, Joondalup and Stirling have suggested that each Council seek the assistance of the Western Australian Local Government Association to lobby on behalf of Local Government for an urgent amendment to the Local Government (Administration) Regulations to formalise the current practice within many large local governments to provide a mayoral vehicle for business and private use.

**Statutory Compliance**

The Elected Members Expenses and Allowances are in accordance with the provisions of the Local Government Act 1995.

**Strategic Implications**

Nil

**Policy Implications**

The purpose of the report is to review the policy in line with Legislative amendments.

**Financial Implications**

The financial implications of this policy is subject to budget approval annually.

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. **ADOPT BY ABSOLUTE MAJORITY**, in accordance with the Local Government Act 1995, Subdivision 2, s6.16 the amended fees and charges relating to Councillors Allowances and Expenses as detailed below:-

a)	Meeting Allowances:-	Mayor	\$14,000.00
		Councillors	\$7,000.00
b)	Telecommunications Allowances		\$2,400.00
c)	Information Technology Allowance		\$1,000.00
d)	Deputy Mayor Allowance		\$15,000.00
f)	Child Care Costs (per hour)		\$20.00

2. **AMEND** the Elected Members Allowances and Expenses Policy as detailed hereunder to be implemented from 01 July 2005;

### Elected Member Allowances and Expenses

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<b>Policy Owner:</b>	Executive Services
<b>Distribution:</b>	All Elected Members
<b>Implementation:</b>	September 2000, Reviewed 13 August 2002 Resolution No: CE02-08/02, Revised 25 <sup>th</sup> February 2003, Revised 10 June 2003, CE02-06/03.
<b>Replaces:</b>	Policy 2.4 Provision of Equipment and Consumables
<b>Reviewed:</b>	23 September 2003 – Item No: CE03-09/03
<b>Next Review:</b>	July 2007

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## Objective

To ensure that Elected Members receive remuneration and reimbursement of expenses in accordance with *The Local Government Act (1995)* and to ensure that they are not unduly out of pocket in carrying out their duties as elected members.

## **Statement**

The Council recognises that in order to assist Elected Members in working effectively for the community, it is important to ensure that they are not unduly out-of-pocket in undertaking their role as elected representatives, within the guidelines prescribed by the Local Government Act 1995 and its Regulations. The Council also recognises that in providing elected members with allowances it is important to ensure that councillors who are also candidates for re-election are not unduly advantaged over those who candidates who are not currently candidates for election.

With these issues in mind, Council has determined that the following allowances and reimbursements and conditions will apply to the City:

### ***Mayoral Allowance***

The Mayor shall receive an annual local government allowance of \$60,000.

### ***Deputy-Mayoral Allowance***

The Deputy-Mayor shall receive an annual local government allowance of ~~\$7,500~~ \$15,000

### ***Meeting Attendance Allowance***

The Mayor shall receive an annual meeting attendance allowance of ~~\$12,000~~ \$14,000. All Councillors shall receive an annual meeting attendance allowance of ~~\$6,000~~ \$7,000.

These allowances shall be paid in lieu of meeting attendance fee and shall be fixed at the above amounts regardless of the meeting structure in place, or the number of meetings attended by a particular elected member.

### ***Telecommunication Allowances***

All elected members shall receive an annual telecommunications allowance of ~~\$2,000~~ \$2,400 to cover: -

- installation of a Council supplied fax/phone in the elected member's home;
- all other costs associated with telecommunication expenses incurred by the member while performing the functions of an elected member.

### ***Travelling Expenses***

All elected members shall be reimbursed for the actual cost of any travel expenses incurred as a result of attending any: -

- Council meeting, including Electors' Meeting;
- Meeting of a committee of Council;
- Briefing sessions organised to brief elected members on the contents of a Council agenda, or on strategic issues which Council needs to be aware of for decision making purposes;

- Attendance at an official function of council either held by council or invited through Council as the official council representative,
- Attendance at a site where the matter is on the Council, Committee or a portfolio briefing Agenda; or
- Portfolio briefing sessions.

The actual expenses incurred will be reimbursed unless travel expenses are claimed from further a field than an adjoining local government district AND the round trip claimed is more than 100km. In this case the elected member will be reimbursed the expenses of travelling between the outer boundary of an adjoining local government district and the council meeting.

Actual travel costs if using a private car shall be determined in accordance with the Local Government Officers' (Western Australia) Award Rates.

#### *Childcare Costs*

The actual costs of any childcare expenses incurred by elected members when attending:

- Council meeting including Electors' Meeting;
- Meeting of a committee of Council;
- Briefing sessions organised to brief elected members on the contents of a Council agenda, or on strategic issues which Council needs to be aware of for decision making purposes;
- Attendance at an official function of council either held by council or invited through Council as the official council representative;
- Attendance at a site where the matter is on the Council, Committee or a briefing Agenda;

will be reimbursed to a maximum of ~~\$10~~ \$20 per hour.

#### *Mayoral Vehicle*

A fully serviced and maintained council owned vehicle will be provided for the Mayor's use to the standard of that provided to the Chief Executive Officer and to be replaced as part of the normal vehicle replacement program within the City's light vehicle fleet.

#### *Office Equipment*

On request and at election elected members will be provided with any combination from the following list of office equipment: -

- a 4 or 2 drawer filing cabinet;
- a phone/fax;
- a briefcase/satchel;
- a desk; and
- an office chair;
- a bookcase.

**The maximum cost of equipment purchased by the City of Wanneroo for the use of Elected Members shall not exceed \$1800 per elected member per 4 year term.**

Replacement items will be provided subject to the approval of the Chief Executive Officer based on working condition and budget provisions.

All items to be purchased through the City's Purchasing Service.

An elected member may choose to have a similar item of equipment to that listed above provided that it is an item that is clearly to assist in the member's role as an elected member, it serves to fulfil the member's entitlement to that item of equipment and does not cost any more than the maximum allocation for office equipment.

All office equipment provided to elected member's remains the property of the City and must be returned when an elected member ceases to hold office. Elected members who have completed at least one term of office will be given the first right of refusal to purchase the equipment at the current market value on cessation of his/her term.

#### *Information Technology*

Each elected member will be provided with fully maintained and serviced (by Council's Information Services Business Unit), Information Technology equipment to a standard similar to that provided to officers of the City and which will be treated as part of the City's normal IT assets, whether leased or purchased.

*An annual allowance of \$1,000.00 per annum on the basis that elected members are responsible for the cost of operating related equipment including all consumables currently provided by the City and meeting the cost of the provision of an ISP address also currently provided by the City.*

Elected members who have completed at least one term of office will be offered first right of refusal to purchase the hardware in the event that the City no longer requires the equipment. This right does not extend to software installed on the PC as this is covered by a licence agreement with the City.

#### *Consumables and Stationery, including Postage*

The cost of consumables and stationery associated with the role as councillor (excluding printed stationery supplied by Council) will be reimbursed to elected members, to a maximum of \$300 per annum, on the receipt of a claim and a declaration that the consumables were used in performing the functions of an elected member and were not in any way associated with campaigning for election as an elected member. Elected members may choose to purchase their own consumables and claim re-imbursement on production of receipts, or access such items through the City. The administration will keep a total of costs incurred and notify elected members if the maximum allowance is reached.

***Stationery to be supplied by Council:***

Councillors will be provided with a maximum annual allocation of 1000 items of the following:

- Business cards
- Councillor letterhead paper and envelopes;
- Councillor Calling Cards
- With Compliments Slips

In addition Councillors will be provided with Fifty corporate Christmas Cards to be arranged through Council administration.

**Elected Member Uniform**

Elected Members will be provided with the following uniform:

**Councillors:**

**Commencement of Term/ Renewal of Term**

- One Black Jacket with an embroidered corporate logo in Gold.
- Two pairs of black trousers or combination of trousers or skirts to a maximum of two pieces.
- One Corporate tie or scarf.
- One Corporate Polo shirt.

**Renewal of Collection: Annually**

- One pair of black trousers/ skirts
- One tie/ scarf
- One Polo shirt

**Mayor**

**Commencement of Term/ Renewal of Term**

- Two Black Jackets
- Four pairs of Black trousers
- Two Corporate Ties
- Three Polo Shirts

**Renewal:**

- One Black Jacket
- Two pairs of Black trousers
- One tie
- Two Polo shirts

### **Promotional Items**

Each Elected Member will be provided with a maximum allocation of \$300 per annum (subject to annual budget approval) for the purchase of Promotional Items from the City of Wanneroo Promotional Items collection in accordance with the Promotional Items Management Policy.

In addition the Office of the Mayor will be supplied additional promotional items to present on behalf of the City of Wanneroo.

### ***Other Expenses***

Council will only reimburse other expenses incurred by elected members after specific approval on a case by case basis.

### ***Final date For Lodging Claims***

In order to maintain sound financial management claims for reimbursement of expenses for the previous financial year shall be lodged with the Chief Executive Officer by 15 July each year.

### **Responsibility for Implementation Executive Services**

2. **REQUEST that the Western Australian Local Government Association pursue on behalf of Local Government an urgent amendment to the Local Government (Administration) Regulations to formalise the current industry practise of providing a Mayoral vehicle for business an private use in recognition of the substantial after hours commitments provided by Mayors.**

## **Chief Executive Office**

### **General**

#### **CE01-07/05 Donation Requests determined under Delegated Authority**

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File Ref:	S07/0057V02
Responsible Officer:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment(s):	Nil

### **Issue**

To note donations applications considered and determined by the Chief Executive Officer during June 2005, in accordance with the provisions of the Donations, Sponsorships and Waiver of Fees and Charges Policy.

### **Background**

Council endorsed the reviewed Donations, Sponsorships and Waiver of Fees and Charges Policy under which these requests were considered, at their ordinary meeting held on 20 July 2004.

This policy delegates the consideration and determination of requests for donations, sponsorships and the waiver of fees and charges under the value of \$500.00 to the Chief Executive Officer.

### **Detail**

During June 2005, the City received the following requests to be considered under the delegated authority of the Chief Executive Officer:-

- Six (6) requests for sponsorship,
- Three (3) requests for a donation, and
- Two (2) requests for a waiver of fees.

### **Comment**

In accordance with the provisions and criteria nominated in the Donations, Sponsorships and Waiver of Fees and Charges Policy, determinations were made as listed in the recommendations to this report.

A complete list of original applications and assessments of each against the policy is available in the Elected Members Reading Room for further information.

## Statutory Compliance

Nil

## Strategic Implications

Nil

## Policy Implications

This report complies with the provisions and delegations of the Donations, Sponsorships and Waiver of Fees and Charges Policy.

## Financial Implications

The financial implications of this round of requests has resulted in expenditure in the Governance Donations Account (05201 0001 4402) of:-

- \$2,091.00 from the 2004/2005 budget.

## Voting Requirements

Simple Majority

## Recommendation

That Council **NOTES** the delegated determination of requests received by the City in June 2005 for donations, sponsorships and waiver of fees and charges, which are as follows:-

	<b>Organisation / Individual</b>	<b>Event/Activity</b>	<b>Action</b>	<b>Reason</b>
<b>1.</b>	<b>Football West</b>	<b>National Talent Identification Championships to be held in Sydney during early July.</b>	<b>APPROVE a donation to Janeil D'Annunzio for \$200.00 for sponsorship to support her participation in the National Talent Identification Championships to be held in Sydney in July 2005.</b>	<b>This request satisfies the criteria of the policy.</b>
<b>2.</b>	<b>Goju-Kai Karate Academy</b>	<b>Goju-Kai World Karate Championships to be held in the Netherlands in November 2005.</b>	<b>APPROVE a donation to Goju-Kai Karate Academy of \$500.00 for sponsorship of Aaron Rowley to support his participation in the Goju-Kai World Karate Championships to be held in the Netherlands in November 2005.</b>	<b>This request satisfies the criteria of the policy.</b>

3.	<b>Calisthenics Association of WA State Team</b>	<b>National Championships in calisthenics to be held in Melbourne in July 2005.</b>	<b>APPROVE a donation to Calisthenics Association of WA State Team of \$200.00 for Stephanie Dragun to support her participation in the National Championships in calisthenics to be held in Melbourne in July 2005.</b>	<b>This request satisfies the criteria of the policy.</b>
4.	<b>Wanneroo Giants Baseball Club Inc</b>	<b>2005 Cal Ripken World Series Baseball to be held in the United States in August 2005.</b>	<b>NOT APPROVE a donation to the Wanneroo Giants Baseball Club Inc for sponsorship of Dion Thompson in his participation in the 2005 Cal Ripken World Series in Baseball.</b>	<b>This request does not support the criteria of the policy, as this individual does not reside in the City of Wanneroo.</b>
5.	<b>Western Australian Fencing Association Inc</b>	<b>Australian Schools and Under 15/17 Fencing Championships to be held in Sydney in July 2005.</b>	<b>APPROVE a donation to the Western Australian Fencing Association Inc of \$200.00 for sponsorship of Max Doyle to support his participation in the Australian Schools and Under 15/17 Fencing Championships to be held in Sydney in July 2005.</b>	<b>This request satisfies the criteria of the policy.</b>
6.	<b>Basketball WA</b>	<b>2005 U16 National Basketball Championships to be held in Canberra in July 2005.</b>	<b>APPROVE a donation to Basketball WA of \$200.00 to support Meghan D'Arcy in her participation in the 2005 U16 National Basketball Championships to be held in Canberra in July 2005.</b>	<b>This request satisfies the criteria of the policy.</b>
7.	<b>Adusei Michael</b>	<b>Request for science and elective mathematics text books for a secondary school in West Africa.</b>	<b>NOT APPROVE a request from Adusei Michael for secondary school science and mathematics text books.</b>	<b>This request does not satisfy the criteria of the policy as it will have no benefit to residents of the City of Wanneroo.</b>

8.	<b>Landsdale Primary School P &amp; C: Safety House Committee</b>	<b>Request for a donation to support a performance of a play by the Safety House Troupe during Safety House Week in August 2005.</b>	<b>APPROVE a donation the Landsdale Primary School P &amp; C: Safety House Committee of \$100.00 to support a performance of a play by the Safety House Troupe during Safety House Week in August 2005.</b>	<b>This request satisfies the criteria of the policy.</b>
9.	<b>Kingsley Hospice Care Service – Silver Chain</b>	<b>A request for gift vouchers, cash or other merchandise to support the Centenary Celebrations of the Silver Chain to be held at the Glengarry Function Centre on 20 July 2005.</b>	<b>NOT APPROVE a donation to Kingsley Hospice Care Service – Silver Chain to support the Centenary Celebrations of the Silver Chain to be held at the Glengarry Function Centre on 20 July 2005.</b>	<b>The policy states that at least 75% of the members of an organisation need to be City of Wanneroo residents therefore this request does not meet the criteria of the policy.</b>
10.	<b>Cheers Community Development Network</b>	<b>Waiver of fees for the hire of the Banksia Grove Community Centre for a Kids Club during the July school holidays.</b>	<b>APPROVE a donation to the Cheers Community Development Network of \$291.00 for a waiver of fees for the hire of the Banksia Grove Community Centre for a Kids Club to be held during the July school holidays.</b>	<b>This organisation has received Community Funding to assist in this project and it would be consistent with the support already provided to waiver the fees associated with the use of the community centre.</b>

11.	<b>Girrawheen Senior High School</b>	<b>Request a waiver of fees for the hire of the Banksia Room on 25 May for a Year 11 “Futures Day” and 22 June for a Year 10 “Looking at 2006”Day.</b>	<b>APPROVE a donation to the Girrawheen Senior High School of \$400.00 for a waiver of fees for the hire of the Banksia Room on the 25 May and 22 June 2005.</b>	<b>Although the policy states that Government institutions will not be considered for a donation unless substantial community benefit can be demonstrated, it is considered appropriate to continue the support provided to this school in the past with a waiver of fees for the hire of the Banksia Room.</b>
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## **Item 9     Motions on Notice**

### **MN01-07/05   Cr Loftus - Summer Concerts for 2006**

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File Ref:	CF010
Responsible Officer:	Cr T Loftus
Disclosure of Interest:	Nil
Attachment(s):	Nil

#### **Issue**

To consider the possibility of holding a 2006 Summer Concert in partnership with one or more co-sponsors at a venue in Yanchep.

#### **Background**

The City has conducted its highly successful Summer Concerts series for a numbers of years at various venues within the City of Wanneroo. Some of these concerts have been partnered with co-sponsors. At the conclusion of the 2005 Summer Concert series it was suggested that a concert be considered somewhere in the North Ward.

#### **Detail**

North Ward councillors have been approached by representatives of Yanchep Sun City Pty Ltd. seeking support for a large community event in the Yanchep community. Yanchep Sun City Pty Ltd have indicated their keenness to co-sponsor a concert in Yanchep featuring a national profile artist to attract local and regional residents and visitors from the broader metropolitan area

#### **Comment**

At this point in time, it would be invaluable to ask the City's administration to investigate establishing a successful and iconic event in Yanchep.

#### **Voting Requirements**

Simple Majority

#### **Recommendation**

**That Council:**

- 1.     INVESTIGATE the need for a major public event/Summer Concert in Yanchep; and**
- 2.     PROVIDE a report including event ownership, management structure and relationship model between prospective partners and sponsor organisations.**

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**Administration Comment**

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Administration supports this investigation of opportunities to stage a concert in the Yanchep community in partnership with Yanchep SunCity or other sponsors. The decision to proceed would need to be separately reported to council. This decision could be based on including the event as either part of the City's Beach to Bush Festival or Summer Concert series. Administration would also recommend that the investigation should proceed on the basis that there is free entry to the event consistent with the City's normal approach and that there is sufficient capacity identified within the City's adopted 2005/06 budget to support the event.

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**MN02-07/05 Cr Steffans - Emergency Services Levy-Butler And Jindalee**

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File Ref:	CF009
Responsible Officer:	Cr Steffans
Disclosure of Interest:	Nil
Attachment(s):	Nil

**Issue**

To consider writing to the Minister for Police and 'Emergency Services protesting at the imposition of Emergency Services Levy ESL Category 1.charges on residents of Butler and Jindalee.

**Background**

Prior to 2005 the gazetted fire district excluded residents of Butler and Jindalee, which meant that the service standards of a category 1 service could not be provided to these areas, meeting the response times required for fire fighting capability from a career fire station. Residents in these areas were charged the ESL category 3 levy.

**Detail**

Fire and Emergency Services advised the City of Wanneroo in April 2005 that residents in Butler and Jindalee would pay a revised ESL Levy from category 3 in 2004 to category 1 in 2005. The cost to an average household of these changes is an increase from \$66 in 2004 to \$134 in 2005.

These changes have been imposed without any increase in the category of service being provided. Response times to a fire in Butler or Jindalee still exceed the standards set for category 1 service. Current service provision comes from the Joondalup Career Fire Station. A new fire station is proposed for Eglinton but the timing for this new facility is dependent on the construction of Marmion Avenue to this location.

The Brighton Residents' Association has advised the City of its concerns about this matter.

**Comment**

There is a strong inconsistency in the treatment of City of Wanneroo residents as compared to the residents of Kwinana where in 2004 increased levy costs were withheld from residents until a new fire station was developed in Hope Valley to provide the category of service required. Wanneroo residents should have access to the same opportunity to defer these costs until the Eglinton station is constructed.

**Voting Requirements**

Simple Majority

**Recommendations:****That Council:-**

1. **SUPPORTS the Brighton Residents' Association in preparing a petition to the Minister for Police and Emergency Services, protesting strongly at FESA's treatment of residents in the Butler and Jindalee area and seeking deferral of the ESL 1 Levy in those localities until the Eglinton Fire Station is fully operational.**
2. **WRITES to the Minister for Police and Emergency Services, protesting strongly at FESA's treatment of residents in the Butler and Jindalee area and seeking deferral of the ESL 1 Levy in those localities until the Eglinton Fire Station is fully operational.**

**Administration Comment**

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Administration is aware that FESA is constructing a temporary career fire station in Nowergup but is not aware of the service categories that can be expected from this facility and how it will impact on Butler and Jindalee. It is confirmed that the construction of Marmion Avenue is a limiting factor in the construction of the new Eglinton Career Fire Station. FESA Regional Director, Perth North Coastal, has advised that although response times exceed the standard for category 1 service he believes that Brighton and Jindalee residents have been receiving a category 1 service prior to changes to the levy on households in these localities.

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**MN03-07/05 Cr T Roberts - Seat Belts On School Buses**

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File Ref: CF017  
Responsible Officer: Nil  
Disclosure of Interest: Nil  
Attachment(s): Nil

**Issue**

To consider a proposal to write to the Department of Planning and Infrastructure requesting that the transportation of students to and from school and on school excursion's is undertaken at the lowest practicable level of risk and that the risk to children is desirably reduced to zero.

**Background**

Currently, buses used for student transportation do not all comply with Australian Design Rule (ADR) 59/00 "Omnibus Rollover Strength", ADR 66/00 "Seat Strength, Seat Anchorage Strength and Padding in Omnibuses" and ADR 68/00 "Occupant Protection in Buses". All buses built prior to 1995 are totally exempt from these design rules until they are no longer road worthy.

The standards at the time of construction of these buses were designed when no Australian heavy vehicle was permitted to travel above 80kph however these buses are now allowed to travel at the speed limit permitted for the road they are travelling on. The age of these buses prevent the retrofitting of appropriate safety belts due to the timber floor/roof construction, the seat backs are below one metre and are of a metal type back and the windows are designed to "pop out" in the event of a rollover.

**Detail**

It is proposed to present the following objectives to the Western Australian State Government:-

- That all buses used for the transportation of children conform to ADR 59, 66 & 68.
- To phase out the use of, and replace, older buses in an "acceptable" time frame.
- That all buses carrying children are fitted with a 3-point safety belt.
- That standing is **NEVER** permitted.
- Sufficient buses are provided to eliminate 3 for 2 seating.
- Schools and organisations hiring buses for excursions must be required to **ONLY** use buses equipped with seatbelts.
- That all buses used for the transportation of children be subject to regular compulsory vehicle inspections.
- That all companies hired for the purpose of transporting children have available, on request, a "critical injury procedure".
- That current rollover crash worthiness studies are made available.
- That funds are made available for the implementation of these strategies for those involved in the business of children's transportation.

The approximate costs involved for new buses to meet this standard would be \$15,000 and the retrofit for older buses to conform to ADR59, 66 and 68 would be approximately \$30,000.

## **Comment**

School buses perform a difficult task. School bus travel is either a concentrated twice-daily activity that in Australia mostly uses route buses rather than dedicated equipment, or an excursion transporting students to a particular school activity.

School buses, including buses used for school excursions need to be maintained adequately and for transporting small children should have seat belts installed that can be adjusted for height variation via the belt or via bolster seats. The State Government needs to support all reasonable measures to improve the safety of bus travel by school pupils, including educational and engineering measures to make travel within the bus, and boarding, alighting and movement around the bus stop area safer.

## **Strategic Implications**

This initiative would support our “Healthy Communities” strategy:-

*“2.3 Support and encourage the delivery of a safe and effective transport network.”*

## **Financial Implications**

Nil

## **Voting Requirements**

Simple Majority

## **Recommendation**

**That Council WRITE to the Department of Planning & Infrastructure and REQUEST that they proactively pursue all reasonable measures to improve the safety of bus travel by school pupils, including educational and engineering measures to make travel within the bus, and boarding, alighting and movement around the bus stop area safer and in particular taking the following objectives into consideration:-**

- a) That all buses used for the transportation of children conform to ADR 59, 66 & 68.**
- b) To phase out the use of, and replace, older buses in an “acceptable” time frame.**
- c) That all buses carrying children are fitted with a 3-point safety belt.**
- d) That standing is NEVER permitted.**
- e) Sufficient buses are provided to eliminate 3 for 2 seating.**
- f) Schools and organisations hiring buses for excursions must be required to ONLY use buses equipped with seatbelts.**
- g) That all buses used for the transportation of children be subject to regular compulsory vehicle inspections.**
- h) That all companies hired for the purpose of transporting children have available, on request, a “critical injury procedure”.**
- i) That current rollover crash worthiness studies are made available.**

- j) **That funds are made available for the implementation of these strategies for those involved in the business of children's transportation.**

### **Administration Comment**

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While there is considerable community concern for the safety of children using school buses, the risk of an incident or crash using a school bus is usually found to be much lower (70 times safer than passenger cars (NHTSA<sup>1</sup> 2002a)) than other forms of transport. Despite a good safety record for school bus-related travel there is a need to ensure that school bus-related safety issues are addressed.

**Item 10 Urgent Business**

**Item 11 Confidential**

Nil

**Item 12 Date of Next Meeting**

The next **Ordinary Councillors Briefing Session** has been scheduled for **6.00pm on Tuesday, 2 August 2005**, to be held at the Civic Centre, Dundobar Road, Wanneroo.

**Item 13 Closure**



City of  
Wanneroo

## Council Chamber Seating Diagram

