

# **Minutes**

**UNCONFIRMED**

**ORDINARY COUNCIL MEETING**

**7.00pm, 03 APRIL, 2012**

**Civic Chambers**

**Dundebar Road, Wanneroo**

## **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 recording of Council Meetings is to ensure the accuracy of Council Minutes and that any reproduction is for the sole purpose of Council business.

### **Statement**

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

- (1) Proceedings for meetings of the Council, Electors, and Public Question Time during Council Briefing Sessions shall be recorded by the City on sound recording equipment, except in the case of meetings of the Council where the Council closes the meeting to the public.
- (2) Notwithstanding subclause (1), proceedings of a meeting of the Council which is closed to the public shall be recorded where the Council 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 Recordings***

- (4) Members of the public may purchase a copy of recorded proceedings or alternatively listen to recorded proceedings with the supervision of a City Officer. Costs of providing recorded proceedings to members of the public will be the cost of the recording plus staff time to make the copy of the proceedings. The cost of supervised listening to recorded proceedings 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.
- (5) Elected Members may request a recording of the Council proceedings at no charge. However, no transcript will be produced without the approval of the Chief Executive Officer. All Elected Members are to be notified when recordings are requested by individual Members.

#### ***Retention of Recordings***

- (6) Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the State Records Act 2000.

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

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



## UNCONFIRMED MINUTES OF ORDINARY COUNCIL MEETING

HELD ON TUESDAY 03 APRIL, 2012

### CONTENTS

<b><u>ITEM 1</u></b>	<b><u>ATTENDANCES</u></b>	<b><u>1</u></b>
<b><u>ITEM 2</u></b>	<b><u>APOLOGIES AND LEAVE OF ABSENCE</u></b>	<b><u>1</u></b>
<b><u>ITEM 3</u></b>	<b><u>PUBLIC QUESTION TIME</u></b>	<b><u>2</u></b>
PQ01-04/12	MR E REID, BROHARD ROAD, BUTLER	2
PQ02-04/12	MR J DANAHER, GALWAY COURT, MINDARIE	2
PQ03-04/12	MR T SUMMERS, CONDICOLE LOOP, BUTLER	2
PQ04-04/12	MS C PATERSON, CAPTIVA APPROACH, BUTLER	3
PQ05-04/12	MR S FORBES, SHIRAZ BOULEVARD, PEARSALL	4
PQ06-04/12	MR A TICKLE, TRAMINER WAY, PEARSALL	4
PQ07-04/12	MR N MURPHY, SHIRAZ BOULEVARD, PEARSALL	4
PQ08-04/12	MS F CARRERA, SHIRAZ BOULEVARD, PEARSALL	5
PQ09-04/12	MS J STOJKOVSKI, MARGINSON DRIVE, LANDSDALE	5
<b><u>ITEM 4</u></b>	<b><u>CONFIRMATION OF MINUTES</u></b>	<b><u>5</u></b>
OC01-04/12	MINUTES OF ORDINARY COUNCIL MEETING HELD ON 6 MARCH 2012	5
<b><u>ITEM 5</u></b>	<b><u>ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION</u></b>	<b><u>6</u></b>
<b><u>ITEM 6</u></b>	<b><u>QUESTIONS FROM ELECTED MEMBERS</u></b>	<b><u>6</u></b>
CQ01-04/12	CR GOODENOUGH - PS05-04/12 PROPOSED COMMERCIAL DEVELOPMENT AT LOT 1061 (2) CAPTIVA APPROACH, BUTLER - DA2011/799	6
<b><u>ITEM 7</u></b>	<b><u>PETITIONS</u></b>	<b><u>6</u></b>
<b>NEW PETITIONS RECEIVED</b>		<b>6</b>
<b>UPDATE ON PETITIONS</b>		<b>6</b>
PT01-03/12	RETENTION OF NATURAL BUSHLAND IN PERPETUITY, LOT 5483 IAN ROBBINS/ALEXANDER HEIGHTS PARK	6
PT02-03/12	REQUEST FOR TRAFFIC ISLAND AND SPEED HUMPS, LA SALLE ROAD, ALEXANDER HEIGHTS	6

<b>ITEM 8</b>	<b>REPORTS</b>	<b>7</b>
<b>PLANNING AND SUSTAINABILITY</b>		<b>7</b>
<b>TOWN PLANNING SCHEMES &amp; STRUCTURE PLANS</b>		<b>7</b>
PS01-04/12	PROPOSED AMENDMENT 6 TO AGREED STRUCTURE PLAN 44 – CAPRICORN VILLAGE STRUCTURE PLAN	7
PS02-04/12	PROPOSED AMENDMENT 1 TO AGREED STRUCTURE PLAN 52 – BRIGHTON WEST VILLAGE CENTRE	12
PS03-04/12	ADOPTION OF REVISED DEVELOPMENT GUIDE PLAN FOR SPECIAL RURAL ZONE No. 18	17
PS04-04/12	ADOPTION OF EGLINTON LOCAL STRUCTURE PLAN No. 82	20
<b>DEVELOPMENT APPLICATIONS</b>		<b>56</b>
PS05-04/12	PROPOSED COMMERCIAL DEVELOPMENT AT LOT 1061 (2) CAPTIVA APPROACH, BUTLER - DA2011/799	56
<b>OTHER MATTERS</b>		<b>62</b>
PS06-04/12	PROPOSED ROAD CLOSURE - PORTION OF PANNELL WAY GIRRAWHEEN	62
<b>CITY BUSINESSES</b>		<b>65</b>
<b>REGULATORY SERVICES</b>		<b>65</b>
CB01-04/12	CROSSOVER SUBSIDY POLICY REVIEW	65
CB02-04/12	APPOINTMENT OF EXTERNAL HONORARY LITTER INSPECTORS	69
CB03-04/12	TWO ROCKS VOLUNTEER BUSHFIRE BRIGADE FIRE STATION CONSTRUCTION - REQUEST FOR FURTHER FUNDS	69
<b>PROPERTY</b>		<b>70</b>
CB04-04/12	INDEMNITY TO MINISTER OF LANDS FOR ROAD DEDICATION EXCISED FROM A PORTION OF CROWN RESERVE 34670 WANNEROO ROAD (LUISINI PARK)	70
CB05-04/12	PROPOSED LEASE - PORTION OF 935 WANNEROO ROAD, WANNEROO TO SMALL BUSINESS CENTRE (NORTH WEST METRO) INC	70
CB06-04/12	PROPOSED LEASE - PORTION OF 935 WANNEROO ROAD, WANNEROO TO WANNEROO BUSINESS ASSOCIATION INC	71
CB07-04/12	PORTOFINOS TAVERN RESTRICTED LIQUOR LICENSE	71
CB08-04/12	PROPOSED EXCISION OF PORTION OF CROWN RESERVE 48306 (JINDALEE FORESHORE) FOR ROAD RESERVE	72
CB09-04/12	PROPOSED LEASE OF LAKE JOONDALUP KINDERGARTEN, 10 NEVILLE DRIVE, WANNEROO TO THE EVELYN ENRICHMENT FOUNDATION LTD.	72
CB10-04/12	VARIATION TO LEASE OVER PORTION OF CROWN RESERVE 28058 AND PROPOSED NEW LEASE OVER A PORTION OF CROWN RESERVE 44878 TO WANNEROO DISTRICTS NETBALL ASSOCIATION INC.	73
<b>OTHER MATTERS</b>		<b>73</b>
CB11-04/12	MINDARIE REGIONAL COUNCIL - NEW ESTABLISHMENT AGREEMENT	73
CB12-04/12	MINDARIE REGIONAL COUNCIL AND THE PROCESS ASSOCIATED WITH THE WITHDRAWAL OF CITY OF STIRLING	101

<b><u>INFRASTRUCTURE</u></b>	<b>101</b>
<b>TRAFFIC MANAGEMENT</b>	<b>101</b>
IN01-04/12 PT01-11/11 - REQUEST REMOVAL OF BUSINESS ADVERTISING ON OCEAN REEF ROAD AND TRAFFIC CALMING ON SHIRAZ BOULEVARD, PEARSALL	101
<b>OTHER MATTERS</b>	<b>102</b>
IN02-04/12 REQUEST FROM EVENTSCORP WESTERN AUSTRALIA FOR A CONTRIBUTION TOWARDS THE PROVISION OF A BUS TURNAROUND FACILITY AT THE BARBAGALLO RACEWAY	102
<b><u>COMMUNITY DEVELOPMENT</u></b>	<b>103</b>
<b>CAPACITY BUILDING</b>	<b>103</b>
CD01-04/12 DISABILITY ACCESS AND INCLUSION PLAN 2012-2015	103
CD02-04/12 REVIEW OF ACCESS TO INFORMATION & SERVICES FOR PEOPLE WITH DISABILITIES AND THEIR FAMILIES AND CARERS POLICY	135
CD03-04/12 RAP WORKING GROUP RECOMMENDATION TO COUNCIL	140
<b>COMMUNICATION AND EVENTS</b>	<b>140</b>
CD04-04/12 CIVIC FUNCTIONS, CEREMONIES AND RECEPTIONS POLICY	140
<b>OTHER MATTERS</b>	<b>146</b>
CD05-04/12 VIETNAMESE COMMUNITY IN AUSTRALIA/WA CHAPTER - TET FESTIVAL 2012	146
<b><u>CORPORATE STRATEGY &amp; PERFORMANCE</u></b>	<b>147</b>
<b>FINANCE</b>	<b>147</b>
CS01-04/12 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 29 FEBRUARY 2012	147
<b>GOVERNANCE</b>	<b>154</b>
CS02-04/12 NAMING OF FACILITIES AND RECOGNITION OF OUTSTANDING COMMUNITY CONTRIBUTIONS POLICY	154
CS03-04/12 DONATIONS TO BE CONSIDERED BY COUNCIL - APRIL 2012	161
<b><u>CHIEF EXECUTIVE OFFICE</u></b>	<b>162</b>
<b>OFFICE OF THE CEO REPORTS</b>	<b>162</b>
CE01-04/12 EXTENSION OF CIVIC/ADMINISTRATION CENTRE	162
<b><u>ITEM 9</u></b>	<b><u>MOTIONS ON NOTICE</u></b>
	<b>162</b>
<b><u>ITEM 10</u></b>	<b><u>URGENT BUSINESS</u></b>
	<b>162</b>
<b><u>ITEM 11</u></b>	<b><u>CONFIDENTIAL</u></b>
	<b>162</b>
CR01-04/12 WRC FUTURE DIRECTIONS AND STRATEGIC RISK ASSESSMENT	163
<b><u>ITEM 12</u></b>	<b><u>DATE OF NEXT MEETING</u></b>
	<b>164</b>
<b><u>ITEM 13</u></b>	<b><u>CLOSURE</u></b>
	<b>164</b>

# MINUTES

*Please refer to agenda for details of full reports and attachments.*

## **Item 1 Attendances**

TRACEY ROBERTS, JP      **Mayor**

### **Councillors:**

DOT NEWTON, JP	Central Ward
FRANK CVITAN	Central Ward
RUDI STEFFENS	Coastal Ward
BOB SMITHSON	Coastal Ward
IAN GOODENOUGH, JP	Coastal Ward
RUSSELL DRIVER	Coastal Ward
NORMAN HEWER	North Ward
LAURA GRAY, JP	North Ward
ANH TRUONG	South Ward
BRETT TREBY	South Ward
STUART MACKENZIE	South Ward
DENIS HAYDEN	South Ward

### **Officers:**

DANIEL SIMMS	Chief Executive Officer
LEN KOSOVA	Director, Planning and Sustainability
KAREN CAPLE	Director, City Businesses
DENNIS BLAIR	Director, Infrastructure
FIONA BENTLEY	Director, Community Development
JOHN PATON	Director, Corporate Strategy & Performance
MIKE BARRY	Manager Executive Services
MICHAEL PENSON	Chief Operations Officer
KAREN BROWNE	City Lawyer
MATTHEW WILSON	Coordinator Events
ROBYN HARKINS	Minute Officer

## **Item 2 Apologies and Leave of Absence**

DIANNE GUISE      Central Ward      (Leave of Absence 20.3.12-10.4.12)

There were 38 registered members of the public and two members of the press in attendance.

Mayor Roberts declared the meeting open at 7.00pm.

**Item 3 Public Question Time****PQ01-04/12 Mr E Reid, Brohard Road, Butler**

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*Item PS05-04/12 Proposed Commercial Development at Lot 1061 (2) Captiva Approach Butler – DA2011/799*

*Requested Council to consider the potential health implications of locating a fast food outlet and liquor store so close to two existing schools and proposed third school. Stated that it is well documented that the health implications of such fast food and drinks is clearly linked to increases of obesity in children, Type 2 diabetes, cardio vascular disease, stroke and various cancers.*

**Response by Mayor Roberts**

Advised Council would consider these matters during discussion of the item in the agenda.

**PQ02-04/12 Mr J Danaher, Galway Court, Mindarie**

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*Item PS05-04/12 Proposed Commercial Development at Lot 1061 (2) Captiva Approach Butler – DA2011/799*

*As Principal of Brighton Catholic Primary School stated the primary school is mandated to educate children about the effects of alcohol and the positive impact of having a healthy diet and lifestyle. The school community is greatly concerned at the contradictory impact on education programs within the school due to the proposed presence of a nearby McDonalds fast food outlet and a liquor store. Queried what considerations Council had in relation to the negative health impacts the development of these stores could have on the children.*

**Response by Mayor Roberts**

Advised Council would consider these matters during discussion of the item in the agenda.

**PQ03-04/12 Mr T Summers, Condicole Loop, Butler**

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*Item PS05-04/12 Proposed Commercial Development at Lot 1061 (2) Captiva Approach Butler – DA2011/799*

*Stated he was a teacher at the Irene McCormack Catholic College and as a parent of a student who attends Brighton Catholic Primary School wanted to ask what issues had been considered in relation to the health and well being of children in the area near the proposed developments.*

**Response by Mayor Roberts**

Asked the Director Planning and Sustainability for advice on how health benefits relate to planning issues.

**Response by the Director Planning and Sustainability**

Advised the potential for those two land uses to have adverse or other impacts on healthy eating and drinking choices of residents and youths within the area is not a valid planning consideration.

**PQ04-04/12 Ms C Paterson, Captiva Approach, Butler**

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*Item PS05-04/12 Proposed Commercial Development at Lot 1061 (2) Captiva Approach Butler – DA2011/799*

1. *Administration has stated that access points to the site are “prohibited” from being constructed along Connolly Drive and Lukin Drive because the roads are zoned as “Other Regional Roads” under the Metropolitan Regional Scheme. Nowhere in the MRS Policy No. DC 5.1 - Regional Roads (Vehicular Access) does it state that access points on Other Regional Roads are “prohibited”. The policy suggests that local councils should consider safety, function and development requirements during the development process when dealing with all types of Regional Roads. If Administration considers Connolly and Lukin Drives unsuitable to contain access points to the proposed development because of these considerations then how can it deem Captiva Approach and Tarpon Link safe and suitable to carry full access to the development given the small size of these roads and the amount of traffic this development would attract, given the representative from McDonalds here this evening has estimated that 25,000 vehicles will travel along Lukin once the Freeway has been extended.*
2. *In response to concerns raised during the public comment period regarding anti-social behaviour at the proposed development, Administration have stated that “The applicant has advised that security cameras will be installed to monitor the external areas of the site and to take appropriate action, including calling specialist security services and advising the Police, if necessary.” This doesn’t do much to calm the fears of residents, including herself, who are already subjected to ongoing hoon driving at the Connolly and Lukin Drive intersection, evidenced by the burn out marks which litter the road there. This statement also implies that the applicant already acknowledges that the development will attract a significant amount of anti-social behaviour. Is the council willing to expose residents to this increased risk to their safety and security?*

**Response by the Director Planning and Sustainability**

1. If access to and from the site was available from Connolly or Lukin Drives, then the proposal would have reflected that.

Submission 2 in the submission table from the Department of Planning (which is the department responsible for controlling access onto both of those adjacent regional roads) clearly explains that the Department is not prepared to allow or support access to either Connolly Drive or Lukin Drive.

2. In regard to the applicant indicating that they would be engaging security personnel and installing CCTV surveillance equipment on the premises, it is arguable as to whether or not that is an admission on the applicant’s part that this development is going to cause or attract anti-social behaviour. The fact of the matter is that almost all commercial (and many other) developments approved nowadays involve the installation of CCTV equipment. Security services also patrol many properties, not just commercial sites.

**Further Response by Mayor Roberts**

Advised there was a proposed amendment to the recommendation.



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**PQ05-04/12 Mr S Forbes, Shiraz Boulevard, Pearsall**

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*Item IN01-11/11 – Request Removal of Business Advertising on Ocean Reef Road and Traffic Calming on Shiraz Boulevard, Pearsall*

*Expressed concern at the traffic congestion on Archer Street, understood that Kemp Street is to be continued through from Lenore Road, which would further increase the traffic flow onto Archer Street.*

**Response by Director Infrastructure**

Sections of Archer Street will provide direct access to Kemp Street which may result in an increase in traffic. This will be offset in the traffic no longer travelling along Archer Street to Shiraz Boulevard when its connection to Lenore Road is closed.

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**PQ06-04/12 Mr A Tickle, Traminer Way, Pearsall**

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*Item IN01-11/11 – Request Removal of Business Advertising on Ocean Reef Road and Traffic Calming on Shiraz Boulevard, Pearsall*

*Requested if Council could plant more vegetation on either side of Ocean Reef Road to stop noise being transferred over into Pearsall as the trees currently there do not have any undergrowth which would stop most of the noise. Also driving down Archer Street directly into Ocean Reef Road the view is commercial buildings in Wangara, would it be possible to put trees in that area to screen the view.*

**Response by Deputy Mayor**

Advised there is a proposed amendment to the recommendation in relation to landscaping.

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**PQ07-04/12 Mr N Murphy, Shiraz Boulevard, Pearsall**

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*Item IN01-11/11 – Request Removal of Business Advertising on Ocean Reef Road and Traffic Calming on Shiraz Boulevard, Pearsall*

*Advised he understood that signage is a Main Roads Department responsibility however was concerned that there is a 50km road entering an 80km double carriageway with no warning sign and exiting Shiraz Boulevard is not easy. Requested if Council could endeavour to stop what is happening and especially in regard to new houses is there any feasibility study being undertaken to solve future problems. A proposed solution may be to shift the 80km section to the east of Archer Street and start the 70km descent at Archer Street.*

**Response by Mayor Roberts**

Taken on notice and will investigate the signage.

**Response by Director Infrastructure**

An approach will be made to Main Roads WA to review the speed zoning along Ocean Reef Road, east of Wanneroo Road

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**PQ08-04/12 Ms F Carrera, Shiraz Boulevard, Pearsall**

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*Item IN01-11/11 – Request Removal of Business Advertising on Ocean Reef Road and Traffic Calming on Shiraz Boulevard, Pearsall*

*Requested if Council could consider putting in safety precautions in Shiraz Boulevard as since building a house in January 2011 the traffic has increased with speeds of 70-80kph and is concerned due to all the young families living in the area.*

**Response by Director Infrastructure**

The locality of Pearsall and the area adjacent to Shiraz Boulevard continues to undergo significant change in accordance with the City's District Town Planning Scheme and Agreed Structure Plan No.6 (ASP6) covering East Wanneroo Cell 4. In accord with the City's Traffic Management Policy, the City would not normally consider Shiraz Boulevard for traffic management treatment until such time as the adjacent land is fully developed and occupied.

Among the changes still to occur in the adjacent area, in accord with ASP6, is the realignment of Lenore Road to the east to intersect with Ocean Reef Road, at the Hartman Drive intersection, and the extension of Kemp Street to intersect with Lenore Road. These changes will result in Shiraz Boulevard no longer directly connecting to Lenore Road and Kemp Street attracting traffic away from Shiraz Boulevard.

Administration will undertake another assessment of Shiraz Boulevard in accordance with the City's Traffic Management Investigation and Intervention Policy, six months after the completion of the Lenore Road realignment between Ocean Reef Road and Kemp Street Pearsall.

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**PQ09-04/12 Ms J Stojkovski, Marginson Drive, Landsdale**

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*Air conditioning of Warradale Hall Community Centre*

*As a representative for the Landsdale Residents Association she thanked Council for support of the Landsdale Residents Association Get To Know Your Neighbour Day which was a great success.*

*Requested if Council could address the urgent need for air conditioning at the Warradale Hall Community Centre.*

**Response by Director Infrastructure**

Advised that this request can be considered as part of the current budget deliberations.

**Item 4 Confirmation of Minutes**

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**OC01-04/12 Minutes of Ordinary Council Meeting held on 6 March 2012**

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**Moved Cr Treby, Seconded Cr Hayden**

**That the minutes of the Ordinary Council Meeting held on 6 March 2012 be confirmed.**

**CARRIED UNANIMOUSLY**

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

Nil

**Item 6 Questions from Elected Members****CQ01-04/12 Cr Goodenough - PS05-04/12 Proposed Commercial Development at Lot 1061 (2) Captiva Approach, Butler - DA2011/799**

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*Council is obliged to make its decision in relation to this item based on planning grounds, may advice be given by the Director Planning and Sustainability what the implications would be if the liquor store and fast food restaurant were deleted?*

**Response by Mayor Roberts**

Advised it would be appropriate to be raised when PS05-04/12 is discussed.

**Item 7 Petitions****New Petitions Received**

Nil

**Update on Petitions****PT01-03/12 Retention of Natural Bushland in Perpetuity, Lot 5483 Ian Robbins/Alexander Heights Park**

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Cr Cvitan presented a petition of 1,510 signatures from residents of the City of Wanneroo requesting Council's consideration to retain in perpetuity the land described as Lot 5483 within the Ian Robbins/Alexander Heights Park in its natural bushland state, comprising at present over 54 trees and 22 grass trees in order to benefit not only people who appreciate and patronise the parks, but also birdlife in general.

**UPDATE**

This will be responded to as part of a report to Council following the community consultation process.

**PT02-03/12 Request for Traffic Island and Speed Humps, La Salle Road, Alexander Heights**

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Cr Cvitan presented a letter of one signature requesting a traffic island and speed humps in La Salle Road, Alexander Heights due to excessive speed and dangerous driving in Crabtree Street and La Salle Road, Alexander Heights.

**UPDATE**

A report is to be presented to the May 2012 meeting of Council.

## 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 Gray declared an impartial interest in Item PS02-04/12 and Item PS05-04/12 due to having an intermittent professional relationship with Greg Rowe & Associates in her capacity as a conservation consultant.*

*Cr Truong declared an impartial interest in Item CD05-04/12 due to being a board member of the Vietnamese Community in Australia/WA Chapter.*

## Planning and Sustainability

### Town Planning Schemes & Structure Plans

#### **PS01-04/12 Proposed Amendment 6 to Agreed Structure Plan 44 – Capricorn Village Structure Plan**

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File Ref: 3718 – 12/19507  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 7

**Moved Cr Gray, Seconded Cr Newton**

**That Council:-**

1. Pursuant to Clause 9.6.1 of District Planning Scheme No.2 **RESOLVES** that Amendment No. 6 to the Capricorn Village Agreed Structure Plan No. 44, as submitted by Roberts Day Town Planners on behalf of Capricorn Investments Group Pty Ltd & Yanchep Sun City Pty Ltd to undertake the points listed below is satisfactory, subject to the following modifications being undertaken to the satisfaction of the Director, Planning and Sustainability;
  - a) **Modify the existing Part 1 R-Code Map in accordance with Attachment 7 to remove detail within the amendment area, replace the R25 and R40 density code with a R25 – R40 density range and include a social/pedestrian/cycle linkage;**
  - b) **Modify the existing Part 1 Zoning Map to remove detail, including lot layout and local roads, within the amendment area;**
  - c) **Modify the existing Part 1 Structure Plan Map to remove detail, including lot layout and local roads, within the amendment area;**

- d) Amend the Part 1 text, Clause 9.4 - dot point 9 to read;
- “The following variations to the Residential Design Codes constitute Acceptable Development with respect to all lots coded R20, R25, R30 or R40. The intention of the provisions is to maximise the opportunity for passive surveillance and passive solar design and improve the relationship between the private realm of the dwelling and the public realm of the street, whilst not being overly prescriptive to ensure the lots can accommodate a range of standard housing designs and remain affordable.”; and*
- e) Amend the Part 1 text to include locational criteria for the allocation of density ranges in accordance with the City’s Local Planning Policy 4.2: Structure Planning;
2. **SUBMITS** three copies to the Western Australian Planning Commission for its adoption and certification;
3. Pursuant to Clause 9.6.5 of the City of Wanneroo District Planning Scheme No. 2, **AUTHORISES** the Mayor and Chief Executive Officer to **ADOPT**, **SIGN** and **SEAL** Amendment No. 6 to the Capricorn Village Agreed Structure Plan No. 44 once Adopted by the Western Australian Planning Commission; and
4. **NOTES** the Summary of Submissions received in respect of Amendment No. 6 to the Capricorn Village Agreed Structure Plan No. 44 included as Attachment 6 and **ENDORSES** Administration’s comments and recommended responses to those submissions and **FORWARDS** the same to the Western Australian Planning Commission and **ADVISES** the submitters of its decision.

**CARRIED UNANIMOUSLY**

## Amendment No. 6 to Capricorn Coastal Village 1 Agreed Structure Plan No. 44

No.	Name.	Summary of Submission	Administration Response/Comment	Recommended Modification
1.0	C Waddell 51 (Lot 214) Beachhaven Drive, Yanchep			
1.1		The proposed rezoning of the Yanchep area (including surrounding the Capricorn Centre) and dunal ridge is <b>supported</b> .	Noted	None
1.2		Lot 214 Beachhaven Drive (Adjoining property to Lot 215 and Lot 216 Beachhaven Drive which are proposed to be rezoned to R20 as part of this amendment) should also be included and be rezoned from R5 to R20.	Disagree. The inclusion of an extra lot would have a greater impact on the loss of vegetation and topography of the dune.	None
1.3		The increased density along the dunal ridge will allow greater number of houses to have direct ocean views or direct views and access over the public reserve.	Disagree. The proposed increase in opportunity for views from a small number of dwellings does not outweigh the amendments as the loss of vegetation and topography would have a greater impact on the natural setting.	None
1.4		The increased density along the dunal ridge will allow more dwellings/residents to have access to surrounding attractions.	Noted.	None
2.0	T Loftus (Address Not Given)			
2.1		The proposed amendment for Lots 215 and 216 Beachhaven Drive, from R5 to R20, is <b>not supported</b> .	Noted.	None
2.2		Documentation submitted with the proposal states that the rezoning is a result in a lack of interest from purchasers however Lot 216 has recently exhibited a 'Sold' sign.	Noted. The economic feasibility of a site would have little impact on the proposition to rezone the lots.	None
2.3		The lots (approximately 2000sqm) were created as a buffer between the Public Open Space (POS) and	Noted.	None

Trim # – 12/14597

No.	Name.	Summary of Submission	Administration Response/Comment	Recommended Modification
		Two Rocks Road with all lots having challenging topography allowing a variety of different/larger homes.		
2.4		Lot sizes of 500sqm would require 'battle axe' blocks which are a blight and should not be permitted in the estate.	Disagree. The detail of lot design/configuration is not something which is determined at the structure plan stage.	None.
2.5		The construction of 500sqm lots would result in the destruction of the natural significant dunes and these should be preserved.	Noted. This issue is dealt with in the body of the report.	Modify Plan 1 to alter lots 215 & 216 Beachhaven Drive to R5
2.6		The financial viability is not an acceptable reason to make a planning decision.	Agree. This issue is dealt with in the body of the report.	None
2.7		The developer is not complying with their own criteria for the development of these lots.	Noted. The purpose of the amendment is to propose alternative criteria for the development of the subject lots.	None
3.0	H Watson (Address not Given)			
3.1		The proposed amendment for Lots 215 and 216 Beachhaven Drive, from R5 to R20, is <b>not supported</b> .	Noted.	None
3.2		The larger lots are welcomed and offer a sense of space differentiating the area from standard urban sprawl.	Noted.	None
3.3		The proposal will flatten the dunes for increased profit for the developer and offer no benefit to the community.	Agree. This issue is dealt with in the body of the report.	None
3.4		The proposed amendment is inconsistent with the objectives for the Capricorn Coastal Node including responsiveness to existing landforms.	See response to 2.7 above.	None

Trim # – 12/14597





*Cr Gray declared an impartial interest in Item PS02-04/12 due to having an intermittent professional relationship with Greg Rowe & Associates in my capacity as a conservation consultant.*

## **PS02-04/12 Proposed Amendment 1 to Agreed Structure Plan 52 – Brighton West Village Centre**

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File Ref: 6197-01 – 12/21011  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 9

**Moved Cr Gray, Seconded Cr Newton**

**That Council:-**

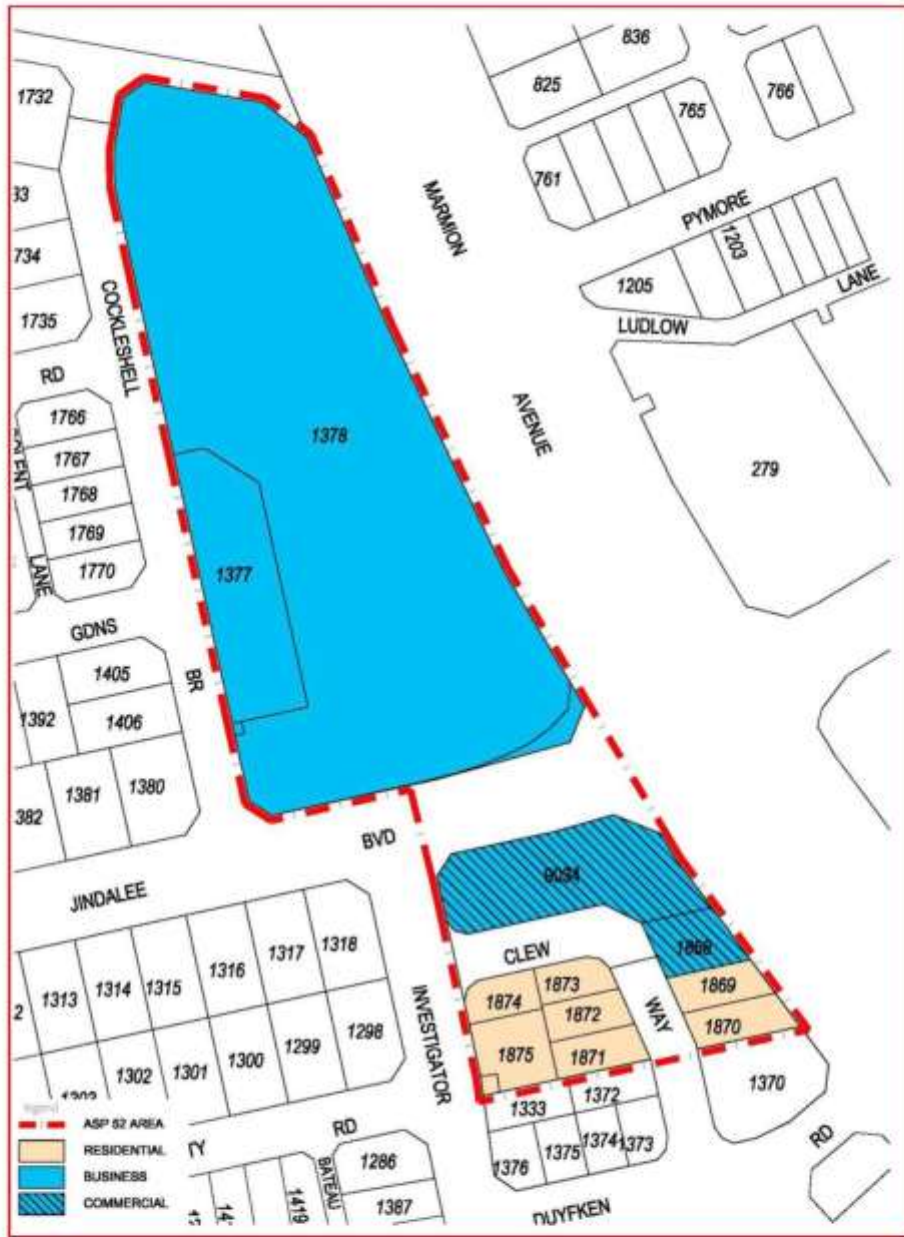
1. Pursuant to Clause 9.6.1 of District Planning Scheme No.2 **RESOLVES** that Amendment No. 1 to the Brighton West Village Centre Agreed Structure Plan No. 52, included as Attachments 5, 6 and 7 and 8 to this report is satisfactory subject to the following modification being undertaken to the satisfaction of the Director, Planning and Sustainability;

**“Modify the Part 1 text, Clause 8.1, Provision iii of the existing Agreed Structure Plan and the proposed Clause 8.2, Provision iii to remove the word ‘advice’.**

**and SUBMITS** three copies to the Western Australian Planning Commission for its adoption and certification;

2. Pursuant to Clause 9.6.5 of the City of Wanneroo District Planning Scheme No. 2, **ADOPTS** the Brighton West Village Centre Agreed Structure Plan No. 52 once amended in accordance with Attachments 5, 6, 7 and 8 and the modification outlined in 1 above and adopted by the Western Australian Planning Commission;
3. **AUTHORISES** the Mayor and Chief Executive Officer to **SIGN** and **SEAL** the documents once certified by the Western Australian Planning Commission; and
4. **NOTES** and **ENDORSES** the comments made in this report regarding the submissions received on this structure plan amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission and **ADVISES** the submitters of its decision.

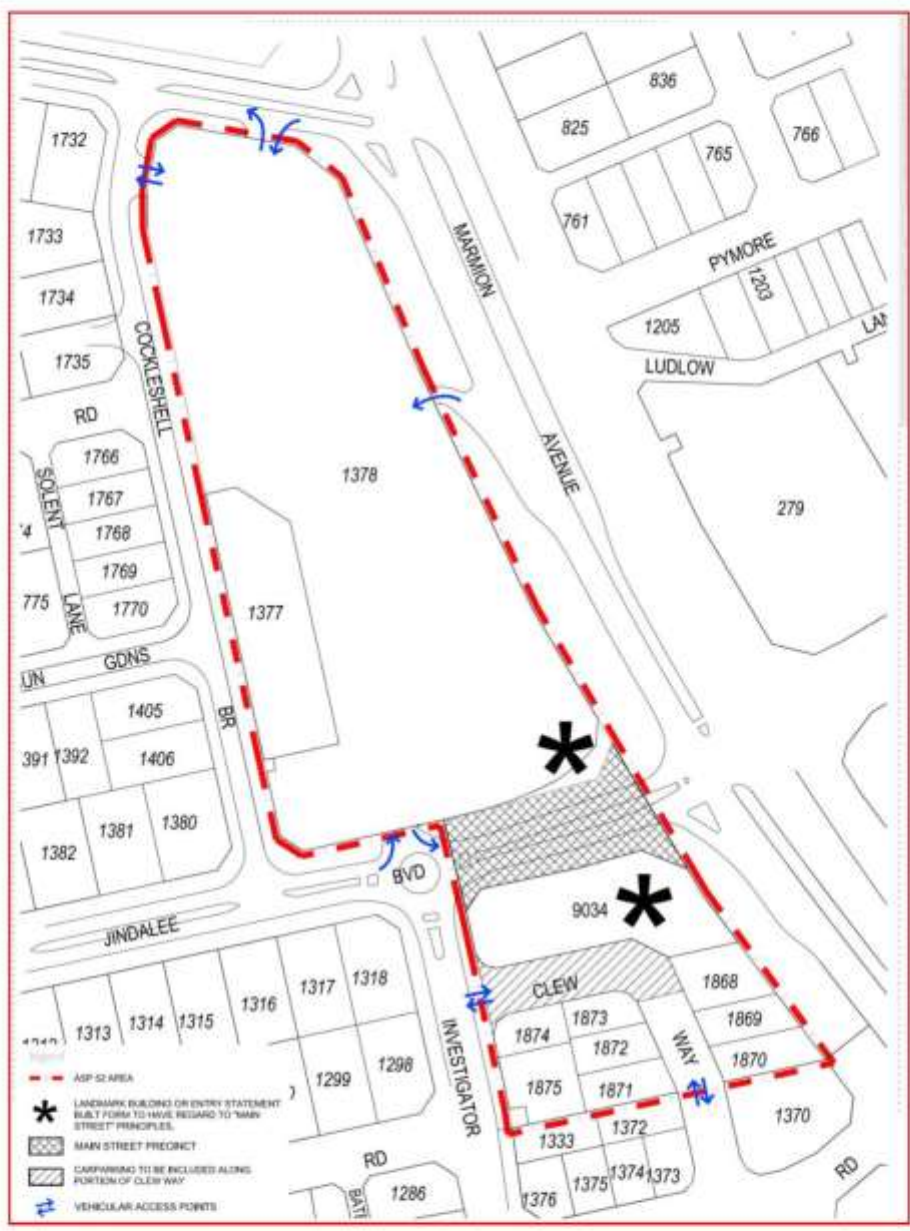
**CARRIED UNANIMOUSLY**



Proposed Zoning Plan



Proposed R-Code Plan



Proposed Structure Plan

## 8.2 Commercial Zone

### **Objectives**

*The general objectives of this zone shall be in accordance with those contained in the Scheme for the "Commercial Zone".*

### **Use Permissibility**

*Land Use permissibility within this zone shall be in accordance with the corresponding zone under the Scheme.*

### **Provisions**

- i. Landmark buildings shall be constructed at the corner of Jindalee Boulevard and Marmion Avenue, as depicted on "Plan 3". The "landmark" buildings shall have special building elevations and window treatments that draw attention to the location, including such means as distinctive roof form, articulation of corner wall elements, entry forecourts, materials and colour;*
- ii. All buildings shall be designed to address the adjacent street frontages.*
- iii. A continuous advice building façade with no blank walls shall be provided along the main street precinct. This façade may be broken on the western end of the lot on the southern side of Jindalee Boulevard to accommodate a car parking area.*
- iv. All buildings fronting the main street precinct shall incorporate the main building entries and continuous awnings and/or colonnades with a minimum width of 2 metres and a minimum ground clearance of 2.75 metres.*
- v. Building setbacks adjacent to the main street precinct shall be nil. Buildings fronting the main street precinct may also be built up to the Marmion Avenue street boundary.*
- vi. The ground floor of any buildings fronting the main street precinct shall not be more than 0.5 metres above the street level or not more than an average of 0.5 metres from a sloping site.*
- vii. Entry doors from the main street precinct shall be at grade with the adjoining paving.*
- viii. The buildings on both sides of the main street precinct shall be similar or complementary in design.*
- ix. The full width of the main street road verges shall be paved and incorporate street trees, car parking bays and street furniture.*
- x. Service areas, bin storage areas and services such as air conditioners, compressors and other machinery shall be located away from the public areas and screened from view from the streets and public areas by an enclosure in the style, materials and colours of the adjacent development.*
- xi. Any residential development shall be designed and located to have regard to the interface to non residential areas in terms of noise, traffic, light and other amenity impacts. Appropriate interface treatments by way of buffers, walls, dense landscaping and other means shall be provided to maintain the amenity of the residential developments.*

### **Retail Floorspace**

*Retail Floorspace shall not exceed 1,000m<sup>2</sup> of net lettable area."*

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**PS03-04/12 Adoption of Revised Development Guide Plan for Special Rural Zone No. 18**

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File Ref: 6912 – 12/24526  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

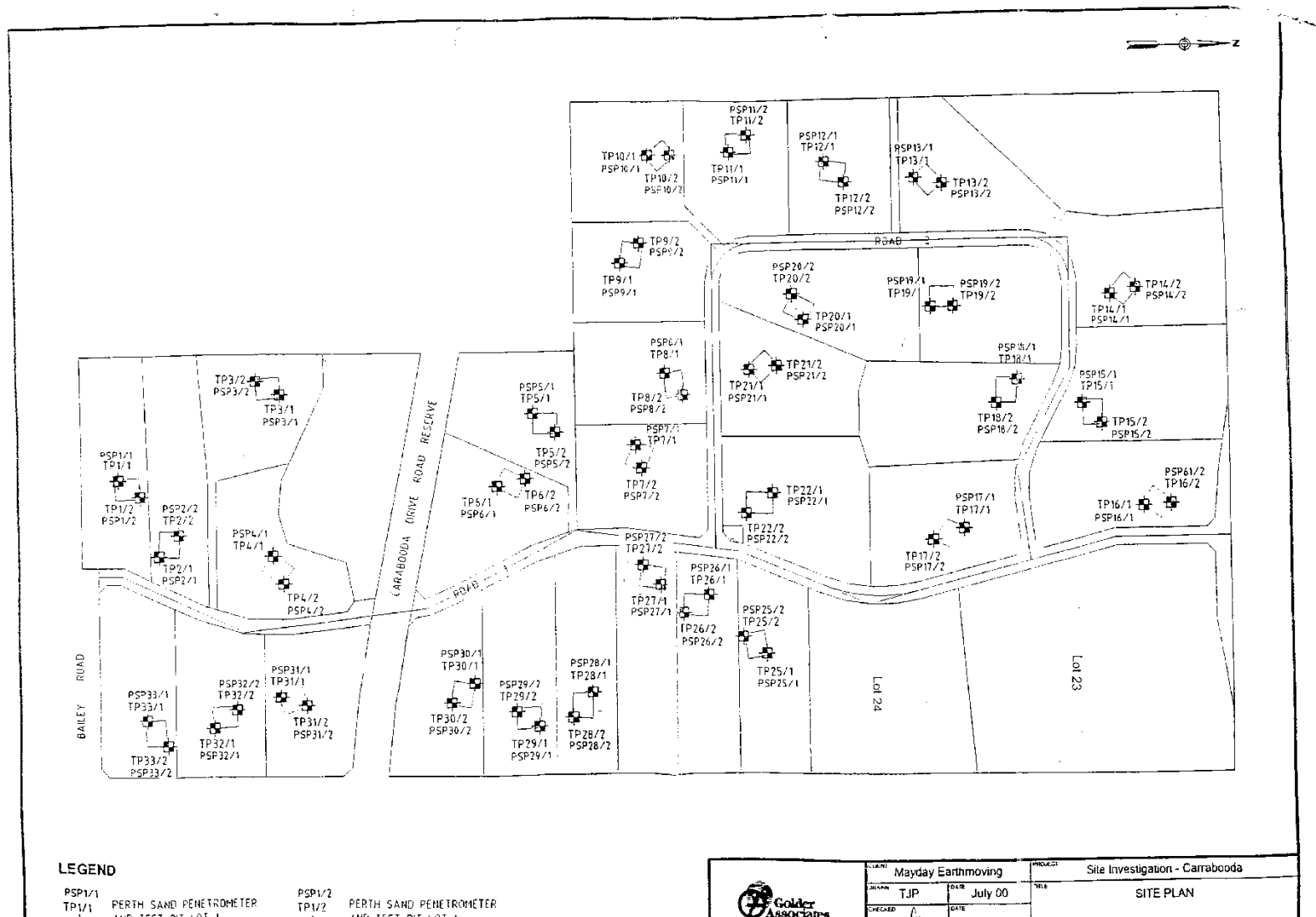
**Moved Cr Gray, Seconded Cr Newton****That Council:-**

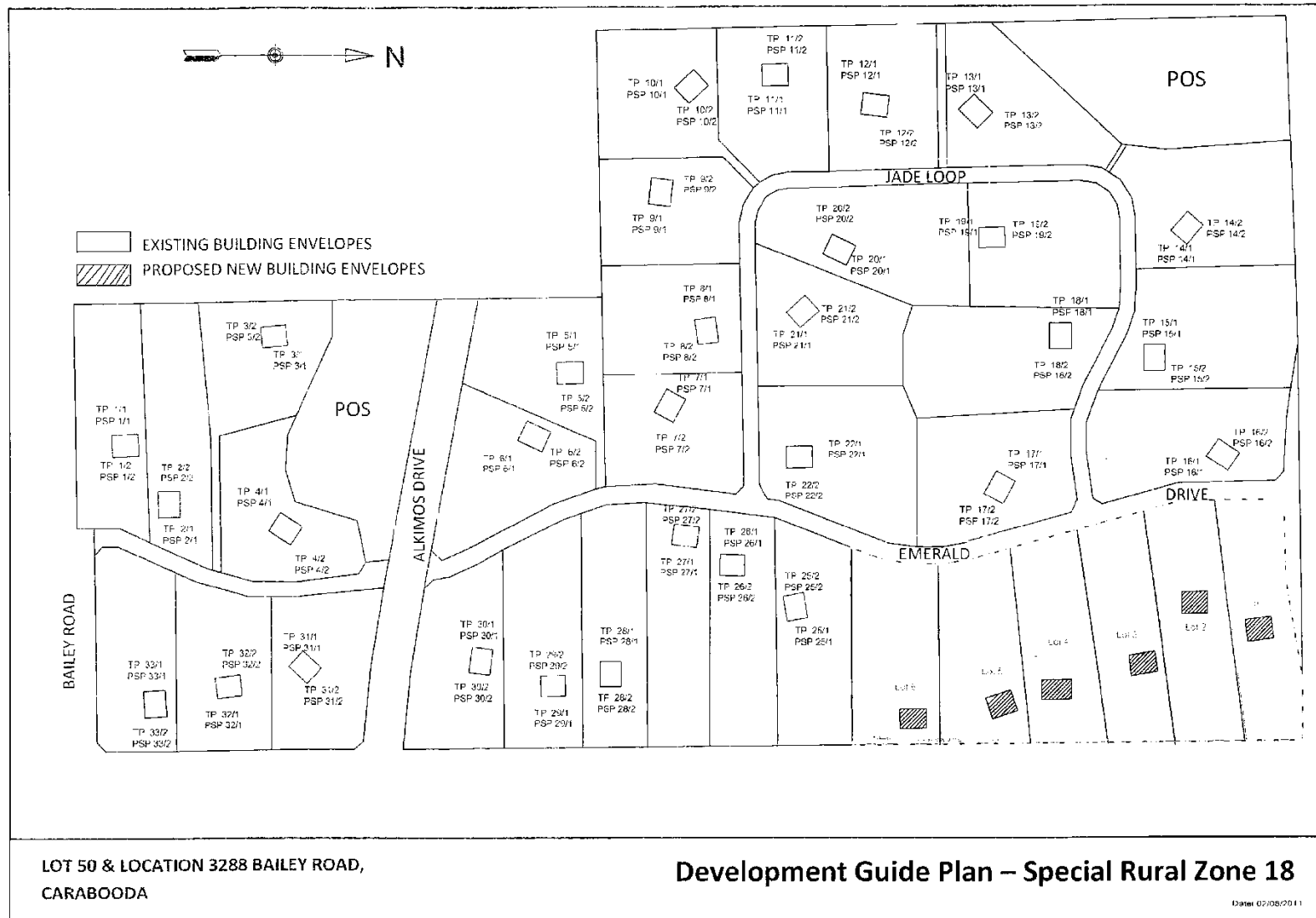
1. **ENDORSES** the Development Guide Plan for Special Rural Zone No. 18, included as Attachment 3 to supersede the Development Guide Plan dated July 2000, included as Attachment 2;
2. Pursuant to Section 75 of the Planning and Development Act 2005 **ADOPTS** Amendment No. 126 to District Planning Scheme No. 2 for the purpose of:-
  - a) Deleting ‘Special Provision No. 1’ of ‘Special Rural Zone No. 18’ contained within Schedule 13 and inserting the following text in its place:

“1. Subdivision and development shall be in accordance with the Development Guide Plan dated 2 August 2011.”; and
  - b) Amending ‘Special Provision No. 7’ of ‘Special Rural Zone No. 18’ by deleting the following text:

“In reference to the portion of the subject land shown bounded by the stippled boundary on the Modified Development Guide Plan, land use permissibility for this land shall be determined in accordance with the ‘Rural Resource Zone’.”;
3. **REFERS** Amendment No. 126 to District Planning Scheme No. 2 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the Planning and Development Act 2005; and should the EPA advise the amendment does not require assessment, **ADVERTISES** the amendment for public comment for a period of 42 days, pursuant to Regulation 25(2) of the Town Planning Regulations 1967; and
4. **FORWARDS** a copy of Amendment No. 126 to District Planning Scheme No. 2 to the Western Australian Planning Commission for information.

**CARRIED UNANIMOUSLY**







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**PS04-04/12 Adoption of Eglinton Local Structure Plan No. 82**

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File Ref: 3718 – 12/27488  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 7

**Moved Cr Gray, Seconded Cr Newton**

**That Council:-**

1. Pursuant to Clause 9.4.1 of District Planning Scheme No. 2 **WAIVES** the requirement for re-advertising of the modified Eglinton Local Structure Plan No. 82 as the modifications are considered to be of a minor nature which does not materially alter the intent of the advertised version of the Eglinton Local Structure Plan No 82 considered by Council at its meeting of 8 February 2011 or cause any significant detriment to land within or abutting the structure plan area;
2. Pursuant to Clause 9.6.1 of District Planning Scheme No.2 **RESOLVES** that the draft Eglinton Local Structure Plan No.82, forwarded to the Western Australian Planning Commission on 11 February 2011 submitted by Development Planning Strategies on behalf of Eglinton Estates and Oceanscapes Alliance included in Attachment 2 is satisfactory subject to the modifications included in Attachments 4 and 5 being made in accordance with the Administration Comment provided in Attachment 6 to the satisfaction of the Director, Planning and Sustainability; and
3. **SUBMITS** three copies of the modified structure plan to the Western Australian Planning Commission for its adoption and certification.

**CARRIED UNANIMOUSLY**

## PART ONE – STATUTORY SECTION

### 1. APPLICATION

- 1.1 This Part applies to the Eglinton Local Structure Plan, being Pippidinny Road, Lots 1007 and 1008 Pippidinny Road, Lot 15 Connolly Drive, Lot 16 Mitchell Freeway, Lot 2004 and Reserve 15450 Marmion Avenue, unallocated Crown Reserve, Untitled (Marina) and being all land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map.
- 1.2 Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Wanneroo District Planning Scheme No. 2 (the Scheme).
- 1.3 Pursuant to clauses 9.8.2 and 9.8.3 of ~~District Planning the Scheme No. 2~~, the provisions of this part shall apply to land contained within the Eglinton Structure Plan as follows:
  - a) the objectives, standards and requirements applicable to zones and residential design codings under the Scheme shall apply to the same extent to the areas having corresponding designations under the Structure Plan, unless specific provision is made to the contrary in this part.
  - b) any other provision, standard or requirement of this part that is not otherwise contained in the Scheme, shall apply to the land as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme;
  - c) Part 2 and 3 of this Structure Plan are for explanatory purposes only, to provide a descriptive analysis of the Structure Plan.
- 1.4 In accordance with clause 9.8.1 of the Scheme, this Structure Plan shall come into operation on the later date when it is either certified by the Western Australian Planning Commission (WAPC) pursuant to subclause 9.6.3 of ~~DPS-2~~ In the Scheme or Adopted, Signed and Sealed by the Council.

### 2. OBJECTIVES

The objectives of this Structure Plan are:

- 2.1 To establish the statutory framework to progress the planning and to enable the development of a vibrant sustainable coastal community at Eglinton.
- 2.2 Community Building Objectives
  - To create a place that will initiate and support the self development of a sustained community.
  - To enable diversity and interest in the built environment.
  - To facilitate the movement and access of the community.
  - To provide the capacity for community growth and development over time by supporting adaptable and appropriate facilities and services.
  - To provide infrastructure and economic conditions that enable the community to meet as many needs as possible within Eglinton.
  - To facilitate a healthy local economy that complements and supports the district economic growth and provides jobs to meet local needs.
  - To ensure the community are real stakeholders in the development of their community.

### 2.3 Environmental Objectives

To create a balance between the protection of the environment and other requirements of the community.

To work with the character of the landscape to optimise density and development in a responsive manner and to maximise the retention of the original landform.

To generate diversity in the character of the place through retention and introduction/attraction of native flora and fauna.

To apply responsible integrated water management to meet the needs of the community and support the outcomes of the District Water Management Strategy.

To ensure appropriate built form outcomes of the community that will respond to the local environment be that climate, crime prevention, community development or promoting the use of public transport.

### 2.4 Future Proofing Objectives

To ensure there is economic flexibility and diversity so that, over time, the community is able to both live and work in Eglinton.

To promote design excellence and innovation in all aspects of urban design, the public realm and built form (including landscape architecture, public art and art spaces).

To facilitate responsible and responsive governance of the area that will monitor implementation and provide indicators to measure performance of the social, economic and environmental health of Eglinton as it matures and evolves as a community.

## 3. SUBDIVISION AND DEVELOPMENT

3.1 Plan 1 and Tables A-IL form part of the statutory provisions of this Structure Plan and prescribe the standards, requirements and prerequisites for subdivision and development in the corresponding precincts designated on the Structure Plan Map. Where any variation arises between any provision of these Plans and/or Tables and a provision of the Scheme, then the provision of the Plan and/or Table shall prevail to the extent of that variation and shall apply as an intended variation to the Scheme for the purposes of Clause 9.8.3 (f).

3.2 Subdivision and development within the Structure Plan Area is to comply with the requirements of Statement of Planning Policy 2.6: State Coastal Planning and WAPC Position Statement – State Planning Policy No. 2.6, State Coastal Planning Policy, Schedule 1, Sea Level Rise.

3.23 Prior to any subdivision or development being supported, the City will require:

- i) The preparation and approval of the reports, surveys, strategies and plans listed in Table I at the stage specified in that table; and
- ii) A report accompanying any application for subdivision or development that outlines the manner in which the findings and recommendations of this Structure Plan; the completed plans and strategies listed in Table I; and the plans and strategies appended to this Structure Plan (Part 3), will be incorporated into or addressed by the proposed subdivision or development.

Plan 1 Structure Plan Map

Table A General Planning Requirements for Structure Plan Area

Table B-G Planning Requirements for Precincts

Table H Centre Floor Space Allocations

Table I Reports, Surveys, Strategies and Plans

Table J Strategic Public Open Space Schedule

Table K Developer Contributions Arrangement

Table L Land Use Definitions

Table A – General Planning Requirements for Structure Plan Area

1. Structure Plan Map	<p>1.1 <del>1.1</del> Subdivision and development of land shall generally be in accordance with the Structure Plan Map.</p> <p>1.2 <del>Where the provisions of the Structure Plan are inconsistent with any environmental approvals issued by the State or Federal Government, the LSP shall be amended to ensure consistency.</del></p>
2. Zones/Use Class Permissibility	<p>2.1 Land Use permissibility within the Structure Plan area shall be in accordance with the corresponding Zone or Reserve under the Scheme except for the exclusions and additions as outlined in Tables B-G.</p>
3. Residential Development Requirements	<p>3.1 Residential Design Codes shall be in accordance with the ranges shown on Plan 1, the Structure Plan Map <del>and located as follows:</del></p> <p><del>3.1.1: High densities (R80-R160) will generally be provided within 800 metres of the Coastal Village and District Activity Centre.</del></p> <p><del>3.1.2 Medium densities (R30-R60) will generally be provided within 400 metres of neighbourhood activity centres, in areas of high amenity, including within 250 metres of POS, and along public transport routes, including within 400 metres of the STS route, as well as in other suitable locations to promote diversity of housing product and housing affordability.</del></p> <p><del>3.1.3 Lower densities (R20-R25) will generally be provided elsewhere</del></p> <p>3.2 Subdivision and development within the Structure Plan Area shall be in accordance with a Residential Design Code Plan endorsed by the Western Australian Planning Commission.</p> <p>3.3 A Residential Design Code Plan (three copies) shall be lodged with the Western Australian Planning Commission for its endorsement, <del>prior to or</del> in conjunction with any application for subdivision, unless the WAPC determines that the subdivision is for one or more of the following:</p> <p>1.2.1 The amalgamation of lots or part lots</p> <p>1.2.2 The consolidation of land for "superlot" purposes to facilitate land assembly for future development</p> <p>1.2.3 The purpose of allowing access and/or</p> <p>1.2.4 The facilitation and provision of services or infrastructure.</p>

- |                      |  |
|----------------------|--|
| 3.4                  | A Residential Design Code Plan shall show the specific Residential Design Coding of all lots proposed to be created by subdivision, in accordance with the Clause 3.1 of this Table.   |
| 3.5                  | Following WAPC endorsement of the Residential Design Code Plan, <u>the Residential Design Code Plan shall become part of Part 1 of this Structure plan</u> ; one copy shall be retained by the Western Australian Planning Commission, one copy shall be provided to the City for retention with the Structure Plan, and one copy shall be provided to the proponent.  |
| 4. Public Open Space | 4.1 Public Open Space (POS) shall be distributed generally in accordance with Plan 1 and Table J of this Structure plan; City of Wanneroo Local Planning Policies; and State Planning Policies. A minimum of ten per cent of the gross subdivisible area shall be provided as POS, either as a ten per cent land component, or as a cash in lieu provision for the development of POS in the Structure Plan area, subject to the approval of the WAPC and the Minister for Planning. |

5. Detailed Area Plans
- 5.1 Prior to any subdivision being supported for a particular area, the City will require:
- a) Detailed Area Plans (DAPs) for the following areas, consisting of all land contained within the inner edge of the line denoting the Detailed Area Plan area's boundary on the Structure Plan Map:
- a)(i) Marmion Avenue Neighbourhood Centre
- b)(ii) Mixed Use Zone STS Route Neighbourhood Centre
- c)(iii) Coastal Village Activity Centre
- ~~d) Local Centres R160 coded lots in the Marina Village Precinct~~
- (iv) ~~Any development on land reserved for Parks and Recreation in the Marina Village Precinct.~~
- 5.2 The City will not support subdivision and will not consider planning approval within the areas listed in 5.1 above a Precinct, as illustrated on the Structure Plan Map, in the absence of a DAP referred to in clause 5.1, agreed to by the City pursuant to clause 9.14 of the Scheme, unless the City is satisfied that the subdivision or development is of a scale and permanence that would not prejudice the:
- a) design of the DAP
- b) timely provision of infrastructure and service to the area; or the
- c) development of the surrounding area in line with the Agreed Structure Plan.
- 5.3 A DAP shall be advertised for a period of 28 days prior to its consideration under clause 9.14.3 of the Scheme.
- 5.4 In addition to any general matters required to be included within a DAP under clause 9.14.2 of the Scheme, DAPs shall incorporate specific matters required to be included in each DAP under Tables B-G.

Table B – Planning Requirements for Precinct 1 - Marina Village

1. Detailed Area Plan
- 1.1 In addition to any general matters required to be included within a DAP (under ~~Table A of this Structure Plan~~) and Clause 9.14.2 of the Scheme, a DAP for the Coastal Village Activity Centre ~~Precinct 1~~, where required pursuant to clause 5.1, shall incorporate provisions and design elements addressing the following:
- a) interface treatment and public realm immediately adjacent to and surrounding the Marina
- b) building heights (including maximum)
- c) built form response to terrain including retaining walls and site levels

- |                                     |   |
|-------------------------------------|---|
| 2. Land Use Class<br>Permissibility | 2.1 Land Use permissibility within Precinct 1 shall be in accordance with the corresponding Zone or Reserve under the Scheme, as shown on the Structure Plan Map except as follows: |
|-------------------------------------|---|
- a) Grouped Dwelling and Multiple Dwelling - 'P' in areas coded R100 and/or R160
  - b) Corner Store , Coffee Shop\* - 'D' in Residential Zone in areas adjacent to special transit system (STS) bus stops
  - c) Yacht Club\* - 'P' in Commercial and Mixed Use Zone
  - d) Marina\* - 'P' in Commercial and Mixed Use Zone
  - e) Boat Sales\* - 'D' in Commercial and Mixed Use Zone
  - f) Hotel - 'D' in Commercial and Mixed Use Zone
  - g) Holiday Village/Resort - 'D' in Commercial and Mixed Use Zone
  - h) Market (Retail)s - 'D' in Commercial and Mixed Use Zone
  - ~~i) Night Club - 'D' in Commercial and Mixed Use Zone~~
  - ~~j) Tavern - 'D' in Commercial and Mixed Use Zone~~
- \* Land use definitions included in Table L

Table C – Planning Requirements for Precinct 2 – Marina Hinterland

- |                                     |   |
|-------------------------------------|---|
| 1. Land Use Class<br>Permissibility | 1.1 Land Use permissibility within Precinct 2 shall be in accordance with the corresponding Zone or Reserve under the Scheme, shown on the Structure Plan Map, except as follows: |
|-------------------------------------|---|
- a) Education Establishment - 'D' in Residential Zone in areas shown as 'Primary School' on the Part 1 – Structure Plan Map only
  - b) Corner Store, Coffee Shop - 'D' in Residential Zone in areas adjacent to STS bus stops shown as 'Local Centre' on the Part 1 - Structure Plan Map.

Table D– Planning Requirements for Precinct 3 – Coastal Village

- |                       |   |
|-----------------------|---|
| 1. Detailed Area Plan | 1.1 <u>In addition to any general matters required to be included within a DAP under Clause 9.14.2 of the Scheme, a DAP for the STS Route Neighbourhood Centre, where required pursuant to clause 5.1, shall incorporate provisions and design elements addressing the following:</u> |
|-----------------------|---|
- a) interface treatments, public open space and public realm immediately adjacent to and surrounding the Neighbourhood Centre
  - b) built form response to terrain including retaining walls and site levels

- |   |   |
|---|---|
| 24. <u>Land-Use Class</u><br>Permissibility | 24.1 Land Use permissibility within Precinct 3 shall be in accordance with the corresponding Zone or Reserve under the Scheme, shown on the Structure Plan Map, except as follows: <ul style="list-style-type: none"> <li>a) Corner Store , Coffee Shop, Restaurant - 'D' in Residential Zone in areas shown as 'Local Centre' on the Part 1 - Structure Plan Map only, adjacent to special transit system (STS) bus stops and as shown on Structure Plan Map</li> <li>b) Education Establishment - 'D' in Residential Zone in areas shown as 'Primary School' on the Part 1 - Structure Plan Map only</li> </ul> |
|---|---|

Table E – Planning Requirements for Precinct 4 – Eglinton Hill

- |                              |   |
|------------------------------|---|
| 1. <u>Detailed Area Plan</u> | 1.1 <u>In addition to any general matters required to be included within a DAP under Clause 9.14.2 of the Scheme, a DAP for the Marmion Avenue Neighbourhood Centre, where required pursuant to clause 5.1, shall incorporate provisions and design elements addressing the following:</u> <ul style="list-style-type: none"> <li>a) <u>interface treatment, public open space and public realm immediately adjacent to and surrounding the Neighbourhood Centre</u></li> <li>b) <u>built form response to terrain including retaining walls and site levels</u></li> </ul> |
|------------------------------|---|

- |  |   |
|--|---|
| 2. <u>Land-Use Class</u><br>Permissibility | 2.1 Land Use permissibility within Precinct 4 shall be in accordance with the corresponding Zone or Reserve under the Scheme, shown on the Structure Plan Map except as follows: <ul style="list-style-type: none"> <li>a) <u>Education Establishment - 'D' in Residential Zone in areas shown as 'Primary School' on the Part 1 - Structure Plan Map only</u></li> <li>b) <u>Corner Store , Coffee Shop, Restaurant - 'D' in Residential Zone in areas shown as 'Local Centre' on the Part 1 - Structure Plan Map only.</u></li> </ul> |
|--|---|

Table F – Planning Requirements for Precinct 5 – District Activity Centre

- |                          |   |
|--------------------------|---|
| 1. <u>Structure Plan</u> | 1.1 Subject to clause 9.11 of the Scheme, no subdivision (including strata or survey strata subdivision) or other development should be commenced or carried out in Precinct 5 shown as Centre Zone on the Structure Plan Map, until an Agreed Structure Plan has been prepared and adopted under the Provisions of Part 9 of the Scheme. |
|--------------------------|---|



2. Land-Use Class Permissibility 2.1 Land Use permissibility within Precinct 5 shall be determined in accordance with the provisions of the relevant Agreed Structure Plan for Precinct 5.

Table G – Planning Requirements for Precinct 6 - Employment

1. Land-Use Class Permissibility 1.1 Land Use permissibility within Precinct 6 shall be in accordance with the corresponding Zone under the Scheme, shown on Structure Plan Map, except as follows:
- a) Aged or Dependant Persons Dwelling - ~~'X'~~ in Business Zone
  - b) Single House - ~~'X'~~ in Business Zone
  - c) Grouped Dwelling - ~~'X'~~ in Business Zone
  - d) Multiple Dwelling - ~~'X'~~ in Business Zone
  - e) Retirement Village - ~~'X'~~ in Business Zone
  - f) Smash Repair Station - ~~'D'~~ in Business Zone
  - g) Special Place of Assembly - ~~'D'~~ in Business Zone
  - h) Storage Yard - ~~'D'~~ in Business Zone
  - i) Transport Depot - ~~'D'~~ in Business Zone
  - j) Open Air Display - ~~'D'~~ in Business Zone
  - k) Plant Nursery - ~~'D'~~ in Business Zone

Table H – Centre Floorspace Allocation for Eglinton District Activity Centre

Floorspace (GLA sqm)	Minimum Net Lettable Area to be demonstrated (square metres) Floorspace (built out)	Percentage (%) Maximum Net Lettable Area (square metres)
Retail	46,412 N/A	46,412 47% 17,220
Commercial Mix of land use	13,838 20,943	40% N/A

Centre Floorspace Allocation for Coastal Village Activity Centre

<u>Floorspace (GLA sqm)</u>	<u>Minimum Net Lettable Area to be demonstrated (square metres) Floorspace (built out)</u>	<u>Maximum Net Lettable Area (square metres) Percentage (%)</u>
Retail	3,794 N/A	28% 3,794
<u>Mix of land use Commercial</u>	7,106	53% N/A

Centre Floorspace Allocation for each of the Marmion Avenue and STS route Neighbourhood Activity Centres

<u>Floorspace (GLA sqm)</u>	<u>Minimum Net Lettable Area to be demonstrated (square metres) Floorspace (built out)</u>	<u>Maximum Net Lettable Area (square metres) Percentage (%)</u>
Retail	2,064 N/A	78% 2,064 1,313
<u>Mix of land use Commercial</u>	575 237	22% N/A

STS Route Neighbourhood Centres

<u>Floorspace (GLA sqm)</u>	<u>Minimum Net Lettable Area to be demonstrated (square metres)</u>	<u>Maximum Net Lettable Area (square metres) Percentage (%)</u>
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<u>Retail</u>	<u>N/A</u>	<u>2004/1313</u>
<u>Mix of landuse</u>	<u>575</u>	<u>N/A</u>
<u>Table I – Reports, Surveys, Strategies and Plans</u>		
<u>Documentation</u>	<u>Submission Stage</u>	<u>Approving Authority</u>
<u>Foreshore Management Plan</u>	<u>In conjunction with subdivision of land adjacent to the Foreshore</u>	<u>WAPC, CoW, DEC</u>
<u>Vegetation Management Plan</u>	<u>In conjunction with subdivision</u>	<u>WAPC, CoW</u>
<u>Fauna Management Plan</u>	<u>In conjunction with subdivision</u>	<u>WAPC, CoW</u>
<u>Local Water Management Strategy</u>	<u>Documented in LSP</u>	<u>WAPC, CoW, DoW</u>
<u>Urban Water Management Plan</u>	<u>Condition of subdivision</u>	<u>WAPC, CoW, DoW</u>
<u>Landscape Concept Plan</u>	<u>Documented in LSP</u>	<u>WAPC, CoW</u>
<u>Open Space Strategy</u>	<u>Documented in LSP</u>	<u>WAPC, CoW</u>
<u>Heritage Assessment</u>	<u>Documented in LSP</u>	<u>WAPC, CoW</u>

Karst Investigation	Discussed in LSP and where appropriate will be further investigated as part of geotechnical investigations (eCondition of subdivision)	WAPC, CoW
Unexploded Ordinance	Condition of Subdivision	FESA
Local Road Network Plan	Documented in LSP, to be further refined in conjunction with subdivision	WAPC, CoW
Detailed Area Plan	Applicable areas discussed in LSP, DAPs to be prepared in conjunction with or as a condition of subdivision	CoW
Sustainability Strategy	Documented in LSP	WAPC, CoW
Community Development Plan	Documented in LSP	WAPC, CoW
Economic and Employment Strategy	Documented in LSP	WAPC, CoW
Developer Contribution StrategyArrangement	Discussed in LSP, eCondition of subdivision	WAPC, CoW
Servicing Plan	Discussed in LSP, eCondition of subdivision	WAPC, CoW

Residential Design Code Plan	In conjunction with subdivision	WAPC, CoW
<b>Table J – Strategic Public Open Space Schedule</b>		
Strategic POS site	Minimum Size (hectares)	
A		
B		
C		
D		
E		
F		
G		
H		
I		
J		
K		
L		
L		
M		
N		
O		
P		

<u>Q</u>	
<u>R</u>	
<u>Total</u>	

Table K – Developer Contributions Arrangements

Table L – Land use definitions

<u>Use Class</u>	<u>Land Use Definitions</u>
<u>Coffee Shop</u>	
<u>Yacht Club</u>	
<u>Marina</u>	
<u>Boat Sales</u>	

MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011		
	<b>Department of Education (DoE)</b>	
1.1		<u>Modify</u> Section 6.3 : Population Projections (Part 2), page 112 to replace the figure 7,500 with 6,290. <u>Modify</u> Section 6.3: Population Projections (Part 2), Table 6, page 112 to recalculate population projections to correspond with the new projection figure of 6,290.
1.2		<u>Modify</u> the Community Development Plan, Section 3.1: Education by deleting the words “(with one potentially being a private school)” from the following sentence: “At build out, the LSP will have three primary schools (with one potentially being a private school)”.
	<b>Water Corporation</b>	
4.1		<u>Modify</u> Section 3.12.3 (Part 2) to include the following text: “Provision will be made to accommodate the final alignment and protection of the proposed Yanchep Sewer Main”.
4.2		<u>Modify</u> Section 6.01 of Appendix 4: Engineering Service Report, page 13 as follows: Replace the following text: “Preliminary Water Corporation planning indicates up to four groundwater bore sites located on the western side of the old Marmion Avenue alignment in the Eglinton LSP area (refer Figure 6)” With “Preliminary Water Corporation planning indicates up to three groundwater bore sites in the Eglinton LSP area (refer Figure 6)”. <u>Modify</u> Figure 6 of Appendix 4: Engineering Service Report to show proposed Water Corporation groundwater bore sites and their associated 300m wellhead protection zones as indicated on plan supplied by the Water Corporation and attached to this report ( <b>Attachment 6</b> ).
	<b>Public Transport Authority (PTA)</b>	
5.1		<u>Modify</u> Appendix 3: Transport and Access Report, Figure 2.2, page 13, to reflect the Transperth Bus Route to be provided from Marmion Avenue to the Eglinton Rail Station (as shown in <b>Attachment 7</b> ) and include the following notation: “All roads proposed to be used by Transperth bus services are to be designed in accordance with the specifications of the Public Transport Authority”.
5.2		<u>Add</u> the following text to Section 5.1; Sustainability, Ecosystems and Health table of objectives (Part 2, page 82) as follows: “Objective: To protect people from unreasonable levels of transport noise by establishing a standardised set of criteria to be used in the assessment of proposals”. “Strategy/LSP Response: Ensure development complies with the requirements of SPP 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning and incorporates the recommendations outlined in the Acoustic Assessment Report prepared by Herring Storer Acoustics dated August 2010”. <u>Modify</u> Clause 3.2.17 (Part 2) and 5.6.3 (Part 2, page 101) to delete the words “Noise Considerations” and insert the title “Road and Rail Transport Noise and Freight Considerations in Land Use Planning” when referring to SPP 5.4.

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

5.3		<p><u>Delete</u> the following text from Clause 3.11.1 'Public Transport' (Part 2) page 58:  <i>"It is anticipated that establishment of stations would proceed in this order of priority".</i>  and  <i>"These assumptions reflect discussions with Transperth held in February 2010 and follow up advice received in July 2010".</i>  <u>Delete</u> the following text from Clause 3.14 'Connectivity Opportunities' (Part 2) page 67:  <i>"PTA's most recent position has identified that the rail service extension to Yanchep will likely occur within the next 5-7 years and as such would provide strong regional connectivity for the future residents of Eglinton".</i></p>
5.4		<p><u>Modify</u> Structure Plan Map (Part 1) and corresponding maps to show increased width in rail reserve area to allow for bus access, bus station facilities and the station itself.  <u>Replace</u> the following text from Clause 3.14 'Connectivity Opportunities' (Part 2) page 67:  <i>"The proposed STS service will reduce the requirements for 'park and ride' transfer to the rail network".</i>  With  <i>"Whilst the proposed STS service may reduce the requirements for 'park and ride' transfer to the rail network, land has been reserved for the establishment of park and ride facilities".</i>  <u>Delete</u> the following text from Clause 3.14 'Connectivity Opportunities'(Part 2) page 67:  <i>"Other 'kiss and ride' and 'park and ride' stations outside of the district and regional centre can cater for residents who will drive to rail station's".</i></p>
5.6		<p><u>Modify</u> Table 5 - Land Use Budget to include the area to be allocated to Bus Station and facilities, bus and car access and park and ride and kiss and ride facilities. This area should be a minimum of 3 hectares.</p>
	<b>Development Planning Strategies (DPS)</b>	
6.1		<p><u>Modify</u> Structure Plan Map (Part 1) to reflect density range in Precinct 3 from R25-R40 to R25-R60 as detailed in Attachment 7 (1).</p>
6.2		<p><u>Modify</u> Structure Plan (Part 1), corresponding plans in Part 2 and Appendices to reflect alternate position of School site and open space area in Precinct 3 as detailed in Attachment 8 (2):  <u>Delete</u> the notation  <i>"Location of Primary School/Playing Fields indicative only. The exact configuration (location of the school in relation to the sporting facilities) will be further investigated and refined at a more detailed planning stage (subdivision)".</i></p>
6.3		<p><u>Modify</u> Structure Plan Map (Part 1) , corresponding plans in Part 2 and Appendices to reflect the modified position of POS in Precinct 3 as detailed in Attachment 7 (3):  <u>Modify</u> POS Schedule (Table 7, Part 2) and Land Use Budget (Table 5, Part 2) to reflect amended POS figures</p>
6.4		<p><u>Modify</u> Structure Plan Map (Part 1), corresponding plans and Appendices to reflect the modified position of east-west Neighbourhood Connector in Precinct 3 as detailed in <b>Attachment 8</b> (4):</p>
6.5		<p><u>Modify</u> Structure Plan Map (Part 1), corresponding plans and Appendices to reflect modified position of neighbourhood connector and access point onto Marmion Avenue as detailed in Attachment 8 (5): Distance between minor intersections accessing Marmion Avenue to be no less than 500m</p>



**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

	<b>Taylor Burrell Barnett (TBB)</b>	
9.5		<p><u>Modify</u> 5.4.1: Streetscapes (Part 2), Type 2 STS – Within the District Centre by replacing the following sentence:  <i>“The STS will run along this road, with bus stopping on the road”.</i>            With  <i>“The STS will run along this road, with a separate bus lane to be provided at all major junctions and bus stops”.</i>  <u>Modify</u> 5.4.1: Streetscapes (Part 2), Type 3 STS Route by including the following sentence:  <i>“The STS will provide a separate bus lane at all major junctions and bus stops”.</i>  <u>Modify</u> 5.4.1: Streetscapes (Part 2), Type 4 STS – Adjacent Neighbourhood Centre and Oval by including the following sentence:  <i>“The STS will provide a separate bus lane at all major junctions and bus stops”.</i></p>
	<b>Main Roads Western Australia (MRWA)</b>	
11.1		<u>Modify</u> Figure 30 (Part 2) to achieve consistency with the hierarchy of the roads as indicated in the Structure Plan Map (Plan 1, Part 1). The eastern north-south connector and east-west connector should be shown as neighbourhood connectors or the classification as Integrator Arterial (B) needs to be justified.
11.5		<u>Modify</u> Section 8.4 (Part 2) and Figure 39 (Part 2) to address subclause 7.6 S2 of the Alkimos-Eglinton District Structure Plan by incorporating the staging recommendations included in Appendix 5: Economic Development Strategy of the draft LSP, into the staging proposal for the LSP.
11.9		<u>Modify</u> Section 5.4.1 – Streetscapes (Part 2) Type 6 - to reflect a minimum verge width of 5 metres for Marmion Avenue and Eglinton Drive.
11.10		<u>Modify</u> Figure 26: Indicative Site Plan (Part 2) and Figure 30: Proposed Road Hierarchy (Part 2) to provide roundabouts where four way intersections of local streets are provided.
	<b>Department of Water (DoW)</b>	
12.01		<p><u>Modify</u> the LWMS (appendix 6) to include detailed contingency measures for POS irrigation in the absence of an alternative water source. This report must include details of the minimum water requirements for the LSP area.  <u>Modify</u> the LWMS (appendix 6) to include the statement that <i>“Where there is any inconsistency between the provisions, standards or requirements of the District Water Management Strategy and the Local Water Management Strategy, the provisions, standards or requirements of the District Water Management Strategy shall prevail”.</i></p>
12.02		<u>Modify</u> the LWMS (appendix 6) to reflect the latest versions of GHD’s reports and recently released draft DWMS.
12.03		<p><u>Delete</u> all references to <i>“Water Corp”</i> from Table 3, LWMS (Appendix 3, page 5).  <u>Modify</u> Table 5, LWMS (Appendix 3, page 15) to provide greater detail in relation to the proposed maintenance schedule, costings and requirement for a detailed log confirming maintenance undertaken prior to the handover of infrastructure.</p>
12.04		<u>Modify</u> Section 3.2: Design Criteria (Appendix 3, page 5) to include the following text: <i>“The design criteria outlined are to be incorporated, wherever possible, into future structure planning, Detailed Area Plans, subdivision applications and development applications”.</i>

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

12.05		<u>Modify</u> Section 3.3.1: Public Open Spaces (Appendix 3, page 6) to clarify why the 1:5 year ARI has been used in the design of the bioretention area of the POS.
12.06		Modify Section 4.1: Hydrological Opportunities and Constraints (Appendix 3, page 7) to clarify the term ' <i>multi-use infiltration basins</i> ' and to provide details and figures/concept designs of such basins.
12.07		<u>Modify</u> Section 4.5: Stormwater Management Strategy (Appendix 6, page 11) to include the following principles: Detailed design to be provided showing where the 1:1 ARI events will be treated for water quality. Allow 20% of lot areas to discharge to the road drainage system for ARI's in excess of the 1:1 year ARI events. No flows from 1:1 year ARI events external to POS shall reach any POS by surface flow. Permeability to be tested at each proposed swale location before UWMS stage and discussed with the City prior to adoption of infiltration rate. Road reserve width may need to be increased to ensure provision of sufficient infiltration whilst still providing adequate space for footpaths, utilities, car parking and street trees. The area of proposed bio-retention devices should be at least 2% of connecting impervious area. No service utilities should pass through the proposed mini swales. The proposed pits with an open base need further assessment at the subdivision stage.
12.08		Once confirmation is made that there are no incompatible land uses in the P3 areas, <u>modify</u> Section 4.5.1: Surface and Groundwater Management Strategy (Appendix 6, page 12) to delete the following sentence: <i>"Due to the majority of the site being within a Priority 3 PDWSA, land uses not compatible with the designation are unlikely to be approved"</i> .
12.09		<u>Modify</u> Section 4.5.1 to include a list of all POS irrigation requirements, information on current groundwater licenses and available water allocation for this area.
12.11		<u>Modify</u> the Local Water Management Strategy (Appendix 6), Appendix D to include water quality data.
12.12		<u>Modify</u> the Local Water Management Strategy (Appendix 6) to include reference to a commitment to post development monitoring of water quality including proposed locations, frequency and parameters.
12.13		<u>Modify</u> figure numbering and corresponding text throughout the Local Water Management Strategy (Appendix 6) as required.
	<b>Department of Environment and Conservation (DEC)</b>	
13.01		<u>Modify</u> Table A: General Planning Requirements for Structure Plan Area, Clause 1 – Structure Plan Map (Part 1) to include the following text <i>1.2: Where provisions of the Structure Plan are inconsistent with any environmental approvals issued by the State or Federal Government, the LSP shall be amended to ensure consistency.</i> Note: This text has been included as part of the requested modifications to Part 1 of the LSP as detailed in <b>Attachment 3</b> .
13.2		<u>Modify</u> the Structure Plan Map (Plan 1, Part 1) and corresponding maps to show the relevant areas as 'Indicative Strategic Conservation Open Space' and include these areas in the Legend in accordance with the City's LPP 4.3 - Public Open Space <u>Modify</u> the Structure Plan Map (Plan 1 Part 1) and corresponding maps to include a letter for each 'Indicative Strategic Open Space'

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

		and 'Indicative Strategic Conservation Open Space' shown on the Plan, and link this to the Public Open Space Schedule (currently located in Part 2, Table 8, page 115). Relocate POS Schedule (Table 8, Part 2, page 115) to Part 1 (Table J).
13.3		<u>Modify</u> Section 6.4 (Part 2) to include the following consideration under the sentence 'POS areas have been located with regard to the following': <i>Consideration of environmental features.</i> And include detail of how this has been achieved in the LSP. <u>Modify</u> Section 6.4 (Part 2) to include demonstration that POS areas have been located in accordance with the City's Public Open Space Policy.
13.7		<u>Modify</u> the Environmental Assessment (appendix 2) Section 6.2: Clearing of Native Vegetation (page 42) to include further details as to the amount of vegetation required to be cleared for the establishment of service corridors, roads, fences, buildings and drainage infrastructure.
13.8		<u>Modify</u> Part 2, subsection 3.8.9 to detail which (if any) natural areas will be retained to allow the GSM to persist and if so their area and the likelihood that proposed areas will retain GSM in the long-term.
	<b>Department of Planning (DoP)</b>	
14.1		<u>Modify</u> Part 2, subsection 3.8.14; and Appendix 2: Environmental Assessment 2.4.4 Coastal Setbacks to detail how the requirements of WAPC Position Statement - State Planning Policy No. 2.6 State Coastal Planning, Schedule 1 Sea Level Rise have been addressed by this LSP. Consequential amendments to the LSP should then be made. <u>Modify</u> Structure Plan Map, Plan 1, Part 1 and corresponding maps to include a coastal setback line, in accordance with Statement of Planning Policy 2.6: State Coastal Planning and WAPC Position Statement - State Planning Policy No. 2.6 State Coastal Planning Policy Schedule 1 Sea Level Rise. <u>Modify</u> Part 1 to require subdivision and development within the Structure Plan area to comply with the requirements of Statement of Planning Policy 2.6: State Coastal Planning and WAPC Position Statement - State Planning Policy No. 2.6 State Coastal Planning Policy Schedule 1 Sea Level Rise. Note: This text has been included as part of the requested modifications to Part 1 of the LSP as detailed in Attachment 2.
14.2		<u>Modify</u> Structure Plan Map, Plan 1, Part 1 and corresponding maps to relocate the regional foreshore shared path to the landward side of the identified coastal foreshore reserve to comply with requirements of SPP 2.6 (5.1)
14.3		<u>Modify</u> the Environmental Assessment (Appendix 2, page 45) Section 6.4 by replacing the following sentence: <i>"All stormwater runoff from the development will be locally infiltrated in road reserves, medians, multiple use POS and potentially within the foreshore reserve";</i> With <i>"All stormwater runoff from the development will be locally infiltrated in road reserves, medians and multiple use POS".</i> <u>Modify</u> Part 2, subsection 4.1.1, under 'Environmental Principles' to delete the reference to drainage within the second and third dot point.
14.4		<u>Modify</u> the Environmental Assessment (Appendix 2, page 44) by replacing the following sentence: <i>"Fenced beach access paths ....should be provided along the foreshore reserve at a relatively high frequency approximately every 75-100m."</i>

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

		<i>With "Fenced beach access paths ....should be provided along the foreshore reserve at a frequency approximately every 150m."</i>																										
14.4		<u>Modify</u> the Environmental Assessment Report (Appendix 2) to correctly indicate the Bush Forever Area that will undergo the MRS amendment.																										
14.8		<u>Modify</u> Table A: General Planning Requirements for Structure Plan Area (Part 1) page 16 to indicate the requirement for a detailed area plan to be prepared prior to any subdivision being supported for the Coastal Village Activity Centre. Note: This text has been included as part of the requested modifications to Part 1 of the LSP as detailed in Attachment 2. <u>Modify</u> Section 7.1 (Part 2) to include reference to the preparation of a DAP for the Coastal Activity Centre of Precinct 1.																										
14.10		Modify the Structure Plan Map (Plan 1, Part 1) and corresponding maps to include the following notation. <i>Provision is to be made for an easement to accommodate a 132kv transmission line along the Mitchell Freeway of up to 32m in width (final width to be determined with Western Power prior to subdivision).</i>																										
14.11		Modify Section 3.5: Alkimos Eglinton District Structure Plan (Part 2, page 40) by deleting the following sentence: <i>This supporting information is included herewith in Part Two and as Appendices to the LSP.</i> And replace with the following text: <i>This supporting information is summarised in the table below:</i>																										
		<table border="1"> <thead> <tr> <th>Required in DSP</th> <th>Provided</th> </tr> </thead> <tbody> <tr> <td>Vegetation Management Strategy</td> <td>Environmental Assessment (Appendix 2), in particular section 6.2</td> </tr> <tr> <td>Fauna Management Strategy</td> <td>Environmental Assessment (Appendix 2), in particular section 6.2</td> </tr> <tr> <td>Local Water Management Strategy</td> <td>Local Water Management Strategy (Appendix 6)</td> </tr> <tr> <td>Landscape Concept Plan</td> <td>Part 2, Section 6.5</td> </tr> <tr> <td>Open Space Strategy</td> <td>Part 2, Section 6.4</td> </tr> <tr> <td>Karst Investigation</td> <td>Part 2, Section 3.10</td> </tr> <tr> <td>Local Road Network Plan</td> <td>Part 2, Section 5.5</td> </tr> <tr> <td>Sustainability Strategy</td> <td>Sustainability Strategy (Appendix 1)</td> </tr> <tr> <td>Community Development Strategy</td> <td>Community Development Strategy (Appendix 7)</td> </tr> <tr> <td>Economic and Employment Strategy</td> <td>Economic and Employment Strategy (Appendix 5)</td> </tr> <tr> <td>Developer Contribution Strategy</td> <td>Developer Contribution Strategy (Part 1, Table K)</td> </tr> <tr> <td>Housing Diversity, Residential Yield and Density Analysis Plan</td> <td>Structure Plan Maps (Part 1 &amp; Part 2) and Part 2, Section 6.2, 7.1-7.5 inclusive</td> </tr> </tbody> </table>	Required in DSP	Provided	Vegetation Management Strategy	Environmental Assessment (Appendix 2), in particular section 6.2	Fauna Management Strategy	Environmental Assessment (Appendix 2), in particular section 6.2	Local Water Management Strategy	Local Water Management Strategy (Appendix 6)	Landscape Concept Plan	Part 2, Section 6.5	Open Space Strategy	Part 2, Section 6.4	Karst Investigation	Part 2, Section 3.10	Local Road Network Plan	Part 2, Section 5.5	Sustainability Strategy	Sustainability Strategy (Appendix 1)	Community Development Strategy	Community Development Strategy (Appendix 7)	Economic and Employment Strategy	Economic and Employment Strategy (Appendix 5)	Developer Contribution Strategy	Developer Contribution Strategy (Part 1, Table K)	Housing Diversity, Residential Yield and Density Analysis Plan	Structure Plan Maps (Part 1 & Part 2) and Part 2, Section 6.2, 7.1-7.5 inclusive
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14.13		<u>Modify</u> Part 1 of the LSP by including text or tables that provide the following information: Locational criteria and the process detailing how the coding of land in the Structure Plan area is to be facilitated; and Minimum dwelling densities per hectare for strategic areas.																										
14.14		<u>Modify</u> the Economic Development Strategy (Appendix 5) to fully address subclause 7.6 S1 of the Alkimos-Eglinton District Structure Plan by clearly stating the actions proposed in relation to employment and economic development, who is responsible for each action and when each action should be initiated and finalised.																										

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

	City of Wanneroo Administration	
15.1		<u>Modify</u> Part 1 in accordance with the Track Changed version of Part 1 included as Attachment 2 to this report and to include any other modifications recommended herein.
15.2		Note: This text has been included as part of the requested modifications to Part 1 of the LSP as detailed in <b>Attachment 3</b> .
15.2		<u>Amend</u> the Structure Plan Map (Plan 1, Part 1) and corresponding maps to include the following: A symbol for 'Local Centres' on the legend Indicate the locations of the proposed local centres (including those surrounding the indicative stops along the proposed STS route) and the areas currently shown as possible beachside restaurant/cafe/ corner stores. Provide a mixed use zoning for these Local Centres Delete the reference to possible beachside restaurant / cafe / corner store from the Legend and the symbol from the plan.
15.3		<u>Modify</u> the Legend on Structure Plan Map (Plan 1, Part 1) and corresponding maps to replace the words: <i>"Land Subject to MRS Amendment"</i> .. with <i>"Subdivision and Development of land subject to MRS Amendment to zone subject land Urban under the MRS and Urban Development under the Scheme"</i> .
15.4		<u>Modify</u> the Structure Plan Map (Plan 1, Part 1) and corresponding maps to show the Indicative Strategic Open Spaces 'A' and 'B' as a darker green, and include the following text: <i>"Regional Open Space subject to MRS Amendment to reserve land as Parks and Recreation"</i> . The above text and associated coloured box is to be included beneath the <i>Indicative Strategic Open Spaces</i> reference in the Legend. Delete the following text: <i>"Land subject to MRS amendment &amp; land exchange for notated open spaces A &amp; B"</i> . from the Structure Plan Map (Plan 1 Part 1) and corresponding maps.
15.5		Amend Structure Plan Map (Plan 1, Part 1) and corresponding maps to delete the precincts insert plan and include the information contained in this insert onto the main plan.
15.6		<u>Modify</u> Plan 1 – Structure Plan Map to include "Detailed Area Plan Boundary" on the Legend and include these boundaries on the Plan in accordance with the areas described in Part 1 Text.
15.7		<u>Modify</u> Structure Plan Map Legend (Plan 1, Part 1) and corresponding maps to include <i>"Inclusive School - Kindergarten to Year 12"</i> .
15.8		<u>Increase</u> the size of the Structure Plan Map provided in Part 1 to A3 size.
15.09		<u>Modify</u> Structure Plan Map (Plan 1, Part 1) and corresponding maps to show a direct "shared pathway" connection from the railway station to the Marina Precinct. <u>Modify</u> Section 5.4.1: Streetscapes, Type 2 STS within the District Centre (page 89) to include cycle infrastructure along this portion of the STS route
15.10		<u>Modify</u> Figure 32: Indicative Pedestrian and Cycle Network (Part 2) to include an interim route for the regional recreation path, prior to the development of the marina.
15.11		<u>Modify</u> Figure 26: Indicative Masterplan (Part 2) and Section 6.4 (Part 2) to include the following text:

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

		<p><i>"All public open space sites, especially those less than 5000m<sup>2</sup>, are subject to assessment by the City of Wanneroo in accordance with the City of Wanneroo's Local Planning Policy 4.3: Public Open Space, at the detailed area plan and/or the subdivision stage".</i></p> <p><u>Modify</u> Section 6.5.2 – Open Spaces – Typologies (Part 2, page 120) to demonstrate how all public open space sites included in Table 8 that are less than 5000m<sup>2</sup> meet the requirements of LPP 4.3.</p>
15.12		<p><u>Modify</u> Section 8.2 (Part 2) to include the proposed Metropolitan Region Scheme and District Planning Scheme map for the Structure Plan area.</p>
15.13		<p><u>Modify</u> Table H (Part 1 - first table), Table 3 (Part 2) and Economic Development Strategy (Appendix 5) to include floorspaces consistent with the Alkimos-Eglinton DSP.</p> <p>Note: These changes have been included as part of the requested modifications to Part 1 of the LSP as detailed in <b>Attachment 3</b>.</p>
15.14		<p><u>Modify</u> Table H (Part 1) to replace the title of the third table with the following text: <i>"Marmion Avenue Neighbourhood Centres."</i></p> <p><u>Modify</u> Table H (Part 1) by including a fourth table titled: <i>"STS route Neighbourhood Activity Centres".</i></p> <p>and indicate floorspace figures consistent with the Economic Development Strategy (<b>Appendix 5</b>).</p> <p>Note: These changes have been included as part of the requested modifications to Part 1 of the LSP as detailed in Attachment 2.</p>
15.15		<p><u>Modify</u> the title of Appendix 7: Community Development Plan to Community Development Strategy.</p>
15.16		<p><u>Modify</u> the Community Development Plan (<b>Appendix 7</b>), tables 3-5, to include detail as to who is responsible for providing the community facilities and the services proposed by the LSP.</p>
15.17		<p><u>Modify</u> the Community Development Plan (Appendix 7) to replace the reference to <i>Local Centres</i> to <i>Neighbourhood Centres</i> where appropriate.</p>
15.18		<p><u>Modify</u> the Community Development Plan (Appendix 7), Table 6 to include reference to the provision of community centres as mentioned in the text, including the proposal for an interim facility in the district centre, to ultimately be upgraded to a district community centre, and a local community centre in the Coastal Village.</p>
15.19		<p><u>Modify</u> the Community Development Plan (Appendix 7), Table 4, page 27 to delete the words <i>district level</i> with the words <i>neighbourhood facility</i>.</p>
15.20		<p><u>Documentation</u> to be provided to show that the owners of Lot 6 Marmion Avenue accept the access across the railway reserve shown on their land in Plan 1 – Structure Plan Map.</p> <p>If the land owners acceptance of this is unable to be demonstrated, then Plan 1 – Structure Plan Map; Figure 26: Indicative Master Plan; and Part 2 text to be modified to include a connection between Precinct 4 and Precinct 6 across the railway reserve, within the Structure Plan area.</p>
15.21		<p><u>Modify</u> the Community Development Plan (Appendix 7) to detail how the relevant initiatives included in the Sustainability Strategy will be addressed.</p>
15.22		<p><u>Modify</u> the Aboriginal Heritage Report (Appendix 8) recommendations to correctly renumber the recommendations and include an additional recommendation as follows: <i>"That the Pipidiny Lake site be surrounded by POS to provide a buffer to the heritage site"</i></p> <p><u>Modify</u> the Aboriginal Heritage Report (Appendix 8) by renumbering the recommendations to 1 and 2, instead of 3 and 4.</p>
15.23		<p><u>Modify</u> Part 1, Section 2.3 to replace the sentence: <i>"To create a balance between the environment and requirements of the community".</i></p>

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

		with <i>"To create balance between the protection of the environment and other requirements of the community"</i> . Note: This change has been included as part of the modifications made to Part 1 of the LSP as detailed in <b>Attachment 2</b> .
15.24		<u>Modify</u> Part 1, Section 2.3 to include the replace the sentence: <i>"To work with the character of the landscape to optimise density and development in a responsive manner"</i> . With <i>"To work with the character of the landscape to optimise density and development in a responsive manner and to maximise the retention of the original landform"</i> . Note: This change has been included as part of the modifications made to Part 1 of the LSP as detailed in <b>Attachment 2</b> .
15.26		<u>Modify</u> the Environmental Assessment (Appendix 2), Section 5.5: Significant Fauna to include reference to the Peregrine Falcon.
15.27		<u>Modify</u> the Environmental Assessment ( <b>Appendix 2</b> ), Section 6.2: Vegetation and Fauna Management Strategy, Pre Construction – Seed Collection and Propagation, to include seed collection of all native species.
15.28		<u>Modify</u> the Environmental Assessment (Appendix 2), Section 6.3, to delete the words <i>"where possible"</i> from the sentence <i>"Landscaping in formal areas of the foreshore reserve should use local native species where possible"</i> .
15.29		<u>Modify</u> Part 2, Section 3.2 to include the following City of Wanneroo Local Planning Policies: Local Planning Policy 2.1: Residential Development Local Planning Policy 4.2: Structure Planning Local Planning Policy 4.3: Public Open Space
15.30		<u>Modify</u> Part 2, subsection 3.7.2 to detail the measures that have been incorporated into the LSP to mitigate the impact on the species listed under the Environment Protection and Biodiversity Conservation Act.
15.31		<u>Modify</u> Part 2, subsection 3.8.9 to delete the following text: <i>"GSM are known to occur in relatively small Bush Forever sites within urban areas in the City of Wanneroo"</i> .
15.32		<u>Modify</u> Part 2, subsection 3.8.15 to detail the location of any locally significant areas.
15.33		<u>Modify</u> Part 2, subsection 3.8.17 to include discussion of the potential wastewater/greywater/stormwater reuse proposal and its conflict with current state policy.
15.34		<u>Modify</u> Part 2, subsection 4.1.1, Environmental Principles (first dot point) to read as follows: <i>"Design to accommodate ecologically viable areas of vegetation and dunal landform identified for retention"</i> .
15.35		<u>Modify</u> Section 4.1.1 Site Responsive Theme under Environmental Principles, (under the second dot point) to include the following: <i>"Whilst it is important to retain and restore existing elements of the natural drainage system and integrate these elements into the urban landscape, drainage in bushland areas is unlikely to be supported"</i> .
15.36		<u>Modify</u> Part 2, subsection 4.1.2 to include reference to Local Planning policy 4.3: Public Open Space.
15.37		<u>Modify</u> Part 2, Section 6.4 and Table 8 to demonstrate that the 3% conservation open space requirement has been met, and that the conservation public open space areas are viable in accordance with the POS LPP.
15.38		<u>Modify</u> Part 2, subsection 6.5.2 to include text for <i>Open Space Typology 'H'</i> or replace with <i>Open Space Typology 'N'</i>
15.39		<u>Modify</u> Part 2, subsection 5.4.1, point 2 to include the following text:

**MODIFICATIONS REQUIRED BY COUNCIL RESOLUTION DATED 8 FEBRUARY 2011**

		<i>Local native species will be prioritised where practicable.</i>
15.40		<u>Modify</u> Part 2, subsection 5.4.1 to include a point seven stating: <i>"The retention of vegetation will be the priority, with planting comprising additional local native species to complement retained vegetation".</i>
15.41		<u>Modify</u> Part 2, subsection 6.5.1 to delete reference to the dog beach.
15.42		<u>Modify</u> the Local Water Management Strategy (Appendix 6), Section 4.1, to replace the sentence: <i>"Revegetation with waterwise plants will substantially reduce the requirement for irrigation and nutrient inputs".</i> with <i>"Revegetation with locally native waterwise plants will substantially reduce the requirement for irrigation and nutrient inputs".</i>
15.43		<u>Modify</u> Local Water Management Strategy (Appendix 6), Section 4.4, by replacing the word " <i>minimal</i> " with " <i>no</i> " in the following sentence: <i>"All street and shrub planting species need to be selected to survive with minimal irrigation or hand watering after the initial 3 year water period required for establishment".</i>
15.44		<u>Modify</u> Section 4.5.1: Surface and Groundwater Management Strategy to include the pre and post development flows and volumes for each catchment. <u>Modify</u> Section 4.5.1: Surface and Groundwater Management Strategy to include the requirement for swales not to be more than 300mm in depth. <u>Modify</u> Section 4.5.1: Surface and Groundwater Management Strategy (page 12, 2nd paragraph) by replacing the word " <i>week</i> " with the words " <i>76 hours</i> " in the following sentence <i>"Design will ensure that standing water will not persist in the basins for longer than a week to reduce the risk of mosquito breeding".</i>
15.46		<u>Modify</u> Structure Plan Map (Plan 1, Part 1) and corresponding maps to show the STS route extending into the business zone (Precinct 6) south of Eglinton Drive.
15.47		<u>Modify</u> Structure Plan Map (Plan 1, Part 1) and corresponding maps to include vehicle access across the railway reserve from Precinct 4 to Precinct 6.
15.48		<u>Modify</u> Part 2, page 129 to delete any reference to an elevated walkway/overpass across Marmion Avenue.



**SCHEDULE OF MODIFICATIONS  
EGLINTON LOCAL STRUCTURE PLAN NO.82**

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**CITY OF WANNEROO'S SCHEDULE OF RECOMMENDED MODIFICATIONS  
(8 FEBRUARY 2011)**

1. The following modifications from the City of Wanneroo's Schedule in Attachment 4 are to be undertaken: 1.1, 1.2, 4.1, 4.2, 5.1-5.3, 6.2-6.5, 11.5, 11.9, 13.3, 13.7, 13.8, 14.2-14.4, 14.4 (there two items 14.4), 15.7-15.10, 15.12, 15.13, 15.15-15.19, 15.21, 15.23, 15.26-15.41, 15.47 and 15.48

Items 9.5, 11.10, 15.11 and 15.22 are to be undertaken as agreed to with the City of Wanneroo.

**PART ONE - STATUTORY SECTION**

2. Certification Page is to be moved to the front of Part 1.
3. Delete the "Table of Contents".
1. Application
4. Delete "1. Application".
5. Sections 1.1 - 1.4 are to be replaced with the standard wording in **Attachment 1**.

2. Objectives

6. Delete "2. Objectives".

3. Subdivision and Development

7. Delete "3.0 Subdivision and Development".

Tables A to I

8. Delete "Tables A to I" and replace with **Attachment 2**.

**Plan 1 - Structure Plan Map**

Plan 1 is to be subject to the following modifications:

9. Inclusion of the hatched area and notation as shown on the attached plan dated 16 February 2011.
10. Deletion of Precincts inset and include R Code ranges in accordance with the ranges identified in Attachment 2 on Plan 1.
11. The Marina comprising of Commercial and Mixed Use zoned land is to be included in the Centre zone.
12. The proposed Business zone is to be included in the Centre zone.

13. Include the 132kv overhead transmission line adjacent to Mitchell Freeway and the proposed substation, in accordance with the Alkimos-Eglinton District Structure Plan. As part of the future structure planning of Centre zones, the final width of the easement and the location of the substation will need to be confirmed.
14. Plan 1 is to only show strategic areas of Public Open Space (POS), such as those identified for conservation and the POS located adjacent to primary schools. These are to correlate with those identified in the Table Included in Part 1 where the area of those sites have been identified. Other POS areas appear to form part of the Social/Pedestrian/Cyclist Linkages, these can be replaced with the symbol used for the Social/Pedestrian/Cyclist Linkages.
15. Replace road hierarchy with the road hierarchy in Figure 30 of Part 2.
16. Include a coastal road between the Residential zone and foreshore reserve, in accordance with the Alkimos-Eglinton District Structure Plan.
17. Include "Possible" before "Foreshore Recreation Development Node" in the Legend
18. A notations being included which state:

*"Areas identified as being of National Environmental Significance under the Environmental Protection and Biodiversity Conservation Act 1999 may be subject to assessment by the Federal Department of Sustainability, Environment, Water, Population and Communities, in accordance with this Act. The outcome of any such assessment may require either a modification to the LSP or minor variations from the LSP at the subdivision or development stage."*

*"The taking of individual Graceful Sun Moths, as a result of the clearing of habitat such as *Lomandra Hermaphrodita* and *Maritima*, requires the permission of the Minister for Environment, or their delegate, pursuant to the Wildlife Conservation Act 1950."*
19. The physical processes setback figures of 135-145 metres from HSD is to be included on Plan 1.
20. The location of the required groundwater bore sites are to be confirmed and included on Plan 1 with the associated 300 metre buffer. Evidence is to be provided from the Water Corporation that confirms the agreed locations.
21. Inclusion of possible locations of private high schools, if required.

#### PART 2 - EXPLANATORY SECTION

22. Text and wording modifications required in Part 1 are to be reflected in Part 2, to ensure consistency.
23. The POS Schedule is to be modified to demonstrate a POS contribution of 10%. This is on the basis that the proposed areas for Landform & Retention are classified as Restricted open space.

## ATTACHMENT 1

**1.0 Structure Plan Area**

This Structure Plan shall apply to [INSERT LOT NUMBERS] being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map (Plan 1).

**2.0 Structure Plan Content**

This Structure Plan comprises the:

- a) Statutory Section (Part 1);
- b) Explanatory Section (Part 2); and
- c) Appendices (Part 3).

**3.0 Interpretation**

Unless otherwise specified in this part, the words and expressions used in the this Structure Plan shall have the respective meanings given to them in the City of Wanneroo District Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

**4.0 Operation Date**

In accordance with clause 9.8.1 of the Scheme, this Structure Plan shall come into operation when it is either certified by the Western Australian Planning Commission (WAPC) pursuant to clause 9.6.3 of the Scheme or adopted, signed and sealed by the Council pursuant to clause 9.6.5 of the Scheme, whichever is the latter.

**5.0 Relationship with the Scheme**

Pursuant to clause 9.8 of the Scheme:

- a) The objectives, standards and requirements specified under Part 1 of this Structure Plan shall have the same force and effect as if it were an objective, standard or requirement of the Scheme. In the event of there being any variations or conflict between the objectives, standards or requirements of the Scheme and the objectives, standards or requirements of this Structure Plan, then the objectives, standards or requirements of this Structure Plan shall prevail;
- b) Any other objective, standard or requirement of Part 1 of the Structure Plan that is not otherwise contained in the Scheme, shall apply to the land as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and
- c) Parts 2 and 3 of this Structure Plan are to be used as a reference only to clarify and guide interpretation and implementation of Part 1.

## ATTACHMENT 2

**6.0 Land Use and Subdivision**

The Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

**6.1 Area Subject to Environmental Approval**

No subdivision and/or development can occur within the area identified on Plan 1 until such time that the environmental approval under the Environmental Protection Act 1986 and subsequent Metropolitan Region Scheme amendments are finalised.

**6.2 Wellhead Protection Zone**

Land uses within the 300 metre Wellhead Protection zone are to be in accordance with State Planning Policy 2.7 - *Public Drinking Water Source*.

**6.3 Residential****6.3.1 Dwelling Target****a) Objective**

To achieve a minimum dwelling target of 15 dwellings per gross "Urban" zoned hectare within the Structure Plan area.

**b) Subdivisions are to achieve a minimum average density of 25 dwellings per site hectare within 400 metres from the centre of neighbourhood centres and along neighbourhood connectors supporting future public transport routes.****6.3.2 Density****a) Plan 1 defines the broad residential density ranges that apply to specific areas within the Structure Plan. Lot specific residential densities, within the defined residential density ranges, are to be subsequently assigned in accordance with a Residential Density Code Plan approved by the WAPC.****b) A Residential Density Code Plan is to be submitted at the time of subdivision to the WAPC and shall indicate the Residential Density Coding applicable to each lot within the subdivision and shall be consistent with the Structure Plan, and the Residential Density Ranges identified on Plan 1 and locational criteria contained in Clause 6.4.3.****c) The Residential Density Code Plan is to include a summary of the proposed dwelling yield of the subdivision.**

- d) Approval of the Residential Density Code Plan shall be undertaken at the time of determination of the subdivision application by the WAPC. The approved Residential Density Code Plan shall then form part of the Structure Plan and shall be used for the determination of future development applications. Variations to the Residential Density Code Plan will require further approval of the WAPC.
- e) Residential Density Code Plans are not required if the WAPC considers that the subdivision is for one or more of the following:-
- i) the amalgamation of lots;
  - ii) consolidation of land for "superlot" purposes to facilitate land assembly for future development;
  - iii) the purposes of facilitating the provision of access, services or infrastructure; or
  - iv) land which by virtue of its zoning or reservation under the Structure Plan cannot be developed for residential purposes.

#### 6.4.3 Locational Criteria

The allocation of residential densities on the Residential Density Code Plan shall be in accordance with the following criteria:

- a) A base density code of R25;
- b) Low density coded lots (R20) are generally to be provided in areas where it is desirable to retain landform and/or vegetation;
- c) Medium density coded lots (R30 to R60) are generally to be provided within 400 metres of neighbourhood centres, public open space and primary schools, along the STS route and the Mixed Use zone; and
- d) Higher density coded lots (R80 to R160) are generally to be provided within 400 metres of the Eglinton Marina.

#### 6.4.4 Land Use Permissibility

Land Uses within the Residential Zone shall be in accordance with the Residential Zone under the Scheme. Except for the following:

##### 'P' Uses

- Grouped Dwelling
- Multiple Dwelling

##### 'D' Uses

- Educational Establishment

##### 'A' Uses

- Shop

## 6.5 Commercial

- a) Pursuant to clause 3.4.3 of the Scheme the retail floorspace (NLA) for the Structure Plan is to be in accordance with the following Table 1.

Table 1: Retail Floorspace Provision

CENTRE	MAXIMUM NET LETTABLE AREA
Neighbourhood Centre - Marmion	2,051m <sup>2</sup>
Neighbourhood Centre - STS Route	2,051m <sup>2</sup>

- b) Pursuant to clause 3.7.4 of the schema, the maximum NLA included in Table 1 may be exceeded through a Detailed Area Plan for the entire centre where the requirements of State Planning Policy 4.2 Activity Centres for Perth and Peel are met to the satisfaction of the WAPC and City of Wanneroo.
- c) Prior to development within the Neighbourhood Centres a detailed area plan is to be prepared in accordance with Clause 9.14 of the Scheme.
- d) Any subdivision within the Neighbourhood Centres will need to demonstrate that the Centre can be developed and operate in a coordinated manner. This is to include, but not limited to, inter alia, parking, access arrangements, storage areas and services.

## 6.6 Public Open Space

The provision of a minimum of 10% public open space being provided in accordance with the WAPC's Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan 1 and Table 2, with an updated public open space schedule to be provided at the time of subdivision for determination by the WAPC, upon the advice of the City of Wanneroo.

Table 2: Strategic Public Open Space Provision

STRATEGIC POS SITE	SIZE (HA)
A	[INSERT AREA]
B (next to southern PS)	[INSERT AREA]
C (next to south east PS)	[INSERT AREA]

## 6.7 Reports/Strategies Required Prior to Subdivision

Prior to the lodgement of subdivisions the following management plans are to be prepared, as applicable, to the satisfaction of the relevant authority and provided at the time of subdivision:

- a) Vegetation and Fauna Management Strategy (City of Wanneroo)
- b) Noise Assessment Report for sensitive land uses adjacent to or in the vicinity of Marmion Avenue, Eglinton Drive and/or the Railway Reserve. (DEC)

#### 6.8 Conditions of Subdivision Approval

- a) At the time of subdivision the City of Wanneroo may recommend, as applicable, conditions requiring the preparation and/or implementation of the following strategies:
- i) Urban and Water Management Plan (Department of Water/City of Wanneroo)
  - ii) Geotechnical Report (City of Wanneroo)
  - iii) Foreshore Management Plan (City of Wanneroo/WAPC)
  - ii) Noise Assessment Report, including notifications to be placed on title of lots of sensitive land uses affected by Marmion Avenue, Eglinton Drive and/or the Railway Reserve. (City of Wanneroo)

#### 7.0 Development

##### 7.1 Detailed Area Plans

Detailed Area Plans are to be prepared in accordance with Clause 9.14 of the Scheme for residential lots accessed via laneways, abutting public open space and lots on which sensitive land uses have been identified within the approved Noise Assessment Report as requiring specific noise amelioration measures.

##### 7.2 Physical Processes Setback

No development is to occur within the physical processes setback line (135 metres to 145 metres from the HSD line), in accordance with Plan 1, unless otherwise identified in an approved Foreshore Management Plan.

#### 8.0 Monitoring and Review

The Alkimos-Eglinton District Structure Plan is subject to monitoring and review by the City of Wanneroo and/or the Western Australian Planning Commission commencing in 2017. Any amendments to the Alkimos-Eglinton District Structure Plan may result in consequential amendments to the local structure plan, which must be consistent with the District Structure Plan.

**Draft Eglinton Local Structure Plan No. 82 – the Western Australian Planning Commission's (WAPC) Schedule of Modifications and Administration's Comments and Recommendations**

No.	WAPC Modifications	Administration Comments and Recommendation
1.	<p>The following modifications from the City of Wanneroo's Schedule in Attachment 4 are to be undertaken: 1.1, 1.2, 4.1, 4.2, 5.1-5.3, 6.2-6.5,11.5, 11.9, 13.3, 13.7, 13.8,14.2-14.4, 14.4 (there two items 14.4), 15.7-15.10,15.12,15.13, 15.15-15.19, 15.21,15.23, 15.26-15.41,15.47 and 15.48</p> <p>Items 9.5, 11.10, 15.11 and 15.22 are to be undertaken as agreed to with the City of Wanneroo.</p>	<p>Accepted.</p> <p>These modifications that have been required by the WAPC leaving 34 modifications which were not required by the WAPC. These modifications that have not been required will have no impact on the intent of the LSP 82 as they have either been addressed in the revised plans and provisions, already required under alternative legislation or formed part of other required modifications.</p>
<b>PART 1 – STATUTORY SECTION</b>		
2.	Certification Page is to be moved to the front of Part 1.	<p>Accepted.</p> <p>The movement of the Certification Page is minor in nature and is not considered to have an impact on the structure plan. The modification is provided to ensure consistency with other Local Structure Plans.</p>
3.	Delete the "Table of Contents".	<p>Accepted.</p> <p>The deletion of the Table of Contents is minor in nature and is not considered to have an impact on the structure plan. The modification is provided to ensure consistency with other Local Structure Plans.</p>
<i>Application</i>		
4.	Delete "1 Application".	<p>Accepted.</p> <p>The applicant had structured the statutory section similar to the example provided in the City's Local Planning Policy 4.2: Structure Planning (LPP 4.2). However, the WAPC resolved to modify the structure of the statutory section as shown in <b>Attachment 3</b>. Department of Planning (DoP) officers have clarified that the modified structure of the statutory section is considered to be simple and easy to read. The modified statutory section does not alter the intent of the model statutory section proposed in the City's LPP 4.2 and therefore it is, considered acceptable. It has been identified that the numbering in <b>Attachment 5</b> is incorrect and this will need to be rectified to provide clarity in any final document.</p> <p>Elements covered by Section 1 "Application" have been included in the modified statutory section.</p>
5.	Sections 1.1 -1.4 are to be replaced with the standard wording in Attachment 1.	<p>Accepted.</p> <p>As per response to number 4 above, Sections 1.1 to 1.4 of the statutory section forwarded to the WAPC have been included in the modified statutory section.</p>

Trim # – 12/24809



No.	WAPC Modifications	Administration Comments and Recommendation
	<i>Objectives</i>	
6.	Delete "2. Objectives".	Accepted. The deletion of section 2 "Objectives" is minor in nature and is not considered to have an impact on the structure plan. The modification is provided to ensure consistency with other Local Structure Plans.
	<i>Subdivision and Development</i>	
7.	Delete "3.0 Subdivision and Development".	Accepted. The deletion of section 3 "Subdivision and Development" is minor in nature and is not considered to have an impact on the structure plan. Section 3.0 of the statutory section forwarded to the WAPC have been included in the modified statutory section.
	<i>Tables A to I</i>	
8.	Delete "Tables A to I" and replace with Attachment 2.	Accepted in part. As per response to number 4 above, Tables A to I of the statutory section forwarded to the WAPC have been included in the modified statutory section with the addition of the following elements; 6.1 – Area Subject to Environmental Approvals 6.2 – Wellhead Protection Zone 6.3.1 – Residential Density 6.3.4 – Locational Criteria 7.2 – Physical Processes Setback 8.0 – Monitoring and Review  These additional sections are discussed in the comment section of the report and have no additional recommendation with the exception of 6.2.  <u>Modify</u> Part 1 to move section 6.2 Wellhead Protection Zone to be included within the Land Use permissibility section.
	<b>Plan 1- Structure Plan Map</b> Plan 1 is to be subject to the following modifications:	
9.	Inclusion of the hatched area and notation as shown on the attached plan dated 16 February 2011.	Accepted. The required modifications related to the area subject to environmental approval in accordance with section 6.1 of the proposed structure plan text and is dealt with in the comment section of the report.
10.	Deletion of Precincts inset and include R Code ranges in accordance with the ranges identified in Attachment 2 on Plan 1.	Accepted. The deletion of section precincts is minor in nature and is not considered to have an impact on the intent of the structure plan. The Precincts were originally included to provide land use permissibility's which have been included in section 6.3.4 of the WAPC's modified statutory section.
11.	The Marina comprising of Commercial and Mixed Use	Accepted.

Trim # – 12/24809

No.	WAPC Modifications	Administration Comments and Recommendation
	zoned land is to be included in the Centre zone.	As discussed in the comment section of this report, the rezoning of the Marina area (comprised of Commercial and Mixed Use Zone) is to provide for a more detailed assessment of the proposed commercial activity and employment figures for the structure plan area.
12.	The proposed Business zone is to be included in the Centre zone.	Accepted. As discussed in the comment section of this report, the rezoning of the Business Zone is to provide for a more detailed assessment of the proposed commercial activity and employment figures for the structure plan area.
13.	Include the 132kv overhead transmission line adjacent to Mitchell Freeway and the proposed substation, in accordance with the Alkimos-Eglinton District Structure Plan. As part of the future structure planning of Centre zones, the final width of the easement and the location of the substation will need to be confirmed.	Accepted. The provision of the 132kv overhead transmission line will be dealt with in the required centre structure plan (as detailed in point 12 above). Notwithstanding, the amended plan 1 ( <b>Attachment 5</b> ) outlines the proposed 132kv transmission line which has been included subject to the final location being determined.
14.	Plan 1 is to only show strategic areas of Public Open Space (POS), such as those identified for conservation and the POS located adjacent to primary schools. These are to correlate with those identified in the Table included in Part 1 where the area of those sites have been identified. Other POS areas appear to form part of the Social/Pedestrian/Cyclist Linkages, these can be replaced with the symbol used for the Social/Pedestrian/Cyclist Linkages.	Accepted. As discussed in the comment section of the report, seven public open spaces has been identified (A – G) for the purposes of conservation and adjoining primary schools and neighbourhood centres.
15.	Replace road hierarchy with the road hierarchy in Figure 30 of Part 2.	Accepted. During advertising of the draft LSP, Main Roads WA identified that Figure 30 (Part 2) and the road hierarchy Structure Plan Map were not consistent. As such modification 11.1 of Council was;  'Modify Figure 30 (Part 2) to achieve consistency with the hierarchy of the roads as indicated in the Structure Plan Map (Plan 1, Part 1). The eastern north-south connector and east-west connector should be shown as neighbourhood connectors or the classification as Integrator Arterial (B) needs to be justified.'  The proponents have indicated that Figure 30 in Part 2 was the correct plan and therefore part 1 should be amended to meet this requirement. The amended plan 1 ( <b>Attachment 5</b> ) incorporates these changes.
16.	Include a coastal road between the Residential zone and foreshore reserve, in accordance with the	Accepted. The modified plan 1 does not alter the intent of the draft plan as

Trim # – 12/24809

No.	WAPC Modifications	Administration Comments and Recommendation
	Alkimos-Eglinton District Structure Plan.	previously advertised.
17.	Include "Possible" before "Foreshore Recreation Development Node" in the Legend	Accepted. The modified plan 1 does not alter the intent of the draft plan as previously advertised.
18.	<p>A notations being included which state:</p> <p><i>"Areas identified as being of National Environmental Significance under the Environmental Protection and Biodiversity Conservation Act 1999 may be subject to assessment by the Federal Department of Sustainability, Environment, Water, Population and Communities, in accordance with this Act The outcome of any such assessment may require either a modification to the LSP or minor variations from the LSP at the subdivision or development stage."</i></p> <p><i>"The taking of Individual Graceful Sun Moths, as a result of the clearing of habitat such as Lomandra Hermaphrodita and Maritima, requires the permission of the Minister for Environment, or their delegate, pursuant to the Wildlife Conservation Act 1950."</i></p>	Accepted. The modified LSP 82 has been accordingly notated.
19.	The physical processes setback figures of 135-145 metres from HSD is to be included on Plan 1.	Accepted. As discussed in the comment section of this report, the modified plan forwarded by the developer depicts the horizontal setback datum and the 135 – 145 metre setback line.
20.	The location of the required groundwater bore sites are to be confirmed and included on Plan 1 with the associated 300 metre buffer. Evidence is to be provided from the Water Corporation that confirms the agreed locations.	Accepted. The amended plan 1 (Attachment 5) indicated the proposed groundwater bore locations and associated buffer areas. Notwithstanding, the Water Corporation have not indicated that these are the final locations for these bores. As the bore locations are based on the information currently provided the modification should be supported however should these locations change an amendment to the structure plan will be required.
21.	Inclusion of possible locations of private high schools, if required.	Accepted. The proposed modification will not impact on the intent of the LSP as advertised due to the use of 'Educational Establishment' being a discretionary (or 'D') use within the residential zone.
<b>PART 2 – EXPLANATORY SECTION</b>		
22.	Text and wording modifications required in Part 1 are to be reflected in Part 2, to ensure consistency.	Accepted.
23.	The POS Schedule is to be modified to demonstrate a	Accepted.

Trim # – 12/24809

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No.	WAPC Modifications	Administration Comments and Recommendation
	POS contribution of 10%. This is on the basis that the proposed areas for Landform & Retention are classified as Restricted open space.	

Trim # – 12/24809

## Development Applications

*Cr Gray declared an impartial interest in Item PS05-04/12 due to having an intermittent professional relationship with Greg Rowe & Associates in her capacity as a conservation consultant.*

### **PS05-04/12 Proposed Commercial Development at Lot 1061 (2) Captiva Approach, Butler - DA2011/799**

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File Ref: DEV11/1074 – 11/138206  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 4

Moved Cr Treby, Seconded Cr Hayden

That Council APPROVES the development application submitted by Greg Rowe & Associates on behalf of Tango Investments (WA) Pty Ltd in accordance with the provisions of District Planning Scheme No. 2 for the proposed commercial development at Lot 1061 (2) Captiva Approach, Butler as depicted in Attachment 4, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation:

#### Car parking:

1. The proposed car parking area shall be designed and constructed as per the provisions of Australian Standard 2890 and shall make provision for a minimum of 269 car bays;
2. Parking areas, driveways, and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Car Parking (AS 2890) and shall be drained, sealed and marked;
3. Disabled parking bays shall be provided at the rate required under the Australian Standard for Off Street Parking (AS 2890) and shall be distributed across the site at convenient locations;
4. Carparking bays are to be 5.5 metres long and a minimum of 2.5 metres wide. End bays are to be 2.8 metres wide and end bays in a blind aisle are to be 3.5 metres wide;
5. No parking bays shall be obstructed in any way or used for the purposes of storage;
6. Motorcycle/scooter/bicycle parking facilities must be provided to meet Australian Standard 2890. Details of the location of bicycle parking facilities and associated end of journey facilities for employees are to be provided for approval when application is made for a building licence;

#### General:

7. The proposed crossovers are to be constructed in concrete to commercial specifications;
8. All the proposed pedestrian linkages within the proposed development area are to be linked to the existing pedestrian network within the surrounding road network;
9. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied;

10. Service vehicle manoeuvring to and within the site shall be provided in compliance with the Australian Standard for Off-street parking Part 2 – Commercial vehicle facilities (AS 2890.2). A plan indicating service vehicle sweep paths shall be provided prior to the submission of a building licence application;
11. Detailed landscaping and reticulation plans for the subject site and adjacent road verges shall be lodged for approval by the City when application is made for a building licence. Planting and installation shall be in accordance with the approved landscaping and reticulation plan and the landscaped area shall be maintained to the satisfaction of the City;
12. An overall signage strategy for the development shall be submitted before any licences are issued;
13. An acoustic consultant's report is to be provided for the City's approval, prior to the commencement of the development. This report is to indicate the anticipated sound level measurements for all types of noise associated with the development indicating plant and equipment noise as well as noise associated with operational activities. The report must also indicate any specific requirements that are needed to ensure noise emissions comply with the Environmental Protection (Noise) Regulation 1997. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations, shall be made to the City's satisfaction. Upon completion of the development, a further report is required confirming that actual noise levels comply with the Regulations;
14. Bin Storage Areas to be provided with a concrete floor graded to a 100mm industrial floor waste gully connected to sewer. A hose cock is required to be provided within the Bin Storage Area; and
15. All services such as air conditioning plant and compressors shall be located away from public areas. All services and service yards shall be screened from view of streets and other public areas, including car parking areas to the City's satisfaction. Roof mounted equipment such as air conditioning plant and antennae shall also be screened from view of the street and other public areas, including car parking areas, to the City's satisfaction. Relative to this condition plans and specifications of all screening required and proposed shall be submitted to the City for approval and, upon approval, such screening installed prior to occupancy of the development.

## **Amendment**

*To insert in the first paragraph after the words "Attachment 4" the words "excluding the proposed land uses of 'Liquor Store' and 'Drive-through Food Outlet' (McDonald's Restaurant)," and add a new point 16.*

## **Moved Cr Gray, Seconded Cr Hewer**

**That Council APPROVES the development application submitted by Greg Rowe & Associates on behalf of Tango Investments (WA) Pty Ltd in accordance with the provisions of District Planning Scheme No. 2 for the proposed commercial development at Lot 1061 (2) Captiva Approach, Butler as depicted in Attachment 4, *excluding the proposed land uses of 'Liquor Store' and 'Drive-through Food Outlet' (McDonald's Restaurant)*, subject to the following conditions being met to the satisfaction of the Manager, Planning Implementation:**

**Car parking:**

1. The proposed car parking area shall be designed and constructed as per the provisions of Australian Standard 2890 and shall make provision for a minimum of 269 car bays;
2. Parking areas, driveways, and points of ingress and egress shall be designed and constructed in accordance with the Australian Standard for Off-street Car Parking (AS 2890) and shall be drained, sealed and marked;
3. Disabled parking bays shall be provided at the rate required under the Australian Standard for Off Street Parking (AS 2890) and shall be distributed across the site at convenient locations;
4. Carparking bays are to be 5.5 metres long and a minimum of 2.5 metres wide. End bays are to be 2.8 metres wide and end bays in a blind aisle are to be 3.5 metres wide;
5. No parking bays shall be obstructed in any way or used for the purposes of storage;
6. Motorcycle/scooter/bicycle parking facilities must be provided to meet Australian Standard 2890. Details of the location of bicycle parking facilities and associated end of journey facilities for employees are to be provided for approval when application is made for a building licence;

**General:**

7. The proposed crossovers are to be constructed in concrete to commercial specifications;
8. All the proposed pedestrian linkages within the proposed development area are to be linked to the existing pedestrian network within the surrounding road network;
9. Lighting shall be installed along all driveways and pedestrian pathways and in all common service areas prior to the development first being occupied;
10. Service vehicle manoeuvring to and within the site shall be provided in compliance with the Australian Standard for Off-street parking Part 2 – Commercial vehicle facilities (AS 2890.2). A plan indicating service vehicle sweep paths shall be provided prior to the submission of a building licence application;
11. Detailed landscaping and reticulation plans for the subject site and adjacent road verges shall be lodged for approval by the City when application is made for a building licence. Planting and installation shall be in accordance with the approved landscaping and reticulation plan and the landscaped area shall be maintained to the satisfaction of the City;
12. An overall signage strategy for the development shall be submitted before any licences are issued;
13. An acoustic consultant's report is to be provided for the City's approval, prior to the commencement of the development. This report is to indicate the anticipated sound level measurements for all types of noise associated with the development indicating plant and equipment noise as well as noise associated with operational activities.

The report must also indicate any specific requirements that are needed to ensure noise emissions comply with the Environmental Protection (Noise) Regulation 1997. Upon approval of that report by the City, any modifications required to the development as a result of its recommendations, shall be made to the City's satisfaction. Upon completion of the development, a further report is required confirming that actual noise levels comply with the Regulations;

14. Bin Storage Areas to be provided with a concrete floor graded to a 100mm industrial floor waste gully connected to sewer. A hose cock is required to be provided within the Bin Storage Area; and
15. All services such as air conditioning plant and compressors shall be located away from public areas. All services and service yards shall be screened from view of streets and other public areas, including car parking areas to the City's satisfaction. Roof mounted equipment such as air conditioning plant and antennae shall also be screened from view of the street and other public areas, including car parking areas, to the City's satisfaction. Relative to this condition plans and specifications of all screening required and proposed shall be submitted to the City for approval and, upon approval, such screening installed prior to occupancy of the development; and
16. *The land uses of 'Liquor Store' and 'Drive-through Food Outlet' (McDonald's Restaurant) do not form part of this approval.*

**CARRIED**

**12/1**

**For the motion:** Cr Goodenough, Cr Gray, Cr Cvitan, Cr Driver, Cr Hewer, Cr Mackenzie, Cr Newton, Mayor Roberts, Cr Steffens, Cr Treby, Cr Truong and Cr Hayden

**Against the motion:** Cr Smithson

The amendment became the substantive motion.

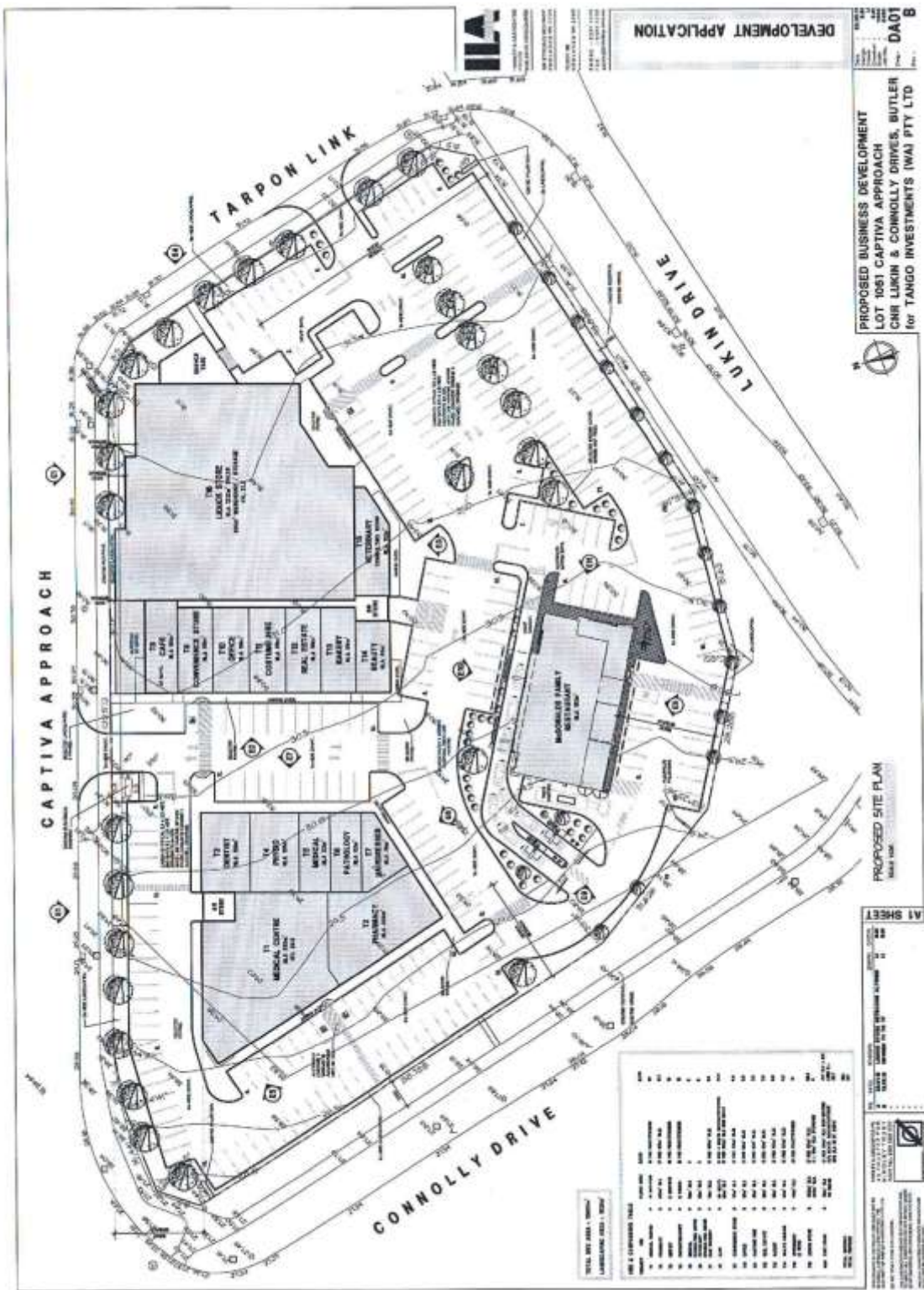
**CARRIED**

**12/1**

**For the motion:** Cr Goodenough, Cr Gray, Cr Cvitan, Cr Driver, Cr Hewer, Cr Mackenzie, Cr Newton, Mayor Roberts, Cr Steffens, Cr Treby, Cr Truong and Cr Hayden

**Against the motion:** Cr Smithson





**IAA**  
ARCHITECTS  
100/102 GARDNER STREET  
PERTH WA 6000  
PH: 08 9437 1333  
WWW.IAAWA.COM.AU

**DEVELOPMENT APPLICATION**

**PROPOSED BUSINESS DEVELOPMENT**  
LOT 1061 CAPTIVA APPROACH  
CHR LUKIN & CONNOLLY DRIVES, BUTLER  
for TANGO INVESTMENTS (WA) PTY LTD

**DA02**

**A1 SHEET**

**ELEVATION - E1**  
SCALE 1:50

**ELEVATION - E2**  
SCALE 1:50

**ELEVATION - E3**  
SCALE 1:50

**ELEVATION - E4**  
SCALE 1:50

**ELEVATION - E5**  
SCALE 1:50

**ELEVATION - E6**  
SCALE 1:50

**ELEVATION - E7**  
SCALE 1:50

**ELEVATION - E8**  
SCALE 1:50

**ELEVATION - E9**  
SCALE 1:50

**ELEVATION - E10**  
SCALE 1:50

**ELEVATION - E11**  
SCALE 1:50

**PROPOSED ELEVATIONS**  
SCALE 1:50

## Other Matters

### **PS06-04/12 Proposed Road Closure - Portion of Pannell Way Girrawheen**

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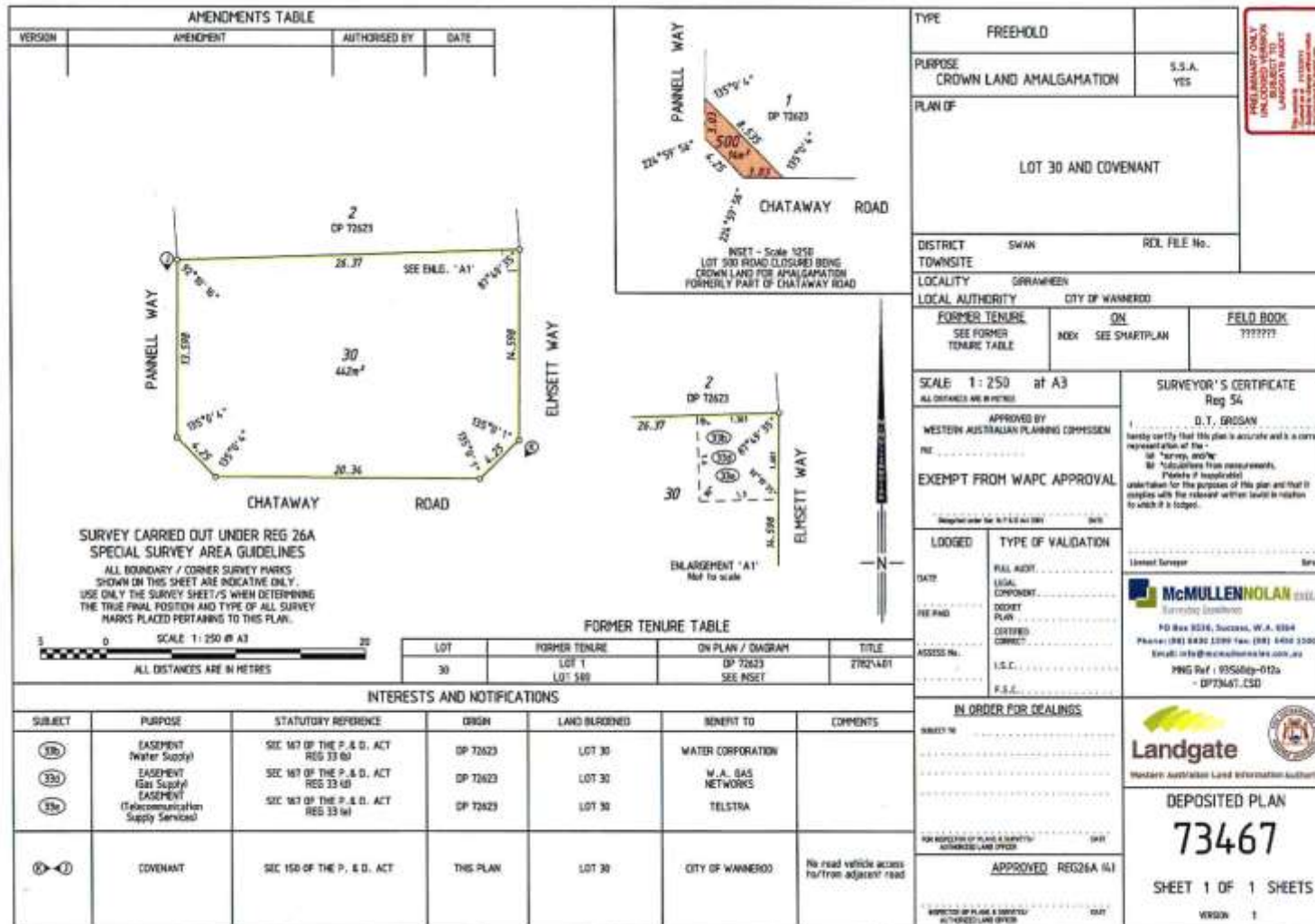
File Ref: 6558 – 12/5007  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

**Moved Cr Mackenzie, Seconded Cr Truong**

**That Council:-**

1. **NOTES** the submissions received from other government agencies and service authorities in respect of the proposed closure of portion of Pannell Way, Girrawheen, as depicted in Attachment 3;
2. **SUPPORTS** the closure of those portions of the Pannell Way road reserve depicted in Attachment 3 and their amalgamation with Lot 1 (16) Pannell Way and Lot 14 (2A) Pannell Way, Girrawheen; and
3. **AUTHORISES** a request being made to the Minister for Lands pursuant to Section 58 (2) of the *Land Administration Act 1997*, for the permanent closure of those portions of Pannell Way, Girrawheen, as depicted in Attachment 3.

**CARRIED UNANIMOUSLY**



**FREE ENQUIRY ONLY**  
UNLAWFUL TO  
SUBJECT TO  
LAWFUL NOTICE

AMENDMENTS TABLE			
VERSION	AMENDMENT	AUTHORISED BY	DATE

SURVEY CARRIED OUT UNDER REG 26A SPECIAL SURVEY AREA GUIDELINES  
ALL BOUNDARY / CORNER SURVEY MARKS SHOWN ON THIS SHEET ARE INDICATIVE ONLY. USE ONLY THE SURVEY SHEET/S WHEN DETERMINING THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY MARKS PLACED PERTAINING TO THIS PLAN.

SCALE 1: 250 @ A3  
ALL DISTANCES ARE IN METRES

INSET - Scale 1:250  
LOT 501 ROAD CLOSURE BEING CROWN LAND FOR AMALGAMATION FORMERLY PART OF MONTROSE AVENUE

ENLARGEMENT 'A1'  
Not to scale

THIS DOCUMENT ONLY  
IS SUBJECT TO  
LANDGATE VERIFICATION  
LANDGATE AUTHORITY  
The Landgate Authority  
is not responsible for  
any errors or omissions  
which may occur in  
this document.

TYPE		FREEHOLD
PURPOSE		CROWN LAND AMALGAMATION
		S.S.A. YES
PLAN OF		
LOT 30 AND COVENANT		
DISTRICT	SWAN	RDL FILE No.
TOWNSITE		
LOCALITY	GIRRAWHEEN	
LOCAL AUTHORITY	CITY OF WANNEROO	
FORMER TENURE	CH	FIELD BOOK
SEE FORMER TENURE TABLE	NO.01 SEE SPARTPLAN	777777
SCALE	1: 250 at A3	
ALL DISTANCES ARE IN METRES		
APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION		
EXEMPT FROM WAPC APPROVAL		
LOGGED	TYPE OF VALIDATION	
DATE	FULL AUDIT	
FILE NO.	LOCAL CORRECT	
ASSESS No.	CORRECT	
	I.S.C.	
	P.S.C.	

FORMER TENURE TABLE				
LOT	FORMER TENURE	ON PLAN / DIAGRAM	TITLE	
31	LOT 1/6 LOT 501	DP 72623 SEE INSET	2782-1A	

INTERESTS AND NOTIFICATIONS						
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BOUNDARY	BENEFIT TO	COMMENTS
31c	EASEMENT (Water Supply)	SEC 167 OF THE P. & O. ACT REG 33 (6)	DP 72623	LOT 31	WATER CORPORATION	
31d	EASEMENT (Gas Supply)	SEC 167 OF THE P. & O. ACT REG 33 (6)	DP 72623	LOT 31	W.A. GAS NETWORKS	
31e	EASEMENT (Telecommunication Supply Services)	SEC 167 OF THE P. & O. ACT REG 33 (6)	DP 72623	LOT 31	TELSTRA	
31f	COVENANT	SEC 150 OF THE P. & O. ACT	THIS PLAN	LOT 31	CITY OF WANNEROO	No road vehicle access to/from adjacent road

IN ORDER FOR DEALINGS	
SEARCHED	DATE
INDEXED	DATE
APPROVED	REG26A (4)
DIRECTOR OF PLANS & SURVEYS	DATE

**McMULLENNOLAN** Surveyors & Engineers

100 Ross Street, Perth, W.A. 6000  
Phone: (08) 9438 3399 Fax: (08) 9416 1100  
Email: info@mcullenolan.com.au  
MNS Ref: 93540q-013a  
- DP73468.CSD

**Landgate**  
Western Australian Land Information Authority

DEPOSITED PLAN  
73468

SHEET 1 OF 1 SHEETS

VERSION 1

## **City Businesses**

### **Regulatory Services**

#### **CB01-04/12 Crossover Subsidy Policy Review**

---

File Ref: 3601 – 12/19215  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: 1

#### **Moved Cr Goodenough, Seconded Cr Steffens**

**That Council APPROVES the current \$360 (maximum) crossover subsidy and as such ADOPTS the reviewed POLICY as in Attachment 1 for the next two years, and that the next biannual review date be set for February 2014.**

**CARRIED UNANIMOUSLY**



## Policy Manual

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**Crossovers Subsidy Policy**

---

**Policy Owner:** City Businesses (Regulatory Services)  
**Contact Person:** Manager Regulatory Services  
**Date of Approval:** 19 October 2010 (CB02-10/10)

---

**POLICY OBJECTIVE**

The purpose of this policy is to provide a subsidy towards the construction of a vehicle crossover to a private property.

**POLICY STATEMENT**

To clarify the City's requirements for the construction of a vehicle crossing to a private property in order to receive a subsidy from the City.

**SCOPE**

The policy applies to all property owners.

**BACKGROUND**

Under the Local Government Act 1995 regulation 15 Contribution to cost of crossing-Schedule 9.1 cl 7(4),

*(1) Where-*

*(a) a local government-*

- (i) under regulation 12 constructs or approves the construction of; or*
- (ii) under regulation 13(1) requires the construction of,*

*a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land;*

*(b) the crossing is the first crossing in respect of the land; and*

*(c) the crossing is a standard crossing or is of a type that is superior to a standard crossing,*

*the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.*

**Crossover subsidy**

If the crossover is a first vehicle crossing constructed on the property, the City will contribute towards the cost subject to the crossover being constructed to the City's specification. A



## Policy Manual

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crossing built with inferior materials e.g. compacted limestone, loose gravels or stones, planks or second hand building materials, shall not comply with the City's specification. The City will contribute 50% towards the cost of only one standard residential crossover, up to \$360 maximum.

### Existing Vehicle Crossover

The City will not provide any subsidy to replace or repair any existing crossover. It is the property's owners' responsibility to ensure the crossover complies with the City's minimum requirements. Crossover repairs must be undertaken if it is considered unsafe.

### Administration

To apply for a subsidy, the applicant must complete a Statutory Declaration and the itemized receipt confirming payment for the crossover. The Statutory Declaration must include the following information:

1. Name of Owners
2. Property address where the crossing is installed
3. Owners' contact numbers
4. Written statement that the crossing has been constructed in accordance to the City's requirements.

### Maintenance

The property owner is responsible to ensure the crossover is safe and useable. Otherwise, the City can issue a fine of \$1000 for non-compliance.

## **CONSULTATION WITH STAKEHOLDERS**

Planning Implementation was consulted for their comments.

## **IMPLICATIONS (Financial, Human Resources)**

Regulatory Services shall administer this policy with consultation from Planning Implementation.

## **IMPLEMENTATION**

Regulatory Services shall implement this policy.

## **ROLES AND RESPONSIBILITIES**

1. Manager Planning Implementation (Specifications)
2. Manager Regulatory Services (Approval and subsidy)

## **DISPUTE RESOLUTION**

N/A





## Policy Manual

### WHO NEEDS TO KNOW ABOUT THIS POLICY?

1. Manager Planning Implementation

### EVALUATION AND REVIEW PROVISIONS

This policy shall be reviewed annually.

### DEFINITIONS

DEFINITIONS: Any definitions listed in the following table apply to this document only.	
<u>first crossing</u>	<i>in respect of land, means first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358 of the Local Government Act 1960 as in force at any time before 1 July 1996</i>
<u>standard crossing</u>	<i>means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.</i>

### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

N/A

### REFERENCES

1. Specifications for the construction of standard residential concrete vehicle crossing.
2. Request for a subsidy payment for first vehicle crossover (Statutory Declaration).
3. Residential Vehicle crossover subsidy information sheet.

### RESPONSIBILITY FOR IMPLEMENTATION

Manager Regulatory Services

Version	Next Review	Record No:
1	July 2011	TRIM 10/52384

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**CB02-04/12 Appointment of External Honorary Litter Inspectors**

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File Ref: 3601 – 12/25946  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: Nil

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council DELEGATES BY ABSOLUTE MAJORITY to the Chief Executive Officer the power to appoint Meridian Services employees as Honorary Litter Inspectors for the City of Wanneroo subject to:**

- (a) The person being a current employee of Meridian Services;**
- (b) Meridian Services submitting an annual list of employees who will undertake such duties;**
- (c) Meridian Services providing proof of ongoing employment and current Police Clearance certification of these employees; and**
- (d) The Chief Executive Officer being able to withdraw such authorizations at any time.**

**CARRIED BY ABSOLUTE MAJORITY  
13/0**

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**CB03-04/12 Two Rocks Volunteer Bushfire Brigade Fire Station Construction - Request for Further Funds**

---

File Ref: 6654 – 12/30173  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: Nil

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council ENDORSES the action of the Mayor writing to the Minister for Transport, Housing and Emergency Services to request additional funding of \$120,000 for the construction of the Two Rocks Fire Station as a result of a shortfall between the funding grant and tenders received.**

**CARRIED UNANIMOUSLY**

## Property

### **CB04-04/12 Indemnity to Minister of Lands for Road Dedication Excised from a Portion of Crown Reserve 34670 Wanneroo Road (Luisini Park)**

---

File Ref: 1715 – 12/26454  
 Responsible Officer: Director, City Businesses  
 Disclosure of Interest: Nil  
 Attachments: 1

#### **Moved Cr Goodenough, Seconded Cr Steffens**

That Council **INDEMNIFIES** the Minister for Lands against any claim for compensation arising from the dedication of road reserve to be excised from a portion of Crown Reserve 34670 Wanneroo Road (Luisini Park).

**CARRIED UNANIMOUSLY**

### **CB05-04/12 Proposed Lease - Portion of 935 Wanneroo Road, Wanneroo to Small Business Centre (North West Metro) Inc**

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File Ref: 1715 – 12/25636  
 Responsible Officer: Director, City Businesses  
 Disclosure of Interest: Nil  
 Attachments: 1

#### **Moved Cr Goodenough, Seconded Cr Steffens**

#### **That Council:-**

1. **AGREES** in principle to the leasing of an area of 11.045m<sup>2</sup> at 935 Wanneroo Road, Wanneroo to Small Business Centre (North West Metro) Inc on a government basis subject to the requirements of section 3.58(3) of the Local Government Act 1995;
2. **AUTHORISES** the Chief Executive Officer to publish a local public notice of its intention to enter into the lease in 1 above;
3. **SUBJECT** to no submissions having been received, **DELEGATES BY ABSOLUTE MAJORITY** to the Chief Executive Officer, the authority to dispose of the Property by Lease in accordance with Section 3.58 of *the Local Government Act 1995*, to the Wanneroo Small Business Centre (North West Metro) for an area of 11.045m<sup>2</sup> at 935 Wanneroo Road, for a period of two (2) years, with a three (3) year option;
4. **SUBJECT** to 3. above, **AUTHORISES** the Mayor and the Chief Executive to affix the Common Seal of the City of Wanneroo and execute the lease between the City of Wanneroo and the Small Business Centre (North West Metro) Inc; and
5. **NOTES** that if any submissions or comments are received in response to the local public notice in 2 above recommendation 3 and 4 above do not apply and a further report will be presented to Council.

**CARRIED BY ABSOLUTE MAJORITY**

13/0

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**CB06-04/12 Proposed Lease - Portion of 935 Wanneroo Road, Wanneroo to Wanneroo Business Association Inc**

---

File Ref: 1715 – 12/23014  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: 1

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council:-**

1. **AGREES** in principle to the leasing of an area of 14.2481m<sup>2</sup> at 935 Wanneroo Road, Wanneroo to the Wanneroo Business Association Inc on a commercial basis subject to the requirements of section 3.58(3) of the Local Government Act 1995;
2. **AUTHORISES** the Chief Executive Officer to publish a local public notice of its intention to enter into the lease in 1 above;
3. **SUBJECT** to no submissions having been received, **DELEGATES BY ABSOLUTE MAJORITY** to the Chief Executive Officer, the authority to dispose of the Property by Lease in accordance with Section 3.58 of *the Local Government Act 1995*, to the Wanneroo Business Association Inc for an area of 14.2481m<sup>2</sup> at 935 Wanneroo Road, Wanneroo for a period of three (3) years;
4. **SUBJECT** to 3. above, **AUTHORISES** the Mayor and the Chief Executive to affix the Common Seal of the City of Wanneroo and execute the lease between the City of Wanneroo and the Wanneroo Business Association Inc ; and
5. **NOTES** that if any submissions or comments are received in response to the local public notice in 2 above recommendation 3 and 4 above do not apply and a further report will be presented to Council

**CARRIED BY ABSOLUTE MAJORITY**  
13/0

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**CB07-04/12 Portofinos Tavern Restricted Liquor License**

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File Ref: 4534 – 12/25667  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: 1

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council:-**

1. **AUTHORISES** the Chief Executive Officer to negotiate a Deed of Variation to the Lease between Bogdanis Nominees Pty Ltd and the City for the purposes of the following:
  - Premises will only be advertised and run as a restaurant and function centre (not a tavern);
  - Music will predominantly be of a background nature;

- CCTV will cover all exit/entry points running 24 hours per day (records kept for 14 days); and
  - The Lessee or any subsequent assignee will not attempt to apply for a full Tavern Licence;
2. **AUTHORISES** the Mayor and the Chief Executive Officer to affix the Common Seal of the City of Wanneroo to, and execute the Deed of Variation;
  3. **AUTHORISES** the Chief Executive Officer as the landowner, to sign the necessary Development Application to progress the Tavern Restricted Liquor License for Portofinos, Quinns Rocks; and
  4. **SUPPORTS** the applicant to change the licence from a Restaurant Liquor Licence to a Tavern Restricted Liquor Licence.

**CARRIED UNANIMOUSLY**

**CB08-04/12 Proposed Excision of Portion of Crown Reserve 48306 (Jindalee Foreshore) for Road Reserve**

---

File Ref:	5642 – 12/27508
Responsible Officer:	Director, City Businesses
Disclosure of Interest:	Nil
Attachments:	2

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council:-**

1. **AUTHORISES** the excision of approximately 550m<sup>2</sup> from Crown Reserve 48306 for dedication as road; and
2. **INDEMNIFIES** the Minister for Lands against any claim for compensation arising from the dedication of road reserve to be excised from a portion of Crown Reserve 48306.

**CARRIED UNANIMOUSLY**

**CB09-04/12 Proposed Lease of Lake Joondalup Kindergarten, 10 Neville Drive, Wanneroo to The Evelyn Enrichment Foundation Ltd.**

---

File Ref:	5433 – 12/27616
Responsible Officer:	Director, City Businesses
Disclosure of Interest:	Nil
Attachments:	Nil

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council:-**

1. **NOTES** the early termination of the lease between the City of Wanneroo and the Department of Education over 10 Neville Drive, Wanneroo;
2. **APPROVES** the leasing of 10 Neville Drive, Wanneroo to The Evelyn Enrichment Foundation Ltd for a term of three (3) years plus a two (2) year option; and

3. **AUTHORISES** the Mayor and Chief Executive Officer to affix the Common Seal of the City of Wanneroo to and execute a lease between the City and The Evelyn Enrichment Foundation Ltd. over 2 above.

**CARRIED UNANIMOUSLY**

**CB10-04/12 Variation to Lease Over Portion of Crown Reserve 28058 and Proposed New Lease over a Portion of Crown Reserve 44878 to Wanneroo Districts Netball Association Inc.**

---

File Ref: 4171 – 12/27035  
 Responsible Officer: Director, City Businesses  
 Disclosure of Interest: Nil  
 Attachments: 2

**Moved Cr Goodenough, Seconded Cr Steffens**

**That Council:-**

1. **AGREES** to the variation to the existing lease over portion of Crown Reserve 28058 between the City and the Wanneroo Districts Netball Association Inc to include the area proposed to be a first aid and disabled toilet building, subject to the consent of the Minister for Lands;
2. **AUTHORISES** the Mayor and Chief Executive Officer to affix the Common Seal of the City of Wanneroo and to execute a Variation of Lease, prepared by the City's solicitor at the City's expense, between the City and the Wanneroo Districts Netball Association Inc over 1 above;
3. **APPROVES** the leasing of portion of Crown Reserve 44878 at 130 Kingsway, Madeley to Wanneroo Districts Netball Association Inc for a term of five (5) years commencing on the date of practical completion of the Canteen Building, subject to the consent of the Minister for Lands; and
4. **AUTHORISES** the Mayor and Chief Executive Officer to affix the Common Seal of the City of Wanneroo to and execute a lease between the City and Wanneroo Districts Netball Association Inc over 3 above.

**CARRIED UNANIMOUSLY**

**Other Matters**

**CB11-04/12 Mindarie Regional Council - New Establishment Agreement**

---

File Ref: 4603 – 12/29623  
 Responsible Officer: Director, City Businesses  
 Disclosure of Interest: Nil  
 Attachments: 2

**Moved Cr Newton, Seconded Cr Gray**

**That Council:-**

1. **SUPPORTS** in principle an Establishment Agreement in the same or similar terms to that dated March 2012 as in Attachment 1 with the inclusion of the alternative Clause 12 as in Attachment 2:

2. **AUTHORISES** the Mayor and the Chief Executive Officer to sign the Establishment Agreement under the Common Seal, in the event that the withdrawal and the terms of the withdrawal of the City of Stirling are agreed and finalised;
3. In addition to 1. and 2. above **APPROVES** that a Deed of Variation of the Constitution Agreement be created by the Mindarie Regional Council, addressing the sections of the *Local Government Act 1960* required in order to enable the withdrawal of the City of Stirling in the event that one of the five remaining constituent municipalities does not resolve to approve the Establishment Agreement detailed in 1. above:
4. **NOTES** and **SUPPORTS** the recommendation (unconfirmed) of the Mindarie Regional Council endorsed on Wednesday 28 March 2012, that:

***"1. The PricewaterhouseCoopers Stage 2 (Report in relation to the City of Stirling's withdrawal from the MRC) dated 3 August 2011 be received.***

***2. The City of Stirling be advised that with respect to the resolution of its Council of 13 December 2011:***

- a. the offer to withdraw its requirement that any agreement must be accompanied by the City of Stirling ceasing to be a guarantor under the Deed of Guarantee with BioVision made on 21 November 2007" is acknowledged;***
- b. the offer to accept a payout based on a discount of 25% on the PWC averaged valuation is not accepted.***

***3. The City of Stirling be advised that the MRC is prepared to negotiate an agreement for its withdrawal pursuant to section 699 of the Local Government Act 1960 on the basis that the City of Stirling:***

- a. be paid no more than its:***
  - (i) paid-in capital contributions (\$840,000); and***
  - (ii) share of the Members Revenue Equalisation Reserve i.e. unders/overs account (\$670,000);******from current accumulated Mindarie Regional Council funds;***
- b. not be released from its liabilities under the Resource Recovery Facility guarantee to BioVision;***
- c. retain its post closure liabilities for the Tamala Park landfill, including but not limited to remediation and rehabilitation on the landfill site and other lands potentially affected, in proportion to the tonnes tipped to the total of members tonnes over the life of the landfill;***
- d. retain its ownership share in the land at the Tamala Park landfill site;***
- e. should the value of the land assets exceed liabilities post the closure of the Tamala Park land-fill site, then ten City of Stirling shall receive a portion of that net asset value proportional to their period as members of the Mindarie Regional Council; and***
- f. the outcome of the negotiations be the subject of a separate report to Council.***

***4. Council's resolution is significantly different from that recommended by officers for the following reasons :***

- a. The MRC has not raised its fees to the levels used in the PricewaterhouseCoopers (PWC) computations, so the values assumed in those computations will not be achieved.***
- b. The City of Stirling's interest in MRC is an unmarketable minority interest in a regional council that has little or no commercial value insofar as the interest is incapable of being sold or sold for the PWC value to a purchaser.***

***c. The City of Stirling's withdrawal will create diseconomies of scale for the remaining members: the fixed costs of the operations, which are a high proportion of the total costs, will be spread across fewer local governments and, consequently, the remaining local governments will pay higher tipping fees.***

***d. The City of Stirling's withdrawal will result in the substantial operating costs of the Resource Recovery Facility being spread across fewer councils, which will suffer an increased financial burden for the life of the contract.***

***e. The City of Stirling has not offered any compensation to the remaining members for the increased tipping fees and RRF costs.***

***f. A proposal that the remaining members of MRC intend to enter into a new Establishment Agreement under which a departing member will be paid only:***

***(i) its capital contributions; and***

***(ii) its share of the Members Revenue Equalisation Reserve (ie unders/overs account)***

***suggests that it is fair and equitable that City of Stirling should withdraw on a similar basis.”; and***

- 5. NOTES that any variations to these base principles of negotiation by the Mindarie Regional Council will be subject to a further report to Council.**

**CARRIED UNANIMOUSLY**



Dated \_\_\_\_ March 2012

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**TOWN OF CAMBRIDGE  
and  
CITY OF JOONDALUP  
and  
CITY OF PERTH  
and  
TOWN OF VICTORIA PARK  
and  
CITY OF VINCENT  
and  
CITY OF WANNEROO  
ESTABLISHMENT AGREEMENT  
OF THE  
MINDARIE REGIONAL COUNCIL**

**Woodhouse Legal**  
Solicitors & Legal Consultants  
323 Rokeby Road  
Subiaco WA 6008  
Telephone (08) 9382 2202  
Fax (08) 9382 3011  
JMW:2060429

2060429 - Draft Estb Agmt clean 140312

## TABLE OF CONTENTS

RECITALS.....	1
OPERATIVE PART .....	2
1. CONDITIONS.....	2
2. FORMER CONSTITUTION AGREEMENT .....	2
3. NAME.....	2
4. REGION .....	2
5. REGIONAL PURPOSES .....	2
6. OBJECTIVES .....	3
7. DEFINITIONS.....	3
8. THE COUNCIL .....	5
8.1 Appointment of members.....	5
8.2 Tenure of members of the MRC Council .....	6
8.3 Election of chairman and deputy chairman .....	6
8.4 Term of office of chairman and deputy chairman .....	7
8.5 Role of chairman .....	7
8.6 Role of deputy chairman .....	7
8.7 Role of members of MRC Council.....	7
8.8 Deputy members .....	8
9. DEALING WITH A DEFICIT OR SURPLUS .....	8
9.1 Application of clause.....	8
9.2 Where a Deficit occurs .....	8
9.3 Time for payment .....	8
9.4 Late payment .....	9
9.5 Determination of Fees Proportions.....	9
9.6 Where a Surplus occurs.....	9
9.7 Dealing with a Surplus which is paid .....	9
10. CONTRIBUTIONS TO THE ACQUISITION OF LAND .....	9
10.1 Proportions for contributions.....	9
10.2 Capital contributions .....	9
11. WINDING UP .....	9
11.1 Winding up by agreement .....	9
11.2 Direction to be given to the MRC .....	10
11.3 Regional Purposes limited to winding up.....	10
11.4 Division of assets .....	10
11.5 Division of liabilities .....	10
12. WITHDRAWAL OF A PARTICIPANT.....	10
12.1 Definitions.....	10
12.2 Notice by a Participant wishing to withdraw .....	11
12.3 Procedure to be followed by the CEOs .....	11
12.4 Withdrawal only by written agreement .....	11
12.5 Requirements of agreement.....	11
12.6 Restriction on giving another notice .....	12
12.7 Clause 15 not to apply .....	12
13. BORROWINGS.....	12
14. PARTICIPANTS' OBLIGATION TO DELIVER WASTE TO THE MRC.....	12
14.1 Delivery of Participant's waste .....	12
14.2 MRC may give exemption .....	12
14.3 Procedure for exemptions.....	12
14.4 Exemptions under the Former Constitution Agreement.....	13
15. DISPUTE RESOLUTION .....	13

15.1 No proceedings.....13  
15.2 Notification of Dispute.....14  
15.3 Reasonable efforts to resolve Dispute.....14  
15.4 Dispute resolution process.....14  
15.5 Arbitration.....14  
15.6 Legal representation.....14  
16. INTERPRETATION.....14  
16.1 Interpretation.....14  
16.2 Headings and footnotes.....15  
16.3 Time.....16  
SCHEDULE 1.....17  
SCHEDULE 2.....18  
SCHEDULE 3.....19  
EXECUTED by the parties.....20

DRAFT

**AGREEMENT**

**THIS ESTABLISHMENT AGREEMENT** dated 2012

**BETWEEN** **TOWN OF CAMBRIDGE** of 1 Bold Park Drive, Floreat, Western Australia

**AND** **CITY OF JOONDALUP** of Boas Avenue, Joondalup, Western Australia

**AND** **CITY OF PERTH** of Council House, 27 St George's Terrace, Perth, Western Australia

**AND** **TOWN OF VICTORIA PARK** of 99 Shepperton Road, Victoria Park, Western Australia

**AND** **CITY OF VINCENT** of 244 Vincent Street, Leederville, Western Australia

**AND** **CITY OF WANNEROO** of 23 Dundobar Road, Wanneroo, Western Australia

**RECITALS**

- A. The districts of City of Perth, City of Stirling and City of Wanneroo were constituted as a regional district by virtue of an Order of the Governor made under the Former Act on 22 December 1987 and published in the Government Gazette on 31 December 1987.
- B. Pursuant to the Former Act and by virtue of the Order of the Governor, a regional council was then constituted.
- C. Under a Constitution Agreement undated but stamped 21 December 1988 made between City of Perth, City of Stirling and City of Wanneroo, the Regional Council so constituted was named the Mindarie Regional Council.
- D. By an undated Deed of Variation made between, City of Perth, City of Stirling and City of Wanneroo, the Constitution Agreement was amended in the manner set out in the Deed of Variation.
- E. By a Deed of Variation dated 25 November 1996 made between City of Wanneroo, City of Stirling, City of Perth, Town of Vincent, Town of Cambridge and Town of Victoria Park, the Constitution Agreement was amended in the manner set out in that Deed. The amendments included the admission of the Town of Cambridge, Town of Victoria Park and Town of Vincent as constituent municipalities of the Regional Council. The Deed was approved by the Minister on 25 November 1996.
- F. By a Deed of Amendment dated 20 October 1999, made between the City of Perth, City of Stirling, Town of Cambridge, Town of Vincent, Town of Victoria Park, City of Joondalup and City of Wanneroo, the Constitution Agreement was amended to include the City of Joondalup and City of Wanneroo as constituent municipalities.

- G. By virtue of transitional provisions of the Act, the regional council continues as a regional local government as if it had been constituted as a regional local government under the Act.
- H. The Participants have agreed to amend the Former Constitution Agreement by revoking it and substituting it with this Establishment Agreement.
- I. The Participants have resolved on the dates referred to in Schedule 1 to enter into this Establishment Agreement and to submit it to the Minister for approval.

## OPERATIVE PART

### 1. CONDITIONS

This Establishment Agreement is subject to and conditional upon:

- (a) the approval of the Minister to this Establishment Agreement under section 699(3)(b) of the Local Government Act 1960 (repealed) and section 3.65 of the Local Government Act 1995; and
- (b) an Order to the Governor under section 699(1) of the Local Government Act 1960 (repealed) removing the district of the City of Stirling from the regional district of the MRC.

### 2. FORMER CONSTITUTION AGREEMENT

The Former Constitution Agreement is revoked and substituted with this Establishment Agreement commencing on the Operative Date.

### 3. NAME

The name of the regional local government continues to be the Mindarie Regional Council.

#### Footnote:

- 1. Section 3.62(1) of the Act provides that a regional local government is a body corporate with perpetual succession and a common seal.
- 2. A regional local government has the same general function of a local government including its legislative and executive functions. See Part 3 and section 3.66 of the Act.
- 3. Except as stated in section 3.65, the Local Government Act 1995 applies to a regional local government as if:
  - (a) the participants' districts together made up a single district; and
  - (b) the regional local government were the local government established for that district.

### 4. REGION

The MRC is established for the Region.

### 5. REGIONAL PURPOSES

The regional purposes for which the MRC is established are:

- (a) to undertake the processing, recycling, treatment, sale and disposal of waste for the benefit of the communities of the Participants;

- (b) to investigate and assess the possibilities of, and the methodologies for, carrying out a range of services on a regional basis; and
- (c) to carry out and do all other acts and things which are reasonably necessary for the bringing into effect of the purposes referred to in paragraph (a) or (b) of this clause.

**Footnote:**

In certain circumstances, a proposal to undertake a Regional Purpose may require the preparation of a business plan under the Act – see section 3.59.

**6. OBJECTIVES**

- (1) The objectives of the MRC are:
  - (a) to provide effective and cost efficient waste disposal, consistent with safeguarding all environmental elements, for the benefit of the Participants and the residents of the Region;
  - (b) to operate programmes to dispose of waste accepted by the MRC via landfill, recycling and reuse in accordance with best practice;
  - (c) to implement one or more preferred waste treatment methods, including landfill, and waste-to-energy either separately, or with others, for treatment of at least that waste generated within the Region;
  - (d) to support initiatives to minimise waste-at-source generation through interaction with government, industry groups and the community;
  - (e) to establish business systems necessary for the ongoing management of the MRC's business;
  - (f) to obtain the appropriate level of resources, financial and physical, for the operation of the MRC's business activities; and
  - (g) to use best endeavours to operate effectively and efficiently, to be self-funding and to be responsible for the raising of any necessary capital or loans to meet its needs independent of the Participants.
- (2) No failure or alleged failure of the MRC to meet any of the objectives set out in subclause (1) is to preclude any of the Participants from meeting its obligations under this Agreement or otherwise give rise to any claim or entitlement on its part.

**7. DEFINITIONS**

In this Establishment Agreement, unless the contrary intention appears:

“Act” means the Local Government Act 1995;

“annual financial report” means the annual financial report which is audited and submitted to the Departmental CEO;

“CEO” means chief executive officer;

“Deficit”, for a financial year, means the amount, if any:

- (a) by which the expenses of the MRC exceeds the revenues and other income of the MRC; and
- (b) which is shown as such in the annual financial report of the MRC, for that year;

**“Departmental CEO”** means the chief executive officer of the department assisting the Minister to administer the Act;

**“Fees Proportion”**, in relation to a Participant and for any financial year, is the proportion which the amount of the fees and charges paid by that Participant to the MRC for acceptance by the MRC of the Participant’s waste, in that year, bears to the amount of the fees and charges paid by all of the Participants to the MRC for acceptance by the MRC of the Participants’ waste, in that year;

**“Former Constitution Agreement”** means the constitution agreement undated but stamped 21 December 1988 as amended by the subsequent deeds referred to in Recitals D, E and F;

**“Minister”** means the Minister of the Crown to whom the administration of the Act is for the time being committed by the Governor and includes a Minister of the Crown for the time being acting for or on behalf of the Minister;

**“MRC”** means the Mindarie Regional Council;

**“MRC Council”** means the council of the MRC;

**“Operative Date”** means the date upon which the Governor, by Order, removes the district of the City of Stirling from the regional district of the Mindarie Regional Council;

**“Participants’ Surplus Reserve Account”** means any reserve account established and maintained by the MRC for an express purpose which permits the use of the money in the reserve account to meet the amount of any Deficit or any part of a Deficit;

**“Participant’s waste”** means waste which is:

- (a) collected or received by a Participant from the Region; or
- (b) generated by the operations of a Participant,

but excludes:

- (i) waste which is solely or predominantly comprised of liquid;
- (ii) sewage; or

(iii) waste which is:

(A) placed, for collection by the Participant, in a receptacle intended for the deposit of glass, plastics, metals, paper or cardboard, separate from other waste; and

(B) collected or received by a Participant from the Region; or

- (iv) waste which is;
  - (A)(1) placed, for collection by the Participant, in a receptacle intended for the deposit for vegetative waste from gardens, trees or lawns, separate from other waste; and
  - (2) collected or received by the Participant from the Region; or
  - (B) vegetative waste from gardens, trees or lawns collected separately by the Participant from other waste;
- (v) waste which is produced by the processing or recycling of any waste referred to in paragraphs (i), (ii), (iii) and (iv) including any residual waste remaining after that processing or recycling;

“Participants” means Town of Cambridge, City of Joondalup, City of Perth, Town of Victoria Park, City of Vincent, and City of Warreroo and “Participant” is a reference to any one of them;

“Region” means the districts of the Participants;

“Regional Purpose” means any regional purpose referred to in clause 5;

“Surplus”, for a financial year, means the amount, if any:

- (a) by which the revenues and other income of the MRC exceeds the expenses of the MRC; and
- (b) which is shown as such in the annual financial report of the MRC, for that year;

“waste” means matter which is:

- (a) discarded, rejected, abandoned, unwanted or surplus, whether or not intended for sale or for recycling, reprocessing, recovery or purification by a separate operation from that which produced the matter; or
- (b) prescribed under the Waste Avoidance and Resource Recovery Act 2007 to be waste.

## 8. THE COUNCIL

### 8.1 Appointment of members

- (1) Each Participant is to appoint a member or members of the council of the Participant to be a member of the MRC Council, in the numbers set out in Schedule 2.
- (2) The members of the MRC Council appointed immediately prior to the Operative Date are to remain in office after the Operative Date.
- (3) A Participant may terminate an appointment made under subclause (1) at any time.



**Footnote:**

Section 3.62(b) of the Act provides that a regional local government is to have, as its governing body, a council established under the Establishment Agreement and consisting of members of the councils of the participants.

**8.2 Tenure of members of the MRC Council**

A member of the MRC Council is to hold office until:

- (a) the appointment of the member is terminated by the Participant;
- (b) the member ceases to be a member of the council of the Participant;
- (c) the commencement of the first meeting of the MRC Council following the day on which the biennial ordinary election to elect councillors of the Participant which appointed that member, is held; or
- (d) the 35<sup>th</sup> day after the day on which the next biennial ordinary election to elect councillors of the Participant which appointed that member, is held under the Act,

whichever is the earlier.

**Footnote:**

Sections 2.32 and 2.33 of the Act set out circumstances in which the office of a member of a council becomes vacant.

**8.3 Election of chairman and deputy chairman**

- (1) The members of the MRC Council are to elect a member to fill the offices of chairman and deputy chairman:
  - (a) at the first meeting of the MRC Council following the day on which biennial ordinary elections to elect councillors to the Participants are held; or
  - (b) if those biennial ordinary elections are held on more than one day then at the first meeting of the MRC Council following the latest of those days;
- (2) If the office of chairman or deputy chairman becomes vacant then the members of the MRC Council are to elect a new chairman or deputy chairman, as the case requires.
- (3) The election referred to in subclause (2) is to take place at a meeting held at least 4 weeks after the date on which the office became vacant.
- (4) The election of the chairman is to be conducted by the CEO and the election of the deputy chairman is to be conducted by the chairman, in accordance with the procedure prescribed under the Act for the election of a mayor or deputy mayor, respectively, by a council.
- (5) The chairman and deputy chairman appointed immediately prior to the Operative Date are to remain in office after the Operative Date.

#### 8.4 Term of office of chairman and deputy chairman

The term of a person holding the office of chairman or deputy chairman begins when the person is elected to the office and ends when the chairman or deputy chairman, as the case may be is next elected under clause 8.3.

#### 8.5 Role of chairman

The chairman:

- (a) presides at meetings of the MRC Council;
- (b) carries out civic and ceremonial duties on behalf of the MRC;
- (c) speaks on behalf of the MRC;
- (d) performs such other functions as are given to the chairman by the Act, any other written law or this Agreement; and
- (e) liaises with the CEO on the MRC's affairs and the performance of its functions.

##### Footnotes:

1. The role of the MRC Council is set out in section 2.7 of the Act.
2. The functions of the CEO are set out in section 5.41 of the Act.
3. The chairman may agree to the CEO speaking on behalf of the MRC - see section 5.41(f) of the Act.

#### 8.6 Role of deputy chairman

- (1) The deputy chairman performs the functions of the chairman when authorised to do so under this clause.
- (2) If:
  - (a) the office of chairman is vacant; or
  - (b) the chairman is not available or is unable or unwilling to perform the functions of chairman,

then the deputy chairman may perform the functions of chairman.

#### 8.7 Role of members of MRC Council

A member of the MRC Council:

- (a) represents the interests of the ratepayers and residents of the Region;
- (b) facilitates communication between the community of the Region and the MRC Council;
- (c) participates in the MRC's decision-making processes at meetings of the MRC Council and its committees; and

- (d) performs such other functions as are given to the member by the Act or any other written law.

#### 8.8 Deputy members

- (1) A Participant may:
  - (a) appoint a member of the council of the Participant to be a deputy of a member of the MRC Council; and
  - (b) terminate the appointment at any time.
- (2) A deputy of a member of the MRC Council may attend a meeting of the MRC Council when the member is unable to do so by reason of illness, absence or other cause.
- (3) A deputy of a member, when attending as a member under subclause (2), has the functions of, and all the protections given to, a member.
- (4) A person must not concurrently hold office as a deputy of more than one member of the MRC Council.

### 9. DEALING WITH A DEFICIT OR SURPLUS

#### 9.1 Application of clause

This clause 9 applies only to the financial year which ends after the Operative Date.

#### 9.2 Where a Deficit occurs

If a Deficit occurs then the Participants must pay to the MRC, in their respective Fees Proportions:

- (a) the amount of the Deficit; less
- (b) any amount in the Participants' Surplus Reserve Account as shown in the annual financial report of the MRC for the financial year to which the Deficit relates,

and, for the purpose of clause 11.4(1)(a), the capital contribution of each Participant is taken to be reduced by the Participant's Fees Proportion of the amount referred to in paragraph(b).

#### 9.3 Time for payment

Each Participant must pay to the MRC the amount payable by that Participant under clause 9.2:

- (a) within 3 months after the date on which the annual financial report is submitted to the Departmental CEO; or
- (b) at any earlier time agreed by the Participants; or

- (c) at any later time decided by the MRC and notice of which is given to the Participants.

**9.4 Late payment**

If a Participant fails to pay the amount referred to in clause 9.2 on or before the due date for payment then, in addition to the amount, the Participant must pay to the MRC interest on the amount at the overdraft rate charged by the MRC's bank on sums of the same size as the unpaid amount calculated from and including the due date to but excluding the actual date of payment.

**9.5 Determination of Fees Proportions**

For the purpose for determining the Fees Proportion, in relation to a Participant for any financial year, the amount of fees and charges paid by each of the Participants to the MRC for the acceptance by the MRC of a Participant's waste, is to be as shown in the annual financial report of the MRC or, if not shown in that report, then as advised by the MRC.

**9.6 Where a Surplus occurs**

If a Surplus occurs then, for the purpose of clause 11.4(1)(a), the capital contribution of each Participant is taken to be increased by the Participant's Fees Proportion of that amount.

**9.7 Dealing with a Surplus which is paid**

If, following any financial year, a Surplus for that year or any part of that Surplus is paid by the MRC to the Participants, then it is to be distributed to the Participants in the proportions set out in Schedule 3 and, for the purpose of clause 11.4(1)(a), the capital contribution of a Participant is taken to be reduced by the amount distributed to that Participant.

**10. CONTRIBUTIONS TO THE ACQUISITION OF LAND**

**10.1 Proportions for contributions**

Where the MRC Council determines that the Participants are to make contributions towards the acquisition of land then the Participants must make those contributions in the proportions set out in Schedule 3.

**10.2 Capital contributions**

For the avoidance of doubt, contributions paid under clause 10.1 are to be taken to be capital contributions for the purpose of clause 11.4(1)(a).

**11. WINDING UP**

**11.1 Winding up by agreement**

The Participants may agree in writing that MRC is to be wound up.

### 11.2 Direction to be given to the MRC

Where an agreement is made under clause 11.1, the Participants are to give to the MRC a written direction that the MRC is to commence to wind up its affairs and undertaking.

### 11.3 Regional Purposes limited to winding up

Commencing on the date on which a direction referred to in clause 11.2 is given to the MRC, the MRC continues to be established for the Regional Purposes but only so far as is necessary to enable the MRC to wind up its affairs and undertaking.

### 11.4 Division of assets

- (1) If the MRC is to be wound up and there remains, after satisfaction of all of its debts and liabilities, any property and assets of the MRC then the property and assets are to be realised and:
  - (a) the proceeds, along with any surplus funds are to be used to repay to the Participants their respective capital contribution as shown in the accounting records of the MRC; and
  - (b) the balance, if any, is to be divided among the Participants in the proportions set out in Schedule 3.
- (2) For the avoidance of doubt, for the purposes of subclause (1), the capital contributions of the Participants do not accrue interest.

### 11.5 Division of liabilities

If the MRC is to be wound up and there remains any liability or debt in excess of the realised property and assets of the MRC then the liability or debt is to be met by each of the Participants in the proportions set out in Schedule 3.

## 12. WITHDRAWAL OF A PARTICIPANT

### 12.1 Definitions

In this clause 12:

“CEOs” means the chief executive officers of the Participants;

“Initial Period”, in relation to a Participant which gives notice under clause 12.2, means a period of one month commencing on the date on which Participant gives the notice;

“Second Period”, in relation to a Participant which gives notice under clause 12.2, means a period of 2 months commencing on the day following the expiry of the Initial Period;

“Withdrawal Period”, in relation to a Participant which gives notice under clause 12.2, means a period of 15 months commencing on the date on which the Participant gives the notice.

**12.2 Notice by a Participant wishing to withdraw**

A Participant wishing to withdraw from the MRC must give to each of the other Participants and to the MRC, notice in writing of its wish to do so.

**12.3 Procedure to be followed by the CEOs**

- (1) As soon as practicable after a Participant has given notice under clause 12.2, the Participants are to cause a meeting to be held between the CEOs at which the CEOs are to endeavour to reach agreement on a timetable for:
  - (a) the preparation of:
    - (i) a valuation of the assets and liabilities of the MRC; and
    - (ii) a business impact statement with respect to the impact of a withdrawal of the Participant on the business and affairs of the MRC; and
  - (b) further meetings of the CEOs.
- (2)(a) If the CEOs agree in writing on a timetable referred to in subclause (1), then the CEOs are to implement the agreed timetable with a view to each of them preparing a recommendation to their respective councils concerning the proposed withdrawal and the terms on which a withdrawal might be agreed.
- (b) The Participant which has given notice under clause 12.2 must meet the cost of the preparation of the valuation referred to in subclause (1).
- (3) If the CEOs do not agree in writing on a timetable within the Initial Period, then the dispute is to be submitted to mediation during the Second Period in accordance with, and subject to, The Institute of Arbitrators & Mediators Australia Mediation and Conciliation Rules.
- (4) If the CEOs fail to agree on a timetable referred to in subclause (1) by the end of the Second Period then the Participants have no further obligations to one another under this clause 12.3.

**12.4 Withdrawal only by written agreement**

A Participant may only withdraw from the MRC in accordance with an agreement in writing between the Participants which agreement specifies the matters referred to in clause 12.5 and which takes effect under clause 12.5.

**12.5 Requirements of agreement**

An agreement under clause 12.4:

- (a) is to specify the agreed date on which the withdrawal of the Participant is to take effect;
- (b) is to specify the agreed amount to be paid to or by the withdrawing Participant; and

- (c) does not take effect unless the other Participants have agreed in writing to vary the establishment agreement so as to provide for the determination of the contributions to be made by those Participants to the funds of the MRC and for either:
  - (i) the alteration of the number of members of the MRC Council; or
  - (ii) the alteration of the number of members of the MRC Council to be appointed by one of more of those Participants.

#### **12.6 Restriction on giving another notice**

A Participant which has given notice under clause 12.2 is not entitled to give another notice under that clause until the Withdrawal Period has elapsed.

#### **12.7 Clause 15 not to apply**

Any failure by the Participants to reach agreement under this clause is not to be treated as a dispute for the purpose of clause 15.

**Footnote:**

Disputes between local governments may be referred to the Minister for resolution under section 9.63 of the Act.

### **13. BORROWINGS**

Part 6, Division 5, Subdivision 3 of the Act is to apply.

**Footnote:**

1. Section 3.66(4) of the Act provides that Part 6, Division 5, Subdivision 3 does not apply in relation to a regional local government unless the Establishment Agreement provides that it does.
2. Part 6, Division 5, Subdivision 3 of the Act deals with borrowings and includes the power to borrow and restrictions on borrowings.

### **14. PARTICIPANTS' OBLIGATION TO DELIVER WASTE TO THE MRC**

#### **14.1 Delivery of Participant's waste**

A Participant must deliver the Participant's waste to the MRC and to any person with whom the MRC has entered into a contract for the receipt of the Participant's waste, at any location notice of which is given to the Participant by the MRC.

#### **14.2 MRC may give exemption**

The Participants agree to abide by any decision made by the MRC Council pursuant to clause 14.3 to grant to a Participant an exemption from the Participants' obligation under clause 14.1.

#### **14.3 Procedure for exemptions**

- (1) A Participant which wishes to be exempted from an obligation under clause 14.1, must give to the other Participants and to the MRC, a notice in writing which meets the requirements of subclause (2).
- (2) A notice given under subclause (1) must:

- (a) set out a description of those portions of the Participant's waste for which the exemption is requested;
  - (b) state the requested exemption period;
  - (c) specify the reasons for the request; and
  - (d) request the MRC to prepare, and give to all of the Participants, a business impact statement with respect to the requested exemption including its expected financial impact on the business and affairs of the MRC.
- (3) Within 2 months after receiving the business impact statement from the MRC referred to in subclause (2)(d), any of the other Participants are entitled to give to the MRC, the other Participants and the Participant which requested the exemption, a response to the requested exemption.
- (4) After the 2 month period referred to in subclause (3) has ended, the MRC Council may:
- (a) grant an exemption in accordance with subclause (5); or
  - (b) refuse the request.
- (5) A decision by the MRC Council to grant an exemption must set out:
- (a) the period of the exemption;
  - (b) a description of the exempted portion of the Participant's waste; and
  - (c) any conditions imposed on the exemption.

#### **14.4 Exemptions under the Former Constitution Agreement**

Notwithstanding the revocation of the Former Constitution Agreement under clause 2, an exemption which is:

- (a) granted under the Former Constitution Agreement; and
- (b) in effect immediately before the Operative Date,

continues in effect, according to its terms, as if it were an exemption granted under clause 14.2.

### **15. DISPUTE RESOLUTION**

#### **15.1 No proceedings**

A party must not start arbitration proceedings in respect of a dispute arising out of this Agreement ("**Dispute**") unless it has complied with this clause.



### 15.2 Notification of Dispute

A party claiming that a Dispute has arisen must notify the other parties to the Dispute giving details of the Dispute.

### 15.3 Reasonable efforts to resolve Dispute

- (1) During the 14 day period after a notice is given under clause 15.2 (or longer period agreed in writing by the parties) ("**Negotiation Period**"), the parties must use their reasonable efforts to resolve the Dispute.
- (2) Within the first 7 days of the Negotiation Period, if the Dispute continues, the CEOs of the parties and the CEO of the MRC, must meet, and use their reasonable endeavours to resolve the Dispute.

### 15.4 Dispute resolution process

If the Dispute is not resolved within the Negotiation Period, the parties must meet and endeavour to agree on:

- (a) a process for resolving the Dispute other than by litigation or arbitration (such as by further negotiations, mediation, conciliation or expert determination);
- (b) the procedure and timetable for any exchange of documents and other information relating to the Dispute;
- (c) the procedural rules and timetable for the conduct of the selected mode of proceeding;
- (d) a procedure for the selection and compensation of any independent persons engaged by the parties to assist in resolution of the Dispute; and
- (e) whether or not the parties are to seek the assistance of a dispute resolution organisation.

### 15.5 Arbitration

If the Parties are unable to agree on a process for resolving the Dispute in accordance with clause 15.4 within 21 days after the Negotiation Period then any party may notify the others in writing ("**arbitration notice**") that it requires the Dispute to be referred to arbitration and, upon receipt of the arbitration notice by the recipients the Dispute is to be referred to arbitration under and in accordance with the provisions of the Commercial Arbitration Act 1985.

### 15.6 Legal representation

For the purposes of the Commercial Arbitration Act 1985, the Participants consent to each other and to the MRC being legally represented at any such arbitration.

## 16. INTERPRETATION

### 16.1 Interpretation

In this Establishment Agreement, unless the contrary intention appears:

- (a) words importing the singular include the plural and vice versa;
- (b) words importing any gender include the other genders;
- (c) references to persons include corporations and bodies politic;
- (d) references to a person include the legal personal representatives, successors and assigns of that person;
- (e) a reference to a statute, planning scheme, or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any other legislative authority having jurisdiction);
- (f) references to this or any other document include the document as varied or replaced, and notwithstanding any change in the identity of the parties;
- (g) references to writing include any mode of representing or reproducing words in tangible and permanently visible form;
- (h) an obligation of two or more parties binds them jointly and severally;
- (i) if a word or phrase is defined other parts of speech and grammatical forms of that word or phrase have corresponding definitions;
- (j) references to a person or body which has ceased to exist or has been reconstituted, amalgamated, reconstructed or merged, or the functions of which have become exercisable by any other person or body in its place, are to be taken to refer to the person or body established or constituted in its place or by which its functions have become exercisable;
- (k) an obligation incurred in favour of two or more parties is enforceable by them jointly and severally;
- (l) reference to any thing (including any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- (m) reference to a month and cognate terms means a period commencing on any day of a calendar month and ending on the corresponding day in the next succeeding calendar month but if a corresponding day does not occur in the next succeeding calendar month the period ends on the last day of the next succeeding calendar month;
- (n) includes means includes without limitation; and
- (o) references to this Establishment Agreement include its schedules.

#### 16.2 Headings and footnotes

Headings and footnotes are to be ignored in construing this Establishment Agreement.

### 16.3 Time

- (1) References to time are to local time in Perth, Western Australia.
- (2) Where time is to be reckoned from a day or event, that day or the day of that event is to be excluded.

#### Footnotes:

##### Amendment of Establishment Agreement

1. The Participants may amend this Establishment Agreement by agreement made with the Minister's approval - see section 3.65(1) of the Act.

##### Admission of other local governments

2. This Establishment Agreement can be amended to include another local government as a party to the amending agreement - see section 3.65(2) of the Act.

## SCHEDULE 1

Participant	Date of resolution to enter into this establishment agreement
Town of Cambridge	
City of Joondalup	
City of Perth	
Town of Victoria Park	
City of Vincent	
City of Wanneroo	

## SCHEDULE 2

Participant	Number of Councillors
Town of Cambridge	1
City of Joondalup	2
City of Perth	1
Town of Victoria Park	1
City of Vincent	1
City of Wanneroo	2

## SCHEDULE 3

Participant	Proportion
Town of Cambridge	$\frac{1}{8}$ th
City of Joondalup	$\frac{1}{4}$ th
City of Perth	$\frac{1}{8}$ th
Town of Victoria Park	$\frac{1}{8}$ th
City of Vincent	$\frac{1}{8}$ th
City of Wanneroo	$\frac{1}{4}$ th

EXECUTED by the parties

THE COMMON SEAL of TOWN OF )  
CAMBRIDGE was hereunto affixed in the presence of: )  
)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

THE COMMON SEAL of CITY OF JOONDALUP )  
was hereunto affixed in the presence of: )  
)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

THE COMMON SEAL of CITY OF PERTH was )  
hereunto affixed in the presence of: )  
)

\_\_\_\_\_  
Lord Mayor

\_\_\_\_\_  
Chief Executive Officer

THE COMMON SEAL of TOWN OF VICTORIA )  
PARK was hereunto affixed in the presence of: )  
)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

THE COMMON SEAL of CITY OF VINCENT was )  
hereunto affixed in the presence of: )  
)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

THE COMMON SEAL of CITY OF WANNEROO )  
was hereunto affixed in the presence of: )  
)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

DRAFT



**12. WITHDRAWAL OF A PARTICIPANT****12.1 Notice by a Participant wishing to withdraw**

- (1) A Participant which wishes to withdraw from the MRC must give to each of the other Participants and to the MRC, notice in writing of its wish to do so.
- (2) Notice under subclause (1) can only be given between 1 July and 31 December in any year.

**12.2 When withdrawal to take effect**

The withdrawal of a Participant is to take effect on the commencement of the financial year after the financial year in which notice of withdrawal under clause 12.1 is given.

**12.3 Entitlement of withdrawing Participant**

A Participant which has withdrawn from the MRC is entitled to payment of the total of the following amounts:

- (a) the capital contribution of that Participant as shown in the accounting records of the MRC; and
- (b) the Participant's proportion, as set out in Schedule 3, of the Participants' Surplus Reserve Account.

**12.4 Time for payment**

The total amount referred to in clause 12.3 is to be paid within 3 months after the withdrawal takes effect.

**12.5 Participants may be required to make payment**

If the MRC fails to pay the total amount referred to in clause 12.3 within 2 months after the withdrawal takes effect, then each Participant (other than the Participant which has withdrawn) is to pay a proportion of the total amount which proportion is to be determined in accordance with the following formula:

Participant's proportion = A divided B

Where:

A is the Participant's proportion as set out in Schedule 3;

B is the total of the proportions of the Participants (other than the Participant which has withdrawn) as set out in Schedule 3.

---

**CB12-04/12 Mindarie Regional Council and the Process Associated with the Withdrawal of City of Stirling**

---

File Ref: 112V02 – 12/34381  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: Nil

*This report was amalgamated into report CB11-04/12.*

**Infrastructure****Traffic Management**

---

**IN01-04/12 PT01-11/11 - Request Removal of Business Advertising on Ocean Reef Road and Traffic Calming on Shiraz Boulevard, Pearsall**

---

File Ref: 3120 – 12/14795  
Responsible Officer: Director Infrastructure  
Disclosure of Interest: Nil  
Attachments: 2

Moved Cr Mackenzie, Seconded Cr Hayden

That Council:-

1. NOTES that Administration is currently undertaking a Transport Noise Assessment of Ocean Reef Road in the vicinity of Shiraz Boulevard;
2. In accordance with the City's Traffic Management Investigation and Intervention Policy DOES NOT APPROVE the installation of traffic management treatments along Shiraz Boulevard, at this time;
3. NOTES that Administration will undertake another assessment of Shiraz Boulevard in accordance with the City's Traffic Management Investigation and Intervention Policy, six months after the completion of the Lenore Road realignment between Ocean Reef Road and Kemp Street Pearsall; and
4. ADVISES the multi-signature letter (PT01-11/11 refers) organiser of Council's decision.

**Amendment**

**Moved Cr Newton, Seconded Mayor Roberts**

*To add point 5.*

That Council:-

1. **NOTES that Administration is currently undertaking a Transport Noise Assessment of Ocean Reef Road in the vicinity of Shiraz Boulevard;**

2. In accordance with the City's Traffic Management Investigation and Intervention Policy **DOES NOT APPROVE** the installation of traffic management treatments along Shiraz Boulevard, at this time;
3. **NOTES** that Administration will undertake another assessment of Shiraz Boulevard in accordance with the City's Traffic Management Investigation and Intervention Policy, six months after the completion of the Lenore Road realignment between Ocean Reef Road and Kemp Street Pearsall; and
4. **ADVISES** the multi-signature letter (PT01-11/11 refers) organiser of Council's decision; and
5. **LISTS** an amount of \$40,000 for consideration in the draft 2012/2013 Street Landscaping Program for additional landscaping of Ocean Reef Road between Wanneroo Road and Lenore Road.

**CARRIED UNANIMOUSLY**

The amendment became the substantive motion.

**CARRIED UNANIMOUSLY**

### Other Matters

#### **IN02-04/12 Request from Eventscorp Western Australia for a Contribution Towards the Provision of a Bus Turnaround Facility at the Barbagallo Raceway**

---

File Ref:	2281 – 12/30129
Responsible Officer:	Director Infrastructure
Disclosure of Interest:	Nil
Attachments:	1

**Moved Cr Cvitan, Seconded Cr Newton**

**That Council DOES NOT APPROVE** a contribution to Eventscorp Western Australia for the construction of a bus turnaround/storage facility area at Barbagallo Raceway beyond the already provided limestone sub base to the site.

**CARRIED UNANIMOUSLY**

## **Community Development**

### **Capacity Building**

#### **CD01-04/12 Disability Access and Inclusion Plan 2012-2015**

File Ref: 4096 – 12/23955  
Responsible Officer: Director, Community Development  
Disclosure of Interest: Nil  
Attachments: 2

#### **Moved Cr Cvitan, Seconded Cr Newton**

#### **That Council**

- 1. ADOPTS the revised Disability Access and Inclusion Plan 2012-2015 as shown in Attachment 1; and**
- 2. ENDORSES its registration with the Disability Services Commission.**

**CARRIED UNANIMOUSLY**



**CITY OF WANNEROO**

**DISABILITY ACCESS AND INCLUSION PLAN  
2012-2015**

**FINAL DRAFT**

## TABLE OF CONTENTS

1.	FOREWORD.....	4
2.	INTRODUCTION .....	5
3.	CITY OF WANNEROO OVERVIEW.....	7
4.	DISABILITY ACCESS AND INCLUSION STATEMENT OF INTENT.....	9
5.	RELEVANT LEGISLATION, CODES AND GUIDELINES .....	10
	5.1. Disability Services Act 1993 (DSA).....	10
	5.2. Commonwealth Disability Discrimination Act 1992 (DDA).....	10
	5.3. Building Code of Australia (BCA).....	11
	5.4. Australian Standard (AS) 1428 – Design for Access and Mobility .....	11
6.	ROLE OF THE CITY OF WANNEROO .....	12
	6.1. Responsibility for the Planning Process.....	12
	6.2. Functions and Services in the City of Wanneroo .....	12
7.	DISABILITY ACCESS AND INCLUSION PLAN 2007–2010 (EXTENDED TO MARCH 2012) - ACHIEVEMENTS .....	14
8.	DEVELOPMENT OF THE DISABILITY ACCESS AND INCLUSION PLAN .....	17
9.	COMMUNITY CONSULTATION – DISABILITY ACCESS AND INCLUSION BARRIERS.....	18
10.	PROGRESSING THE DISABILITY ACCESS AND INCLUSION PLAN 2012-2015 .....	20
	10.1. Review and Monitoring .....	20
	10.2. Evaluation.....	20
	10.3. Promotion .....	21
11.	CONCLUSION .....	22
	OUTCOME 1 .....	23
	OUTCOME 2.....	23
	OUTCOME 3.....	24
	OUTCOME 4.....	24
	OUTCOME 5.....	25
	OUTCOME 6.....	25
	OUTCOME 7.....	26
	APPENDIX A: GLOSSARY OF TERMS AND LIST OF ACRONYMS .....	27
	APPENDIX B: KEY CONTACT SERVICE PROVIDERS .....	29
	APPENDIX C: FEEDBACK FORM.....	31

### **Alternative Formats**

This document is also available upon request in alternative formats. Please contact the City of Wanneroo on (08) 9405 5900, by fax on (08) 9405 5698 or send an email to [enquiries@wanneroo.wa.gov.au](mailto:enquiries@wanneroo.wa.gov.au) and include the acronym "DAIP" in the subject line of the email. The Disability Access and Inclusion Plan 2012-2015 is available on the City of Wanneroo website at [www.wanneroo.wa.gov.au](http://www.wanneroo.wa.gov.au).

### **Language Assistance**

If you do not speak English but would like information about this document, please ring the Translating and Interpreting Service (TIS) on 131 450. Ask them to contact the City of Wanneroo Community Links section on (08) 9405 5900.

### **Terminology**

This document contains many technical terms and references. Please see the Glossary of Terms and List of Acronyms in Appendix A.

## 1. Foreword

The City of Wanneroo is committed to building inclusive connected communities. Our Disability Access and Inclusion Plan clearly demonstrates how we are working with the residents to ensure all people have equal access to life's opportunities in the community.

The plan is a product of extensive community engagement and outlines how the Council is encouraging the participation of all community members through practical strategies, designed to address barriers that people with disabilities experience when they access our City's services and programs.

This plan is only one part of an ongoing process of working with the community to create universally accessible communities for all to enjoy. We welcome and value your input and look forward to your response and feedback.

Tracey Roberts JP  
Mayor

**“We are seeking nothing less than a life surrounded by the richness and diversity of community – a collective life, an everyday life, a powerful life.”**

**John McKnight  
Beyond Community Services (1989)**



## 2. Introduction

The main type of disability in Western Australia (WA) is physical disability, while other disabilities include:

- Sensory (for example someone who is blind or deaf)
- Psychiatric (for example a person with Schizophrenia)
- Intellectual (for example a person with Down Syndrome)
- Neurological (for example someone who has Epilepsy)
- Cognitive impairment (someone with an Acquired Brain Injury)

Disability affects one third of the WA population (Disability in Western Australia, Australian Bureau of Statistics, 2004, [www.dsc.gov.au](http://www.dsc.gov.au)).

People with disabilities represent a significant section of the WA community. According to the Disability Services Commission, 20.6% of the total population in WA live with a disability. Over 10% of the population are carers for people who live with disabilities and over 40% of carers also live with a disability.

The 2003 Disability Services Commission report entitled "Profile of Disability" identifies the number of people with disabilities in WA and the distribution of those people among local government areas. The table below summarises report findings and provides comparison figures between WA and the City of Wanneroo.

	<b>Western Australia 2003</b>	<b>City of Wanneroo 2003</b>
People with disabilities	405,500 (20.60%)	16,535 (17.92%)
Total population	1,964,100	92,272

**Source:** "Profile of Disability", Perth Statistical Division 2003, Disability Services Commission, [www.dsc.gov.wa.au](http://www.dsc.gov.wa.au)

WA's population of 2,346,400 as at June 2011 indicates a percentage growth of approximately 20% since 2003. The City's current population of 163,913 (forecast.id) indicates a percentage growth of over 60% since 2003. An annual growth rate of over 3% from 2012 onwards is expected in the City of Wanneroo, and this is attributed to new land developments in various stages of planning and completion throughout the City.

<b>Age Group</b>	<b>City of Wanneroo 2003</b>	<b>People with Disabilities in the City of Wanneroo 2003</b>
Under 65 years old	84,896 (92%)	12,719 (13.78%)
Over 65 years old	7,376 (8%)	3,817 (4.14%)
Total population	92,272	16,535 (17.92%)

**Source:** "Profile of Disability", Perth Statistical Division 2003, Disability Services Commission, [www.dsc.gov.wa.au](http://www.dsc.gov.wa.au)

The above table shows us that in 2003, 13.78% of people with disabilities in the City of Wanneroo were under 65 years of age. Over 4% of the City's over 65-year-old population were people with disabilities.

The Bureau of Statistics has scheduled release of 2011 Census public reports for June 2012. This information will provide a current breakdown by age group of people with a disability, who live in the City of Wanneroo. It will also guide this plan's focus for implementation of outlined actions by assisting to identify community need and informing development of programs and services.

It is envisaged that relevant information gleaned from the 2011 Census Public Reports will be posted on the City's website, together with the Disability Access and Inclusion Plan 2012-2015, to provide ease of access to current disability population data.

### 3. City of Wanneroo Overview

The City of Wanneroo is:

- The fastest growing suburban local authority in Western Australia
- Covers an area of 687 square kilometres
- Has a population of 163,913 people
- Is in a corridor growing at a rate of 3.40% annually until 2031
- Employs over 940 people

#### **NORTH WARD**

Alkimos, Banksia Grove,  
Carabooda, Carramar, Eglinton,  
Neerabup, Nowergup, Pirjar,  
Two Rocks and Yanchep

#### **COASTAL WARD**

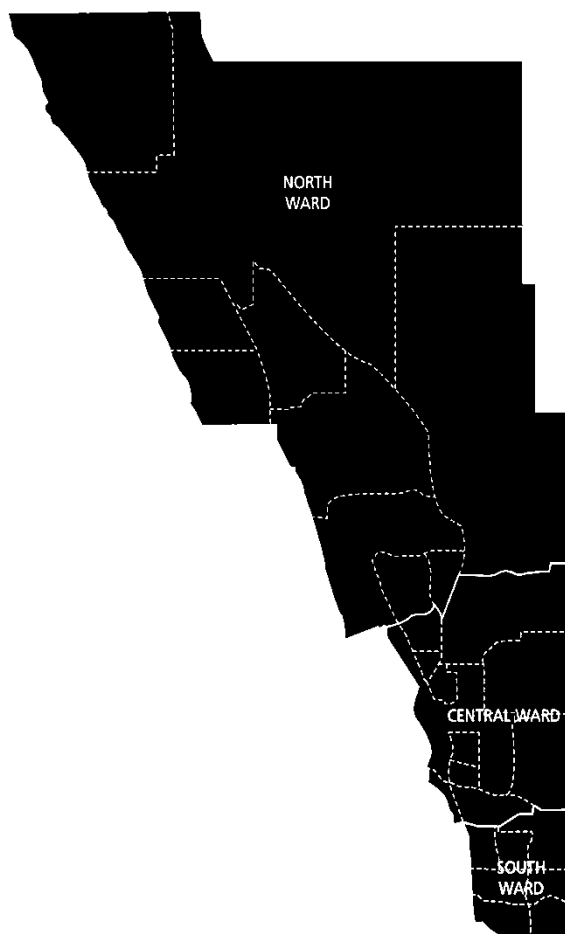
Butler, Clarkson, Jindalee,  
Merriwa, Mindarie, Ridgewood,  
Tamala Park and Quinns Rocks

#### **CENTRAL WARD**

Ashby, Gnangara, Hocking,  
Jandabup, Mariginiup, Pearsall,  
Sinagra, Tapping, Wangara,  
Wanneroo and Woodvale

#### **SOUTH WARD**

Alexander Heights, Darch,  
Girrawheen, Koondoola,  
Landsdale, Madeley and  
Marangaroo



**Age of residents as at 2006**

0-14 years	24.9%
15-29 years	21.2%
30-44 years	23.8%
45-64 years	21.2%
65 + years	8.9%
Total population 2006 – 114,302 people.	

Source: forecast.id website, 2006, forecast2.id.com.au.

**Household type**

Number of Homes	26,870
Fully Owned	27.3%
Purchasing Rate	48.3%
Rental rate	16.9%
Same address 5 years ago	40.8%

Source: forecast.id website, 2006, forecast2.id.com.au.

The City of Wanneroo has seen substantial growth and will continue to do so as it remains the primary focus for residential development in the northern suburbs of Perth.

2011 Census public reports, which are scheduled for release in June 2012 will provide information regarding the current breakdown by age group of residents in the City of Wanneroo and household types.

#### **4. Disability Access and Inclusion Statement of Intent**

The City of Wanneroo is committed to furthering the principles and outcomes of the Disability Services Act 1993 (amended 2004) and meeting the Standards in the Disability Services Regulations 2004.

The following resources have contributed to the development of the Disability Access and Inclusion Statement of Intent:

- City of Wanneroo Strategic Plan 2006–2021
- Disability Access and Inclusion Plan 2004-2006, 2007-2010 (extended to 2012) and 2012-2015
- Responses from Disability Access and Inclusion Plan Community Consultations
- Responses from the Disability Access and Inclusion Plan External Focus Group
- Feedback received through internal staff consultations.

The City of Wanneroo seeks to build an inclusive community where all people are accepted, welcome and have the opportunity to participate and contribute to the life of the community.

## **5. Relevant Legislation, Codes and Guidelines**

### **5.1. Disability Services Act 1993 (DSA)**

The Western Australia Disability Services Act 1993 requires all State and Local Government authorities to implement a Disability Access and Inclusion Plan.

The Disability Services Regulations Amendments (2004) dictate how the provisions of the Act are applied to Disability Access and Inclusion Plans, which include:

- Standards for Disability Access and Inclusion Plans
- Information in reports about Disability Access and Inclusion Plans
- Publication of Disability Access and Inclusion Plans
- Procedure for consultation by authorities

### **5.2. Commonwealth Disability Discrimination Act 1992 (DDA)**

The DDA makes it unlawful to directly or indirectly discriminate or impose unjustifiable hardship against a person with any form of disability (ie physical, intellectual, sensory, psychiatric and neurological). Discrimination as defined by the DDA (1992) is documented as having a broad legislative application in:

- a) Work, accommodation, education, access to premises, clubs, sports
- b) The provision of goods, services, facilities and land
- c) The administration of Commonwealth laws and programs

The DDA applies to public and private sectors and allows people to approach to Human Rights and Equal Opportunity Commission if they encounter discrimination.

It is the intention of the DDA to eliminate, as far as possible, discriminatory practices, but also to promote recognition and acceptance of the fundamental rights of people with disabilities.

The DDA covers a disability which a person has now, may have in the future, had in the past or is assumed to have. The DDA also makes it unlawful to discriminate against a person on the basis that their associate (partner, carer, friend, family member or business partner) has a disability.

The DDA covers existing premises, including heritage buildings, those under construction and future premises. The definition includes not only buildings, but also anything in the built environment such as car parks, sports fields, parks, pathways and transport systems, streetscapes and playgrounds.

### **5.3. Building Code of Australia (BCA)**

The BCA references various Australian Standards and Codes to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety (including safety from fire), health and amenity for the benefit of the community now and in the future.

Part D3 of the BCA (Vol 1) titled "Access for People with Disabilities" determines which types (Class) and parts of the buildings must comply with the access requirements currently referenced under the code.

### **5.4. Australian Standard (AS) 1428 – Design for Access and Mobility**

AS 1428 (parts 1-4) is an important reference standard which prescribes the basic requirements for physical access for use in planning, development and construction of all buildings and facilities. Part 1 is a mandatory requirement, as referenced under the BCA.

The objective of the standard is to provide building designers and users (architects, property owners, regulators and such) with the minimum design requirements for new building work, to enable access for people with disabilities. The Australian Standard should also be used when providing improved or amended access to existing buildings and is usually used by professional access advisors as the basis for comprehensive access audits to identify access barriers across a wide range of premises.

## **6. Role of the City of Wanneroo**

### **6.1. Responsibility for the Planning Process**

Implementation of specific strategies within the Plan is mainly the responsibility of business unit managers and responsible officers within each directorate. Recognition of this responsibility should be reflected in annual business plans and budgets (where extra resources are required).

Coordination of the implementation of the Disability Access and Inclusion Plan 2012-2015 will be the responsibility of all units within the City of Wanneroo.

### **6.2. Functions and Services in the City of Wanneroo**

The City provides a diverse array of functions, facilities and services, both in-house and externally contracted, some of which include:

#### **Processes of Local Government**

- Governance
- Elections
- Council meetings (committee and elector meetings)

#### **Regulatory Services:**

- Ranger services
- Planning Services
- Building Services
- Environmental Health Services

#### **General Administration:**

- Customer Service
- Community and Events
- Management of Human Resources, Finances, Information Technology and Assets

#### **Services to Property:**

- Waste management
- Building maintenance
- Transport Infrastructure
- Street lighting
- Streetscapes
- Roads
- Parks
- Foreshore Management



**Service to the Community:**

- Library Services
- Heritage, Museum and Arts Services
- Community Facilities
- Community Programs
- Community Services - youth, aged, people with disabilities and families
- Community Development - Early Childhood, multiculturalism, reconciliation, information technology and volunteering
- Community Safety
- Public events including community events and citizenship events
- Parks and Reserves
- Donations, sponsorship and partnerships, including community funding grants
- Advocacy and leadership with government and regional groups
- Information Services through social media.

The Disability Access and Inclusion Plan will be implemented by the staff, agents and contractors of the City of Wanneroo.

The City follows an established policy, "Access to Information and Services for People with Disabilities and their Family and Carers". This policy ensures that all information produced for public consumption is accessible to people with disabilities. It can be viewed on the City's website or a copy can be requested by phoning Community Links on (08) 9405 5900.

More detailed information on City services is outlined in service brochures and pamphlets and the City's website home page, located at [www.wanneroo.wa.gov.au](http://www.wanneroo.wa.gov.au).

Details of the City future vision and direction are available in the City's Strategic Plan. For more information on the Strategic Plan 2006-2021 (revised 2010), please contact the Strategic Projects team on (08) 9405 5000.

## **7. Disability Access and Inclusion Plan 2007–2010 (extended to March 2012) - Achievements**

This section summarises the major achievements of the City of Wanneroo through the implementation of the Disability Access and Inclusion Plan 2007–2010 (extended to March 2012) to reduce barriers for people living with a disability in the City of Wanneroo.

**Outcome 1: People with disabilities have the same opportunities as other people to access the services of, and any events organised by, the City of Wanneroo.**

- The Wanneroo Library and Cultural Centre (WLCC) has been completed and incorporates universal design features to facilitate access. These include a disabled toilet on each level, a lift to the first floor, external ramps, tactile surfaces inside and out, and wide, fully automatic doors
- Clarkson Library design incorporated required access features
- Each facility development which the City undertakes seeks to maximise accessibility within the constraints of the site and budget
- Aquamotion and Kingsway Indoor Stadium are now staffed and open for longer business hours, increasing accessibility to services
- City of Wanneroo staff members are based at the Hainsworth Centre and Banksia Grove Community Centre, providing increased access to information, services and the facilities
- Meeting one-on-one support needs is directly related to available staff and budget resources and if a person with a disability needs this level of attention, the assistance of external agencies is sought where possible
- In overcoming financial constraints for people with a disability, fees for the use and hire of community facilities can now be subsidised or waived
- Access at Cultural and Civic events forms a part of the event planning processes
- Growth Home and Community Care (HaCC) funding has enabled the City to set up a new respite program for young people with disabilities in the northern zone
- A beach wheelchair and mobi-matting have been purchased and installed at Quinns Rocks Beach, increasing access to the beach
- Tender documentation now includes a reference to the City's Disability Access and Inclusion Plan as well as contractor obligations in regard to Disability Service Commission Standards for Contractors

**Outcome 2: People with disabilities have the same opportunities as other people to access the buildings and other facilities of the City of Wanneroo.**

- The Disability Access and Inclusion Plan and related contractor requirements are referenced in the City's tender documentation
- Ongoing replacement of concrete slab footpaths with new concrete footpaths throughout the City
- Opportunity Playspace, an accessible and inclusive playground for children with disabilities, is now complete and open to the public
- 10 year indicative funding in the Council Strategic Financial Plan of \$200,000 per annum plus an estimated \$50,000 pa grant funding for universal access improvements, commencing in 2011/2012
- Ongoing improvement of accessible toilets

**Outcome 3: People with disabilities receive information from the City of Wanneroo in a format that will enable them to access the information as readily as other people are able to access it.**

- The Human Resources Service Unit has planning options to include recruitment packs in alternative formats, as well as including changes to the website
- Statutory requirements are met for rates notices and information is made as clear as possible
- On-hold telephone messages provide information on the City of Wanneroo and the community radio also provides information
- Research into large print formats and software
- Tax help is available on audiotape
- TIS language card and TTY information available
- Magnifying sheets are available at most libraries
- Phase 2 of the Welcome in Wanneroo project contributed to the accesswa.com.au website with information on access to key premises within the City of Wanneroo that attract a high volume of consumers, visitors and tourists

**Outcome 4: People with disabilities receive the same level of quality of service from the staff at the City of Wanneroo as other people receive from the staff at the City of Wanneroo.**

- Better hearing cards being provided for all libraries and the customer service areas
- Disability awareness training was provided to all customer service staff and has been added to corporate induction sessions for new and existing employees

**Outcome 5: People with disabilities have the same opportunities as other people to make complaints to the City of Wanneroo.**

- Supports such as hearing loops are provided in the Council Chambers for people with sensory disabilities, and reports are available in special formats upon request
- The City has a complaints handling policy in place

**Outcome 6: People with disabilities have the same opportunities as other people to participate in any public consultation by the City of Wanneroo.**

- The Wanneroo Link section of the local community newspaper promotes consultation processes on City issues, public events, community and cultural events and items of interest to residents
- The City has a community consultation policy with staff guidelines to support its implementation
- The City has established a presence on Facebook, an online social media tool at <http://www.facebook.com/CityofWanneroo>, to provide greater accessibility to council services and information for residents
- The City's website, [www.wanneroo.wa.gov.au](http://www.wanneroo.wa.gov.au), can be accessed to engage in community consultations
- Documents can be provided in alternative formats upon request
- The Sportslink program currently running at Kingsway Indoor Stadium was developed in consultation with the community and parents of children with disabilities

**Outcome 7: Opportunities for people with disabilities to be employed are increased.**

- Upon request, aids have been organised through the appropriate agency
- Employment of people with disabilities is part of the City's Employer of Choice program
- The City provides health and wellbeing training
- The Employee Support Program was launched in October 2006 and continues to be available to all staff members
- A disability awareness training package has been expanded to provide training to all new City staff as part of their induction
- The City has extended staff support to volunteers with disabilities who assist in community programs and events
- The City has launched a Work Life Balance Policy that applies to all staff and includes flexible work arrangements

## 8. Development of the Disability Access and Inclusion Plan

In 2011/12, the Disability Access and Inclusion Plan 2007-2010 (extended to 2012) underwent a review of progress as a part of the development of the Disability Access and Inclusion Plan 2012-2015. This combined review and development process was supported by a series of actions. These include:

- Staff from the City of Wanneroo met with key stakeholders including clients of HaCC services, carers, advocates and people with disabilities and carer agencies, to identify any existing or new barriers to disability access and inclusion
- A survey was undertaken in October 2011 to seek feedback on existing or new barriers to disability access and inclusion
- Advertisements were placed in the Wanneroo Times and the Wanneroo Link, website information displayed and posters inviting feedback on the current plan were placed in libraries, community centres and leisure facilities
- A Staff Access Awareness Survey was undertaken in 2011 to assess the level of knowledge and skills of staff about disability issues
- A Disability Access Awareness Survey was undertaken in 2011 to determine disability access and training requirements for elected members
- A survey was undertaken in December 2011 and January 2012 to seek public comment on the first draft of the City's Disability Access and Inclusion Plan 2012-2015. The survey was provided in hard copy at key customer service locations, on the City's website or could be requested via email

Internal and external reviews and outstanding initiatives were then married to ensure to guide the development the Disability Access and Inclusion Plan for the period of 2012-2015. This new plan has been reviewed by:

- Disability Services Commission (DSC) staff
- City of Wanneroo leadership team including managers, directors and CEO
- City of Wanneroo Elected Members
- City of Wanneroo staff
- Client groups
- Community comprising of key stakeholders

The Disability Access and Inclusion Plan 2012-2015 will be presented for consideration by Council at a meeting in April 2012.

## **9. Community Consultation – Disability Access and Inclusion Barriers**

This section summarises a range of barriers and strategies identified through community consultation and recent surveys to improve disability access and inclusion. These issues may contribute to Council's efforts to continuously improve access but will not necessarily be implemented in its core business activities during the term of the Disability Access and Inclusion Plan 2012-2015.

**Outcome 1: People with disabilities have the same opportunities as other people to access the services of, and any events organised by, the City of Wanneroo.**

- Review the extent and design of accessible parking
- Proactively promote access to cultural and community events
- Inform contractors employed by the City of Wanneroo of the Disability Access and Inclusion Plan 2012-2015
- Provide high quality HaCC funded services for people with disabilities through the Adult Day Centre programs, and services for young people with disabilities
- Promote the participation of people with disabilities and their carers in a wide range of community services for youth, families, frail and aged and other residents
- Consider transport as a barrier to accessing services

**Outcome 2: People with disabilities have the same opportunities as other people to access the buildings and other facilities of the City of Wanneroo.**

- Improve access to picnic areas, beach areas, playgrounds and facilities
- Improve access to new and redeveloped buildings as required by the Australian Standards
- Evaluate success of the Beach Wheelchair Pilot Project at Quinns Rocks Beach

**Outcome 3: People with disabilities receive information from the City of Wanneroo in a format that will enable them to access the information as readily as other people are able to access it.**

- Investigate software and alternative formats for corporate information provided through communication services
- Service Unit Planning to determine when Welcome in Wanneroo project will progress to phase 3

**Outcome 4: People with disabilities receive the same level of quality of service from the staff at the City of Wanneroo as other people receive from the staff at the City of Wanneroo.**

- Develop and provide compulsory disability awareness, access and inclusion training as a part of the City's staff training and development program

**Outcome 5: People with disabilities have the same opportunities as other people to make complaints to the City of Wanneroo.**

- Promote the City's feedback and complaints handling processes as suitable mechanisms for grievances
- Develop opportunities for disability awareness, access and inclusion training for City of Wanneroo elected members

**Outcome 6: People with disabilities have the same opportunities as other people to participate in any public consultation by the City of Wanneroo.**

- Improve the community consultation process to increase participation opportunities for people with disabilities and their advocates

**Outcome 7: Opportunities for people with disabilities to be employed are increased.**

- Provide work placement opportunities for people with disabilities
- Provide and promote the Employee Support Officer program
- Provide opportunities for traineeships with the City for people with a disability

## **10. Progressing the Disability Access and Inclusion Plan 2012-2015**

The effectiveness of achieving outcome actions within the Disability Access and Inclusion Plan is dependent upon a holistic approach involving staff and support from elected members. All Disability Access and Inclusion strategies are linked to internal corporate service planning to be implemented from April 2012.

The City of Wanneroo Disability Access and Inclusion Plan will be evaluated by:

- An annual report to the Council on implementation and achievement of the Access and Inclusion Plan including the status of actions scheduled to be achieved over the seven outcome areas.
- Strategies implemented by the City of Wanneroo to inform its agents and contractors of the Disability Access and Inclusion Plan 2012-2015.
- Community consultation and feedback in the City's "What's Happening" newsletter as well as community consultation processes.

### **10.1. Review and Monitoring**

The City will monitor and review progress towards achieving stated outcomes in the Disability Access and Inclusion Plan.

A progress report will be prepared every twelve months and submitted to the Disability Services Commission by 31 July of each year.

Information on the implementation of the Plan will also be included in Council's annual report.

### **10.2. Evaluation**

Council will be requested to endorse any status reports on the disability service planning process.

Once a year, or as required, the City will arrange for formal consultations with people with disabilities, their families, carers and disability organisations to provide an update on the implementation of the Plan, and to receive feedback on how well strategies are overcoming barriers for people with disabilities.



In obtaining feedback, the City, will also seek to identify any additional barriers not previously identified in the initial consultations and will amend the Plan as required.

A register will be maintained of complaints received from people with disabilities, together with a record of the City's response and problem resolution.

Information updates in the local media will regularly invite people with disabilities, their families and carers to identify barriers and possible ways of overcoming these barriers.

The External Focus Group (EFG), a representative group of people with disabilities, advocates, agency representatives and interested community members will be periodically invited to comment on disability access and inclusion issues within the City. This group will provide feedback for revision to the City's policy entitled "Access to Information and Services for People with Disabilities and their Family and Carers".

Community and staff members can complete the feedback form at Appendix C to report any disability access and inclusion issues encountered.

Elected Members of Council and City of Wanneroo staff will be requested to provide feedback on how well they believe the strategies are working and to make suggestions for improvement.

### **10.3. Promotion**

The City of Wanneroo will post the Disability Access and Inclusion Plan 2012-15 available on the City's website [www.wanneroo.wa.gov.au](http://www.wanneroo.wa.gov.au). A reference to the Plan will also be created on the City's Facebook site <http://www.facebook.com/CityofWanneroo>.

The Disability Access and Inclusion Plan will also be promoted through the local Wanneroo Times "Wanneroo Link" section and the City's "What's Happening" newsletter which is sent to every household within the City of Wanneroo.

Key stakeholders, including people with disabilities, families, carers and advocates will be advised of the availability of the Plan once it is registered with the DSC. Copies in alternative formats will be made available at customer service points throughout the City and copies will be placed in each of the City libraries for reference.

## 11. Conclusion

The Disability Access and Inclusion Plan 2012-2015, which follows, has been developed as a strategic means for the City of Wanneroo to achieve equity of access to its facilities, functions and services for all people with disabilities, their families and carers.

The City of Wanneroo recognises that community feedback and ongoing monitoring is imperative to assist the City to reach its goal and will encourage comment from people with disabilities, advocates, carers, agencies and community members in a variety of ways.

## Outcome 1

**People with disabilities have the same opportunities as other people to access the services of, and any events organised by, the City of Wanneroo**

### Objective

Existing events and services are adapted to meet the needs of people with disabilities

Action	Timeline
1.1. Consider inclusion of disability access and inclusion clauses where appropriate, during scheduled policy and procedure reviews.	ongoing
1.2. Review the management of ACROD bays.	2013
1.3. Increase the prominence of notices detailing disability support resources at key customer service points within the City.	2013
1.4. Seek to identify opportunities to improve disability access and inclusion within existing programs, services and events.	ongoing
1.5. Develop partnership driven community education campaigns.	2014
1.6. Implement future phases of the Welcome in Wanneroo project.	2014

## Outcome 2

**People with disabilities have the same opportunities as other people to access the buildings and other facilities of the City of Wanneroo**

### Objective

Access to buildings and facilities is improved

Action	Timeline
2.1. Identify access and inclusion improvements in all existing buildings and facilities and develop strategies for action.	ongoing
2.2. Identify access and inclusion improvements at parks, reserves, and public areas and develop strategies for action.	ongoing
2.3. Ensure access and inclusion requirement regulations are applied by developers.	ongoing
2.4. Ensure access and inclusion issues are considered in planning policies.	ongoing
2.5. Applying building access design features and services to anticipated new buildings and building upgrades.	ongoing
2.6. Encourage developers to apply additional disability access features to buildings and facilities.	ongoing

### Outcome 3

**People with disabilities receive information from the City of Wanneroo in a format that will enable them to access the information as readily as other people are able to access it**

#### Objective

Information about events, facilities and services is provided in formats which will meet the communication requirements of people with disabilities

Action	Timeline
3.1. Implement City of Wanneroo Administrative Standards and referenced best practice guidelines.	ongoing
3.2. Provide regular updates on access initiatives through City of Wanneroo promotional media.	ongoing
3.3. Events, facilities and services to be promoted with consideration given to: <ul style="list-style-type: none"> <li>• Appropriate font colouring, styles and sizes suitable for people with visibility concerns</li> <li>• Appropriate symbolism to indicate accessible and inclusive events</li> </ul>	ongoing

### Outcome 4

**People with disabilities receive the same level and quality of service from the staff at the City of Wanneroo as other people receive from the staff at the City of Wanneroo**

#### Objective

Staff awareness of the needs of people with disabilities and skills in delivering advice and services are improved

Actions	Timeline
4.1. Provide compulsory disability access awareness and inclusion training to staff: <ul style="list-style-type: none"> <li>• Develop information sessions about the Disability Access and Inclusion Plan, the City's policy, "Access to Information and Services for People with Disabilities and their Family and Carers" and anti-discrimination legislation</li> <li>• Ensure all new staff are inducted in the City's Disability Access and Inclusion Plan 2012-2015</li> </ul>	2013  2013
4.2. Develop programs to raise staff awareness by internally promoting access and inclusion issue resolutions.	ongoing
4.3. Build specialised knowledge and skills of staff members where required.	ongoing
4.4. The Employee Support Officer program will be provided and promoted.	ongoing

## Outcome 5

**People with disabilities have the same opportunities as other people to make complaints to the City of Wanneroo**

### Objective

Opportunities for people with disabilities to participate in grievance mechanisms and decision making processes are provided and mechanisms for their resolution are in place

Actions	Timeline
5.1. Foster opportunities for people with disabilities to provide advice to the City on disability and access issues encountered by people with disabilities and special needs.	ongoing
5.2. Ensure information on the City's feedback and complaints handling processes is provided to people with disabilities.	ongoing
5.3. Ensure capacity of current Customer Request Management system to document access and inclusion issues and resolutions.	ongoing
5.4. Investigate appropriate communication mechanisms to enhance the participation of people with disabilities in complaints and decision making processes.	ongoing
5.5. Develop and implement training in disability awareness, access and inclusion for elected members.	2013
5.6. Improve opportunities for people with special needs to participate in council meetings.	ongoing

## Outcome 6

**People with disabilities have the same opportunities as other people to participate in any public consultation by the City of Wanneroo**

### Objective

People with disabilities to have opportunities to participate in community consultation processes organised by the City of Wanneroo

Action	Timeline
6.1. Ensure proposed Integrated Planning Framework accommodates disability access and inclusion guidelines and information.	2013
6.2. Foster opportunities for people with disabilities to provide advice to the City on access and inclusion issues.	ongoing
6.3. A City of Wanneroo representative will continue to attend the quarterly Metro-wide disability access network service providers meeting to consult on access issues.	ongoing

## Outcome 7

### Opportunities for people with disabilities to be employed are increased

#### Objective

Provide and maintain equal employment opportunities for people with disabilities

Actions	Timeline
7.1. Provide briefing sessions to Business Unit Managers on opportunities and benefits of employing people with disabilities.	2013
7.2. Provide work experience and traineeship opportunities for people with disabilities.	ongoing
7.3. Develop and maintain partnerships with specialist employment agencies to facilitate access to job vacancies for people with disabilities and provide job placement support.	2014
7.4. Provide guidelines/training to staff involved in recruitment and selection to ensure procedures do not discriminate against people with disabilities.	2013
7.5. Ensure current training and development opportunities are accessible and inclusive.	ongoing
7.6. Provide appropriate training to supervisors and co-workers of staff who have disabilities.	2013
7.7. Provide adjustments where possible, including altering access to the work place, the design of the work place and the provision of equipment or aids	ongoing
7.8. Use services of specialist employment agencies for support and advice if necessary.	ongoing

Note: Plans are in progress to legislatively implement Outcome 7. This outcome is currently optional.

## Appendix A: Glossary of Terms and List of Acronyms

### Glossary of Terms

Alternative formats	The City, upon request will make the documentation available in a range of formats including: CD-ROM or e-mail attachments of the information which can then be enlarged on a computer screen; enlarged documents in 18 point font or higher if required; enlarged photocopies of documents; audio CD-ROM; Braille copies including tactual graphics.
Australian Standard	Various Australian Standards set out requirements that must be referred to when making decisions that impact on people with disabilities. For example Australian Standard 1428 – Design for Access and Mobility.
Definitions of disability	The Commonwealth Discrimination Act 1992 provides protection for everyone in Australia against discrimination based on disability. The definition of “disability” in the DDA is as broad as possible and includes: Physical, Intellectual, Psychiatric, Sensory, Neurological, and Learning Disabilities as well as Physical Disfigurement and the presence in the body of disease-causing organisms.
Discrimination	Differential treatment or practice either intentional or otherwise that can occur through action, policy, procedure or practice.
HaCC	Home and Community Care (funding).
Impairment	Any disturbance or interference with the normal structure and functioning of the body including the systems of mental function, (World Health Organisation). This may or may not be a disability, for example high blood pressure is an impairment but not a disability.
Tactile Ground Surface Indicator (TGSi)	A tile with raised projections to indicate either danger or a change in level, or to act as a directional guide to people with vision impairment.
Universal Access	Means that a person with a disability is, without assistance, able to approach, enter, pass to and from and make use of an area and its facilities.
Universal Design	Product, environment, building design and construction that aims to accommodate the functional needs of everyone; including children, adults, and older adults with or without disabilities. The word universal is often seen coupled to specific design environments or products such as universal kitchen design or universal bathroom design.

**List of Acronyms**

ABS	Australian Bureau of Statistics
ACROD	Australian Council for Rehabilitation of Disabled
DAIP	Disability Access and Inclusion Plan
BCA	Building Code of Australia
CEO	Chief Executive Officer
The City	City of Wanneroo
DAIP	Disability Access and Inclusion Plan
DDA	Disability Discrimination Act (1992)
DSC	Disability Services Commission of Western Australia
EFG	External Focus Group
EEO	Equal Employment Opportunities
HREOC	Human Rights and Equal Opportunity Commission
KPI	Strategic Plan Key Performance Indicator
LAC	Disability Services Commission Local Area Coordinator
OPAC	Online Public Access Catalogue
WLCC	Wanneroo Library and Cultural Centre



**Appendix B: Key Contact Service Providers**

<b>Service Provider</b>	<b>Telephone</b>	<b>Fax</b>	<b>Email</b>
ACROD – National Industry Association for Disability Services	9242 5544	9242 5044	acrodwa@acrod.org.au
Association for the Blind WA	9311 8202	9361 8696	mailbox@abwa.afn.au
Disability Services Commission	9426 9200	9226 2306	access@dsc.wa.gov.au
People with Disabilities(WA) Inc	9386 6477	9386 6705	info@pwdwa.org
Human Rights & Equal Opportunity Commission	1300 369 711	(02) 9284 9611	complaintsinfo@humanrights.gov.au
Sussex St Community Law Service	6253 9500	9470 1805	sscls@sscls.asn.au
Independent Living Centre	9381 0600	9381 0611	enquiries@ilc.com.au
Advocare	9479 7599		rights@advocare.org.au
DADAA	9430 6616	9336 4008	reception@dadaawa.asn.au
Valued Independent People	9203 7500	9203 7511	vip@iinet.net.au
City of Wanneroo	9405 5000	9405 5697	enquiries@wanneroo.wa.gov.au
Volunteer Taskforce (Wanneroo Base)	9318 5777		
Carers WA	1800 242 636	9228 7488	info@carerswa.asn.au
Access Point for HACC Services, Respite and Carelink	1800 052 222		
Family Support WA	9303 4660		
Dept. Veterans Home Care	133 254		homecare@dva.gov.au
Commonwealth Carer Respite Centre	1800 052 222		comcarelink@ilc.com.au
Silver Chain	9309 8000	9309 3573	
Health Consumers Council	1800 620 780	9221 5435	
Alzheimer's WA	9388 2800	9388 2739	
LAC – Girrawheen	9343 5627		
LAC – Wanneroo	9301 3781	9301 3778	
LAC – Marangaroo/Alex. Heights	9309 6731		
LAC – Quinn's Rock	9405 5000		
ACTIV (North Zone/ Wanneroo)	9387 0555	9387 0599	records@activ.asn.au
Adult Migration Ed Service	9229 3600		
Aged Care Services	9329 1600		
Mobility For U	9478 1477	9479 6248	

Amana Living (Anglican Homes)	9424 6820	9383 2939	
Australian Hearing	9204 4888		
Belgrade Village	9306 3666		
Care a Lot	9228 1825	9228 2675	admin@carealot.com.au
Carers WA	9444 5922		
CATA Disabled Group	9448 8804	9448 8558	
Commonwealth Dept Health & Ageing	1800 198 008 9346 5111	9346 5222	enquiries@health.gov.au
Dept. Veterans Affairs	133 254		generalenquiries@dva.gov.au
DO CARE	9339 8955		
Translating & Interpreting Services (TIS)	13 14 50	1300 654 151	
Glengarry Hospital	9447 0111	9448 2660	
Joondalup Health Campus	9400 9400	9400 9055	
Neurological Council	1800 645 771 9346 7533	9346 7534	admin@ncwa.com.au
North Metro Health	9400 9511		
HACC Central Office	1800 052 222 9222 4222	9222 2192	haccwa@health.gov.au
HACC Non Govt Funding Unit	9346 4433		
Head Injured Society (Head West)	1800 626 370 9330 6370	9317 2264	
Mercy Aged Care	9442 3498	9442 3433	
Mofflyn (Now Uniting Care West)	9458 5333		
Stanhope Nursing	1800 625 887 9446 9855	9446 8039	info.wa@stanhope.com.au
St. Basils	9201 9655 0414 715 170	9201 9644	
Southern Cross WA Aged Care	1300 669 189	9282 9999 9314 2499	info@scrosswa.org.au
Royal Perth Hospital ACAT	9224 2244 9382 7171	9382 7351	rph.general.enquiries@health.wa.gov.au
Sir Charles Gardner Hospital Patient Enquiries	9346 3333 9346 4444	9346 2534	
Adults With Disabilities (The Heights Community House)	9247 5507		
Australian Asian Association of WA	9328 6202	9227 8410	austasia1@iinet.net.au
St. Vincent De Paul	9475 5400	9475 5499	info@svdpwa.org.au

**Appendix C: Feedback Form**

I/We believe the following situations cause difficulties with access and/or inclusion within the City of Wanneroo:

Situation:

Reason for Difficulty:

I/We would like to commend the City of Wanneroo on the following action initiative:

Action:

What is good about the initiative?

If you would like a response to your feedback, please provide details below:

Name:..... Date:.....

Address:.....

.....

Email:..... Telephone: .....

Thank you for completing the Feedback Form.

Please return the completed form to the following address:

Community Links – DAIP, City of Wanneroo, Locked Bag 1,  
WANNEROO WA 6946

Or return to your local library, marked attention of **Community Links – DAIP**

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**CD02-04/12 Review of Access to Information & Services for People with Disabilities and their Families and Carers Policy**

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File Ref: 4096 – 12/26629  
Responsible Officer: Director, Community Development  
Disclosure of Interest: Nil  
Attachments: 1

**Moved Cr Cvitan, Seconded Cr Newton**

**That Council ADOPTS the revised Access to Information & Services for People with Disabilities and their Families and Carers Policy as detailed in Attachment 1.**

**CARRIED UNANIMOUSLY**



## Policy Manual

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### Access to Information & Services for People with Disabilities and their Family and Carers

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**Policy Owner:** Community Development  
**Contact Person:** Manager Community Capacity Building  
**Date of Approval:** 1 July 1999; Review date extended Council Meeting 26 April 2005  
Item GS04-04/05. Reviewed 27 June 2007 - CD02-06/07

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#### POLICY OBJECTIVE

*"The purpose of this policy is to provide equity of **access** to the full range of information and services provided for the Community by the City."*

#### POLICY STATEMENT

The City of Wanneroo is committed to ensuring that information and services offered to the community by the City are accessible to all people including people with **disabilities**, their families and carers.

The City of Wanneroo interprets an accessible community as one in which all Council facilities, programs and services are available to people with disabilities, providing them with the same opportunities, rights and responsibilities enjoyed by other people in the community.

Council recognises that people with disabilities are valued members of the community with the same fundamental rights as all residents of the City of Wanneroo to participate in and contribute to local community life.

Council will also seek to raise general community awareness regarding access issues in order to facilitate the integration of people with disabilities into all aspects of life in the community.

#### SCOPE

This policy applies to City of Wanneroo employees, elected members, people with a disability who reside within the City of Wanneroo, their families, carers, advocates and disability organisations.

#### BACKGROUND

The Access Policy aims to further the principles of the Western Australian Disability Services Act (1993) and the Commonwealth Disability Discrimination Act (1992).

#### CONSULTATION WITH STAKEHOLDERS

To achieve a more accessible community the City of Wanneroo is committed to active consultation with people with disabilities, their families and carers and where required disability organisations to identify access barriers and appropriate solutions or responses.



## Policy Manual

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### **IMPLICATIONS (Financial, Human Resources)**

This policy will work in conjunction with 'best practice' guidelines which can be consulted to ensure that community information provided by the City will be accessible to all residents in a variety of formats and mediums.

Within the annual budget process, Council will consider the allocation of funds for production and distribution of information to people with disabilities.

Council staff will be provided with training to raise awareness of disability issues and increase skills in responding to the needs of people with disabilities.

### **IMPLEMENTATION**

Council will assess individual needs and use alternative communication strategies, as appropriate, and within available resources, where possible to enable people with a disability to access its community information.

Council will monitor the demand for additional communication methods/technologies eg. Telephone Typewriter service.

Council will monitor developments in communication technology and electronic media, and their applications in order to continually improve access to, and the accessibility of, its information for people with disabilities.

Council will develop staff skills in the provision of information in formats or forms which meet the communication requirements of individuals with a disability, on a timely basis.

Every effort will be made to ensure that any person who lives or works in, or visits the City of Wanneroo will not be denied access to any Council facility, program or service on the basis of personal disability.

All new facilities operated by Council will be designed in accordance with New Buildings – Disability (Access to Premises – Buildings) Standards.

Existing facilities operated by Council will, as far as possible, be progressively modified to optimise their accessibility.

Programs and services provided by Council will have operating guidelines which optimise their availability to people with disabilities.

Council will ensure that the needs of people with disabilities are taken into account in the design of all proposed developments involving public access, in accordance with the relevant legislation.

Council will inform developers of their changing responsibilities in relation to the access requirements of Commonwealth disability discrimination legislation. The City will inform contractors employed by the City of the Disability Access and Inclusion Plan 2012-2015.



## Policy Manual

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Council will ensure that building regulations and standards relating to access for people with disabilities are promoted and enforced.

Council will encourage local businesses and organisations to make their facilities, products and services as accessible as possible for people with disabilities.

Council will promote community awareness of people with disabilities as part of the diverse community of the City of Wanneroo with the same rights as any other resident.

### ROLES AND RESPONSIBILITIES

The Community Development Officer (Access and Inclusion) will be responsible for review of this policy.

### DISPUTE RESOLUTION

All disputes in regard to this policy will be referred to the Director Community Development in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to Council for a ruling.

### WHO NEEDS TO KNOW ABOUT THIS POLICY?

All City of Wanneroo employees and elected members need to know details of the Access Policy.

### EVALUATION AND REVIEW PROVISIONS

This policy is to be concurrently reviewed with the City's Disability Access and Inclusion Plan every three years.

### DEFINITIONS

DEFINITIONS: Any definitions listed in the following table apply to this document only.

<b>Disabilities</b>	The loss or reduction of functional ability and activity that is consequent upon impairment. Disabilities can be sensory, neurological, physical, intellectual, cognitive or psychiatric and people can have more than one type of disability.
<b>Access</b>	The absence of environmental and/or social barriers to the full participation in their community of people with disabilities.

### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Disability Access and Inclusion Plan 2012-2015.

### REFERENCES

Council will ensure that all strategic policy and planning documents are consistent with Council's policy on access.



## Policy Manual

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### RESPONSIBILITY FOR IMPLEMENTATION

All Directors and Managers

Version	Next Review	Record No:
1	February 2015	12/26361



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**CD03-04/12 RAP Working Group Recommendation to Council**

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File Ref: 6382 – 12/29609  
Responsible Officer: Director, Community Development  
Disclosure of Interest: Nil  
Attachments: Nil

**Moved Cr Cvitan, Seconded Cr Newton**

**That Council ENDORSES the recommendation of the Reconciliation Action Plan Working Group for Administration to arrange translating the definition of Reconciliation into Noongar language for inclusion in the final Reconciliation Action Plan 2012-2014.**

**CARRIED UNANIMOUSLY**

### **Communication and Events**

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**CD04-04/12 Civic Functions, Ceremonies and Receptions Policy**

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File Ref: 6193 – 12/27631  
Responsible Officer: Director, Community Development  
Disclosure of Interest: Nil  
Attachments: 1

**Moved Cr Cvitan, Seconded Cr Newton**

**That Council ADOPTS the revised Civic Functions, Ceremonies and Receptions Policy as outlined in Attachment 1.**

**CARRIED UNANIMOUSLY**



## Policy Manual

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### Civic Functions, Ceremonies and Receptions

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<b>Policy Owner:</b>	Manager Communications and Events
<b>Contact Person:</b>	Manager Communications and Events
<b>Date of Approval:</b>	Date the policy was approved by Council and Resolution Number

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#### POLICY OBJECTIVE

To provide guidance for the approval of civic functions, ceremonies, receptions and/or the provision of hospitality.

#### POLICY STATEMENT

To fulfil its civic objectives the City of Wanneroo will host various civic functions and receptions as well as official openings of Council facilities and other specific receptions or functions from time to time as the need arises.

Civic Functions, Ceremonies and Receptions

- (i) The Mayor may host functions and receptions with light refreshments for local residents who are recipients of awards or prizes from the City, exchange students and visitors from other local authorities from Australia and overseas, in accordance with adopted budget.
- (ii) The Chief Executive Officer authorises the approval of all civic functions, ceremonies, receptions, provision of hospitality and the use of the Administration and Civic Centres.

#### SCOPE

This policy applies to the Mayor and the Office of the Mayor staff, Elected Members, the Chief Executive Officer and the Office of the Chief Executive Staff, Executive Services, Community Capacity Building and Communications & Events team.

#### BACKGROUND

Every year, the City hosts several civic functions, ceremonies and receptions. This policy provides a brief description of each as well as protocols such as invitees.

The City of Wanneroo's annual civic events calendar includes, but is not limited to the following:

##### 1. Citizenship Ceremonies

The City hosts Citizenship Ceremonies on behalf of the Department of Immigration and Citizenship every four weeks in the Council Chamber, with the exception of Australia Day and will be coordinated by the Administration Officer, Communications and Events.

Ceremonies will, where possible, be scheduled on non-Parliamentary Sitting Days and where possible, will be held the same evening as Council Forum Sessions.

Responsible Unit: Communications and Events.



## Policy Manual

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### **2. Australia Day Ceremony and City of Wanneroo Australia Day Awards Presentation**

The Australia Day Citizenship Ceremony will be held on the Australia Day public holiday and held at the Wanneroo Showgrounds incorporating a BBQ Breakfast.

In addition to the guest list detailed for Citizenship Ceremonies, further guests to be invited will be as per the "Australia Day Awards" Policy.

Responsible Unit: Communications and Events.

### **3. Pioneers Lunch**

Each year, a function will be held to celebrate the City's family of pioneers as well as award eligible people the title of Wanneroo Pioneer. To be eligible for the title of Wanneroo Pioneer, individuals must have lived in the City for 50 years or more of their adult life.

Other invitees shall include all current Elected Members, the Chief Executive Officer, Freeman of the City, eligible former elected members and other relevant staff of the City at the discretion of the Chief Executive Officer.

Responsible Unit: Communications and Events, with cooperation from Community Capacity Building.

### **4. Volunteers Appreciation function**

Each year, a function will be held to show the appreciation of the City to volunteers for the City. Communications and Events, in consultation with the relevant service units, will prepare an invitee list which shall include all City of Wanneroo volunteers who have been a volunteer for 12 months or more, all current Elected Members, eligible former elected members, the Chief Executive Officer and other relevant staff of the City at the discretion of the Chief Executive Officer.

Responsible Unit: Communications and Events, with support from Community Capacity Building.

### **5. City of Wanneroo Art Awards**

Each year, a function is held for the opening of the City's Art Awards. The Chief Executive Officer is authorised to prepare a guest list, which shall include all current Elected Members, eligible former elected members, the Chief Executive Officer, other relevant staff of the City at the discretion of the Chief Executive Officer and all entrants to the City of Wanneroo Art Awards.

Responsible Unit: Community Capacity Building.

### **6. Mayor's Prayer Breakfast**

Each year, a function will be held for various community groups to come together in unity and prayer for our school community, police, fire and emergency workers, community leaders; and business sector.

Representatives from the above groups as well as all current Elected Members, eligible former elected members, the Chief Executive Officer, Chaplains from Government High Schools within the City of Wanneroo, YouthCARE representatives, and other relevant staff of the City at the discretion of the Chief Executive Officer will be invited to this function.

Responsible Unit: Communications and Events.



## Policy Manual

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### **7. Blessing of the Roads**

Each year, a Blessing of the Roads event will be held prior to Easter to highlight road safety issues and promote good driving practices. Invitees shall include Ministers of Religion and senior police as well as current Elected Members, the Chief Executive Officer and other relevant staff of the City at the discretion of the Chief Executive Officer.

Responsible Directorate: Infrastructure, with the support of Communications and Events.

### **8. Civic Mayoral Receptions**

At the discretion of the Mayor and Chief Executive Officer, the Mayor may host receptions and celebrate local milestones. These may include but are not limited to commemorate the opening of new or substantially refurbished Council facilities, recognise an achievement of substantial significance or to recognise notable visitors to the City. The invitation list shall be at their discretion but is to include all current Elected Members, the Chief Executive Officer, and other relevant staff of the City at the discretion of the Chief Executive Officer.

Catering is to be determined by the CEO in consultation with the Mayor and in consideration of its appropriateness to the purpose of the event. Protocol gifts may be provided by the City.

Responsible Unit: Communications and Events.

### **9. Ministerial / Cabinet Visits**

The City may host visits to the District by State and Federal government Ministers and Shadow Ministers either individually or collectively as Cabinet to ensure that the City's profile is enhanced and that appropriate focus is provided to the City's strategic objectives.

The Chief Executive Officer in consultation with the Mayor may determine to host a Ministerial Visit, and in making the decision will have regard to ensure that such visits are for a purpose that advances the City's strategic objectives.

In consultation with the Mayor, the Chief Executive Officer will determine a program that fulfils the objective of the visit and showcases the City. Protocol gifts may be provided by the City.

Responsible Unit: Office of the Mayor with support from Communications and Events.

### **10. School Tours**

The City may facilitate and host tours of the Civic Centre to promote greater knowledge and understanding of the role of local government.

School tours/visits should be facilitated where possible without negatively impacting on the operations of the City.

School tours will be facilitated and managed by the Office of the Mayor, who will provide information relevant to the role of local government and specifically the City of Wanneroo.

Responsible Unit: Office of the Mayor.



## Policy Manual

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### **CONSULTATION WITH STAKEHOLDERS**

Key stakeholders of this policy include Chief Executive Officer, Director Community Development, Manager Executive Services, Manager Community Capacity Building, Coordinator Governance and the Communications and Events team.

### **IMPLICATIONS (Financial, Human Resources)**

Costs related to coordinating the functions in this policy will be included in the operating budget of each responsible service unit.

### **IMPLEMENTATION**

Communications and Events will submit an annual civic events calendar for information to the City's Executive Management Team. Prior to the individual events, Communications and Events and Community Capacity Building, will draft briefing notes and guest lists for each individual civic event detailing the respective date, venue and order of proceedings. Once these briefing notes have been endorsed, Communications and Events will execute the event.

### **ROLES AND RESPONSIBILITIES**

The Manager Communications and Events is responsible for this policy together with the Coordinator Communications and Events.

### **DISPUTE RESOLUTION**

All disputes in regard to this policy will be referred to the Director Community Development in the first instance. In the event that an agreement cannot be reached, the matter will be referred to the CEO.

### **WHO NEEDS TO KNOW ABOUT THIS POLICY?**

Mayor and Office of the Mayor; Elected Members; CEO and Office of the CEO; Directors, Managers, Coordinators; Community Capacity Building and Communications and Events.

### **EVALUATION AND REVIEW PROVISIONS**

The following key performance indicator will be used to review this policy:

- Events delivered within scope and budget.

### **DEFINITIONS**

Nil



## Policy Manual

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### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

- Honorary Freeman of the City of Wanneroo
- Award of the Title "Wanneroo Pioneer"
- Australia Day Award
- Recognition of Elected Members
- Use of the Civic Centre – Function Room and Public Areas
- Naming of Facilities and Recognition of Outstanding Community Contributions
- Youth Reward and Recognition
- Welcome to Country Protocols
- Swearing in and Induction
- Disability Access and Inclusion Plan 2012-15

### REFERENCES

Nil

### RESPONSIBILITY FOR IMPLEMENTATION

Manager Communications and Events

Version	Next Review	Record No:
1	February 2014	10/1231

## Other Matters

*Cr Truong declared an impartial interest in Item CD05-04/12 due to being a board member of the Vietnamese Community in Australia/WA Chapter.*

### **CD05-04/12 Vietnamese Community in Australia/WA Chapter - Tet Festival 2012**

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File Ref: 6489 – 12/25739  
 Responsible Officer: Director, Community Development  
 Disclosure of Interest: Nil  
 Attachments: 4

#### **Moved Cr Newton, Seconded Cr Cvitan**

**That Council ENDORSES a request for a refund of \$5,000 from the Vietnamese Community in Australia/WA Chapter to be used for future City of Wanneroo Community Funding applicants.**

**LOST  
4/9**

**For the motion:** Cr Cvitan, Cr Hewer, Cr Newton and Cr Steffens  
**Against the motion:** Cr Goodenough, Cr Gray, Cr Driver, Cr Mackenzie, Mayor Roberts, Cr Smithson, Cr Treby, Cr Truong and Cr Hayden

#### **Alternative Motion**

#### **Moved Mayor Roberts, Seconded Cr Goodenough**

**That Council:-**

- 1. AGREES TO NOT SEEK A REFUND from the Vietnamese Community in Australia/WA Chapter of the community funding grant for the 2012 Tet Festival and encourages future festivals to be self supporting through grant funding opportunities external to the City of Wanneroo and entry fee income; and**
- 2. REQUESTS the Chief Executive Officer to prepare a Policy and Funding proposal for consideration by Council at its ordinary meeting in June 2012 that will assist Council in attracting and retaining community based events that whilst requiring an entry fee provide substantial community, business, tourism and economic development benefits such as the Tet Festival.**

**CARRIED UNANIMOUSLY**

#### ***Reason for Alternative Motion***

*The Vietnamese Community in Australia/WA Chapter should be congratulated for growing this local event in a very successful activity that is appreciated and anticipated by people from many different cultural backgrounds. The City should not penalise the organisation for a misunderstanding that occurred at the time of applying for assistance.*

## **Corporate Strategy & Performance**

### **Finance**

#### **CS01-04/12 Financial Activity Statement for the Period Ended 29 February 2012**

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File Ref: 1859 – 12/28461  
Responsible Officer: Director, Corporate Strategy and Performance  
Disclosure of Interest: Nil  
Attachments: 4

#### **Moved Cr Goodenough, Seconded Cr Driver**

**That Council RECEIVES the Financial Activity Statements and commentaries on variances to Budget for the period ended 29 February 2012, consisting of:**

- **Annual Original and Revised Budgets,**
- **February 2012 Year to Date Budget Estimates,**
- **February 2012 Year to Date Income and Expenditures,**
- **February 2012 Year to Date Material Variance Notes, and**
- **February 2012 Year to Date Net Current Assets.**

**CARRIED UNANIMOUSLY**



## CITY OF WANNEROO

## INCOME STATEMENT BY NATURE OR TYPE

FOR THE PERIOD ENDED 29 FEBRUARY 2012

Description	Year to Date				Full Year			
	Actual \$	Budget Estimates \$	Variance		Adopted Budget \$	Revised Budget \$	Variance	
			\$	%			\$	%
<b>Revenues</b>								
Rates	90,143,933	89,056,330	1,087,603	1	89,889,666	90,418,595	528,929	1
Operating Grants, Subsidies and Contributions	6,276,817	6,375,183	(98,366)	(2)	10,407,206	9,562,774	(844,432)	(8)
Fees and Charges	13,251,587	13,263,909	(12,312)	(0)	22,110,792	19,895,864	(2,214,928)	(10)
Interest Earnings	6,229,866	5,422,000	807,866	16	7,122,950	8,133,000	1,010,050	14
Other Revenue	3,473,533	2,855,343	608,190	21	4,045,226	4,298,015	252,787	6
Service Charges	235,361	230,000	5,361	2	230,000	230,000	0	0
<b>Total Revenues</b>	<b>119,611,107</b>	<b>117,212,765</b>	<b>2,398,342</b>	<b>2</b>	<b>133,805,842</b>	<b>132,538,248</b>	<b>(1,267,594)</b>	<b>(1)</b>
<b>Expenses</b>								
Employee Costs	(31,904,525)	(30,956,069)	5,051,544	14	(56,610,764)	(55,197,169)	1,413,595	2
Materials and Contracts	(23,224,950)	(25,618,860)	2,393,900	9	(38,792,465)	(38,728,290)	64,179	0
Utility Charges (electricity, gas, water etc)	(3,393,711)	(3,968,174)	568,463	14	(6,076,202)	(6,951,096)	(874,896)	(14)
Depreciation	(15,358,313)	(16,667,670)	1,309,357	8	(26,001,505)	(25,001,505)	1,000,000	4
Interest Expenses	(1,584,279)	(1,584,279)	0	0	(3,689,236)	(3,689,236)	0	0
Insurance	(1,287,610)	(1,510,227)	222,617	15	(1,515,890)	(1,510,227)	5,663	0
<b>Total Expenses</b>	<b>(76,759,398)</b>	<b>(86,305,279)</b>	<b>9,545,881</b>	<b>11</b>	<b>(132,686,066)</b>	<b>(131,077,525)</b>	<b>1,608,541</b>	<b>1</b>
<b>Result from Operations</b>	<b>42,851,709</b>	<b>30,907,486</b>	<b>11,944,223</b>	<b>39</b>	<b>1,119,776</b>	<b>1,460,723</b>	<b>340,947</b>	<b>30</b>
<b>Other Revenue and Expenses (excl. Contr of Physical Assets)</b>								
Non Operating Grants, Subsidies and Contributions	1,831,401	5,418,140	(4,586,739)	(71)	9,324,271	9,673,564	349,293	4
Town Planning Scheme Revenues (including Interest Earnings)	7,173,411	9,798,704	(2,615,293)	(27)	14,668,921	14,668,921	0	0
Town Planning Scheme Expenses	(3,815,733)	(14,086,543)	10,280,810	73	(21,164,091)	(21,433,963)	(269,872)	(1)
Profit on Asset Disposals	0	1,215,440	(1,215,440)	(100)	5,473,160	3,583,160	(1,890,000)	(35)
Loss on Assets Disposals	(80,675)	(497,200)	416,524	84	(745,552)	(745,552)	0	0
<b>Total Other Revenue and Expenses</b>	<b>5,108,403</b>	<b>2,828,541</b>	<b>2,279,862</b>	<b>81</b>	<b>7,576,709</b>	<b>5,766,130</b>	<b>(1,810,579)</b>	<b>(24)</b>
Contributions of Physical Assets	0	0	0	0	30,000,000	30,000,000	0	0
<b>Net Result</b>	<b>47,960,112</b>	<b>33,736,027</b>	<b>14,224,085</b>	<b>42</b>	<b>36,696,485</b>	<b>37,226,653</b>	<b>(1,469,632)</b>	<b>(4)</b>

Note: \*Revised Budget figures are inclusive of endorsed amendments from Council (including the Mid Year Budget Review).

## CITY OF WANNEROO

## BALANCE SHEET

FOR THE PERIOD ENDED 29 FEBRUARY 2012

Description	2011/2012
	YTD Actual \$
<b>Current Assets</b>	
Cash at Bank	3,953,491
Investments	204,261,859
Receivables	27,277,979
Inventory	366,634
<b>Total Current Assets</b>	<b>235,859,963</b>
<b>Current Liabilities</b>	
Payables	(9,444,946)
Provisions	(9,633,656)
<b>Total Current Liabilities</b>	<b>(19,078,602)</b>
<b>Net Current Assets</b>	<b>216,781,361</b>
<b>Non Current Assets</b>	
Receivables	8,760,641
Land	12,736,862
Buildings	82,304,135
Plant	22,529,623
Equipment	27,528,892
Furniture and Fittings	3,647,545
Infrastructure	678,121,229
Work in Progress	25,292,951
<b>Total Non Current Assets</b>	<b>860,921,878</b>
<b>Non Current Liabilities</b>	
Interest Bearing Liabilities	(60,778,188)
Provisions	(1,024,389)
<b>Total Non Current Liabilities</b>	<b>(61,802,577)</b>
<b>NET ASSETS</b>	<b>1,015,900,662</b>
<b>Equity</b>	
Accumulated Surplus	(960,525,163)
Municipal Reserves	(55,129,407)
Non Cash Reserves	(246,092)
<b>TOTAL EQUITY</b>	<b>(1,015,900,662)</b>

## NET CURRENT ASSETS SURPLUS/(DEFICIT) CARRIED FORWARD

Description	2011/2012		
	YTD Actual \$	Full Year	
		Adopted Budget \$	Revised Budget \$
<b>Current Assets</b>			
Cash - Unrestricted	36,597,998	13,203,981	13,203,981
Cash - Restricted	171,617,352	121,102,208	121,102,208
Receivables	27,277,979	9,121,554	9,121,554
Inventory	366,634	450,000	450,000
<b>Less Current Liabilities</b>			
Payables and Provisions	(19,078,602)	(24,407,255)	(24,407,255)
<b>Net Current Assets</b>	<b>216,781,361</b>	<b>119,470,488</b>	<b>119,470,488</b>
Plus Leave Provisions Cash Backed	1,506,400	1,631,720	1,631,720
Less Cash Restricted	171,617,352	121,102,208	121,102,208
Less Interest Bearing Liabilities	0	0	0
<b>SURPLUS/(DEFICIT) CARRIED FORWARD</b>	<b>46,670,409</b>	<b>0</b>	<b>0</b>



**City of Wanneroo  
Economic and Investment Portfolio Commentary  
February 2012**

**Global issues:**

- Greece launched its debt-swap offer to private creditors, who are being offered approximately 50 cents in the dollar. If the private sector does not 'voluntarily' agree to participate in the offer, a €130billion (\$160billion) bailout of Greece would be jeopardised, potentially forcing Greece to default on its debts.
- The European Central Bank's (ECB) 2<sup>nd</sup> round of 'long term refinancing operations' injected another €530billion (\$660billion) into the banking system, bringing the total lent by the ECB to more than €1 trillion (\$1.25trillion).
- There was further evidence of a recovery in America's economy with the Q4 GDP rate being revised upwards to 3% from an initial estimate of 2.8%.
- Oil prices surged to near 3 year highs due to concerns about military action in Iran.

**Domestic issues:**

- Employment fell by 15,400 in February, the third time in the last four months that employment has fallen. The jobless rate rose to 5.2%.
- Retail sales rose by 0.3% in January, after a flat end to 2011. In annual terms, the mining states (WA, QLD) rose 5.6% while the non-mining states rose a more modest 1.4%.
- Australia's Q4 GDP increased by just 0.4% against consensus of 0.8%, while Q3 was revised down to 0.8% from the previous 1.0%.

**Interest rates:**

- The governor of the RBA, Glenn Stevens, noted that funding costs for banks had 'increased a bit' and that 'the banks have responded to that in a way that you would expect they would' with their out of the cycle rate increases.
- The RBA kept Australia's official cash rate unchanged at 4.25% following its March meeting.

**Investment Portfolio Commentary**

Council's investment portfolio posted a marked to market return in February of 3.94% p.a. This was 0.33% p.a. below the bank bill index benchmark return of 4.27% p.a. For the financial year to date ending February, Council's investment portfolio return has exceeded the bank bill index benchmark by 1.84%pa (6.68%pa vs 4.84%pa).

Without marked-to-market influences, Council's investment portfolio currently still has an overall yield of 5.79%pa. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

Conditions in wholesale funding markets remained tight although they improved slightly in February as risk sentiment improved. Reflecting this, the latest 5 year senior issue from Westpac was priced at BBSW + 1.65%, the same margin as their 5



year covered bond in January despite the fact that the covered bond carries a higher credit rating. Council continues to monitor opportunities for its long term portfolio that may arise from the widening of spreads in bond markets.

<b>City of Wanneroo Investment Profile 29-Feb-12</b>				
<b>Overall Portfolio Credit Profile</b>				
	Investment Balance \$ million	Weighting	Investment Policy Limits	Investment Policy compliance
<b>Direct Securities</b>				
AAA / A1+ Category	\$100.6	49%	100%	Yes
AA / A1 Category	\$58.1	28%	60%	Yes
A / A2 Category	\$47.3	23%	40%	Yes
	\$206.1	100%		
<b>Individual Counterparty Limits</b>				
<b>Largest Exposure per Credit Rating:</b>				
<b>Direct Securities</b>				
AAA / A1+ Category	\$71.0	34%	50%	Yes
<i>Westpac/St George TDs + Westpac GG FRN</i>				
AA / A1 Category	\$28.1	14%	35%	Yes
<i>Suncorp TDs</i>				
A / A2 Category	\$36.0	17%	20%	Yes
<i>Bank of Queensland TDs</i>				
<b>Term to Maturity Limits</b>				
Portfolio % < 1 yr	\$160.9	78%	Min 40% Max 100%	Yes
Portfolio % > 1 yr	\$45.2	22%	60%	Yes
Portfolio % > 3 yrs < 5 yrs	\$0.0	0%	50%	Yes

**Disclaimer:** The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Oakvale Capital Limited has relied upon information which it believes to be reliable and accurate. Oakvale Capital Limited believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Oakvale Capital Limited does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Oakvale Capital Limited. AFS Licence No. 229842.



Corporate Bond Investment Group		Borrower	Rating	Maturity	Purchase Price	Purchase Date	Current Value	Deal	Accrued Interest	Dealings	Reference
20-Aug-12	4,200,000.00	Commonwealth Bank of Australia - Government Guaranteed	AAA	20-Feb-14	4,181,436.00	20-Feb-09	4,204,901.40	206503	5,192.31	CSAP	
20-Aug-12	3,000,000.00	Commonwealth Bank of Australia - Government Guaranteed	AAA	20-Feb-14	2,970,276.00	4-Mar-09	3,003,501.00	210227	3,708.79	CSAP	
20-Aug-12	8,000,000.00	Commonwealth Bank of Australia - Government Guaranteed	AAA	20-Feb-14	7,856,960.00	16-Mar-09	8,019,360.00	210230	9,890.11	CSAP	
25-Aug-12	5,000,000.00	Macquarie Bank Limited - Government Guaranteed	AAA	25-Feb-14	5,014,350.00	18-Mar-09	5,019,050.00	211814	3,434.07	ABNML	
27-Aug-12	5,000,000.00	Investec Bk (Australia) Ltd - Government Guaranteed	AAA	27-Feb-14	4,952,150.00	27-Feb-09	5,041,500.00	207018	2,050.44	CSAP	
5-Mar-12	10,000,000.00	Westpac Banking Corporation - Government Guaranteed	AAA	5-Mar-14	10,076,900.00	17-Mar-09	10,076,900.00	210535	232,780.22	CSAP	with Guarantees
25-Mar-12	10,000,000.00	Australian Postal Corporation	AA+	25-Mar-14	9,928,600.00	25-Mar-09	10,258,500.00	211817	227,884.62	CSAP	
<b>Totals</b>	<b>45,200,000.00</b>				<b>45,080,672.00</b>		<b>45,605,397.40</b>		<b>484,450.56</b>		
<b>Current Account Investment Group</b>											
As at	Face Value	Borrower	Rating	Maturity	Purchase Price		Current Value	Deal	Accrued Interest	Dealings	Reference
29-Feb-12	1,234,423.19	Bendigo and Adelaide Bank Limited	A-2				1,314,423.19	320261		ABLA	
29-Feb-12	4,290,000.00	Commonwealth Bank of Australia Perth	A-1+				4,300,000.00	165861		CSAP	LiAm
<b>Totals</b>	<b>5,704,423.19</b>						<b>5,704,423.19</b>				
<b>Term Investment Group</b>											
	Face Value	Borrower	Rating	Maturity	Purchase Price	Purchase Date <td>Current Value</td> <td>Deal</td> <td>Accrued Interest</td> <td>Dealings <td>Reference</td> </td>	Current Value	Deal	Accrued Interest	Dealings <td>Reference</td>	Reference
	10,000,000.00	St. George Bank Limited	A-1+	05-Mar-12	10,000,000.00	5-Sep-11	10,293,598.81	320282	292,602.24	STGP	
	10,000,000.00	Credit Union Australia	A-2	07-Mar-12	10,000,000.00	2-Sep-11	10,300,921.02	316449	299,517.81	STGP	
	10,146,465.75	Suncorp Highway	A-1	04-May-12	10,146,465.75	7-Dec-11	10,306,468.00	320736	136,837.09	SUNB	
	6,520,000.00	JMG Bank (Australia) Limited	A-1	10-May-12	20,000,000.00	10-May-11	21,124,599.85	301736	1,057,490.41	STGP	
	20,000,000.00	Bank of Queensland	A-2	10-Jul-12	20,000,000.00	10-Jun-12	20,286,033.96	332529	171,463.01	STGP	
	7,000,000.00	Westpac Banking Corporation - Local Govt.	A-2	10-Jul-12	7,000,000.00	10-Jun-12	7,094,988.85	332574	58,782.74	WBCLGP	
	7,000,000.00	Bank of Queensland	A-2	11-Jul-12	7,000,000.00	11-Jun-12	7,095,868.98	332728	59,922.60	STGP	
	10,000,000.00	Westpac Banking Corporation - Local Govt.	A-1+	16-Jul-12	10,000,000.00	11-Jun-12	10,133,973.67	332727	82,191.76	WBCLGP	
	16,000,000.00	Suncorp Deposits and Transactions Products	A-1	16-Jul-12	16,000,000.00	16-Jun-12	16,233,107.25	333076	134,260.27	SSSW	
	9,000,000.00	Bank of Queensland	A-2	16-Aug-12	9,000,000.00	16-Jun-12	9,125,344.19	333064	67,130.14	STGP	
	5,990,000.00	Westpac Banking Corporation	A-1+	22-Aug-12	12,000,000.00	22-Aug-12	12,096,253.57	334927	15,754.52	WBCLGP	
	13,000,000.00	Westpac Banking Corporation	A-1+	22-Aug-12	12,000,000.00	22-Aug-12	12,096,253.57	334927	15,754.52	WBCLGP	
	10,000,000.00	Westpac Banking Corporation - Local Govt.	A-1+	29-Aug-12	10,000,000.00	29-Feb-12	11,076,245.08	334926	1,657.53	WBCLGP	
	12,000,000.00	St. George Bank Limited	A-1+	31-Aug-12	12,000,000.00	29-Feb-12	12,092,604.57	334926	1,939.04	STGP	
	155,146,465.75				155,146,465.75		158,259,097.72		2,381,149.68		
<b>Totals</b>	<b>206,050,888.94</b>						<b>209,568,918.31</b>				

## CITY OF WANNEROO

## RATE SETTING STATEMENT

FOR THE PERIOD ENDED 29 FEBRUARY 2012  
(Including results of the Mid Year Budget Review)

Description	Year To Date				Full Year			
	Actual \$	Budget Estimates \$	Variance		Adopted Budget \$	Revised Budget \$	Variance	
			\$	%			\$	%
<b>Revenues</b>								
Operating Grants, Subsidies and Contributions	6,275,817	6,375,183	(99,366)	(2)	10,407,206	9,562,774	(844,432)	(8)
Fees and Charges	13,251,597	13,263,909	(12,312)	(0)	22,110,792	19,895,864	(2,214,928)	(10)
Interest Earnings	6,229,866	5,422,000	807,866	15	7,122,950	8,133,000	1,010,050	14
Other Revenue	3,473,533	2,865,343	608,190	21	4,045,228	4,298,015	252,787	6
Service Charges	235,361	230,000	5,361	0	230,000	230,000	0	0
<b>Total Revenues</b>	<b>29,467,174</b>	<b>28,156,435</b>	<b>1,310,739</b>	<b>5</b>	<b>43,916,176</b>	<b>42,119,653</b>	<b>(1,796,523)</b>	<b>(4)</b>
<b>Expenses</b>								
Employee Costs	(31,504,525)	(35,956,069)	5,051,544	14	(56,610,764)	(55,197,169)	1,413,595	2
Materials and Contracts	(23,224,950)	(25,618,860)	2,393,900	9	(38,792,469)	(36,728,290)	54,179	0
Utility Charges (electricity, gas, water etc)	(3,399,711)	(3,968,174)	568,463	14	(6,076,202)	(6,951,098)	(874,896)	(14)
Depreciation	(15,358,313)	(16,667,670)	1,309,357	8	(26,001,505)	(25,001,505)	1,000,000	4
Interest Expenses	(1,584,279)	(1,584,279)	0	0	(3,689,236)	(3,689,236)	0	0
Insurance	(1,287,610)	(1,510,227)	222,617	15	(1,515,890)	(1,510,227)	5,663	0
<b>Total Expenses</b>	<b>(76,759,398)</b>	<b>(86,305,279)</b>	<b>9,545,881</b>	<b>11</b>	<b>(132,686,066)</b>	<b>(131,077,525)</b>	<b>1,608,541</b>	<b>1</b>
<b>Other Revenue and Expenses</b>								
Non Operating Grants, Subsidies and Contributions	1,831,401	6,418,140	(4,586,739)	(71)	9,324,271	9,673,564	349,293	4
Town Planning Scheme Revenues (including Interest Earnings)	7,173,411	9,788,704	(2,615,293)	(27)	14,688,921	14,688,921	0	0
Town Planning Scheme Expenses	(3,815,733)	(14,096,543)	10,280,810	73	(21,164,091)	(21,433,963)	(269,872)	(1)
Profit on Asset Disposals	0	1,215,440	(1,215,440)	(100)	5,473,160	3,583,160	(1,890,000)	(35)
Loss on Assets Disposals	(80,676)	(497,200)	416,524	84	(745,552)	(745,552)	0	0
Contributions of Physical Assets	0	0	0	0	30,000,000	30,000,000	0	0
<b>Total Other Revenue and Expenses</b>	<b>5,108,403</b>	<b>2,828,541</b>	<b>2,279,862</b>	<b>81</b>	<b>37,576,709</b>	<b>35,766,130</b>	<b>(1,810,579)</b>	<b>(5)</b>
<b>Adjustments for Cash Budget Requirements</b>								
(Profit)/Loss on Asset Disposals	80,676	(718,240)	(798,916)	(111)	(4,727,608)	(2,837,608)	1,890,000	40
Depreciation on Assets	15,358,313	16,667,670	1,309,357	8	26,001,505	25,001,505	(1,000,000)	(4)
Physical Assets Received from Developers	0	0	0	0	(30,000,000)	(30,000,000)	0	0
<b>Total Adjustments for Cash Budget Requirements</b>	<b>15,438,989</b>	<b>15,949,430</b>	<b>510,441</b>	<b>3</b>	<b>(8,726,103)</b>	<b>(7,836,103)</b>	<b>890,000</b>	<b>11</b>
<b>Adjustments for Non-Operating Expenditure and Income</b>								
Capital Acquisitions	(24,753,805)	(48,024,747)	(23,270,941)	(48)	(71,011,330)	(72,037,121)	(1,025,791)	(1)
Proceeds from Disposal of Assets	865,718	2,895,370	2,029,652	70	6,233,055	4,343,055	(1,890,000)	(44)
Movement in Leave Provisions to Reserve	0	0	0	0	50,000	50,000	0	0
<b>Total Adjustments for Non-Operating Expenditure &amp; Income</b>	<b>(23,888,088)</b>	<b>(45,129,377)</b>	<b>(21,241,289)</b>	<b>(47)</b>	<b>(64,728,275)</b>	<b>(67,644,066)</b>	<b>(2,915,791)</b>	<b>(4)</b>
<b>Transfers</b>								
Movement in Restricted Grants, Contributions and Loans	(1,404,280)	8,345,921	9,750,201	117	12,518,882	12,518,882	0	0
Transfers to Reserves	(224,077)	(10,716,330)	(10,492,253)	(98)	(18,557,495)	(16,074,495)	2,483,000	15
Transfers from Reserves	0	8,597,605	8,597,605	100	12,160,825	12,896,407	735,582	6
Transfers to Schemes	(7,173,411)	(9,788,704)	(2,615,293)	(27)	(14,688,921)	(14,688,921)	0	0
Transfers from Schemes	9,545,460	24,790,493	15,245,033	61	36,908,898	37,185,739	276,841	1
<b>Total Transfers</b>	<b>743,692</b>	<b>21,228,985</b>	<b>20,485,293</b>	<b>96</b>	<b>28,342,189</b>	<b>31,837,612</b>	<b>3,495,423</b>	<b>11</b>
<b>Surplus/(Deficit)</b>								
Surplus/(Deficit) July 1 Brought Forward	6,415,704	6,415,704	0	0	6,415,704	6,415,704	0	0
Surplus/(Deficit) Carried Forward	46,670,409	32,200,789	(14,469,640)	(15)	0	0	0	0
<b>Movement in Surplus/(Deficit)</b>	<b>40,254,705</b>	<b>25,785,085</b>	<b>(14,469,640)</b>	<b>(56)</b>	<b>(6,415,704)</b>	<b>(6,415,704)</b>	<b>0</b>	<b>0</b>
<b>Amount Required to be Raised from Rates</b>	<b>(90,143,933)</b>	<b>(89,056,330)</b>	<b>1,087,603</b>	<b>1</b>	<b>(89,889,666)</b>	<b>(90,418,595)</b>	<b>(528,929)</b>	<b>(1)</b>

Note: \*Revised Budget figures are inclusive of endorsed amendments from Council (including the Mid Year Budget Review).

## Governance

### **CS02-04/12 Naming of Facilities and Recognition of Outstanding Community Contributions Policy**

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File Ref: 2409 – 12/23528  
Responsible Officer: Director, Corporate Strategy and Performance  
Disclosure of Interest: Nil  
Attachments: 2

#### **Moved Cr Goodenough, Seconded Cr Driver**

**That Council ADOPTS the revised Naming of Facilities and Recognition of Outstanding Community Contributions Policy as shown in Attachment 1.**

**CARRIED UNANIMOUSLY**



## Policy Manual

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### Naming of Facilities and Recognition of Outstanding Local Community Contributions

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**Policy Owner:** *Executive Services*  
**Contact Person:** *Coordinator Governance*  
**Date of Approval:** *07 February 2012 – CS04-02/12*

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#### POLICY OBJECTIVE

To provide a framework for the recognition of outstanding local community contributions.

#### POLICY STATEMENT

The City of Wanneroo recognises that there are members of the community who work in a voluntary, vocational or professional capacity who contribute substantially to their local communities within the City. To honour these individuals and organisations, or to commemorate an historical event, the City will establish a system of recognition through:-

1. The naming or renaming of Council buildings or parts of buildings, gardens, parks, reserves, roads/streets and other structures under the control of the City of Wanneroo (hereinafter referred to as "council assets"); and
2. Memorials and commemorative plaques on appropriate sites.

The "Naming of Facilities and Recognition of Outstanding Local Community Contributions" Management Procedure supports this policy.

#### SCOPE

In most circumstances Council will name assets according to the Geographic Names Committee Western Australia's (GNC) Principles, Guidelines and Procedures. (GNCPGP).

Where appropriate, Council may consider naming or renaming council assets to recognise individuals or associations who have contributed substantially to the cultural, political or social development of Wanneroo or who, in the opinion of Council, are worthy of such an honour. Council assets may also be named or renamed after an historical event associated with or near a site. In all cases proposals will be determined giving consideration to the GNCPGP and the criteria detailed in this policy.

The City also recognises that honouring individuals and/or groups in the community through Memorials and commemorative plaques, for significant achievements or outstanding service encourages community leadership, engagement, ownership and the overall wellbeing of the community. Council will therefore consider applications for the installation of Memorials and commemorative plaques in public reserves in accordance with the criteria detailed in this policy.





## Policy Manual

### BACKGROUND

Whilst appropriate memorials and the naming of council assets may serve as appropriate recognition for outstanding community contributions, they need to be carefully considered to ensure that they do not negatively impact on the greater good of the community.

### CONSULTATION WITH STAKEHOLDERS

Consultation has been undertaken with City Administration and Elected Members.

### IMPLICATIONS (Financial, Human Resources)

Costs associated with a Council decision to recognise individuals and organisations for significant contributions to the City of Wanneroo community will be carried by the City. Costs associated with Memorials and commemorative plaques will be met by the applicant including design, manufacture, installation and maintenance. Payment for approved Memorials and commemorative plaques will need to be made prior to the commencement of works and the applicant must meet all ongoing costs including those associated with vandalism and theft.

### IMPLEMENTATION

#### Naming of Council Assets

Where proposals are received for naming or renaming of council assets to recognise an individual, association or event, the City will have regard for the GNCPGP and the following City of Wanneroo criteria:-

- The locality within which the development is situated.
- Any historical events associated with or near the site (e.g – Perry's Paddock).
- Indigenous and cultural heritage relevant to the site; (Jandabup Nature Reserve).
- Community or corporate sponsorship.
- Marketing opportunities (e.g Aquamation).
- Pioneering families (family names only) associated with the immediate area (5-10 kilometres radius); (e.g Cockman House).
- Social or calendar events.
- Individuals or associations who have contributed substantially to the cultural, political or social development of Wanneroo over a significant period of time (generally not less than 20 years).
- Significant anniversary of an event unique to Wanneroo's history and development.
- Action by an individual to protect, restore, enhance or maintain an area that produces substantial long term improvements for the community or area.
- The costs associated with the changing of the facility's name.
- Death or ownership of the land on which the facility is developed is not normally acceptable as a criteria for nomination.



## Policy Manual

### Memorials and commemorative plaques

Memorial proposals should be presented in a form that has a broad community interest and applicants should be encouraged to consider the restoration of an existing memorial or landscape or urban design feature that is not explicitly memorial in form, for example; trees, landscaping or seating rather than the construction of a new memorial.

The City of Wanneroo will take into account the number of existing Memorials and commemorative plaques in a specific location prior to considering a proposed new memorial. It is recognised that a particular location may reach a saturation point and it would then be appropriate to consider limitations or a moratorium of future memorial installations at a particular location or area. The City of Wanneroo has final approval of appropriate site/s and will determine the exact location of any memorial, however preference will be given to nearest public open space.

#### Criteria:

- Recognition of an individual or association that has contributed significantly to the cultural, political or social aspects of Wanneroo's development over a significant period (generally not less than 10 years).
- While the contribution may be in a paid, vocational or voluntary capacity, it should have a positive impact on the social well-being of the local community.
- The service should be easily recognisable as having a direct benefit to the City and have produced substantial long term improvement for the City.
- An individual or association strongly linked to Wanneroo and its history.
- A significant anniversary of an event unique to Wanneroo's history and development, or historical or other information relevant to the site/location of the plaque.
- Being a former councillor or former Member of Parliament is not sufficient grounds on which to nominate an individual.
- Death or former ownership of the land on which the facility is developed is not normally acceptable as criteria for nomination.

The above criteria does not apply to "Tree Memorials without a plaque" intended as a private memorial for individuals or families. Family and friends may wish to commemorate the death of a loved one with the installation of a tree memorial in keeping with the City's guidelines. Roadside Memorials are the subject of a separate Council policy available on the City's web site.

#### Application Process

Proposals for the naming or renaming of a council asset and applications for the installation of Memorials and/or commemorative plaques must be made in writing to the Chief Executive Officer.

All proposals should include sufficient information to allow the City of Wanneroo to effectively assess the proposal or application against the criteria detailed in this policy. Where applications do not meet the criteria of the policy to memorialise individuals through the naming of a Council asset or a memorial with a commemorative plaque, the Chief Executive Officer is authorised to refuse the request and to recommend that the individual be memorialised through the planting of a tree without a plaque.



## Policy Manual

Where the request meets the criteria of the policy, the Chief Executive Officer is to cause the application to be processed through the Council's adopted management procedure which is to provide a confidential memo to all Councillors and the Executive for comment prior to reporting to Council for determination. Where the proposal is to name or rename a facility after an individual, the report is to be kept confidential.

### Removal, Relocation & De-accession

All memorials or plaques that are installed on land owned in freehold, crown land or land under the care and control of the City of Wanneroo that has not obtained the necessary approvals will be removed.

### Categories of Memorials and commemorative plaques

There are three categories for memorials and/or commemorative plaques:-

**Category 1 - Commemorative trees without plaques:** A tree consistent with Council's requirements for any of the City's parks, gardens or reserves, placed in a grassed location approved by the City, intended as a private memorial for individuals or families. Council will maintain the tree. If due to unforeseen circumstances the tree must be removed (e.g. it dies, or due to changes to the site) it will, where possible, be replaced at Council's expense in a mutually agreed location. This category is not subject to the criteria listed above and all applications will be considered having regard for the City's guidelines relating to the planting of trees in parks, gardens and reserves.

**Category 2 - Commemorative trees with plaques:** Identification of appropriate locations within the City where mature trees and accompanying small commemorative metal plaque may be located which recognise the contributions of community members. Applications will be assessed according to the criteria listed above.

Where the City agrees to recognise community contributions in this way the City will plant a tree that is in keeping with the City's guidelines in an appropriate location along with the placement of a plaque.

### Category 3 - Memorial plaques

To be placed on features of buildings (i.e. a room, courtyard or garden) and on structures constructed and maintained by the City (i.e. a lookout, recreational equipment, seat or park bench). Applications will be assessed according to the criteria listed in this policy for outstanding community contributions.

### ROLES and RESPONSIBILITIES

The City's Governance and Executive Service Unit will be responsible for application of this policy.

### DISPUTE RESOLUTION



## Policy Manual

All disputes in regard to this policy will be referred to the Director Corporate Strategy and Performance in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to Council for a ruling.

### DEFINITIONS

DEFINITIONS: Any definitions listed in the following table apply to this document only.

Council Assets	Buildings or parts of buildings, other structures, gardens, parks and reserves, roads, streets.
Memorial	An object that is designed to preserve the memory or to commemorate a person, group, association, event or occasion.
Plaque	a flat tablet of metal that includes text and/or images designed to commemorate or preserve the memory of a person, group or event and may include historical text or information relevant to its location.

### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Youth Reward & Recognition Policy: - The City of Wanneroo annually recognises individuals who have made a significant contribution to their school and local community and who are achieving well academically. This is done through the City of Wanneroo Student Citizenship Award presented to a student who has demonstrated an interest and participation in the school and community affairs and has strived for personal development; and the City of Wanneroo Student Scholarship Award presented to individuals who have demonstrated outstanding levels of academic achievement or citizenship and are at financial or social disadvantage, which may limit their educational opportunities.

Award of the Title "Honorary Freeman of the City of Wanneroo" recognises individuals who have lived in the City of Wanneroo for a significant number of years (significant would usually mean at least 20 years). The recipient should have given extensive and distinguished service to the community over and above that associated with local government (e.g. service to other organisations, voluntary and community groups) in a largely voluntary capacity.

Award of the Title "Wanneroo Pioneer" Policy provides for recognising residents who have lived in the City of Wanneroo for 50 years or more by awarding the title 'Wanneroo Pioneer'.

Australia Day Award Policy provides a framework for recognising individuals and organisations through the City of Wanneroo Charles Searson Australia Day Youth Award presented to an individual under 25 years of age and the Australia Day Award presented to an individual over 25 years of age who have made an outstanding contribution to the local community; and the Australia Day Community Group or Event Award presented to an outstanding local community group or event.

Naming of Facilities and Recognition of Outstanding Local Community Contributions Management Procedure



## Policy Manual

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The above policies are available on the City of Wanneroo's website at [www.wanneroo.wa.gov.au](http://www.wanneroo.wa.gov.au).

### RESPONSIBILITY FOR IMPLEMENTATION

Corporate Strategy and Performance – Executive Services

Version	Next Review	Record No:
07 February 2012 – CS04-02/12	February 2014	TRIM: 12/22694

### **CS03-04/12 Donations to be Considered by Council - April 2012**

File Ref: 2855V02 – 12/29910  
 Responsible Officer: Director, Corporate Strategy and Performance  
 Disclosure of Interest: Nil  
 Attachments: Nil

Moved Cr Steffens, Seconded Cr Smithson

That Council NOT APPROVE a 100% donation of a waiver of fees in the sum of \$4,230.60 for hire of the Margaret Cockman Pavilion from 20 August to 2 September 2012 for storage of approximately 50 postie bikes prior to departure of the Postie Bike Challenge from Perth to Broome.

#### **Amendment**

#### **Moved Cr Newton, Seconded Cr Cvitan**

*To delete the word "NOT", replace "100%" with "50%" and replace "\$4,230.60" with "\$2,115.30".*

**That Council NOT APPROVE a 100% 50% donation of a waiver of fees in the sum of \$4,230.60 \$2,115.30 for hire of the Margaret Cockman Pavilion from 20 August to 2 September 2012 for storage of approximately 50 postie bikes prior to departure of the Postie Bike Challenge from Perth to Broome.**

**CARRIED**

**12/1**

**For the motion:** Cr Goodenough, Cr Gray, Cr Cvitan, Cr Driver, Cr Hower, Cr Mackenzie, Cr Newton, Mayor Roberts, Cr Smithson, Cr Steffens, Cr Treby and Cr Truong

**Against the motion:** Cr Hayden

**The amendment became the substantive motion.**

**CARRIED**

**12/1**

**For the motion:** Cr Goodenough, Cr Gray, Cr Cvitan, Cr Driver, Cr Hower, Cr Mackenzie, Cr Newton, Mayor Roberts, Cr Smithson, Cr Steffens, Cr Treby and Councillor Truong

**Against the motion:** Cr Hayden

## **Chief Executive Office**

### **Office of the CEO Reports**

#### **CE01-04/12 Extension of Civic/Administration Centre**

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File Ref: 2755 – 12/21012  
Responsible Officer: Chief Executive Officer  
Disclosure of Interest: Nil  
Attachments: Nil

#### **Moved Cr Goodenough, Seconded Cr Newton**

##### **That Council:-**

- 1. REAFFIRMS the City of Wanneroo should be administered from the current Civic and Administration Centre located in the Wanneroo Town Centre to 2031 with satellite facilities being considered through the City's libraries network; and**
- 2. AGREE listing for budget consideration over the next three financial years a sum of \$10-\$17M for the extension of the Civic and Administration Centre office accommodation, and REQUEST the Director Corporate Strategy and Performance to develop a comprehensive funding and risk model for this capital project for consideration by Council.**

**CARRIED UNANIMOUSLY**

#### **Item 9 Motions on Notice**

Nil

#### **Item 10 Urgent Business**

Nil

#### **Item 11 Confidential**

#### **Moved Cr Hewer, Seconded Cr Hayden**

**That Council now move into a Confidential Session to discuss this item under the terms of the Local Government Act 1995 Section 5.23(2).**

**CARRIED UNANIMOUSLY**

*The meeting was closed to the public and all recording ceased at 8.08pm.*

#### **Moved Cr Steffens, Seconded Cr Smithson**

**That the meeting be reopened to the public.**

**CARRIED UNANIMOUSLY**

*The meeting was reopened to the public and all recording recommenced at 8.09pm.*

*Mayor Roberts read aloud the motion.*

## **CR01-04/12 WRC Future Directions and Strategic Risk Assessment**

File Ref: 5642 – 12/26614  
Responsible Officer: Director, City Businesses  
Disclosure of Interest: Nil  
Attachments: 1

*This report is to be dealt with in confidential session, under the terms of the Local Government Act 1995 Section 5.23(2), as follows:*

*(e)(ii) a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government*

**Moved Cr Gray, Seconded Cr Newton**

**That Council:-**

- 1. AGREES IN PRINCIPLE to the establishment of a new joint Agreement with the Cities of Swan and Joondalup to operate the Wangara Facility Materials Recovery Centre post the current Agreement expiry date of 31 December 2014, based on the following key principles:**
  - a) The term of the agreement being five years with the option to extend for a further five years;**
  - b) That Workers Compensation costs be shared by all parties;**
  - c) That the agreement focuses on continuation of the partnership for the purposes of recycling of each City's domestic commingled recyclables and not be limited to the current facility; and**
  - d) That each party agrees that at anytime during the term of the agreement the City of Wanneroo may exit the management of the facility and appoint contract managers via a tender process or undertake processing of their recyclables at another site;**
- 2. AUTHORISES the Chief Executive Officer and Director City Businesses to negotiate with the Cities of Joondalup and Swan for the establishment of the joint Agreement; and**
- 3. NOTES that a further report will be presented to Council on the outcome of these negotiations.**

**CARRIED UNANIMOUSLY**



**Item 12 Date of Next Meeting**

The next Council Briefing Session has been scheduled for 6.00pm on Tuesday, 24 April 2012, to be held at Civic Centre, Dundobar Road, Wanneroo.

**Item 13 Closure**

There being no further business, the presiding person closed the meeting at 8.10pm.

**In Attendance**

TRACEY ROBERTS, JP

**Mayor**

**Councillors:**

DOT NEWTON, JP	Central Ward
FRANK CVITAN, JP	Central Ward
RUDI STEFFENS	Coastal Ward
BOB SMITHSON	Coastal Ward
IAN GOODENOUGH, JP	Coastal Ward
RUSSELL DRIVER	Coastal Ward
NORMAN HEWER	North Ward
LAURA GRAY, JP	North Ward
ANH TRUONG	South Ward
BRETT TREBY	South Ward
STUART MACKENZIE	South Ward
DENIS HAYDEN	South Ward