



**MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 27 OCTOBER 1998**

INDEX

No:	Item	Page
	ATTENDANCES	1
	APOLOGIES AND LEAVE OF ABSENCE	1
	PUBLIC QUESTION TIME	2
	DECLARATIONS OF FINANCIAL INTEREST	7
C16-10/98	CONFIRMATION OF MINUTES MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 13 OCTOBER 1998	7
	ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION	8
	JOONDALUP SPEED CLASSIC	8
	PREMIER'S VISIT	8
	CUSTOMER SERVICE CENTRE	8
	ART AWARDS	8
	DEVELOPMENTS	9
	LAST COUNCIL MEETINGS	9
C17-10/98	PETITIONS	9
	REPORT NO:	
	FINANCE AND COMMUNITY SERVICES SECTION	
CJ187-10/98	SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [151876J]	43
CJ188-10/98	VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - GRAFFITI PROGRAM STEERING COMMITTEE - [02011]	45
CJ189-10/98	STUDY TOUR IN EASTERN STATES LOCAL GOVERNMENTS TO STUDY THE ISSUES IN THE IMPLEMENTATION OF NATIONAL COMPETITION POLICY - [09763]	46
CJ190-10/98	CONSERVATION ADVISORY COMMITTEE - [12168]	48
CJ191-10/98	WARRANT OF PAYMENTS FOR THE PERIOD TO 30 SEPTEMBER 1998 - [09882]	49

CJ192-10/98 AUTHORISATION OF REALLOCATION OF FUNDS - [06511]

50

CJ193-10/98	OUTSTANDING GENERAL DEBTORS - 30 SEPTEMBER 1998 - [04881]	52
CJ194-10/98	VEHICLES PURCHASES DOMESTIC CARTS REFUSE COLLECTION RESERVE TENDER NUMBER 053-98/99 - [23447]	54
CJ195-10/98	VEHICLES PURCHASES HEAVY VEHICLE REPLACEMENT RESERVE TENDER NUMBER 052-98/99 - [27444]	57
CJ196-10/98	VEHICLES PURCHASES EXECUTIVE VEHICLES MODEL CHANGE TENDER NUMBER 168-96/97 - [20087]	58
CJ197-10/98	MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [00883]	59
CJ198-10/98	FINANCIAL REPORT FOR THE QUARTER ENDING 30 SEPTEMBER 1998 - [07882]	60
CJ199-10/98	COMMUNITY SPORT AND RECREATION FACILITY FUND - SUBMISSION PRIORITISATION - [22209]	66
CJ200-10/98	PRICING POLICY - COUNCIL RECREATION FACILITIES- [10015]	68
CJ201-10/98	AUTHORISATION OF DOG REGISTRATION OFFICERS - [24041]	76
	TECHNICAL SERVICES SECTION	
CJ202-10/98	BANKS AVENUE HILLARYS - [05576J]	77
CJ203-10/98	SUPPLY OF SERVICES TO CONTROL GRAFFITI TO COUNCIL BUILDINGS - [026-98/99]	80
CJ204-10/98	SUPPLY OF PLUMBING MAINTENANCE SERVICES - VARIOUS SITES - [025-98/99]	81
CJ205-10/98	SUPPLY OF ELECTRICAL MAINTENANCE SERVICES - VARIOUS SITES - [024-98/99]	83
CJ206-10/98	MECHANICAL AND HVAC CONSULTANCY - CITY OF JOONDALUP - [044-98/99]	85
CJ207-10/98	MECHANICAL AND HVAC SERVICES - VARIOUS BUILDINGS - CITY OF JOONDALUP - [022/98/99]	87
CJ208-10/98	TENDER NUMBER 055-98/99 - HIRE OF PLANT, AUXILIARY PLANT AND VEHICLES - [20127]	90
CJ209-10/98	ROLLOVER OF CONTRACT NO 016-97/98 - SUPPLY AND APPLICATION OF PESTICIDES - [15296]	95
CJ210-10/98	PETITION - QUAYSIDE ESTATE - CONICA PARK HILLARYS - [24029J]	95
	DEVELOPMENT & PLANNING SERVICES SECTION	
CJ211-10/98	STRUCTURE PLAN FOR OCEANSIDE GARDENS ESTATE, HEATHRIDGE - [05069J]	10
CJ212-10/98	DELEGATED AUTHORITY REPORT- [07032]	11
CJ213-10/98	PROPOSED LAND EXCHANGE, SUBDIVISION AND REZONING OF THE FORMER GREENWOOD PRIMARY SCHOOL SITE AND ADJOINING RECREATION RESERVES - [02419J]	12

CJ214-10/98	CLOSE OF ADVERTISING: AMENDMENT 828 TO TOWN PLANNING SCHEME No 1 TO RECODE PART OF LOT 2(400) BURNS BEACH ROAD, KINROSS FROM R20 TO R25. - [11-049J]	24
CJ215-10/98	CLOSE OF ADVERTISING: CITY OF JOONDALUP TOWN PLANNING SCHEME No 1 AMENDMENT 834 RECODING LOT 884 CRABTREE STREET, ALEXANDER HEIGHTS FROM R20 TO R40. - [11-840W]	26
CJ216-10/98	CLOSE OF ADVERTISING: AMENDMENT 836 TO TOWN PLANNING SCHEME No 1. TO RECODE PORTION OF SWAN LOCATION 12008 ELLERSDALE AVENUE, WARWICK FROM R20 TO R40 - [10-840J]	28
CJ217-10/98	PROPOSED TEXT AMENDMENT NO 848 TO CHANGE NAME OF CITY OF WANNEROO TOWN PLANNING SCHEME NO 1 TO CITY OF JOONDALUP TOWN PLANNING SCHEME NO 1 - [23463J]	31
CJ218-10/98	PROPOSED CLOSURE OF PUBLIC ACCESSWAY - BETWEEN MICHIGAN COURT AND TYRRELL COURT, EDGEWATER - [02981J]	32
CJ219-10/98	UNAUTHORISED ACCESS : LOT 793 (46) MEADOWBANK GARDENS, HILLARYS - [00506J]	34
CJ220-10/98	SUBDIVISION CONTROL UNIT 23 SEPTEMBER 1998 TO 6 OCTOBER 1998 - [05961]	36
CJ221-10/98	STATE EMERGENCY SERVICE, RESERVE 40720 (21) WINTON ROAD JOONDALUP - GARAGE EXTENSIONS [11015J]	37
CJ222-10/98	PT LOT 2 BURNS BEACH - [06362J]	40
	DATE OF NEXT MEETING	96
	CLOSURE	96

CITY OF JOONDALUP

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN
WANNEROO CIVIC CENTRE, CIVIC DRIVE, WANNEROO, ON TUESDAY,
27 OCTOBER 1998

ATTENDANCES

Commissioners:

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

Officers:

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

APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 37 members of the Public and 1 member of the Press in attendance.

The Chairman declared the meeting open at 1800 hrs.

PUBLIC QUESTION TIME

The following question, submitted by Mr John Hollywood, was taken on notice at the Meeting of Joint Commissioners held on 13 October 1998:

In relation to maintenance work on the groyne at Burns Beach:

Q1 Is there any possibility of indicating a time schedule for this work to be undertaken ?

A1 Funds of \$20,000 were allocated in the budget 1997/98 budget for undertaking the repair work at this groyne. However examination of the groyne structure by consultants revealed higher than suspected damage to the integrity of the structure that requires repair work to the value of about \$60,000. A Coastwest/Coastcare funding application was lodged to supplement the \$20,000 allocation but was unsuccessful.

The outcome of a further funding application to the Federation Community Projects Program will be determined in the final quarter of this financial year. If this application is also unsuccessful, the current budget will be re-examined to determine if approximately \$40,000 can be reallocated to this project.

Liaison with the Burns Ratepayers, Residents & Community Recreation Association will be maintained throughout this process to keep the local community informed.

The following question, submitted by Mr F Nelson, Connolly was taken on notice at the Meeting of Joint Commissioners held on 13 October 1998:

Q1 Why is Central Park, Joondalup not listed under the Prohibited Dog Exercise Area?

A1 *Response:* The existing local law relating to the control of dogs does not include Central Park, Joondalup, as a prohibited dog exercise area.

Section 51 of the Dog Act 1976 allows a local government, at its discretion, to designate prohibited dog exercise areas.

After discussion with the Health and Rangers business unit, it was agreed that Central Park, Joondalup, should have been included as a prohibited dog exercise area. This will be included within the local law as a minor modification at the conclusion of the six (6) week public consultation period.

The following questions were submitted by Mrs M Zakrevsky:

Q1 In relation to Report CJ197-10/98 - [00883] Cost/Budget Comparison, Page 23, Attachment A, Page 3 Job No 39975 Customer Services - Whitfords and Job No 51175 Customer Services - Whitfords - each with budgets for \$120,000:

(a) what items (materials) were purchased and at what cost (Job No 39975)?

- (b) *what were the labour/installation costs for Job No 39975?*
- (c) *what was the \$15,198 for Job No 51175 spent on?*
- (d) *on what is it proposed to spend the balance of \$104,802 (Job No 39975)?*
- (e) *what actual capital assets have the ratepayers obtained for \$135,198?*
- (f) *how much of this asset can be resold if the customer service at Whitfords is not justified?*
- (g) *what are the ongoing costs for the next 12 months i.e. rental, utilities, corporate body charges?*
- (h) *would it not have been cheaper to have built on a small office at an existing centrally located recreation centre/library/daycare centre, senior citizen centre owned by the Council?*
- (i) *what alternatives were considered to the Whitfords commercially owned location?*

A1 The Strategic Plan adopted by the former Councillors, included initiatives to improve access to Council Services. One of these included the establishment of a “shop-front” at the Whitford Shopping Centre. Detailed research demonstrated that successful exposure by many Local Governments, particularly in the Eastern States, resulted from shop-fronts in shopping centres which were welcomed by residents of those areas.

When examining this project alternatives were considered, including the use of Council facilities and a number of shopping centres, before selecting Whitford as the site for the first regional Customer Service Centre. Whitford is centrally located for the City’s ratepayers, and is the busiest shopping centre in the City, thus providing a high degree of public exposure and is readily accessible to the community. The use of Council facilities does not provide the level of accessibility or exposure needed for a Customer Service Centre.

In relation to the questions on the cost of the Customer Service Centre, as the contract was for the complete project, construction and installation of the Kiosk, details of labour/installation and materials can not be identified or provided. The Customer Service Centre project included the cost for the Kiosk construction and installation (\$118,414), with the balance amount being allocated for fees and the provision of furniture, computers, photocopier, fax, telephones and communications linkages for the operation of the centre. The ongoing costs for the next twelve months for the lease (including base rental and outgoings) is \$35,998.

The following questions were submitted by Mrs A Hine:

CJ213-10/98. In relation to the 10% of land included in the "original Greenwood Forest"

Q1 Can the Council rule in favour of the original ratepayers and let them keep that access way to shopping area as that was "Crown Land" to start with?

A1 This matter will be taken into consideration when considering Item CJ213-10/98 on tonight's agenda.

Q2 As the developer has to give 10% of his purchased land, why not get him to allocate that extra where the ratepayers live and want. These are the people who actually pay the wages of Council at present and have done all along.

A2 The City's officers have taken all relevant issues into consideration when preparing Report CJ213-10/98 on tonight's agenda. Special attention has been given to maximise vegetation retention.

The following question from Mr Mark Di Masi, Dianella (Potential Greenwood resident), was submitted to the meeting of Joint Commissioners held on 27 October 1998 in relation to Item CJ213-10/98:

Q1 We support your proposal. Will the cycle path on the western boundary of the primary school remain in the proposal?

A1 Response by Director, Development Services: The design that was presented does retain the western cycle way/walkway between the back fences and the primary school.

The following question from Mr G and Mrs R Iredell, Noranda, was submitted to the meeting of Joint Commissioners held on 27 October 1998 in relation to Item CJ213-10/98:

Q1 We favour the proposed subdivision of Greenwood school site and the closure of the existing laneways around the site. Have other Government authorities been consulted about the proposal and do they support it?

A1 Response by Director, Development Services: There has been contact with other departments and they generally do support the proposal in the manner that has been presented.

Mr S Magyar, Heathridge:

- *Mr Magyar made several comments referring to the Greenwood primary school item and to the additional information tabled on this matter. Mr Magyar tabled on behalf of the residents of Greenwood, a petition requesting a second Special Electors meeting regarding this matter and the failures of the report to properly address the items raised by the residents. Also, he tabled a letter from one of the adjoining landowners requesting that his right to purchase part of that recreation reserve be acknowledged and that he has the same rights to purchase that recreation reserve as the developer.*

Mr V Harman, Ocean Reef:

- *Mr Harman referred to the bus stop located at the top of Buick Way, Heathridge and queried whether Council could approach the bus company with a view to a bus stop being located there to assist children attending the nearby swimming centre.*

Q1 The recently issued Community Directory lists telephone numbers for various departments, but no fax numbers. Is there more than one fax number for the administration centre and could the Ocean Reef Residents Association have a copy of those numbers?

A1 Response by Chief Executive Officer: There are some fax machines for the various departments. The Marketing unit is anticipating installing a fax gateway which automatically distributes items of correspondence to workstations. We can certainly supply your organisation with the fax numbers.

Q2 Page 23 (CJ197-10/98 - Customer Services Centre, Whitford City) which was referred to earlier, why are there two job numbers mentioned? There are two amounts of \$120,000 each - why has this been split in two?

A2 Response by Director, Strategic Planning: I believe the reason for this was associated with funding over two financial years, hence two numbers.

Q3 At the Customer Service Centre, there is a liquid crystal display monitor. Has this monitor been purchased, and how many does Council contemplate purchasing? I recommend Council to be cautious before purchasing further monitors, as these have a recommended retail price of \$15,000 each, and a small laptop can be purchased for \$4-5,000. If it is a question of radiation from a normal video screen, the liquid crystal display has no radiation. The same lack of radiation can be obtained from a laptop and also would require less room than a liquid crystal display monitor. Would Commissioners please take this into account.

A3 Response by Cmr Ansell: Certainly.

Q4 Regarding the User Pays item, I believe a portion of this is to be undertaken by a telephone survey. Who will be responsible for compiling the questions in relation to this survey?.

A4 *Response by Cmr Ansell:* My understanding is that a professional firm will be responsible for compiling these questions.

Q5 *Up until now, the policy has been that both juniors and associations do not pay. There has been no increase in rates and there has been a continual reduction in loan amount. Why can this not continue in the future?*

A5 *Response by Cmr Ansell.* This is a point of view, certainly. Commissioners are looking at all options in regard to the User Pays situation.

Q6 *Is this something the Government is imposing?*

A6 *Response by Cmr Ansell:* On the contrary, I think the Government does not wish to be part of this.

Ms Sue Hart, Greenwood: - (Stop the Swap)

Q1 *With regard to the Greenwood primary school issue, are you aware Stop the Swap has no objection to the developer building on his land. Who is the City of Joondalup going to support; the people of Greenwood or a developer that, I believe, will move in, make his money, move out and leave it with us?*

A1 *Response by Cmr Ansell:* You will have to wait for the answer to that question.

Mr S Harbour:

Q1 *Re CJ213-10/98 - I support the modified proposal, as well as the amendments that have been made. Would serious consideration be given to using the 5% cash-in-lieu to beautify the dry parks that remain?*

A1 *Response by Cmr Ansell:* I believe that is the proposal which we have in front of us at present.

Mr A Bryant, Craigie:

Q1 *I notice that Council is not publishing the names and telephone numbers for Justices of the Peace within the Community Directory. Currently a person who requires the services of a Justice of the Peace needs to make two telephone calls. Can this be amended in the next Community Directory?*

A1 *Response by Cmr Ansell:* This will be given consideration.

Mr Glen Tatum, Carramar:

- *Referring to Tender 044-98/99, page 53: We have raised concerns as to how this tender was assessed. We have requested a deputation, which was refused. At the time, we were advised we would have a meeting with a Commissioner, but this did not eventuate. As a matter of principle, I would like the opportunity at a later date to present our case and to ensure that the correct procedure has been carried out.*

Response by Cmr Morgan: I have had two discussions with Mr Tatum in relation to this subject. Mr Tatum's company was one of the unsuccessful tenderers and he queried me as to why the decision had been made to favour another contractor. I discussed the points he raised with me, as he had a copy of the papers before you this evening. I told him I would investigate the matter, and I had a lengthy meeting with Mr Alan Millard, Manager of Building/Fleet Maintenance, and Mr Barun Dutta, Manager of Contract Management. I am convinced after having a detailed discussion with them that our officers followed the Australian Standard Code of Tendering and the result of the tender favoured a company other than Mr Tatum. I will be recommending this evening that we accept the tender recommended by our officers.

Response by Cmr Ansell: This does not mean that you are precluded from speaking to us about the matter further as to the processes later on.

DECLARATIONS OF FINANCIAL INTEREST

Director, Technical Services, Mr Ron McNally, declared an interest in Item CJ208-10/98 as his wife owns shares in the parent company of one of the tenderers.

CONFIRMATION OF MINUTES

C16-10/98 **MINUTES OF MEETING OF JOINT COMMISSIONERS -
13 OCTOBER 1998**

MOVED Cmr Morgan, **SECONDED** Cmr Clark-Murphy that the Minutes of the Meeting of Joint Commissioners held on 13 October 1998, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION

JOONDALUP SPEED CLASSIC

The City has enjoyed a very busy calendar of events over the past couple of weeks.

The highlight was last weekend's Joondalup Speed Classic, where vintage cars raced around the streets of the City.

Some \$10 million worth of classic machinery was involved in the racing, which provided a treat for the thousands who turned out to watch.

I think everyone who went along believed it was a big success. About 5,000 people attended and I'm sure with a bit more advertising next year, we will get a lot more. I believe there is talk of opening the shopping centre as well next year.

PREMIER'S VISIT

Premier Richard Court, visited our Civic Chambers during this week.

The Premier visited with Local Government Minister Paul Omodei to discuss the division process and regional economic development matters. In particular, he discussed the opening of the freeway further to the north, and hopefully the extension of the railway.

The Premier on the other hand expressed interest in public transport within the region and his wish to encourage a partnership with local government on crime prevention/security issues.

Our meeting was very satisfactory and it was most pleasing to welcome the Premier to our region.

CUSTOMER SERVICE CENTRE

Our brand-new Customer Service Centre is open for business in the Whitford City Shopping Centre.

The official opening was performed by the Deputy Chairman of Commissioners, assisted by the Chief Executive Officer and Rob Johnson MLA.

Our new Customer Service Centre offers residents a wide range of council services and information, and the very latest in technology.

ART AWARDS

During the busy week, we also presented the inaugural Invitation Art Award.

The \$10,000 acquisitive first prize went to Trevor Richards of Fremantle for his oil painting/on sand titled 'Field Map 1'.

DEVELOPMENTS

Developments approved in the City of Joondalup include an Anglican Homes Aged Persons Accommodation in Duncraig, dental consulting rooms in Kingsley and six commercial units in Onslow Place, Joondalup.

LAST COUNCIL MEETINGS

Tonight's meeting is a special occasion when we will be bidding farewell to two of Council's senior officers.

Director Corporate Services, Bob Dymock, retires on Friday after four years with the City.

Mr Dymock was formerly Deputy Town Clerk of the City of Wanneroo and we wish him well in his retirement.

Also moving on to greener pastures is Director Development Services, Oscar Drescher.

Oscar, who has given 25 years' service to the communities of Joondalup and Wanneroo, will be going into private practice.

Formerly known as the City Planner, Oscar presided over the astounding development of the old City of Wanneroo, which for more than a decade had the fastest growth rate in all of Australia.

We thank both gentlemen for their service and wish them well in their new roles.

PETITIONS

Nil.

At the request of the Chairman, the items relating to the Development and Planning Services Section were considered at this point.

DEVELOPMENT AND PLANNING SERVICES SECTION

Items CJ211-10/98 and CJ212-10/98 were Moved by Cmr Rowell and Seconded by Cmr Morgan.

CJ211-10/98 STRUCTURE PLAN FOR OCEANSIDE GARDENS ESTATE, HEATHRIDGE - [05069J]

SUMMARY

Council has received a request to agree to the relaxation of setback requirements for houses on the Oceanside Gardens estate at the corner of Marmion Avenue and Ocean Reef Road, Heathridge. The lots concerned are smaller than usual and the relaxation would allow construction on them of individual houses which conform to acceptable standards of development. It is recommended that the relaxation should be adopted by Council as a draft Structure Plan and advertised in accordance with the Town Planning Scheme provisions.

BACKGROUND

The Planning Group has applied for relaxation of setback requirements for houses on Oceanside Gardens Estate at the corner of Marmion Avenue and Ocean Reef Road, Heathridge. The preferred form for incorporating of such a relaxation is as a Structure Plan prepared under the provisions of Part 10 of the City of Joondalup Town Planning Scheme No 1 ("the Scheme").

DETAILS

The subject land (Attachment 1) comprises lots 525 and 1001, cnr Marmion Avenue and Ocean Reef Road, a total area of 13.8 hectares. It is bounded by Marmion Avenue, Ocean Reef Road, Poseidon Road, Voyage Road and Mermaid Way. The subject area is zoned Residential Development and is included in the R20 density code area.

The proponent has requested that the setbacks be relaxed throughout the estate as follows:

Front: 4 metres average with a minimum of 2 metres as opposed to the R Code requirement of 6 metres average with a minimum of 3 metres.

Garages: minimum 6 metres as opposed to the R Code requirement of 6 metres average with a minimum of 3 metres.

Rear: 4 metres average as opposed to the R Code requirement of 6 metres average.
Side setbacks would conform to the R Codes.

These relaxations are requested in order to allow the effective use of private open space, the provision of additional onsite parking, and adequate solar access whilst maintaining high development standards and a minimum dwelling size of 155 sq metres. They are included in the draft Structure plan attached (as Attachment 2), which is the preferred form for these controls to be incorporated into the Scheme.

COMMENT

The draft Structure Plan as proposed, conforms with the requirements of Part 10 of the City of Wanneroo Town Planning Scheme and is acceptable for the control of setbacks within the Structure Plan area.

The application of the proposed relaxation of front setbacks to the lots fronting onto the perimeter roads, Poseidon Road, Voyage Road and Mermaid Way is not supported. It is not considered to be good planning for setbacks to differ on each side of the street and the expectations of existing residents around the site should be respected.

Under the provisions of Part 10 of Town Planning Scheme No 1, a structure plan is to be advertised as a draft prior to further consideration. Council shall then adopt the draft policy or modify it in the light of any objections and give notice of final adoption.

The proposed Structure Plan is considered suitable for advertising.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, pursuant to Clause 10 of the City of Wanneroo Town Planning Scheme No 1, ADOPT the draft Structure Plan for Oceanside Gardens, Heathridge as satisfactory and make it available for public comment.

The Motion was Put and

CARRIED

CJ212-10/98 DELEGATED AUTHORITY REPORT- [07032]

SUMMARY

This report provides a resumé of the development applications processed under Delegated Authority from 23 September 1998 to 6 October 1998.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners note the actions taken and determinations made under Delegated Authority in Report CJ212-10/98.

The Motion was Put and

CARRIED

Appendix XIII refers

CJ213-10/98 PROPOSED LAND EXCHANGE, SUBDIVISION AND REZONING OF THE FORMER GREENWOOD PRIMARY SCHOOL SITE AND ADJOINING RECREATION RESERVES - [02419J]

SUMMARY

The Greenwood Primary School site, Peppermint Drive, Greenwood was sold at public auction by the Department of Land Administration (DOLA) on behalf of the Education Department. The purchasers of the site are proposing to subdivide the land into residential lots.

Portions of two public recreation reserves adjoin each of the boundaries of the former school site. The owner made an application to the Council to cancel those reserves that abut the southern, western and northern boundaries of the site and exchange this land for an equal portion of land within the site. While the Joint Commissioners supported this application in principle, prior to any decision being made on this proposal, the land exchange was extensively advertised by way of on site signs, a notice in the local newspaper and a letter to those residents adjoining or directly facing the reserves seeking their comments.

Although there has been some support for the proposal it appears that many residents in the area are opposed to the cancellation of the reserves. As a compromise, it is recommended that cancellation of the reserves can proceed in a modified form. Accordingly, the subdivision and rezoning proposals will also need to be modified.

BACKGROUND

Reserves 30958 and 31016 are both set aside for the purpose of public recreation and are vested in the City of Joondalup. The reserves were created as a condition of subdivision under Section 20A of the Town Planning and Development Act and as such are subject to stringent conditions regarding their use and disposal.

Following the acquisition of the former primary school, Richard Pawluk & Associates approached the City on behalf of the owner with a preliminary design for the subdivision of the site into residential lots. The proposal (shown on Attachment No 1) suggested lots with rear boundaries adjoining the existing recreation reserves. The City raised some concern with this proposal, in particular, in relation to the narrow open space channels that would result and potentially lead to future havens for anti-social behaviour and the need to recognise (and where possible retain) significant trees on the site.

The consultants subsequently prepared a modified design which proposed cancellation of several sections of the reserves in exchange for an equivalent area of land from their property adjoining Blackall Reserve with the land within the narrow reserves proposed as residential lots.

The consultants also made application for the proposed rezoning and subdivision of the site and adjacent reserves (proposed to be cancelled) to accommodate the above development.

DETAILS

Reserve Cancellation

The Joint Commissioners at their meeting on 14 July 1998 considered this matter and resolved to support the reserve cancellation and land exchange in principle and to advertise the proposal to gauge the opinions of the local residents. On site signs were erected on the reserves and a notice was placed in the local newspaper. A letter was also forwarded to all residents who adjoin or overlook the reserves seeking their comments. The purchasers of the site also undertook their own form of canvassing of residents to inform the public of their proposals for the subdivision. Although the advertising period for this proposal finished on 21 August 1998 a constant flow of submissions have been received up to the date of this report being prepared.

Objections

In total 96 individual submissions have been received from residents objecting to the proposed land exchange. Some submissions contained no name and address and these have not been included in the total. A total of 909 signatures on various petitions have been received objecting to the proposal. Of these 253 of the signatories were from outside Greenwood. Although a thorough check of the signatures has not been undertaken due to the numbers involved it is apparent that some residents have signed the petitions more than once.

In general, the objections that have been received can be summarised into the following issues:

- loss of existing vegetation;
- loss of POS link areas leading to reduced pedestrian/cyclist access throughout the area;
- loss of passive recreation;
- loss of visual amenity;
- the development of the school site for residential purposes.

Many residents stated that they use the existing reserves as a pleasant walk to access services such as schools and shopping centres in the area. Although pedestrian access will not be restricted with the proposed development, many residents in the area want to retain the existing open space corridors rather than walk across roads.

Some residents whose property adjoin the reserves are concerned that their privacy will be affected by having housing adjoining them rather than the reserves. They consider that this will decrease the value of their property.

Many of the objectors are also concerned over the loss of trees that will result from the land exchange. Although several trees with significant retention value have been identified, many of the trees in the narrow reserves are not considered to be of a high retention priority. However, the portion of the school site land proposed to be exchanged for the reserves does contain one tree with a high priority for retention and a number of other trees worthy of retention.

The residents in the area who have objected to the land exchange do not consider that the retention of the reserves, even with fences constructed on either side of the reserve will be a security problem.

Many of the objections appear to regard the land exchange and the development of the school site as the same issue. Certainly from the discussions that City officers have had, many residents were confused about the facts of this proposal. It is therefore difficult to determine whether residents would continue to object to the same extent to the land exchange if the subdivision of the school site was already approved.

Despite this, the objections cannot be ignored and the large number of objections received indicates the resident's general feelings for this proposal.

Supporters

Two petitions have been received supporting the land exchange with a total of 79 signatures. All of the signatories reside in Greenwood. Two letters have also been received supporting the closure, one from a resident in Kurrajong Place and the other from the Station Officer of the Fire and Rescue Services in Balcatta.

The supporters of the land exchange consider that security will be a problem if the narrow reserves remain. They claim that their community consistently experiences problems with loitering, littering of intravenous needles and broken bottles, damage to property, graffiti, vandalism and burglary. They consider that these problems will be removed if the narrow reserves are cancelled and exchanged for an equivalent area from the school site.

Right Marketing Australia Pty Ltd have also undertaken a telephone survey on behalf of the owners of the school site. They state that the survey has been undertaken in full compliance with IQCA requirements (the relevant industry certification for the research fieldwork industry in Australia) and they claim that the results are therefore objective, reliable and accurate. As the questions were either multi choice or on a scale system (ie; strongly object, object, agree, etc) the results are open to interpretation. The company undertook a total of 152 interviews.

A brief summary of the most relevant questions and responses follow;

Q2D Most people in the area would make better use of one larger park rather than a number of small strips of open space.

43% supported the concept of a larger park and 50% preferred the smaller strips. This question may have been misleading as the existing linear parks will be the same (total) area as the land being exchanged from the school site.

Q2H I would support a redevelopment that reduced the potential for crime in the area (such as vandalism, break-ins and assaults, even if it meant changes to the layout (but not the amount) of existing public open space.

68% supported such development and 19% opposed the development if it meant a change to the layout of the Public Open Space.

Q2I I would support a redevelopment that maximises the number of existing trees retained on the primary school site, even if it means changes to the layout (but not the amount) of Public Open space.

69% supported this statement and 24% disagreed with the statement.

Right Marketing claim that much resistance to the proposed land exchange is based on negative perceptions towards development and developers and concerns for the environment with many residents raising objections to any redevelopment of the school site.

Attachment No 2 shows the distribution of submitters.

It is evident that many of the households who supported the land exchange have also signed the petition objecting to the proposal. This may be due to different members of the household signing the petitions or attitudes toward the proposal changing as more is learnt about it.

Special Electors Meeting

A petition with 184 signatures was received requesting a Special Electors Meeting to discuss the land exchange, Amendment No 833 and various other matters relating to the public open space in Greenwood.

A meeting was held on 14 September 1998 at the Warwick Open Space Club Rooms, Warwick. The meeting was attended by 149 members of the public, local politicians and 1 member of the press. The following motion was put forward by a resident and was carried at the meeting:

“MOVED Mrs Sue Hart, SECONDED Mr Don Adamson that we the electors of the City of Joondalup, being mostly residents of the suburb of Greenwood, do hereby move that the community of Greenwood expect the Joint Commissioners to:

- 1 accept the validity of the opposition to the proposed cancellation of a portion of Reserves 30958 and 31016 adjoining the former Greenwood Primary School, as expressed in the 851 signature petition and letters of objection received by the City;*
- 2 acknowledge the importance of the reserves as central components of an effective network of public open space within the suburb of Greenwood highly valued by the local community with high practical values and the disposal of such will disadvantage the local community;*
- 3 acknowledge that the majority of landowners adjoining the reserves object to the cancellation of the reserves and would suffer a loss of amenity;*
- 4 not proceed with the proposed cancellation of any of the reserves for the reasons detailed in the petitions and letters of objection;*
- 5 not proceed with Amendment No 833 to Town Planning Scheme No 1 - proposed rezoning of Greenwood Primary School, as detailed in Report CJ17-07/98, as the amendment depends upon the cancellation of the recreation reserves;*
- 6 not accept the cash-in-lieu of public open space offer from the owner of the school site;*

- 7 *use the 10% public open space contribution from the school site to:*
- (a) *increase the width of the reserves to the maximum possible, where the reserves adjoin the rear of the lots on Pullan and Kurrajong Places; and*
 - (b) *increase the size of Blackall Reserve only to the extent required to allow the reserve to continue to function as an active recreation reserve;*
- 8 *prepare a management plan for the reserves, through a process of public consultation with the people of Greenwood, that will enhance their use as passive recreation areas and add to the wooded charm of the suburb;*
- 9 *investigate government funding which may be applied to “buying back” the school site and vesting the area in the City for passive recreation and community purposes.”*

The Joint Commissioners considered the motion at their meeting on 22 September 1998 (Item CJ125-09/98) and resolved to:

- 1 acknowledge the opposition to the proposed cancellation of a portion of Reserves 30958 and 31016 adjoining the former Greenwood Primary School, as expressed in the petition and letters of objection received by the City to date and this matter be the subject of a further report to Council prior to finalising the Council’s position on the proposed changes;
- 2 request the Director Development Services to examine and report on the importance of the reserves as central components of an effective network of public open space within the suburb of Greenwood;
- 3 request the Director Development Services to examine and report on the effect the cancellation of the reserves would have on the amenity of the landowners adjoining the reserves;
- 4 give further consideration to the status of the reserves in conjunction with the Director Development Services report in (2) and (3) above;
- 5 give further consideration to the request not to proceed with Amendment No 833 to Town Planning Scheme No. 1 in conjunction with the report of the Director Development Services commenting on the submissions received in response to the public advertisement inviting comments on the Scheme amendment;
- 6 give further consideration to the cash in lieu of public open space offer from the owner of the school site in conjunction with the report of the Director Development Services commenting on the subdivision application;
- 7 give further consideration to the use of the 10% public open space contribution from the school site in conjunction with the report of the Director Development Services commenting on the subdivision application;

- 8 note the request to prepare a management plan for the reserves and give further consideration to the request once the future of the proposed reserve closures; TPS amendment and subdivision application have been determined;
- 9 refer the proposal to investigate government funding for the purpose of buying back the school to the Minister of Lands for comment.”

In response to the above resolutions the following advice is provided:

Item 2: Realignment of the Public Recreation reserves was generally supported as it provided for an opportunity to rationalise the open space in the area while still maintaining good pedestrian/cyclist linkages similar to those that exist. The current eastern property boundary of the school site is some 14 metres from the oval boundary and 22 metres from the practice wickets. The cancellation of the linear reserves would provide an opportunity to relocate a substantial area of POS to abut Blackall reserve thereby increasing setbacks to the oval area and preserving significant vegetation.

Item 3: The Manager Parks Landscaping Services advises that cancellation of the linear open space areas would have minimal impact on the amenity of adjoining residents. Their access throughout the area would still remain albeit via pathways within road reserves. Instead of open space adjoining the rear of their properties, this proposal would see residential lots abutting. In many cases, landowners prefer this arrangement as opposed to public land abutting, such as in the case of pedestrian accessways.

The major impact of this proposal would be the removal of trees and natural vegetation within the old school grounds. This area will be largely cleared to accommodate residential development, irrespective of which option is approved.

Item 4: As identified, the subject reserves were created arising out of the historic subdivision of the area. They were vested in the Crown under section 20A of the Town Planning and Development Act (1928). Whether these reserves are retained or disposed of will be addressed further in this report.

Item 5: The progress of Amendment No 833 will to a large extent be governed by the Council's consideration of the reserve cancellation.

Item 6: This issue will be addressed later in this report in relation to the consideration of the subdivision application.

Item 7: This issue will be addressed later in this report in relation to the consideration of the subdivision application.

Item 8: The City Parks Manager has advised that 'Management Plans' are not prepared for linear POS such as Reserve 31016 as it forms part of the total area of Blackall Park. If the linear areas are retained, they will be maintained in accordance with the City's standard dry park maintenance practices.

Item 9: A request has been forwarded to the Premier requesting his comments on the availability of government funding for the purpose of buying back the school site. At the time of writing this report, no response had been received from the Government.

Freehill Hollingdale and Page, on behalf of the purchasers of the school site have advised that they are not willing to enter into any negotiations for the resale of the site. They also state that as the funds received from the sale have been used to improve the Educational facilities in Greenwood it would be unfair to expect the wider community in Western Australia to bear the cost of purchasing the site.

Options

There are three primary options available to the City in considering the proposed land exchange.

1. the City can refuse the application for the cancellation of the linear open space reserves and land exchange and support only the subdivision and rezoning of the school site;
2. the land exchange be supported and the subdivision and rezoning include the existing reserves currently proposed for cancellation; or,
3. a compromise could be considered where only portions of the subject open space reserves are cancelled and exchanged.

Clearly, whichever option is recommended it will not please all of the submitters and owner of the old school site together. However, the City must consider what the best long-term option is for the area.

The City's staff have had considerable experience dealing with social problems associated with narrow laneways and similar open space links. Certainly this was a mitigating factor which led to the City's initial support for the cancellation of the subject reserves. The City's Health and Ranger Services Unit however has now advised that this issue may not be the problem that was first envisaged.

Another element that weighed heavily in considering the proposed cancellation was the opportunity to maximise the retention of significant vegetation along the eastern boundary of the old school site via a land exchange. This is still an important factor.

The City outlined these issues previously however, much community opposition has remained. As with any such proposals, there is a process to be followed before cancellation and disposal of a reserve can be finalised. An integral part of the process involves consultation with different agencies and the public at large.

While all of the agencies consulted supported this proposal, many residents have opposed the cancellation of the linear reserves. It is clear from some submissions that have been received, discussions with residents (including comments made at the special elector's meeting) and the survey submitted by the owner, that some opposition for the reserve cancellation arises from opposition to the redevelopment of the school site.

Despite this, it is believed that a compromise can be considered which can balance the developer's desire to develop his land as well as address much of the community concern that has been raised.

As the western (north-south) open space link has a constructed path, is the most used and appears to be the most controversial, it is proposed that this section remain open. The Manager Parks Landscaping Services has agreed to this position.

However, it is recommended that the Joint Commissioners proceed with the cancellation of those reserves that abut the southern and northern boundaries of the former school site in exchange for an equivalent area of land abutting the eastern boundary of the school. This will enable the rationalisation of open space in the area to maximise vegetation retention abutting Blackall Reserve with good pedestrian/cyclist linkages still being maintained throughout by virtue of a modified subdivision design.

Subdivision Application

The Proposal

The City has received a subdivision application from Richard Pawluk & Associates on behalf of Greenwood Primary School Joint Venture (Attachment 3). The proposed subdivision makes provision for 64 lots. While the proposed size of 56 lots varies between 486 m² and 531 m², eight lots range between 303 m² and 345 m².

The application makes no provision for a 10% POS (land) contribution since the proponent proposes to make a cash-in-lieu contribution. An area of 9720 m² of POS has been set apart on the eastern side of the subdivision area to form part of the adjoining Blackall Reserve in exchange for the reserves that are the subject of the cancellation.

Entry into the subdivision area is proposed to be gained from Peppermint Drive only. No vehicular entry is proposed from the southern side as this would result in traffic moving between Blackall Drive and Coolibah Drive as a short cut thus jeopardising the amenity of the proposed residential area.

Recommended Modifications

In view of the proposed changes to the reserve cancellation, the current subdivision design cannot be supported. However, a modified design could be supported on the basis that it include the following modifications:

1. a road along the western boundary of the site (within the site) as an interface to the north-south linear open space link. This will provide greater opportunity for the new lots to overlook the POS and thereby provide passive surveillance of this area.
2. deletion of those proposed lots indicated on the western reserves, as cancellation of such is no longer proposed; and
3. in view of the reduced area available as a land exchange, the proponent providing their 10% POS contribution adjoining Blackall Reserve to maximise opportunity for the retention of significant vegetation within the area.

Amendment No 833

On 25 May 1998 Council received an application to rezone the former Greenwood Primary School to Residential R20 and Parks and Recreation Reserve. The application also proposed the rezoning of portions of Reserves 30958 and 31016 to Residential R20. This application was made pursuant to the request for the cancellation of the linear open space reserves to facilitate the ultimate development of the former school land.

At the meeting of 14 July 1998 (CJ 17-07/98) the Joint Commissioners resolved to:

“...amend Town Planning Scheme No. 1 to rezone Swan Loc 8809 (former Reserve 31790 Greenwood Primary School), and portions of Reserves 30958 and 31016 from Local Reserve - Public Use to Residential R20 and Local Reserve (POS) and adopt Amendment 833 accordingly.”

On 14 August 1998, The Western Australian Planning Commission granted consent for the public advertisement of the amendment for a period of 42 days and the Department of Land Administration, was required to be notified of the amendment. Advertising closed on 29 September, 1998.

In accordance with Act, the amendment was referred to the Environmental Protection Authority (EPA). The advice received indicated that the impact of this proposal would not be severe enough to warrant assessment under Part IV of the Environmental Protection Act.

Close of Advertising

A total of 103 submissions were received after advertising. It should be noted that only 7 submissions objected to the redevelopment of the school site for residential purposes. The majority of submissions however related to the cancellation of the adjacent reserves. The City's response to such general objections have already been addressed earlier, and therefore they will not be reiterated again.

Two of the submissions consisted of petitions with 199 signatures.

Two submissions were received in favour of the proposal. One of these was made by the Fire Reserves Services. The Department of Land Administration also indicated that it had no objections to the proposed rezoning.

In view of the proposal to only proceed with the cancellation of the southern and northern reserves, it is recommended that this amendment be modified accordingly. It is not believed that such a modification will need to be re-advertised as the proposed change is not adding to the proposal but rather, is reducing the area to be rezoned. Ultimately, this decision will rest with the Minister for Planning.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 do NOT SUPPORT the cancellation of the portion of Reserve 31016 adjoining the western boundary of the former Greenwood Primary School site and the portion of Reserve 30958 adjoining the School Site and lots 892 and 891 Pullan Place, Greenwood;

- 2 request the Hon Minister for Lands to cancel the portion of Reserve 31016 along the northern boundary of the former Greenwood Primary School and the portion of Reserve 31016 along the southern boundary of the school site and dispose of the land within the cancelled reserve to the owners of the school site in exchange for an equivalent area of the school site, in accordance with the provisions of Section 11 of the Land Administration Act 1997;
- 3 advise the Western Australian Planning Commission (WAPC) that the City does NOT SUPPORT the current subdivision application submitted by Richard Pawluk and Associates on behalf of the Greenwood Primary School Joint Venture, but that it would be prepared to support a modified application that includes the following modifications:
 - (a) a road being provided along the western boundary of the site (within the site) as an interface to the north-south linear open space link;
 - (b) deletion of the proposed lots indicated within the reserves abutting the western boundary of the site;
 - (c) provision of a 10% POS contribution adjoining Blackall Reserve to maximise opportunity for the retention of significant vegetation within the area;
 - (d) standard conditions of subdivision.
- 4 pursuant to Town Planning Regulation 17(2) modify and adopt Amendment 833 to Town Planning Scheme No 1 to rezone a portion of Reserves 30958 and 31016 and Swan Location 8809 (former Reserve 31790 Greenwood primary school) to Residential and Local Reserve - Parks and Recreation;
- 5 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

ADDITIONAL INFORMATION

Richard Pawluk and Associates on behalf of their client met with officers and Commissioners on 23 October 1998 where a revised plan for the subject area was presented (Appendix XVI refers).

This plan is generally consistent with the recommendation contained in report CJ213-10/98 with the exception of the landowners public open space (land) contribution. The plan proposes a 5% land contribution to be generally added to Blackall Reserve abutting the eastern boundary of the former school site. The remaining 5% contribution is proposed to be provided as cash-in-lieu.

The City's Parks section has examined this modified proposal and advise that the principle areas of vegetation highlighted on the original submission (Appendix XVII refers) are still being retained. Additionally, this proposal also incorporates some significant trees within a further POS area proposed to be amalgamated with the western linear POS strip .

Accordingly, it is believed that this modified proposal achieves the City's objectives in regard to the development of this site while rationalising the linear POS and maximising vegetation retention and the utility of POS in the area. This proposal is therefore supported.

It would appear that a misconception is held amongst members of the community that a cash-in-lieu contribution toward POS is not possible (or lawful). Comments to this extent were made at the Special Electors meeting. This however, is not the case. The Western Australian Planning Commission's policy on this matter clearly specifies that;

“Section 20C of the Town Planning and Development Act provides that a cash payment can be made ... in lieu of all or part of the public open space contribution. ... Where the Commission is of the opinion that it would be more appropriate to require a cash-in-lieu contribution, it will impose a condition ... requiring land to be shown as a Reserve for Recreation. The Commission will advise the applicant in the approval that, subject to further request, it may be prepared to allow a cash payment to the local government in lieu of ceding land for public open space”.

It is also understood that residents in the area recently met with Commissioners and suggested that the City was not in a position to proceed with the proposal and make recommendations to DOLA to cancel the subject linear reserves. This however, is not the case, the reasons being that Section 3.58 of the Local Government Act 1995 do not apply.

- 1 The City does not propose to dispose of the land to a private party. The City is simply agreeing to the revocation of the Vesting Order it holds under the provisions of Section 50 of the Land Administration Act 1997 whereupon the land will revert to being an unvested Crown Reserve.
- 2 The cancellation of the land as a Crown Reserve will be effected by the Minister for Lands under Section 51 of the Land Administration Act 1997 and disposed of under Section 74 of the Act.
- 3 The voluntary revocation to the Minister for Lands of the Vesting Order by which the City has the care, control and management of the Reserve does not constitute a disposal of land within the meaning of Section 3.58 of the Local Government Act.

Even if it did fall within the meaning of “dispose” as defined by the Act, the Regulations made under Section 3.58 (5) (d) exclude the operation of that Section where land is disposed of to the Crown.

In view of the above, it is recommended that the Joint Commissioners not proceed with the recommendation contained in Report CJ213-10/98 and adopt a modified recommendation as follows:

MOVED Cmr Rowell that the Joint Commissioners:

- 1 do NOT SUPPORT the cancellation of the portion of Reserve 31016 adjoining the western boundary of the former Greenwood Primary School site and the portion of Reserve 30958 adjoining the School Site and lots 892 and 891 Pullan Place, Greenwood;
- 2 request the Hon Minister for Lands to cancel the portion of Reserve 31016 along the northern boundary of the former Greenwood Primary School and the portion of Reserve 31016 along the southern boundary of the school site and dispose of the land within the cancelled reserve to the owners of the school site in exchange for an equivalent area of the school site, in accordance with the provisions of Section 11 of the Land Administration Act 1997;
- 3 advise the Western Australian Planning Commission (WAPC) that the City does NOT SUPPORT the current subdivision application submitted by Richard Pawluk and Associates on behalf of the Greenwood Primary School Joint Venture, but that it would be prepared to support a modified application that includes the following modifications:
 - (a) a road being provided generally along the western boundary of the site (within the site) as an interface to the north-south linear open space link;
 - (b) deletion of the proposed lots indicated within the reserves abutting the western boundary of the site;
 - (c) provision of a 5% POS land contribution adjoining Blackall Reserve to maximise opportunity for the retention of significant vegetation within the area with the remaining 5% contribution being provided as cash-in-lieu;
 - (d) standard conditions of subdivision.
- 4 pursuant to Town Planning Regulation 17(2) modify and adopt Amendment 833 to Town Planning Scheme No 1 to rezone a portion of Reserves 30958 and 31016 and Swan Location 8809 (former Reserve 31790 Greenwood primary school) to Residential and Local Reserve - Parks and Recreation;
- 5 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

There being no Seconder the Motion**LAPSED****MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners:**

- 1 do NOT SUPPORT the cancellation of Reserves 31016 and 30958 adjoining the boundary of the former Greenwood Primary School site;

- 2 advise the Western Australian Planning Commission (WAPC) that the City does NOT SUPPORT the current subdivision application submitted by Richard Pawluk and Associates on behalf of the Greenwood Primary School Joint Venture, but that it would be prepared to support a modified application that includes the following modifications:
- (a) deletion of all the proposed lots indicated within the existing recreation reserves abutting the site;
 - (b) roads being provided abutting the boundary of the site (within the site) as an interface between the existing recreation reserves and the proposed development;
 - (c) provision of a 10% POS land contribution adjoining Blackall Reserve (or in such other location as determined to the satisfaction of the Manager Parks Landscaping Services) to maximise opportunity for the retention of significant vegetation within the area;
 - (d) standard conditions of subdivision/
- 3 pursuant to Town Planning Regulation 17(2) modify and adopt Amendment 833 to Town Planning Scheme No 1 to rezone Swan Location 8809 (former Reserve 31790 Greenwood Primary School) to Residential;
- 4 following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to, and endorse the signing of, the amendment documents.

The Motion was Put and

CARRIED

Appendices XVI and XVII refer

Items CJ214-10/98 to CJ217-10/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Clark-Murphy.

CJ214-10/98 CLOSE OF ADVERTISING: AMENDMENT 828 TO TOWN PLANNING SCHEME No 1 TO RECODE PART OF LOT 2(400) BURNS BEACH ROAD, KINROSS FROM R20 TO R25. - [11-049J]

SUMMARY

This Amendment proposes to recode Portion Lot 2 (400) Burns Beach Road from Residential Development R20 to R25.

The proponent has indicated that the proposed blanket recoding of the area was preferred over the alternative of spot recoding. The purpose of the recoding being to allow for a number of smaller lots scattered through the area

Having considered the nature of the increase in density, and the coding of adjoining areas, no objections are raised to the proposed recoding.

It is therefore recommended that the Joint Commissioners adopt Amendment 828 without modification.

BACKGROUND

Taylor Burrell on behalf of Burns Management Pty Ltd submitted an application to recode Portion of Lot 2 (400) Burns Beach Road, Kinross from R20 to R25.

At its meeting of 14 July, 1998 (CJ15-07/98) The Joint Commissioners resolved to:

"...amend Town Planning Scheme No 1 to recode Portion of Lot 2 (400) Burns Beach Road, Kinross from R20 to R25, and adopt Amendment 828 accordingly."

The Amendment was advertised until 6 October 1998.

DETAILS

The subject site is bound by Neerabup National Park in the north, and Selkirk Drive in the south. It comprises the portion of Kinross East designated for residential development but currently unsubdivided (Attachment 1). The area is currently zoned Residential Development R20 under the City of Joondalup Town Planning Scheme.

The approved subdivision plan for the area (Western Australian Planning Commission reference 104001) identifies 277 lots with areas ranging from 500 to 690 m².

The purpose of the recoding is to create a discrete number of smaller lots scattered through out the subdivision.

The proposal is designed to address the increasing community need for a diversity of dwelling types, and to provide opportunities for residents to upgrade or down grade their housing needs.

During the advertising period no submission was received to the proposed amendment.

COMMENT

In considering the likely effect of the proposed recoding, it is necessary to take into account that the south-eastern part of Kinross is coded Residential R25 and R40. On these terms the proposed amendment would be compatible with adjoining residential areas.

Attachment 2 shows an alternative option for distribution of the small lots proposed.

The applicants propose that the location of these smaller lots will meet several design principles:

- adjoining public facilities (parks, civic centres, commercial areas)
- dispersed in such a way to add variety to the streetscape.

Under the proposed R25 density code, a minimum lot size of 320m² is required, and an average of 350m². The proponent has indicated that it is not intended to create any lots smaller than

350m². Consequently, it will only be possible to subdivide lots in excess of 700m². Under the existing approved subdivision plan, less than ten lots are in excess of 700m².

The applicant has indicated that the possibility of spot coding rezoning has been considered but was not a preferred alternative due to the minor increase in the proposed density, the possible constraints to any flexibility in adjusting street layouts and lot boundaries, and the delays associated with amendments.

The Environmental Protection Authority (EPA) previously assessed the rezoning of the land and subdivision. A number of Ministerial conditions were imposed to the proposal. The EPA has indicated that if the current proposal does not conform in substance with the previous plans submitted, the proponent is required to write to the EPA detailing the changes and requesting that they recommend to the Minister for the Environment that the proposed change to the project is not substantial.

The proposed recoding would require minor variations to the submitted plans. Taking into account the existing subdivision approval for the land, any substantial diversion from the approved lot sizes will require approval by the City of Joondalup and Western Australian Planning Commission.

No objections are raised to the proposed recoding of the area to R25. It is recommended that the Joint Commissioners adopt Amendment 828 without modification.

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

- 1 **pursuant to Town Planning Regulation 17(2) ADOPT Amendment 828 to Town Planning Scheme No1 to recode Portion of Lot 2 (400) Burns Beach Road, Kinross from R20 to R25 without modification;**
- 2 **following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the common seal to , and endorses the signing of, the amendment documents.**

The Motion was Put and

CARRIED

**CJ215-10/98 CLOSE OF ADVERTISING: CITY OF JOONDALUP
TOWN PLANNING SCHEME No 1 AMENDMENT 834
RECODING LOT 884 CRABTREE STREET,
ALEXANDER HEIGHTS FROM R20 TO R40. - [11-840W]**

SUMMARY

Amendment 834 has been advertised for public submissions. The period of advertising closed on 6 October, 1998. A total of 3 submissions have been received supporting the proposal.

The subject site is Lot 884 Crabtree Street, Alexander Heights.

The applicant requests a recoding of the land from Residential Development R20 to Residential Development R 40. The recoding would enable the development of 9 home units, with an average lot size of 368 m².

It is recommended that the Joint Commissioners adopt Amendment 834 to recode Lot 884 Crabtree Street, Alexander Heights from Residential Development R20 to Residential Development R 40 without modification.

BACKGROUND

At the meeting on 14 July, 1998 (SW 13-07/98) the Joint Commissioners resolved to:

“...amend Town Planning Scheme No 1 to recode Lot 884 Crabtree Street, Alexander Heights from R20 to R40 and adopt Amendment No 834 accordingly.”

The Environmental Protection Authority has indicated that the likely environmental impact of the proposal does not require assessment under Part IV of the Environmental Protection Act. Following the consent of the Western Australian Planning Commission to advertise, public submissions to the amendment were received until 6 October, 1998.

The Water Corporation has been notified of the proposal, and requested to make a submission.

DETAILS

The subject site is Lot 884 created as part of the subdivision of Lot 114 Goldsworthy Entrance, Alexander Heights (Attachment 1).

Lot 884 is to have an area of 3316m². It will adjoin Crabtree Street along its eastern boundary. The land is presently zoned Residential Development R20 under the City of Joondalup Town Planning Scheme No1.

The proponent proposes to construct 9 home units with an average lot area of 368 m². The minimum lot area for grouped dwellings in R40 areas is 250 m².

Taking into account the total area of the proposed lot, and the minimum lot sizes for R40 grouped dwellings, the site would allow a maximum of 13 grouped dwellings.

Attachment 2 shows the indicative development design for the area .

A total of 3 submissions have been received with no objections to the proposal. Attachment 3 includes a schedule of submissions.

The Water Corporation indicated that reticulated sewerage and water is available to the lot.

COMMENT

The area surrounding the subject site is primarily coded R20. Two areas with residential densities of R 40 are located north and south of the site respectively.

The proposed recoding would enable the provision of alternative dwelling types to that of single residential dwellings.

It is recommended that the Joint Commissioners adopt Amendment 834 without modification.

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

- 1 **pursuant to Town Planning Regulation 17(2) ADOPT Amendment 834 to Town Planning Scheme No1 to recode Lot 884 Crabtree Street, Alexander Heights from Residential Development R 20 to Residential Development R40 without modification;**
- 2 **following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the Common Seal to, and endorses the signing of, the amendment documents.**

The Motion was Put and

CARRIED

CJ216-10/98 CLOSE OF ADVERTISING: AMENDMENT 836 TO TOWN PLANNING SCHEME No 1. TO RECODE PORTION OF SWAN LOCATION 12008 ELLERSDALE AVENUE, WARWICK FROM R20 TO R40 - [10-840J]

SUMMARY

Amendment 819 rezoned Swan Location 12008 Ellersdale Avenue, Warwick from Local Reserve- Public Use to Residential R20. This Amendment proposes to recode the section of the former school site adjoining Ellersdale Avenue from Residential R 20 to R40.

The applicants, Planning Group Pty Ltd on behalf of Fetherstone Holdings Pty Ltd propose the recoding of 13 lots from R20 to R40 to allow for grouped dwellings. The Amendment also incorporates a request to recode Lot 34 and 35 to allow the creation of three unit group housing development.

The area to be recoded is adequately located within walking distance from Warwick shopping centre, and other community facilities. It is considered that the proposed recoding and development of grouped dwellings would not have a significant effect on the amenity of the area. However, due to the existing traffic flows along Ellersdale Road, the proposed group housing development would need to address the measures adopted by the traffic management Plan for the area.

It is recommended that the Joint Commissioners adopt Amendment 836 without modification.

BACKGROUND

The subject site is located on the southern portion of the former Warwick Primary School, fronting Ellersdale Avenue. It adjoins a retirement village on the eastern section, and Ellersdale

Reserve on the western boundary (Attachment 1). The land is currently vacant, and mostly cleared of any vegetation.

Amendment 819 proposed to rezone the School site from Local Reserve Public Use to Residential R20. The Hon Minister for Planning has granted final approval to Amendment 819 (published in the Government Gazette 6 October, 1998.)

At the meeting of 14 July, 1998 CJ18-07/98 the Joint Commissioners resolved to :

"...amend Town Planning Scheme No. 1 to recode portion of Swan Location 12008 Ellersdale Avenue, Warwick from R20 to R40 and adopt Amendment No 836 accordingly."

The period for public advertisement closed on 2 October, 1998.

DETAILS

The Planning Group on behalf of Fetherstone Holdings Pty Ltd submitted an application to recode the subject land to R40.

The Western Australian Planning Commission has approved the subdivision of the land into 58 lots (Attachment 2). The applicants propose the recoding of 13 lots fronting onto Ellersdale Avenue. The area proposed to be recoded amounted to 6656 m², with lot sizes ranging from 500m² to 534m². Under R40 a maximum of 26 grouped dwellings would be permissible on the site.

These lots are proposed to be developed as grouped dwellings with no changes to the subdivision plan.

This Amendment also involves the recoding of Lots 34 and 35. The recoding would allow the development of a three unit group housing development. These lots have areas of 557 m² and 666m². The recoding of the land to R40 would allow a maximum of 5 units.

In accordance with Section 7A1 of the Town Planning and Development Act 1928, The Environmental Protection Authority has been notified of the proposal. The Authority indicated that the overall environmental impact of the proposal would not be severe enough to warrant assessment under part IV of the Environmental Protection Act.

The Environmental Protection Authority (EPA) has advised that the proposed amendment may require consideration of the EPA's Draft Policy for Industrial-Residential Buffer Areas (Separation Distances). Under this Policy a service station requires a minimum buffer distance of 50m if operating within normal hours, and a 200 m buffer distance for a 24 hour service station. At present, a car wash and auto repair uses are located in the Warwick commercial park. A development application has recently been approved including a service station on Lot 956 Ellersdale Avenue. The distance between the proposed station and the residential development amounts to 52 m thus complying with the buffer distance requirements.

A total of two submissions have been received objecting to the proposed amendment (Attachment 3). The main grounds of objection relate to the increase traffic flow on Ellersdale Avenue. It has been suggested that the proposed group dwellings will increase the existing problems along Ellersdale Avenue.

Other grounds of objections include the likely increase in the number of driveway crossovers additional street parking, increase in vandalism, and increased complaints to the adjoining church operations.

COMMENT

The nature of the land uses surrounding the area would be compatible with a group housing development under the R40 codes. The subject land would be conveniently located with close access to shopping, transport and community facilities.

It is necessary to consider the effect of the proposed land use on the adjoining area, particularly in terms of amenity and the likely effect on traffic flows of the area.

With reference to the increase in traffic volume generated by the group housing development, it is considered that the likely impact would be minimal.

The number of crossovers, and their effect on the surrounding amenity needs to be evaluated. Any likely effect caused by the number of crossovers could be minimised by adequate design measures. It has been mentioned in the previous report to Council that Technical Services are currently investigating a number of traffic management options for the area, as part of the assessment of a development application for the commercial park.

Any future development would be required to comply with the final traffic management plan for the area.

It is considered that where possible, no more than one crossover be permitted to each of the proposed lots, limiting the number of access ways to that which would be required for a single housing development.

It is therefore recommended that the Joint Commissioners resolve to adopt Amendment 836 without modification.

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

- 1 **pursuant to Town Planning Regulation 17(2) ADOPT Amendment 836 to Town Planning Scheme No1 to recode portion Swan Location 12008 Ellersdale Avenue, Warwick from R20 to R40 without modification;**
- 2 **following advice that the Minister for Planning is prepared to finally approve the amendment, authorise the affixation of the Common Seal to , and endorse the signing of, the amendment documents.**

The Motion was Put and

CARRIED

CJ217-10/98 PROPOSED TEXT AMENDMENT NO 848 TO CHANGE NAME OF CITY OF WANNEROO TOWN PLANNING SCHEME NO 1 TO CITY OF JOONDALUP TOWN PLANNING SCHEME NO 1 - [23463J]

SUMMARY

From 1 July 1998 the City of Wanneroo Town Planning Scheme No 1 (TPS1) has been split and created as two separate schemes (Shire of Wanneroo TPS1 and City of Joondalup TPS1). Amendments to both have occurred since that time.

When the former City of Wanneroo changed its status from Shire of Wanneroo on 31 October 1985, no amendment was made formally to change the official name of TPS1. In effect, the former City of Wanneroo TPS1 remains legally as "Shire of Wanneroo TPS 1"; however, an amendment is required to adopt the change of name to the City of Joondalup TPS1.

It is recommended that the Joint Commissioners adopt Amendment 848 to rename the City of Wanneroo TPS1 to City of Joondalup TPS1.

BACKGROUND

The Shire of Wanneroo Town Planning Scheme No 1 was gazetted on 13 September 1972. The Shire of Wanneroo became the City of Wanneroo with effect from 31 October 1985. A scheme amendment was not initiated to change the name of the scheme at that time.

On 26 June 1998 the former City of Wanneroo was abolished and the Shire of Wanneroo and City of Joondalup created with effect from 1 July 1998.

DETAILS

Advice from Council's solicitors concludes that it is necessary to effect a change of name to create the City of Joondalup TPS1. This will enable the scheme text to be officially recognised in a court of law as the Scheme governing the district of the City of Joondalup.

It will not be necessary to change the Shire of Wanneroo TPS1 as no amendment occurred in 1985 when the Shire became a City.

It is intended to delete all occurrences of the words "Shire of Wanneroo" and "City of Wanneroo", replacing them with the 'City of Joondalup' and adding a new definition of City.

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners, in pursuance of Section 7 of the Town Planning and Development Act 1928, amend the name of City of Wanneroo Town Planning Scheme No 1 to City of Joondalup Town Planning Scheme No 1 and ADOPT Amendment No 848 accordingly.

The Motion was Put and

CARRIED

**CJ218-10/98 PROPOSED CLOSURE OF PUBLIC ACCESSWAY -
BETWEEN MICHIGAN COURT AND TYRRELL
COURT, EDGEWATER - [02981J]**

SUMMARY

The owners of three of the properties adjoining the pedestrian accessway between Michigan Court and Tyrrell Court, Edgewater have requested the closure of the accessway on the grounds of anti-social behaviour and attempted burglaries. The owners of the fourth property that adjoins the pedestrian accessway have objected to the closure, as they consider the community at large is best served by the accessway remaining open.

The proposed closure was advertised to gauge the opinions of the local residents of the area and at the close of the advertising period eight letters of objection were received and one letter of support. Based on the letters of objections from local residents, the concerns raised by the Department of Transport and the fact that one of the residents actually abutting the pedestrian accessway objects to the closure, closure should not be supported.

BACKGROUND

One of landowners adjoining the pedestrian accessway who has applied for closure claims that they have experienced attempted burglaries and on one occasion, their dog being beaten requiring veterinary attention. Another of the adjoining landowners claims that it has been necessary, on many occasions, to telephone the police due to disturbances within the accessway. Claims of other anti-social behaviour experienced are objects being thrown over the fences such as glass bottles; a used syringe in a soft drink can; stones; rubbish and pieces of wood. It is claimed that this anti-social behaviour is causing a great deal of anxiety for the applicants and their young children.

The three landowners supportive of the closure have agreed to purchase the land within the accessway and meet all associated costs.

The proposed closure was referred to the servicing authorities, the Ministry for Planning, and the Department of Transport for their comments. The Ministry for Planning did not submit any comments with regard to the proposed closure.

The Department of Transport has objected to the proposed closure. They have advised that public transport users in the Michigan Court and Superior Rise area will have an increased distance of approximately 100 metres (660 metres to 770 metres) to their nearest bus stop on Joondalup Drive. For the same residents choosing to walk directly to Edgewater railway station, Edgewater Primary School or Mater Dei College, the proposed closure would increase their walking distance by approximately 320 metres.

The Water Corporation has a water main that is located within the accessway which will be required to cut and capped at an approximate cost of \$2768.00.

Western Power has a cable within the accessway which will need to be encased in concrete and protected by an easement.

Alinta Gas and Telstra have no objections to the proposed closure.

An application has also been received requesting the closure of the pedestrian accessway between Tyrrell Court and Tahoe Court, Edgewater. Adjoining landowners to this accessway also claim to be experiencing the same type of anti-social problems.

DETAILS

The proposed closure was advertised for a period of thirty days by way of on site signs and a notice in the local newspaper. At the close of the advertising period eight letters of objection were received and one letter of support. The location of the objectors and supporter is shown on Attachment No. 1.

A recent inspection of the pedestrian accessway revealed it to be in a clean condition and fences in good order.

Concerns raised by the objectors were the increase in walking distance to various regularly used community facilities such as Edgewater Primary School, Edgewater railway station, the closest bus stop located on Regatta Drive, St Clair Park, Mater Dei College, Edith Cowan University and Joondalup TAFE.

COMMENT

Although some sympathy must go to the landowners adjoining the pedestrian accessway who claim to be experiencing anti social behaviour, one of the adjoining landowners actually objects to the proposal, acknowledging the community at large benefits if it remains open.

Due to the number of community facilities that this accessway leads to, and the added walking distance that would occur if closure went ahead, the accessway should remain open.

ADDITIONAL INFORMATION

Mrs Nylander who resides at 6 Tyrrell Court, Edgewater telephoned the City requesting information regarding the number of objecting and supporting submissions which had been received with regard to the above proposed closure. Mrs Nylander was surprised that her submission was the only one received by the City in support of the proposal as she was aware of five or six other residents in the vicinity that had sent in submissions supporting closure.

A check was made of the City's Records Section to ascertain if any additional correspondence had gone astray. A search did find a further letter of support for the closure which had not been previously sighted from Mrs McGinnity, a resident of 15 Tyrrell Court. No other submissions were found.

REPORT RECOMMENDATION: That the Joint Commissioners NOT AGREE to close the pedestrian accessway between Michigan Court and Tyrrell Court, Edgewater.

MOVED Cmr Rowell, SECONDED Cmr Morgan that consideration of the request to close the pedestrian accessway between Michigan Court and Tyrrell Court, Edgewater be deferred pending a full inspection of the site by the Joint Commissioners.

The Motion was Put and

CARRIED

Items CJ219-10/98 to CJ222-10/98 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan.

**CJ219-10/98 UNAUTHORISED ACCESS : LOT 793 (46)
MEADOWBANK GARDENS, HILLARYS - [00506J]**

LOCAL SCHEME: Special Development A (R20)
APPLICANT/OWNER: Mr Alfred Bennett & Mrs Pamela Bennett

SUMMARY

At its meeting of 24 March 1998, the Joint Commissioners resolved to allow a 1.2 metre wide access to Lot 793 (46) Meadowbank Gardens, Hillarys across a 0.1 metre wide pedestrian accessway (DP103-03/98 refers). The resolution required that a Restrictive Covenant in Gross was to be placed on the property regarding access restrictions and that the accessway was not to be accessed by vehicles, boats, caravans or trailers.

The City has been advised that it did not have control of the pedestrian accessway, (PAW) and therefore could not give permission to access it and further enquiries have failed to find any other government department which will accept control of the PAW adjacent to Lot 793 (46) Meadowbank Gardens, Hillarys.

As the City has received ongoing complaints concerning Lot 793 being accessed from Meadowbank Gardens by vehicles and trailers across the PAW, the only option available to the City to prevent access of these vehicles is to install bollards along the road reserve adjoining the PAW.

The owners of Lot 793 Meadowbank Gardens, Hillarys were advised of the possibility of bollards being installed along the road verge adjoining their property. They have since requested 90 days to install a solid brick fence and a 1.2 metre access gate along the PAW instead of bollards. It is recommended that this request be granted.

BACKGROUND

At its meeting held on 24 March 1998 (DP103-03/98 refers), the Joint Commissioners resolved to:

- 1 *allow a grass crossover and a 1.2 metre width access across the pedestrian accessway adjacent to Lot 793 Meadowbank Gardens, Hillarys, providing the following is satisfied at all times:*
 - (a) *the 1.2 metre width of access is measured from the brick wall forming part of the residence on Lot 793 Meadowbank Gardens, Hillarys;*
 - (b) *other than a 1.2 metre gate the remainder of the fence is to be solid construction and permanently fixed;*
 - (c) *the 1.2 metre width access is permitted for mower and pedestrian access only. No trailers, vehicles, boats and caravans are permitted access to the pedestrian accessway;*
- 2 *advise the owners of Lot 793 (46) Meadowbank Gardens, Hillarys that the approved access across the pedestrian accessway and gate modification is to be completed within 21 days of notification of this approval;*
- 3 *authorise the Chief Executive Officer to initiate legal action against the owners of Lot 793 (46) Meadowbank Gardens, Hillarys should access across the pedestrian accessway on the property at any time be with motor vehicle, trailer, boat or caravan;*
- 4 *advise owners that a Restrictive Covenant in gross is required to ensure that all future landowners are aware of the access restrictions. The documentation is to be completed within three (3) months of the date of this advice.*

On advice from the City's solicitors, the above resolution was not forwarded to the owners of Lot 793.

DETAILS

Enquiries carried out by the City and its solicitors from March 1998 until September 1998 failed to find any other government department willing to take responsibility for decisions on accessing pedestrian accessways.

Advice from the City's solicitors stated that it is clear from a perusal of considerable documentation that the PAW concept which was intended to stop all vehicular access from a lot onto an abutting road is totally flawed. The drafters of the legislation assumed that access would only be sought by a vehicle and that the presence of a PAW would prevent the construction of a crossover and that would in turn prevent vehicular access. However, as is apparent in the case of No 46 Meadowbank Gardens, the PAW is simply ineffective. It is not possible to prosecute the persons traversing the PAW nor would there be any possibility of injuncting the persons against using the land.

The City's solicitors further stated that the care, control and management of the road (which would include the verge) adjacent to the PAW is the responsibility of the City. This control is clearly provided for in Section 55 (2) of the Land Administration Act 1997.

The City's solicitors have also advised that should the City require to restrict any access to the PAW on Lot 793 (46) Meadowbank Gardens, Hillarys, then bollards may be placed on the road reserve adjoining the PAW.

The owners of Lot 793 were advised in correspondence dated 30 September 1998 that the City had the power to restrict access to the PAW adjoining their property by the use of bollards.

On 8 October 1998, Mr Bennett contacted the City stating that he was not in favour of having bollards placed on the verge adjoining the PAW on his property and that he would consider restrictive access of the PAW by use of a solid brick wall and small 1.2 metre wide access gate. Mr Bennett requested that the City allows him 90 days to complete the construction.

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

- 1 **advise the owners of Lot 793 (46) Meadowbank Gardens, Mr & Mrs Bennett that the City is prepared to defer erection of bollards along the road reserve adjoining the pedestrian accessway on the property for 90 days;**
- 2 **advise the owners of Lot 793 that the City will not require bollards to be erected on the road reserve adjoining the pedestrian accessway if a solid brick wall and a 1.2 metre wide gate, restricting access to the pedestrian accessway, is erected within the 90 day period;**
- 3 **install bollards along the road reserve adjoining the pedestrian accessway on Lot 793 restricting all vehicle type access after the 90 day period should the owners of the property not comply with Provision 2 above.**

The Motion was Put and

CARRIED

**CJ220-10/98 SUBDIVISION CONTROL UNIT 23 SEPTEMBER 1998
TO 6 OCTOBER 1998 - [05961]**

SUMMARY

Overleaf is a resumé of the Subdivision Applications processed by the Subdivision Control Unit 23 September 1998 to 6 October 1998. All applications were dealt with in terms of the delegation of subdivision control powers to the Chief Executive Officer (DP247-10/97 and DP10-01/98). The Chief Executive Officer subsequently delegated to the Manager Development Management Services, the authority to deal with these applications as follows:

SCU1 Subdivision applications received which are generally consistent with an approved or agreed Structure Plan (including Outline Development Plan and Development Guide Plan).

SCU2 Subdivision applications previously supported, or not supported by Council and subsequently determined by the Western Australian Planning Commission (WAPC) consistent with the Council's recommendation.

SCU3 Applications for extension of subdivisional approval issued by the WAPC which were previously supported by Council.

SCU4 Applications for subdivision or amalgamation which result from conditions of development approval given by or on behalf of Council.

SCU5 Applications for subdivision or amalgamation of lots which would allow the development of the land for uses permitted in the zone within which that land is situated including applications involving the excision of land for road widening, sump sites, school sites, etc.

SCU6 Applications for subdivision or amalgamation of lots contrary to Council or WAPC Policy or are not generally consistent with an approved or agreed Structure Plan.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners endorse the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ220-10/98.

The Motion was Put and

CARRIED

Appendix XIV refers

**CJ221-10/98 STATE EMERGENCY SERVICE, RESERVE 40720 (21)
WINTON ROAD JOONDALUP - GARAGE EXTENSIONS
[11015J]**

SUMMARY

Approval is sought to proceed with the proposed three bay garage extensions to the existing facility, at Reserve 40720 (21) Winton Road Joondalup, for the local branch of the State Emergency Service.

BACKGROUND

The Wanneroo State Emergency Service Unit was established in the mid 1960's. This Unit has operated in its present facility, at 21 Winton Road, Joondalup, since 1984 and is currently staffed by some 64 volunteers. The following is the usage pattern for this facility :

- it is in full use once a week; every Wednesday between the hours of 1930 to 2200, at which some 40 to 50 volunteers attend;
- it receives the following occasional use:
 - for mid week evening committee meetings, attended by half a dozen members;
 - and infrequent weekend day time meetings for the majority of volunteers;

- safe storage of volunteers cars within the locked compound; especially when the volunteers are called out to attend upon an emergency, as was the case on the 2 September 1998, when there was a call out to attend upon localised area flooding and storm damage;
- all volunteers cars are parked off Winton Road; either inside the compound, on the verge hard standing in front of the Council's Joondalup Depot (10 bays) or with the permission of the owner in the adjoining Curtain World premises;
- beyond this out of office hours usage, this facility is secured and left unattended.

The growth of the unit and its large operational area has called for a rationalisation in use of the space available in the existing building. The unit, to meet community needs, has over the years expanded its equipment resources and presently operates four (4) vehicles and a trailer.

The proposed extension is to house three of the four vehicles so as to release some of the existing building floor area for alternative active use and the indoor training of its volunteers.

This facility is the storage and training base for the Wanneroo State Emergency Service Unit. Its operations are off site and centred upon search, rescue (including cliff/cave), storm damage and general community support. It also provides the support infra-structure to other agencies such as the Bush Fire Brigade and Police.

DETAILS

This proposal has been submitted for Development Approval, and its endorsement will be conditional upon Council's approval to proceed with the works. The Local Manager for this unit of the State Emergency Services has approved in principle the proposal as presented in the sketch plans, refer to attachment "A", and is keen to see the completion of this addition.

The following issues were raised in discussions with the Co-ordinator Planning Approvals regarding the above extensions:

Issue (1) the replacement of the existing car parking bays which will be displaced or addressed by the provision of occasional use car parking bays;

Issue (2) the proposed building projects some 1400mm, for half its width and an awning extends a further 1600mm into the 6000mm Winton Road set back,

Issue (3) and the aesthetic - street facade and landscape treatment required to reduce the Winton Road visual impact of this industrial type of building.

The granting of Development Approval by the City of Joondalup for this proposed development relies on resolving the above issues.

To assist this process the proposed garage extensions need to be viewed in the operational context as provided in the background details, in which the Wanneroo State Emergency Service Unit functions at its Winton Road premises.

Addressing Issue (1)

The proposed addition will eliminate five car parking bays, leaving a balance of four paved car parking bays. On the basis of this facility's infrequent use, consideration was given to limiting car parking in its permanent form to the remaining four car parking bays and utilising the existing lawn area for occasional and weekend parking use. This lawn area is large enough to cater for at least 19 car parking bays. Approval Services advises that the City has approved informal car parking areas in the past for land uses that operate infrequently, such as churches, on the basis that the areas are maintained in a trafficable condition. The lawn area at the SES facility is currently in trafficable condition. Approval Services advises that the overall 23 car bays comply with the requirements of Town Planning Scheme No. 1 and the 19 informal bays are considered satisfactory in this case given the scale and infrequent operation of the SES facility.

Addressing Issue (2)

This unit assembles to attend upon emergencies. Should this assembly be in torrential rain and storm conditions the only effective way the unit can start its operation is if the vehicle garage abuts the existing storage area. This garage-store relationship is the prime consideration in this instance in the siting of the addition. The site planning does not offer any other alternatives. Consideration, in this instance, needs to be given for the proposed addition to project into the Winton Road set back. The City's Town Planning Scheme requires a 6 metre setback from the street. The proposed building is skewed in relation to the street boundary, a portion of the building extends into the setback area by up to 1.4 metres and an awning extends in to the setback area by up to a further 1.4 metres. Approval Services supports the variation in this case in view of the design requirements for the SES, the location of the site on a bend in Winton Road, the fact that the extension will be cut into the existing land level and due to the existence of several mature trees that will largely screen the building from the street.

Addressing Issue(3)

The vehicle garaging portion of the facility will always be industrial in its requirements. Aesthetic treatment to the facade and careful landscape treatment are the only means available to reduce its visual impact on the Winton Road streetscape. Landscaping and fenestration treatment is to be applied to the Winton Road elevation to soften and reduce the bulky nature of the proposed addition.

The building extension portion of the work has been priced by Modular Metals, a contracting firm conversant with this type of work, and its price suggests that the construction of the whole of the works should be accommodated within the \$25,000.00 budget.

COMMENT/FUNDING

The City of Joondalup 1998/99 Budget (Account No. 21580) has the sum of \$15,000.00 assigned to this project. The Wanneroo State Emergency Service has in hand the sum of \$10,000.00 which it received from the Lotteries Commission. It has been requested to confirm with the Lotteries Commission its intended use of these funds. The project will not commence until the Wanneroo State Emergency Service has lodged its funds with the City.

Account No:	21580
Budget Amount:	\$15,000.00 Municipal Funds
	\$10,000.00 Lotteries Grant
Actual Cost:	\$ yet to be formally tendered

The \$25,000.00 project budget is to be expended on the construction of the new additions, modifications to the existing structure, site works and for the upgrading of the street landscaping.

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

- 1 **endorse in principle of and approve the development application for the proposed three bay garage extensions to the existing facility, at Reserve 40720 (21) Winton Road Joondalup, for the local branch of the State Emergency Service subject to standard and appropriate planning conditions as deemed necessary by the Manager, Approval Services;**
- 2 **exercise discretion under clause 5.9 of Town Planning Scheme No. 1 and reduce the street setback requirement from 6 metres to a minimum of 3 metres in this instance;**
- 3 **agree to the construction of this project subject to the obtaining of:**
 - (a) **building licence approval;**
 - (b) **the costs of the works being contained within the \$25,000.00 project budget.**

The Motion was Put and**CARRIED****CJ222-10/98 PT LOT 2 BURNS BEACH - [06362J]****SUMMARY**

The Hon Minister for the Environment has determined appeals against the Environmental Protection Authority's recommendations relating to Pt Lot 2 Burns Beach, and has referred her determination and the draft statement of conditions relating to the proposal for Pt Lot 2 to the City for comment. The deadline for comment was 16 October 1998.

Because of this deadline, a reply has been forwarded to the Minister and is now submitted for the Joint Commissioners' consideration. Endorsement of the response is recommended.

BACKGROUND

In February this year, the Joint Commissioners of the former City of Wanneroo considered a report dealing with the outcomes from the Environmental Protection Authority's (EPA) formal assessment of urban development proposals for Pt Lot 2 (City of Wanneroo Report No. DP67-02/98 refers).

As a result of its assessment, the EPA concluded that only a small portion of Pt Lot 2 could be developed, with the majority of the site being considered inappropriate for development because of its high conservation value. Attachment 1, extracted from the EPA's Report and Recommendations, identifies those portions of Pt Lot 2 considered by the Authority to be acceptable and unacceptable for development.

Report DP67-02/98 canvassed the appropriateness of EPA's conclusions and sought a decision from the Joint Commissioners as to whether the City should pursue an appeal against the Authority's recommendations. The decision was that an appeal should not be pursued.

There were, however, appeals against the Authority's recommendations from a number of other sources. These appeals have now been determined by the Hon Minister for the Environment. As part of the process of determining the appeals, the Minister established a committee to advise her on the matters raised in the appeals. Although the City did not pursue an appeal against the EPA's recommendations, it was invited to address the Minister's Appeals Committee. The invitation was declined.

Having now determined the appeals, the Minister has referred her determination, and the draft statement of conditions applying to the proposal for Pt Lot 2, to the City for comment. In her referral, the Minister has asked for advice as to whether the implementation of the proposal in accordance with her determination and the draft conditions would be acceptable to the City. Subsequent to receipt of the Minister's referral, the City was advised that the deadline for comment was Friday 16 October 1998.

DETAILS

The Minister's determination of the appeals against EPA's recommendations regarding development of Pt Lot 2, and her draft statement of conditions, limit development of the site to its southern extremity in accordance with EPA's findings. However, the Minister's position also canvasses the possibility of further development within the balance of Pt Lot 2. While this is contrary to the position reflected in the EPA's findings following its assessment of the proposal for Pt Lot 2, the Minister does indicate that the possibility of further development of the site would need to be progressed through a Metropolitan Region Scheme rezoning proposal for the site and that this would enable the Authority to consider environmental impacts associated with the proposal.

Subsequent to the Minister's determination of the appeals, but prior to referral of her determination to the City for comment, an article reporting on the Minister's decision appeared in The West Australian newspaper. The article indicated that the Minister had effectively accepted the EPA's advice (ie that only the southern portion of Pt Lot 2 could be developed, with development of the balance of the site being regarded as unacceptable because of its conservation value). Although this is not in fact the case, the article may contribute to a perception that the majority of Pt Lot 2 will not be developed. Such a perception could prompt public reaction in the event of a further rezoning proposal for the balance of the site coming forward (as the Minister's determination would enable).

COMMENT/FUNDING

As indicated above, the Minister has sought the City's advice regarding the acceptability of the position she has adopted in respect of Pt Lot 2. However, without an explanation of the rationale underlying the Minister's position, it is difficult to offer comment beyond noting that the position adopted is both partly consistent with and at variance from the EPA's recommendations for Pt Lot 2.

In the event that a rezoning proposal for the balance of Pt Lot 2 was instigated, the City would nevertheless need to adopt a position in respect of the proposal. However, as the City's attitude in this regard would obviously be influenced by the specifics of the proposal, it could be regarded as logical to await a proposal before further addressing the matter. In addition, as any proposal for the balance of Pt Lot 2 will effectively be determined at the State Government level, the attitude of the key State agencies towards such a proposal could also be a significant influence on the City's position. Again, however, this State level context will not become apparent until a proposal has actually been submitted. Accordingly, the logic of the City delaying further consideration of the matter is again evident.

One issue upon which comment can, however, be made at this juncture relates to the dislocation of fauna as a result of land development. This matter is frequently raised by the community when a site is cleared for development and could appropriately be addressed through the Environmental Management Plan the proponent is required to prepare pursuant to Condition 4 of the Minister's draft statement.

To comply with the 16 October deadline for comment, a response (based on points addressed in the above discussion) has been forwarded to the Minister for the Environment and is now submitted for the Joint Commissioners' consideration (refer to Attachment 2).

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners endorse the response to the Hon Minister for the Environment's referral of her determination of appeals and draft statement of conditions relating to Pt Lot 2 Burns Beach as detailed in Attachment 2 to Report CJ222-10/98.

The Motion was Put and

CARRIED

Appendix XV refers

At this point in time, the meeting reverted to the normal order of business.

FINANCE AND COMMUNITY SERVICES SECTION

Items CJ187-10/98 to CJ201-10/98 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy gave notice of her intention to speak on Item CJ200-10/98.

CJ187-10/98 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [151876J]

SUMMARY

The following is a list of documents sealed under the common seal of the City of Joondalup from 28 August 1998 to 6 October 1998:

Document: Withdrawal of Caveats
 Parties: City of Joondalup and Silkchime Pty Ltd
 Description: Lots 944, 945, 946, 947, 948, 950 Warwick
 Date: 26.8.98

Document: Easement
 Parties: City of Joondalup and S D and K S Mistry
 Description: Lot 688 Pya Place, Joondalup
 Date: 26.8.98

Document: Scheme Amendment
 Parties: City of Joondalup and Minister for Planning
 Description: TPS No 1 - Amendment 819
 Date: 26.8.98

Document: Contract of Sale
 Parties: City of Joondalup and Epping Forest Pty Ltd
 Description: Lot 10 Uppill Place, Wangara
 Date: 31.8.98

Document: Withdrawal of Caveat
 Parties: City of Joondalup and Francesca Conti
 Description: 709 Wanneroo Road, Kingsley
 Date: 3.9.98

Document: Contract
 Parties: City of Joondalup and Proclaim Software Pty Ltd
 Description: Supply of Land Info System
 Date: 3.9.98

Document:	Withdrawal of Caveat of Deed
Parties:	City of Joondalup and Conti, Butte Holds and Rockingham
Description:	Loc 709 Wanneroo Road, Kingsley
Date:	3.9.98
Document:	Contract of Sale
Parties:	City of Joondalup and N and N G Delaurentis
Description:	Pt Lot 24 Nicholas Road, Hocking
Date:	8.9.98
Document:	Deed
Parties:	City of Joondalup and J Havel
Description:	Copyright Agreement
Date:	8.9.98
Document:	Deed
Parties:	City of Joondalup and J Hunt
Description:	Copyright Agreement
Date:	8.9.98
Document:	Deed
Parties:	City of Joondalup and M Gilmore
Description:	Copyright Agreement
Date:	8.9.98
Document:	Transfer of Land
Parties:	City of Joondalup and Joondel Developments Pty Ltd
Description:	Kazan Close and Windermere Close
Date:	25.9.98
Document:	Contract
Parties:	City of Joondalup and Uniluck Pty Ltd
Description:	Joondalup Speed Classic
Date:	25.9.98
Document:	Withdrawal of Caveat
Parties:	City of Joondalup and Mrs Rose
Description:	Lot 62 Rio Marina Way, Mindarie
Date:	30.9.98
Document:	Surrender of Lease
Parties:	City of Joondalup, City of Perth, City of Stirling and Mindarie Regional Council
Description:	Lot 17 Tamala Park
Date:	30.9.98
Document:	Easement
Parties:	City of Joondalup and Gateway Properties Australia Pty Ltd
Description:	Lot 101 The Gateway, Edgewater
Date:	30.9.98

Document: Transfer of Land
Parties: City of Joondalup and Epping Forest Pty Ltd
Description: Lot 10 Uppill Place, Wangara
Date: 6.10.98

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

The Motion was Put and

CARRIED

CJ188-10/98 VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - GRAFFITI PROGRAM STEERING COMMITTEE - [02011]

SUMMARY

The Western Australian Municipal Association has invited member Councils to submit nominations to the Graffiti Program Steering Committee.

DETAILS

The Western Australian Municipal Association has invited member Councils to submit nominations for the position of member on the Graffiti Program Steering Committee. Nominations are invited from elected members or serving officers with an interest in graffiti issues.

The Committee will advise on development and ensure coordination of the Graffiti Program.

The serving term will commence on appointment and will run indefinitely. Meetings are held bi-monthly (Tuesday, 12 noon) at Mirrabooka. There is no meeting fee.

Membership will comprise of approximately fifteen (15) representatives as follows:

- Relevant State Government Agencies
- Community
- Local Government
- WA Municipal Association.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners nominate Cmr Harry Morgan AM for consideration of appointment to the Western Australian Municipal Association Graffiti Program Steering Committee.

The Motion was Put and

CARRIED

CJ189-10/98 STUDY TOUR IN EASTERN STATES LOCAL GOVERNMENTS TO STUDY THE ISSUES IN THE IMPLEMENTATION OF NATIONAL COMPETITION POLICY - [09763]

SUMMARY

Approval is sought for a proposed study tour by the Director Strategic Planning and Manager Contract Management to selected local governments in the Eastern States to study various issues related to the development and implementation of a Competitive Tendering Framework in accordance with the Competition Principles Agreement

The outcome of the visit will provide the first hand knowledge on the issues encountered by the local governments and help the City in installing its own competition framework for the implementation of NCP.

BACKGROUND

The Council of Australian Government (COAG) on April 11, 1995 entered into the following agreements:

1. Conduct Code Agreement (CCA) - subject to review by all parties after five years of commencement. The CCA includes the amendment to Trade Practices Act Part IV-1974. As a measure of this, Competition Policy Reforms (WA) Act 1995 (CPR) has been enacted.
2. Competition Principles Agreement (CPA) in which a set of agreed reform principles to be implemented by State Governments. It includes the following:
 - Prices oversight of Government Business Enterprise
 - Competitive Neutrality Policy and Principles
 - Structural Reform of Public Monopolies
 - Legislation Review
 - Access to services provided by means of significant infrastructure facilities
 - Application of the Principles in Local Government (Clause 7 of the CPA)
 - Funding of the Council
 - Appointments to the Council
 - Work program of the Council, and referral makers to the Council
 - Agreement to implement the NCP and related reform.

A draft discussion paper on contestability was presented to the City's Executive Management in November 1997. Workshops were held on Competition Policy during April 1998 for the City and were conducted by Deloitte Touche Tohmatsu Consultants.

The Victorian Government in 1994/95 legislated Compulsory Competitive Tendering for the local governments. The New South Wales and South Australian Governments have progressed substantially on the implementation of NCP, Purchaser Provider framework. The general progress in the eastern states towards the CCT has been significant. Some of the local governments in WA including the Shire of Swan have taken positive steps towards an internal bidding mechanism.

The City as a pro-active measure needs to proceed with the necessary background work for resolving the issues related to Community Service Obligations, Public Benefits Analysis, Competitive Tendering involving an Internal Bidding Process and the Purchase Provider Split.

A draft itinerary has been included for the proposed study tour by Director Strategic Planning and Manager Contract Management.

DETAILS

The proposed study tour by the Director Strategic Planning and Manager Contract Management commencing 16 November 1998 until 20 November 1998 aims to include:

- City of Manningham
- City of Melbourne, City of Stonnington, City of Monash (all in Victoria),
- City of Bankstown, City of Sydney (New South Wales)
- City of Playford (South Australia).- tentative

The itinerary and details of the visit and exact places are subject to confirmation.

The issues to be investigated during the discussions with the relevant local governments will focus on the following topics:

- community Service Obligations
- economic Development Initiatives
- public Benefit Analysis
- compulsory Competition Tendering
- purchase Provider Split

There are publications available on the above areas. However, discussions with the Local Governments will unveil many of the hidden issues or pitfall and will subsequently save substantial work and unnecessary effort.

The proposed itinerary (draft) is:

- | | |
|----------------------------|--------------------------------------|
| • Sunday 15 November, 1998 | Depart Perth for Melbourne |
| • Monday 16 November, 1998 | City of Manningham |
| • Tuesday 17 November | City of Melbourne and City of Monash |
| • Wednesday 18 November | City of Stonnington |
| • Wednesday 18 November | Depart Melbourne for Sydney |
| • Thursday 19 November | City of Bankstown and City of Sydney |
| • Friday 20 November | Depart Sydney for Perth |

If time permits, the City of Playford in South Australia may be visited on the way to Perth ex Sydney.

COMMENT/FUNDING

The budget for allocations are :

Account No:	41306	40006
Budget Item:	Form No 6, Sub Unit 02.04.01	02.01.01
Budget Amount:	\$2,300	\$3,800

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

- 1 endorse the proposed study tour of Director Strategic Planning and Manager Contract Management to visit selected local governments in the eastern states from 15 - 20 November 1998 at an estimated cost of \$5,900 generally in accordance with the proposed draft itinerary;**
- 2 charge the costs associated in (1) above to Account Nos 41306 and 40006.**

The Motion was Put and

CARRIED

CJ190-10/98 CONSERVATION ADVISORY COMMITTEE - [12168]

SUMMARY

Meetings of the Conservation Advisory Committee were held on 9 June 1998 and 15 September 1998 and the minutes are submitted for noting by the Joint Commissioners. As a quorum was not reached at the meeting held on 15 September 1998, a general meeting was conducted.

DETAILS

The meetings were held in accordance with Council Policy and Guidelines.

Matters arising from these meetings have been actioned by the appropriate Parks Landscaping Services officer.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Minutes for the Conservation Advisory Committee meetings held on 9 June 1998 and 15 September 1998, as Attachment A to Report CJ190-10/98, be noted.

The Motion was Put and

CARRIED

Appendix 1 refers

**CJ191-10/98 WARRANT OF PAYMENTS FOR THE PERIOD TO 30
SEPTEMBER 1998 - [09882]**

WARRANT OF PAYMENTS TO JOINT COMMISSIONERS ON 27 OCTOBER 1998
INCORPORATING PAYMENTS FOR THE MONTH OF SEPTEMBER 1998

SUMMARY

This report details the cheques drawn on the funds during the month of September 1998. It seeks Joint Commissioners' approval for the payment of the September 1998 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	1612-2675	6,466,014.32
Municipal	000016-000020	15,299,315.46
Trust		-
Reserve Account		-
	TOTAL	\$ 21,765,329.78

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of September 1998, the amount was \$400,545.04.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$21,765,329.78 which is to be submitted to each Joint Commissioner on 27 October 1998 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

.....
J B TURKINGTON
Director Resource Management

CERTIFICATE OF CHAIRMAN OF COMMISSIONERS

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$21,765,329.78 submitted to the Joint Commissioners on 27 October 1998 is recommended for payment.

.....
Commissioner Campbell Ansell

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners pass for payment the following vouchers, as presented in the Warrant of Payments to 30 September 1998, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$21,765,329.78.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	1612-2675	6,466,014.32
Municipal	000016-000020	15,299,315.46
Trust		-
Reserve Account		-
	TOTAL	\$ 21,765,329.78

The Motion was Put and

CARRIED

Appendix II refers

**CJ192-10/98 AUTHORISATION OF REALLOCATION OF FUNDS -
[06511]**

SUMMARY

Various requests have been received for authorisation, in accordance with Section 6.8 (1) of the Local Government Act 1995, to incur unbudgeted expenditure. In most instances, a source of funding has been identified to accommodate the additional expenditure. A number of necessary adjustments to the budget estimates have also been identified. These are detailed on Attachment 'A' to Report CJ192-10/98.

BACKGROUND

The Joint Commissioners will be aware that the Local Government Act 1995 makes specific provisions relating to expenditure from the Municipal Fund not included in the annual budget:-

- “6.8 (1) A local government is not to incur expenditure from its municipal fund which is not included in its annual budget except where the expenditure:-
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the Mayor or President in an emergency.

***Absolute majority required.**

- 6.8 (2) Where expenditure had been incurred by a local government:-
- (a) pursuant to subsection (1) (a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1) (c), it is to be reported to the next ordinary meeting of the Council”.

DETAILS

While the Local Government (Financial Management) Regulations 1995 specifically requires comparatives with the **original** budget estimates, it has been adopted practice, for budgetary control purposes, to have “revised budget figures” which reflect the reallocations adopted each month.

In some instances the necessity to seek a reallocation of funds is to accommodate oversights during budget preparation or to include items which have eventuated since budget adoption. Other requests represent a re-assessment of priorities. In each instance, brief explanations have been provided by the respective Directorates and these are duplicated within the schedule.

The budget adjustments listed in Attachment ‘A’ do not alter the Budget position.

COMMENTS

This year it was agreed that the City of Joondalup Budget is compiled on the basis of ‘one line appropriations’ rather than appropriations for expense types. This effectively reduces the number of budget reallocations each month. Unfortunately it was not possible to dispense with budget reallocations entirely, especially in the area of Salaries and Wages and Contract Labour.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, amendments to the "revised budget figures" of the 1998/99 Budget as detailed in the Schedule of Budget Reallocation Requests - October 1998.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix III refers

**CJ193-10/98 OUTSTANDING GENERAL DEBTORS - 30
SEPTEMBER 1998 - [04881]**

SUMMARY

This report shows the total outstanding general debtors as at 30 September 1998, together with their status and a comparison with the previous two months.

BACKGROUND

This report recommends a write-off of debts totalling \$19,272.36.

A report covering the full detail relating to debtors is still prepared for internal management controls.

DETAILS - SUMMARY OF DEBTORS

Debtor Status	1998					
	SEPTEMBER		AUGUST		JULY	
	Total O/S		Total O/S		Total O/S	
	\$	%	\$	%	\$	%
Current	225,048.64	3.78	282,449.66	4.65	39,945.67	0.75
30 Days	92,306.02	1.54	23,377.30	0.40	2,000,961.37	32.88
60 Days	19,627.60	.32	1,829,444.37	30.11	237,989.74	3.88
90 Days	726,681.98	12.12	180,540.48	2.97	92,778.15	1.28
Deferred Debtors	4,599,085.55	76.82	3,434,885.55	56.53	3,434,885.55	56.00
Deferred Sporting Club Debtors	324,506.22	5.42	325,031.22	5.34	324,171.48	5.21
	\$5,987,256.01	100.00	\$6,075,728.58	100.00	\$6,130,731.96	100.00

DEFERRED DEBTORS

The deferred debtors relate to:-

1. Bankruptcies on which dividends are pending.

\$		
•	Onta Foods	355
•	Signlite Australia	198
•	Farmer Jacks Connolly	393
•	Mainline Contracting	95
•	WA Folk Federation Inc	1,116

2. Accounts, payment of which have been deferred in excess of 12 months.

a)	Ongar Investments (contribution to Berkley/Redcliffe Avenue intersection upgrade).	11,352
b)	Allstate Acceptance Corporation (reimbursement of purchase of Water Tanks - account deferred until 30/11/2000)	6,993
c)	RJ & HC Geary (East Wanneroo Development Cell 3)	22,000
d)	Municipal Association of WA (Local Government House - equity)	14,712

3. Debits raised for headwork levies - awaiting Ministerial approval.

a)	Galea Building Company East Wanneroo Development Cell 4 - awaiting ministerial approval on contribution	87,225
b)	North Whitford Estate Pty Ltd East Wanneroo Development Cell 5 - Minister of Planning is to determine a headwork levy for each developed lot	1,967,500
c)	Citywing Nominees East Wanneroo Development Cell 6	152,575

4. Mindarie Regional Council - funds owing to the City for:-
 - Operational Surpluses \$1,757,950.62 (these are being repaid by annual instalments of \$173,564 - last instalment of \$173,564 received 3 July 1998) - a review of these repayments is being undertaken by the Regional Council and will be considered at its December 1998 meeting; and
 - Capital Advances \$548,575.

5. An amount of \$28,045 was raised in anticipation of Workers Compensation premium recovery, pending actual salary and wage submission in October 1998. This sum will then be recovered.

DEFERRED SPORTING CLUB DEBTORS

These accounts relate to loans obtained by the City on behalf of three sporting clubs, and which are being repaid over a period of years.

	\$
Quinns Rocks Bowling Club	17,223
Wanneroo Districts Rugby Union Football Club	47,412
Wanneroo Districts Basketball Association	259,871

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

- 1 receive the Outstanding Debtors Report as at 30 September 1998;
- 2 in accordance with the provisions of Section 6.12(1)(c) of the Local Government Act 1995 write out of the General Debtors Ledger an amount of \$19,272.36, representing debts considered irrecoverable, as detailed in Attachment "A" to report CJ193-10/98.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix IV refers

**CJ194-10/98 VEHICLES PURCHASES DOMESTIC CARTS REFUSE
COLLECTION RESERVE TENDER NUMBER 053-98/99
- [23447]**

SUMMARY

The City's 1998/99 budget provided for the purchase of vehicles, as detailed in the Environmental Waste Management Services, the funding of which is from Domestic Carts Refuse Collection Reserve Account.

The City's 1998/99 budget provided for the purchase of four (4) side loading refuse collection vehicles for Environmental Waste Management Services with the trade of the following items of plant.

- 96571 (International 1850)
- 96574 (International 1850)
- 96576 (International 1850)
- 96580 (International 1850)
- 96582 (International 1850)
- 96584 (International 1850)

This report outlines the submissions received in relation to Tender 053-98/99. It recommends the purchase of four (4) side loading refuse collection vehicles from Skipper Trucks.

It will be recalled that the Chief Executive Officer has delegated authority for the approval of tender acceptances to a limit of \$100,000. As this changeover is in excess of that figure this tender is referred to the Joint Commissioners for consideration.

BACKGROUND

Tender number 053-98/99 pertaining to these acquisitions was advertised on Wednesday, 9 September 1998 and closed on Thursday, 24 September 1998.

A condition of the tender was that "The City reserves the right to purchase and dispose of all vehicles/plant tendered with one or more than one supplier to the best advantage of the City".

DETAILS

In April 1997 the former City of Wanneroo, as part of tender 158-96/97, awarded the outright purchase of plant numbers 96571 and 96574 to Alvito Pty Ltd. The Joint Commissioners of the former City of Wanneroo, at their meeting of 19 May 1998, were advised that Alvito Pty Ltd did not wish to proceed with the contract and following legal advice rescinded the resolution 158-96/97. The Joint Commissioners also resolved that both items of plant be offered for sale or trade when next calling tenders for refuse trucks (Item FA104-05/98 refers).

In accordance with this tender 053-98/99 was called to replace four side loading refuse vehicles and offer for sale or trade plant numbers 96571 and 96574. One tender, from Skipper Trucks, was received for the supply of four refuse trucks and trade of the City's six trucks. Two tenders were received for the supply of side loading bodies only.

It was requested that a number of optional items, as detailed below, be included with the purchase of these trucks. The options were not included in budget calculations. This together with the lower than anticipated trade prices results in a budget shortfall of \$56,056 (including the trade valuation of plant numbers 96571 and 96574).

Options (per truck)

22m compactor body	\$ 2,325
Lift up pusher lazy axle	\$17,000
Wheelbase modifications	\$ 1,500
Control handle	\$ 166
Total	\$20,991

In the last round of tenders one of the trucks purchased included the abovementioned extra items. At the time of budget preparation these additional features were very new and still being evaluated. The tender was written with these items as options since there was an indication from one of the other truck suppliers of a very good tender price on 4x2 trucks which can only carry a 18m body. As this did not eventuate the 22m body option is preferred.

The field evaluation of the 22m body configuration has now been completed and the unit found to be significantly superior and worth purchasing in preference to the 18m body. The unit is able to carry a higher payload and therefore there is a reduction in the need to travel to the refuse site as often to empty.

The budget estimates were prepared some months ago and the changeover price is higher than expected. Although there are sufficient funds in the Domestic Cart Refuse Collection - Plant Replacement Reserve to cover the shortfall in funding, the change could be considered an upgrade that would be funded from the Domestic Cart - Refuse Collection Reserve.

The window tinting is required to meet Council's new safety standards.

The adjustable control handle is required to minimise operator fatigue.

Skipper Trucks has supplied the majority of this type of vehicle over the past few years and its submission is recommended.

COMMENT/FUNDING

Based on the **Skipper Trucks** tender the financial position is:

Plant No	Recommended Tender - Changeover	Budget Provision	Budget Savings/Shortfall
96571	(\$33,000)		\$33,000
96574	(\$33,000)		\$33,000
96576	\$205,514	\$175,000	(\$30,514)
96580	\$205,514	\$175,000	(\$30,514)
96582	\$205,514	\$175,000	(\$30,514)
96584	\$205,514	\$175,000	(\$30,514)
TOTAL	\$756,056	\$700,000	(\$56,056)

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

- 1 **accept the tender from Skipper Trucks for the supply of four (4) side loading refuse collection vehicles at a net change over figure of \$756,056 after trade ins, as detailed in report CJ194-10/98;**
- 2 **authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$56,056 - such expenditure to be funded from the Domestic Carts Refuse Collection Reserve Account.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix V refers

**CJ195-10/98 VEHICLES PURCHASES HEAVY VEHICLE
REPLACEMENT RESERVE TENDER NUMBER 052-
98/99 - [27444]**

SUMMARY

The City's 1998/99 budget provided for the purchase of vehicles, as detailed in the Heavy Vehicle Replacement Programme, the funding of which is from the Heavy Vehicle Replacement Reserve Account.

The City's 1998/99 budget provided for the purchase of one (1) full forward control rear loading refuse compactor for Environmental Waste Management Services with the trade of the following item of plant.

- 97532 (Mercedes Benz)

This report outlines the submissions received in relation to Tender 052-98/99. It recommends the purchase of one (1) full forward control rear loading refuse compactor from Major Motors Pty Ltd.

It will be recalled that the Chief Executive Officer has delegated authority for the approval of tender acceptances to a limit of \$100,000. As this changeover is in excess of that figure this tender is referred to the Joint Commissioners for consideration.

BACKGROUND

Tender number 052-98/99 pertaining to these acquisitions was advertised on Wednesday, 9 September 1998 and closed on Thursday, 24 September 1998.

A condition of the tender was that "The City reserves the right to purchase and dispose of all vehicles/plant tendered with one or more than one supplier to the best advantage of the City".

DETAILS

There were six submissions received for the supply and trade of one (1) full forward control rear loading refuse compactor and one tender for the supply of a compactor body only in regard to tender 052-98/99 the details of which are shown on Attachment A.

The lowest tender received was from Major Motors Pty Ltd for a Isuzu FVZ1400 Long with MacDonald Johnson compactor body. The Manager of Environmental Waste Management Services advises that this tender meets the Business Unit's requirement and is recommended accordingly.

Consequently Major Motors Pty Ltd is the recommended tenderer.

COMMENT/FUNDING

Based on the **Major Motor** tender the financial position is:

Plant No	Recommended Tender - Changeover	Budget Provision	Budget Savings/Shortfall
97532	\$155,343	\$275,000	\$119,657
TOTAL	\$155,343	\$275,000	\$119,657

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners accept the tender from Major Motors Pty Ltd for the purchase of one (1) full forward control rear loading refuse compactor at a net change over figure of \$155,343 after trade in, as detailed in **report** CJ195-10/98.

The Motion was Put and

CARRIED

Appendix VI refers

**CJ196-10/98 VEHICLES PURCHASES EXECUTIVE VEHICLES
MODEL CHANGE TENDER NUMBER 168-96/97 -
[20087]**

SUMMARY

The City's 1998/99 budget provided for the change of executive vehicles, as detailed in Tender 168-96/97. Due to the upgrade of Fairmont sedans Titan Ford is now seeking acceptance of a price variation of \$2,677 for each vehicle change.

This price variation is in accordance with the former City of Wanneroo's contract documentation for these vehicles and accords with the requirement that any price increase for model changes equates to the State Tender Board price ruling.

The City's 1998/99 budget did not include the price variation. This report recommends that the required funding be sourced from the Light Vehicle Replacement Reserve Account.

BACKGROUND

The City's 1998/99 budget allowed for the change over of executive vehicles at no cost to the City. Titan Ford advised in writing on 6 October 1998 that a model change and subsequent price variation will apply to all five new model vehicles to be changed. This price variation is in accordance with the contract with Titan Ford which states that any new model change would be accompanied by a price variation. Titan Ford has advised that the price variation will be \$2,677 for each change.

It is to be recognised that the City has enjoyed, for the last 12 months, the benefits flowing from this tender. While this price variation is an additional cost impost, the City benefits in the longer term through ownership of a later model vehicle.

This price variation will result in an unbudgeted expenditure which can be accommodated by utilising funds from the Light Vehicle Replacement Reserve Account.

The vehicles and account numbers to be debited are as follows:-

<u>Plant No</u>	<u>Budget Item No</u>	<u>Amount</u>
99104	40050	\$2,677
99325	20700	\$2,677
99319	27800	\$2,677
99712	44950	\$2,677
99297	22350	\$2,677
Total		<u>\$13,385</u>

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$13,385 for the costs of changing its Fairmont executive fleet - such expenditure to be funded from the Light Vehicle Replacement Reserve Account.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

CJ197-10/98 MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON - [00883]

SUMMARY

A comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year is submitted for the Joint Commissioners' information - refer Attachment 'A'.

BACKGROUND

Projects with an estimated cost of \$100,000 and over have been listed in the attached schedules and are grouped in the order of Engineering, Building and Parks construction works. To assist in analysis both dollar and percentage variations are shown.

It should be noted that whilst a project may be physically completed, final costings are yet to be processed. Therefore, a project's job status indicator will not show 'completed' until financial transactions are complete.

As projects are completed, performance against budget will be shown as a surplus or deficit.

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners receive the information regarding Major Capital Projects - Cost/Budget Comparison, and that it be noted.

The Motion was Put and

CARRIED

**CJ198-10/98 FINANCIAL REPORT FOR THE QUARTER ENDING 30
SEPTEMBER 1998 - [07882]**

GENERAL

The statutory financial statements for the City of Joondalup for the period 1 July 1998 to 30 September 1998 have been compiled. These are the first financial statements for the newly created City.

The Statutory Statements are shown on Appendix 1.1 - 1.5. Management Statements and information is shown on Appendix 2.1 to 2.5.

At this early stage no real revenue or expenditure trends are apparent.

The change in net assets resulting from operations at 30 September was \$29.248m. This reflects the total rate and refuse revenue levied against 3 months expenditure. This position will alter as expenditure increases.

METHODOLOGY ADOPTED FOR CONSTRUCTION OF FINANCIAL STATEMENTS

The Structure

As was the case with the former City of Wanneroo the Management budget format is arranged in Directorate and Business Unit format. This format is consistent with the City's adopted Strategic Plan.

Corporate overhead costs have been cascaded to Directorates and Business Units to reflect the actual costs. This cascading model was enhanced over the last year with a view to obtaining a more objective allocation of costs.

In addition, this year the business units have been levied a rental fee for occupancy of the various City's assets. This is in line with National Competition Policy principles and competitive neutrality. It will assist with market testing and benchmarking of the particular business units.

It is to be recognised that budgeting in Directorates/Business Units is not a statutory requirement. As a consequence the budget figures were recast into the statutory format to enable compliance with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Principles Applied

In accordance with the Governor's Order creating the City of Joondalup and Shire of Wanneroo the City of Joondalup will throughout 1998/99 undertake all works and services on behalf of the Shire of Wanneroo. These works will be undertaken on a fee-for-service arrangement with the Shire reimbursing the City the actual costs incurred in performing the works, services and functions.

In view of the limitations of the City's financial system it is not possible for the detail associated with each work/service or facility to be reflected in the Shire's financial records. Consequently all details are shown in the City of Joondalup budget. The Shire of Wanneroo budget will in effect be in summary format with entries being either:-

- “transfers from the City of Joondalup” (revenue), or
- “transfers to the City of Joondalup (expenditure)

representing the revenues collected or expenditures incurred.

The works are designated in the budget with either a 'W' (Wanneroo), 'J' (Joondalup), or a 'G' (General).

Works which clearly relate to the Shire of Wanneroo (ie where the facility is located within the Shire district) are considered to be the funding responsibility of the Shire. Where works are not clearly defined (ie Dry Park reticulation) they are classified 'G' and costs are allocated using a pre determined formulae, ie based on population, rate revenue or on an assessment of cost apportionment by the relevant Business Unit Manager responsible for undertaking the work.

The Chart of Accounts for the City of Joondalup has been slightly rearranged to accommodate works for the Shire of Wanneroo.

While considerable work has been undertaken, on the structure some 'fine tuning' is yet to be accomplished.

RATES

Rates **levied** for the year were \$33,224,707. Rate **collection** at the close of September 1998 was \$12,702,211 which represented 36.3% of the total rates due.

The relevant dates for rates collection are:-

Issue Date	9 September 1998
Close for Rates Incentive Draw	2 October 1998
Close of Discount Period	9 October 1998
Last Day for Payment of First Instalment	16 October 1998
Second Instalment Due	18 December 1998
Third Instalment Due	19 February 1999
4th Instalment Due	28 April 1999

At the close of the rates incentive draw on 2 October 1998, 22,194 persons had paid their rates and were eligible for inclusion in the draw for five prizes. This represented 42% of the number of assessments. The total rates/refuse received was \$15.97m or 39% of the revenue due.

The dissection of the collection for those persons eligible for the rate incentive draw was:

Telequity	6,921	30%
Bpay	796	4%
Locked Box	4,318	20%
Other Methods	<u>10,159</u>	46%
	<u>22,194</u>	

The draw was conducted on 9 October 1998 with the following being successful:-

- Enzo & Gita Gugiatti, 17 Protea St, Greenwood
- Wolfgang H R Zimmerman, 88 Trappers Drive, Woodvale
- Mate & Tony Cavar, 7/39 Central Walk, Joondalup
- Robert D Franklin, 82 Blackall Drive, Greenwood
- Jeffery V & Kerry A Smith, 12 Aviemore Loop, Kingsley
- Beverly Moeller, 22B Trusmore Crescent, Craigie

The actual drawing of the prizes will be undertaken at a later date with the sponsors in attendance.

At the close of the discount period (9 October 1998) 29,653 properties (56% of total properties) took advantage of the discount. The cost comparison to budget of the discount is as follows:

Budget	Actual
\$	\$
\$900,000	\$958,958

It is anticipated that rate collection will accelerate in the early/mid October 1998 as the "cut off" dates for:

- the rates incentive draw;
- close of the discount period; and
- the 1st instalment

expire.

REFUSE

The total refuse levied for 1998/99 was \$5,668,614. Total refuse outstanding at 30 September 1998 was \$3,198,627 or 55.7% indicating a collection of 44.3%.

At the close of business on 2 October 1998 the City's records indicated 1,060 persons had elected to participate in the voluntary recycling scheme. However there was a back log which was being processed which will lift numbers to approximately 2,000. Extensive advertising has been undertaken over recent weeks.

SWIMMING POOL INSPECTION FEES

The amount levied for swimming pool inspection fees in the 1998/99 financial year was \$118,953. At 30 September 1998 \$70,539 or 59.3% remained outstanding.

INTEREST ON INVESTMENT

The City's interest earnings to 30 September 1998 was \$365,559 compared to an annual budget of \$2,055,109. At 30 September 1998 the City's investment portfolio was as follows:-

	\$	%
AMP Managed Treasury	4,024,162	9.0
Bankers Trust Cash Plus	4,526,113	10.2
Commonwealth Bank (CDA's)	6,150,548	13.8
CBA Cash Fund	5,033,383	11.3
NMFM Cash Enhanced	15,056,965	33.8
Trust West Treasury	9,554,706	21.5
Trust West Cash Enhanced	74,205	0.2
PBS (in liquidation)	95,266	0.2
	\$44,515,348	100.0%

A more detailed presentation of Council's investment portfolio at 30 September 1998 is shown on Appendix 2.4.

BUILDING LICENCE FEES

Fees to 30 September 1998 were \$219,400 against a budgeted \$715,000.

RECREATION FACILITIES**Craigie Leisure Centre**

In broad terms, the financial position for the Craigie Leisure Centre for the three month period ended 30 September 1998 was:

	Budget	Actual
	\$	\$
Administration	-	-
Pool	56,822	137,565
Sports/Functions	111,173	42,080
Fitness Centre	(238,053)	(65,304)
Aerobics	(52,609)	(15,255)
Kiosk	(34,113)	(2,304)
Creche	87,925	23,936
Total Surplus	(\$68,855)	\$120,718

Net subsidy \$120,718.

Council's budget provides for an operating surplus of \$68,855 for this complex for the 1998/99 year.

The operating summary is shown on Appendix 2.5.

By way of comparison the operating surplus for the corresponding period last year was \$20,160.

Traditionally this is the 'slow' time of the year. As the weather improves patronage will increase.

Attendances at 30 September 1998 were 182,427 compared with 175,514 for the corresponding period last year. This reflects an increase numbers of around 7,000.

LEISURE CENTRES

The operating position for the individual recreation centres for the three months ended 30 September 1998 was as follows:-

		Income	Expenditure	Council Contribution	Return
		\$	\$	\$	%
Ocean Ridge	BUDGET	304,400	346,979	42,579	87.7
	ACTUAL	53,372	113,122	59,750	47.2
Sorrento/Duncraig	BUDGET	288,920	366,196	77,276	78.9
	ACTUAL	62,334	101,744	39,410	61.3
Wanneroo	BUDGET	127,340	279,913	152,573	45.5
	ACTUAL	27,578	66,377	38,799	41.5
Warwick	BUDGET	-	173,761	173,761	
	ACTUAL		67,469	67,469	
TOTAL	BUDGET	\$720,660	\$1,166,849	\$446,189	61.8
	ACTUAL	\$143,284	\$348,712	\$205,428	41.1

RESERVE ACCOUNTS

Aggregate account balances of Council's reserves at 30 September 1998 was \$29,518,377.

TRUST FUNDS

Balances at 30 September 1998 were:

Unclaimed Salaries and Wages	\$1,393
Unclaimed Monies	\$50,330
Yanchep/Two Rocks Community Bus	\$75,897

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Financial Reports for the period ended 30 September 1998, as attached to Report CJ198-10/98, be noted.

The Motion was Put and

CARRIED

Appendix VII refers

**CJ199-10/98 COMMUNITY SPORT AND RECREATION FACILITY
FUND - SUBMISSION PRIORITISATION - [22209]**

SUMMARY

The Minister for Sport and Recreation has allocated \$8 million from the Community Sport and Recreation Facility Fund (CSRFF) for the 1998/99 round of applications. The City is requested to assess, rank and rate all applications that fall within its boundaries.

One application has been received from West Perth Football Club, for the upgrade of lights to accommodate night football at the Arena, Joondalup.

The application from West Perth Football Club is well prepared and it is considered the lights will be beneficial for the club's future development. It is recommended that the application receive a rating of Medium/high.

BACKGROUND

Local government bodies and legally constituted, not for profit sporting clubs and community groups have been invited to submit applications for funding to make modifications and additions to existing facilities or to construct new ones. A third of the total cost of the project may be funded by the State Government. This must be matched by the applicants own cash contribution to the project, with other funding bodies being sourced as required.

CSRFF funds are available in one of two grant categories: Annual Grants and Forward Planning Grants.

Annual grants will be given to projects of a less complex nature, which have a total value of between \$3,000 and \$150,000. Grants given in this category must be claimed within the next financial year.

Forward Planning grants will be given to projects of a more complex nature, requiring a planning period of between one and three years, and which have a total value of \$150,000 or over. Grants given in this category can be claimed for in either or all of the next three financial years.

The Minister for Sport and Recreation will announce the successful applicants in early March 1999. The grants become available in the 1999/00 financial year or in another financial year financial year nominated by the applicant.

DETAILS

All projects are assessed against the following key principles:

- project justification;
- planned approach co-ordination;
- community input;
- management planning;
- access and opportunity;
- design; and
- financial viability.

The Local Government authority in which the project is to be built is requested to place a priority and rating on all application within its municipality. the ratings are to be assessed on the following criteria:

- well planned and needed by the municipality (high);
- well planned and needed by the applicant (Medium/high);
- needed by the municipality but more planning required (medium);
- needed by the applicant, but more planning required (Medium/low);
- idea has merit, but more planning required (Medium/low); and
- not recommended.

COMMENT/FUNDING

One application has been received within the City of Joondalup.

West Perth Football Club

West Perth Football Club are based at the Arena, Joondalup and are affiliated to Westar Rules.

The grant application is to upgrade the lights on the main oval at the Arena to a standard to accommodate night Westar Rules Football. The lighting upgrade will also be beneficial as it will enable a wide variety of sports to use the facility. Other sports that will benefit from the proposal will be soccer, Rugby League, Rugby Union, Touch Rugby and Baseball.

Funding details are as follows:

Community Contribution

Applicant Cash Contribution	\$ 50,000
Other	\$100,000

W.A. State Government Contribution

CSRFF Contribution	\$ 30,000
--------------------	-----------

Total Project Cost **\$180,000**

West Perth Football Club are not seeking funds from the City for this project. The lighting upgrade will extend usage of the facility and enable it to be more viable.

The project received planning approval only in April 1997 leaving matters such as overspill lighting and noise issues to be resolved.

The application does not address however the potential for increased noise levels and traffic as a result of night sporting fixtures. It is considered that the project is needed by the applicant and is well planned. West Perth Football Club should be advised however that this ranking for CSRFF is not approval by the City for installation of the lights and that overspill lighting and noise issues need to resolved prior to the issue of a building licence.

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

- 1 forward the application from West Perth Football Club for the Community Sport and Recreation Facilities Fund to the Ministry of Sport and Recreation with the following ranking and rating:

Ranking	Rating
1	Medium/High

- 2 advise West Perth Football Club that this ranking for Community Sport and Recreation Facilities Fund purposes does not provide approval by the City for installation of the lights and that overspill lighting and noise issues need to resolved prior to the issue of a building licence.

The Motion was Put and

CARRIED

CJ200-10/98 PRICING POLICY - COUNCIL RECREATION FACILITIES - [10015]

SUMMARY

The Council of the former City of Wanneroo resolved that in respect to the levying of hire fees for use of its recreation facilities, with the exception of the Craigie Leisure Centre:

“Except where otherwise specified, the following groups shall be exempt from facility hire charges : Juniors under the age of 18 years resident within the municipality; Creative Arts and Therapy Activities Group (CATA) resident within the municipality; Senior Citizens Groups resident within the municipality; Red Cross; Wanneroo Volunteer Bushfire Services; Wanneroo Volunteer Emergency Services; Sea Rescue Services; Progress and Ratepayers Association; Community Recreation Associations; Neighbourhood Watch Groups; St John’s Ambulance Groups”.

In the 1997/98 financial year application of this policy resulted in Council subsidising fees for junior use of community facilities resulting in an actual loss of income from junior fees of \$414,248. This figure is based on 50% of the adult rate and does not include junior use of parks. For senior citizens the actual loss of income was \$310,735, in total \$724,983.

Council's assistance to junior organisations does not simply pertain to the usage of facilities. In addition, \$11,200 in Recreation Development Fund grants have recently been allocated, besides the 1997/98 financial year allocation of \$15,000 to assist with travel costs to interstate or overseas championships in the form of a donation.

There are growing expectations that the operating costs of recreation facilities should be funded by the users. Conversely there is an expectation that these facilities should be available at minimal or at no cost, so that no one is denied access to Council facilities due to an inability to pay.

It is important therefore to view this report as a catalyst for a community debate concerning the levels of community benefit which can be provided in terms of the appropriate degree of subsidisation, part or full cost recovery of services and the extent of community service obligations and conformance to National Competition Policy principles.

The City for example under its obligations to National Competition Policy needs to ensure there is no subsidisation of fees by the ratepayers for community facilities such as recreation centres and ovals unless it is demonstrated that this is in the public good. What constitutes the public good and the extent it should be funded by all ratepayers, needs to be identified.

This report details the arguments for and against a contribution from juniors for use of Council Recreation Facilities and recommends a methodology for consultation with the community to identify what level of subsidisation and contribution by juniors is supported by the ratepayers towards junior use of Council recreation facilities.

BACKGROUND

Numerous reports relating to Council's pricing policies of its recreation facilities have been undertaken in the past, but due to a plethora of reasons, have failed to rectify the existing inequities, anomalies and inadequacies that staff and clubs alike attempt to address on a repetitive basis.

A Recreation Management Plan encompassing a comprehensive pricing policy was adopted by the Council of the former City of Wanneroo in 1991, only to be rescinded when unfortunately correlated with an official trip to Europe by a number of Councillors.

In March 1995, the Council of the former City of Wanneroo established a Sub-Committee to formulate a Uniform Pricing Policy for recreation facilities in the City of Wanneroo and addressed a number of issues and endorsing a draft pricing policy in 1996, but did not forward any recommendations to Council. The Sub-Committee, comprised of Councillors Major, Tippett, Wight, Ewen-Chappell and O'Grady, "agreed in principle to the philosophies and processes employed to determine park fees", but did not forward any recommendations to Council.

The assessment, review and analysis of the operation of the Recreation and Cultural Services Business Unit undertaken by Jill Powell and Associates in August/September 1997, endorsed the need for a new policy strategy that incorporated the basic principles that have been expressed in all the preceding reports.

DETAILS

Leisure Centre Fees

Historically, the Council of the former City of Wanneroo adopted the laudable stance of not levying fees on either its junior orientated clubs or senior citizens groups for usage of its recreation centres or ovals, with the exception of Craigie Leisure Centre.

Juniors have been charged a fee for use of Craigie Leisure Centre since its opening initially as an aquatic facility. It was considered that because of the costs involved in operating swimming pools a fee for junior use should be levied and this was extended to the sports halls when constructed in 1992.

However, the rapid expansion of a number of communities within the municipality, the subsequent advent of new facilities to cater for their needs, in addition to benevolent fee schedules, have collectively imposed severe financial and limitations on their financial viability whilst burdening ratepayers, that may not utilise these facilities, with an inequitable proportion of funding.

In a quest to "deliver a range of services which respond to the physical, social, cultural and intellectual well being of the community", Council facilitates opportunities for residents to improve their quality of life. Ratepayers assist in providing these opportunities whilst those who avail themselves of this opportunity, equitably, could be expected to contribute towards the operating costs.

It is salient to appreciate the current usage of the Recreation Centres to verify the degree of usage by both paying and non paying organisations.

RECREATION CENTRE USAGE 1998

CENTRE	PAYING ORGANISATION	NON-PAYING ORGANISATIONS
Wanneroo	28%	72%
Gumblossom	20%	80%
Hainsworth	51%	49%
Sorrento-Duncraig	41%	59%
Ocean Ridge	33%	67%
AVERAGE	35%	65%

The Ocean Ridge Community Centre statistics have been cited as they correlate closely to the average of all centres and delineate the type of usage.

**OCEAN RIDGE COMMUNITY CENTRE
USAGE STATISTICS - JUNE 1998**

	Senior Clubs	Commercial Groups	Senior Citizens	Junior Clubs	Charitable Organisations	Blue Light	Total
Number of User Groups	12	9	6	15	3	2	47
Hours used per week	28	15	8	72	8	Once per month	131
% of Total Use	21%	11%	6.5%	55%	65		100%
	33% Paying			67% Non-Paying			

The extent of the existing subsidy is outlined in the 1997/98 Donation Accounts - Recreation Facility Subsidies for both junior clubs and senior citizen organisations and is based on actual hours utilised within the City's Recreation Centres and Community Halls.

	JUNIORS	SENIOR CITIZENS
Actual (1997/98)	\$414,248	\$310,735
Budget Estimate	\$361,000	\$174,000
Variance	\$53,247	\$136,735
Percentage	15%	78.5%

When one considers the donation account only reimburses 50% of the actual adult club rate, the combined reimbursement of \$724,982 pertains to \$1,449,964 of standard bookings. It is not realistic to assume that Council would have recouped \$1,449,964 from other sources. Nevertheless, by not levying a fee on these organisations, Council is denying on occasions, the paying customer from availing themselves of the opportunity to hire venues.

Regional Approach

The City of Joondalup and the Shire of Wanneroo are the only local authorities not levying fees for usage by junior organisations of its recreation centres and ovals. Other Councils charge juniors for use of Recreation Centres but not ovals, others charge for both.

In the mid eighties, the Shire of Swan, ceased charging juniors for usage of its ovals, but retained a junior fee at the Swan Park Recreation Centre. Apparently, the former City of Wanneroo was used as an example, as was the City of Stirling for they were the only other local authority that was not levying an oval fee on its junior organisations within the region.

A regional approach to formulating pricing policies would not only be advantageous to local authorities, for the sporting groups that encompass residents from adjacent municipalities would also benefit from a degree of uniformity.

A concept mooted in a Discussion Paper for Local Government (April 1994), on User Pays and the Pricing of Leisure Services refers to the need for local authorities to consider user pay models collectively. It alludes to the notion that those not levying fees or minimal fees, will incur a higher demand for its services and facilities at the expense of those attempting to ensure equity of provision.

As already stated, juniors pay to utilise recreation centres within the municipalities of Bassendean, Bayswater, Swan, Stirling, Melville and Gosnells, with the fee varying from 50% to 75% of the applicable adult rate (Attachment one refers).

In contrast, their junior oval fees vary markedly. Stirling and Swan do not levy fees, whilst Gosnells juniors pay 12.5% of the adult rate, Melville 25%, and both Bassendean and Bayswater pay 50% of the adult rate (Attachment two refers).

National Competition Policy

It is salient to note that in accordance with National Competition Policy, the City is required to address the ramifications of fully subsidising junior organisations and introduce fee schedules that are consistent with the policy.

Local Authorities invest in the infrastructure by establishing reserves and recreation centres as community assets, nevertheless, those who avail themselves of this provisioned opportunity to participate in their chosen activity, need to pay for their "exclusive" use for a designated period of time.

COMMENT/FUNDING

The proposal to introduce fees for junior use of Council Recreation Facilities in the former City of Wanneroo has in the past met with significant protest from user groups. The views of the broader community including ratepayers who contribute towards the cost of operating Recreation Facilities but do not use them has never been ascertained.

Debate over the introduction of junior fees is essentially a debate over:

- community values,
- financial performance versus community service; and
- level of community benefit that should be funded by all ratepayers.

The argument for and against the introduction of junior fees is listed below. It is a complex issue with no one right answer.

Advantages of Juniors not contributing to operating cost of Recreation Facilities

- Encourages participation in leisure activities;
- Discourages anti social behaviour by encouraging participation in leisure activities;
- Promotes healthy active lifestyle;
- Perceived as an encouragement from Council for adults to volunteer their time and energy to benefit young people;
- Popular with user groups;
- Many groups adequately accommodated in venues;
- Encourages a diverse range of leisure options;
- Promotes a positive image of the City;

Sport and recreation groups will cite many of these advantages as reasons for not introducing fees for junior use. The claims that not charging juniors promotes these advantages are all valid. The claims however that the introduction of fees will have a significant detrimental effect on junior sport and recreation are not.

Claims from junior organisations that the introduction of fees will result in juniors not participating in sport and therefore leading to an increase in vandalism and other forms of anti social behaviour, are not supported by the available evidence. Most other local government authorities charge junior groups a fee for use of community facilities. Council Officers are in regular contact with staff from other Councils and there is no evidence to suggest hire fees have a significant impact on participation rates in junior sport and recreation activities in other metropolitan Councils.

The advantages listed above are all achievable even if juniors are charged a fee to contribute to the cost of use.

Disadvantages of Juniors not contributing to operating cost of Recreation Facilities

- User groups not contributing to cost of maintenance when ratepayers incurring cost of provision and majority of operating costs;
- In many instances the adult rate does not cover the cost of operating a particular facility so that the actual subsidy for junior use of community facilities is significantly higher than the figure of \$414,248;
- No need for groups to evaluate or ration usage when no fees levied;
- Perception that additional facilities required, based on false premise;
- Access to existing facilities by groups, able and willing to pay, denied or suppressed;
- No accurate accounting of true cost of junior policy as only 50% subsidy denoted;
- Other service providers unable to compete with Council facilities;
- Junior clubs are subsidising their counterparts in other local authorities, whilst juniors are also paying to participate in activities organised on a commercial basis within Council's facilities;
- No enticement for organisations to accept responsibility for their booking, or the facilities; and
- Inequities between different recreation activities. Juniors who are members of swimming clubs or simply enjoy a swim at a Council aquatic facility pay a fee for use. Juniors who participate in Council's Leisure Courses programme or take part in activities by commercial groups all pay for use of facilities through their course or membership fee.

The consequential inequities prevents access to existing facilities for some groups whilst adding credence to their quest for additional facilities, and subsequently, further financial burden for ratepayers who are not necessarily gaining a benefit. In reality, the advent of new facilities may not necessarily resolve the issue of access, or benefit the community, unless usage of existing facilities is also rationalised.

The recently adopted Community Facilities Formal Assessment Process will be more effective if it does not consider the need for additional facilities based on the premise of artificially high, expressed needs, rather than a system that encourages a better utilisation of existing resources to assist in meeting the real needs of the community.

It is also not realistic to evaluate the financial standing of individual recreation centres, or their respective staff on a fiscal premise, when irrespective of whether or not they attract additional bookings and usage, only a proportion of their endeavours are recognised.

Facility Management Issues

Council's policy of providing free use of Council Recreation Facilities has also contributed to a number of inefficiency's in the current management system. They include:

- incidences of bulk booking facilities excluding other potential user groups, and
- lack of responsibility for facilities and bookings resulting in facilities being booked and then not being used.

Whilst these issues are most easily addressed by the introduction of a fee for use, they could also be resolved by the introduction of alternative management policies.

Public Perceptions

In the perusal of relevant papers relating to pricing policies, a report written by a Canadian entitled Price Setting for Public Leisure Services was acquired that contains a very relevant segment pertaining to "communication". Irrespective of whether the Joint Commissioners are of the view that existing subsidies should decrease and that prices or fees should reflect a more realistic cost of the service provision, "communication strategies must consider the perceptions of the community at large".

The paper alludes to three unfortunate assumptions that prevail when fees are increased:

- that they have already paid for recreation services through their rates;
- the need for any increase is due to Council waste or mismanagement; and
- that the increase will negate their opportunity to utilise a valued programme.

"It is perhaps little wonder they react so negatively to many of our fee initiatives. Any fee setting exercise should include efforts to expose the fallacy of these assumptions".

It is evident due to a number of enquiries initiated by local sporting groups there is a general paucity of information with respect to the objectives of pricing policies and fee schedules.

As the debate on the introduction of junior fees has in the past been emotive and there are advantages and disadvantages to either position it is recommended a broad based community consultation process be implemented to ascertain the views of the wider community. This consultation will identify community support for junior use of Council Recreation Facilities being fully subsidised by all ratepayers compared to support for the introduction of junior fees to contribute towards the cost of operating Council Recreation Facilities. This process will include:

- Survey of community views by telephone interview via a statistically sound sample of the population;
- Advertisements and articles in local newspapers prior to survey outlining advantages and disadvantages;
- Written submissions from interested individuals and groups;

Funds are available in Account No. 29492 Research and Survey - Incidental Costs, Leisure Services - Administration to facilitate the community consultation process.

It is expected that it will take two months to complete the consultation process. Once complete, a further report will be submitted to the Joint Commissioners outlining the results of the community consultation along with proposals to enhance the management of the City's Recreation Facilities consistent with the outcomes of the consultation process

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners endorse the conduct of a community consultation process including:

- Survey of community views by telephone interview;
- Advertisements and articles in local newspapers prior to survey outlining advantages and disadvantages of charging fees for junior use to contribute towards the cost of operating Council Recreation Facilities; and
- Written submissions from interested individuals and groups;

to ascertain the level of support from residents for junior use of Council Recreation Facilities being fully subsidised by all ratepayers compared to support for the introduction of junior fees to contribute towards the cost of operating Council Recreation Facilities

Cmr Clark-Murphy spoke in support of the Motion.

Discussion ensued, with Cmr Rowell requesting that the Commissioners sight the questions to the survey, prior to it being conducted.

The Motion was Put and

CARRIED

CJ201-10/98 AUTHORISATION OF DOG REGISTRATION OFFICERS - [24041]

SUMMARY

Any person who effects the registration of dogs must be authorised as a registration officer under the provisions of Section 11(3) of the Dog Act 1976.

DETAILS

The following staff are employed by the City of Joondalup and this will allow them to assist with the processing of dog registrations as required.

Customer Service Assistants

Lynda Margaret Gray	Yvonne Honmon	Tracey Jean Jacob
Karen Gaye Parker	Christine Smallwood	Alma Turner
Susan Patricia Wesley	Rozana D'Agostino	Karen Christine Crane
Resmie Anna Greer		

Community Development Staff

Rae Jury	Christine Smith	Gillian Hampson
Teresa Rocchi	Shannon Cathryn MacPherson	

Casual Employees

Sandra Naomi Evans	Kathleen Neta Jauncey	Pauline Zammit-Ireland
--------------------	-----------------------	------------------------

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners authorise the following staff as registration officers to effect the registration of dogs for the City of Joondalup, pursuant to Section 11(3) of the Dog Act 1976.

Customer Service Assistants

Lynda Margaret Gray	Yvonne Honmon	Tracey Jean Jacob
Karen Gaye Parker	Christine Smallwood	Alma Turner
Susan Patricia Wesley	Rozana D'Agostino	Karen Christine Crane
Resmie Anna Greer		

Community Development Staff

Rae Jury	Christine Smith	Gillian Hampson
Teresa Rocchi	Shannon Cathryn MacPherson	

Casual Employees

Sandra Naomi Evans

Kathleen Nita Jauncey

Pauline Zammit-Ireland

The Motion was Put and

CARRIED

TECHNICAL SERVICES SECTION

Items CJ202-10/98 to CJ210-10/98 inclusive were Moved by Cmr Morgan and Seconded by Cmr Clark-Murphy. Cmr Morgan gave notice of his intention to speak on items CJ202-10/98 and CJ208-10/98.

CJ202-10/98 BANKS AVENUE HILLARYS - [05576J]

SUMMARY

A 60 signature petition has been received from Hillarys residents requesting restrictive traffic changes to Banks Avenue, Hillarys. The suggested changes are not in accordance with the intended road function and therefore are not supported. However, it is proposed to develop a Traffic Management Scheme for Banks Avenue, Hillarys in conjunction with the residents when the outcome of the Town Planning Appeal Tribunal regarding Whitford City Shopping Centre is known.

BACKGROUND

Residents' concerns in relation to traffic generated by Whitford City Shopping Centre have been considered by the former City of Wanneroo on a number of occasions. In June 1997, in a report on the development of the shopping centre it was commented that the main access to the shopping centre should remain on the north side of the Centre off Whitfords Avenue as this would have less impact on Banks Avenue (item No TS189-06/97 refers).

In August 1998 the City received a petition from Hillarys residents requesting traffic changes to Banks Avenue, Hillarys. In particular the petitioners have requested that all commercial vehicles be banned from using Banks Avenue and that Banks Avenue be split by way of a road closure, preventing through traffic. The petitioners have also requested that this be combined with restructuring of the road to incorporate roundabouts and traffic inhibitors (calming treatments).

DETAILS

Banks Avenue is a local distributor road parallel with the south side of Whitford City Shopping Centre and links Marmion Avenue with Endeavour Road, Hillarys. As well as providing residential access it provides secondary access to Whitford City Shopping Centre and Whitfords Library. There are two main accesses to the Shopping Centre on Whitfords Avenue with three secondary accesses on Banks Avenue and one access on Endeavour Road, see Attachment 1 for details.

In the past four years, vehicular traffic on Banks Avenue (west of Green Road) has increased from 4870 vehicles per day (midweek) in September 1994 to 6100 vpd in September 1998. While the data shows an overall increase in traffic volume on Banks Avenue, the increase has generally been restricted to between the hours of 9 AM and 6 PM. Outside of these hours, traffic volumes have remained relatively unchanged. The data also shows that over the past year the growth in vehicular traffic has peaked with 6480 vpd recorded in September 1997 and 6100 vpd in September 1998. A graphical representation of the change in traffic volume on Banks Avenue (west of Green Road) from 1994 to 1998 and the distribution of traffic on an hourly basis is shown of Attachment 2.

Changes to the road environment along Banks Avenue to cater for increased traffic and pedestrian volumes in recent years include the signalisation of the junction with Marmion Avenue, the construction of a roundabout at the junction with Endeavour Road and a painted median pedestrian refuge island treatments along Banks Avenue. Details of the existing road layout and the surrounding road network are also shown on Attachment 1.

The petitioners have requested that all commercial traffic and large vehicles be banned from using Banks Avenue. A survey of traffic on Banks Avenue carried out in September 1998 shows that commercial vehicles are approximately 3.19% of the overall traffic using Banks Avenue on any given day. This is within the typical local distributor road range of 2-4% of commercial vehicles. Therefore the existing percentage of commercial vehicles using Banks Avenue is not considered excessive. Notwithstanding this, under the existing Road Traffic Code and Local Laws, the City does not have the authority to ban certain vehicle types from travelling along a gazetted road.

The petitioners state that Banks Avenue is being used as a bus route. The planning of bus routes is the responsibility of the Department of Transport and the petitioners should contact that department directly.

The petitioners have requested that Banks Avenue be closed midblock to prevent vehicular access from Marmion Avenue to Endeavour Road. However given the current level of traffic flow on Banks Avenue, a closure would have significant implications for the surrounding road network. In particular, the redirecting of traffic away from Banks Avenue would result in unacceptable delays and congestion at other intersections in the area and accesses into the shopping centre. A road closure on Banks Avenue as requested by the petitioners would not be in keeping with the intended road function.

With regard to the petitioners concerns in relation to vehicle speed, the traffic data indicates an 85th percentile speed of between 45-64 km/h. This shows that the majority of vehicles travel within an acceptable range of the built up area speed limit (60km/h). This does not support the petitioners claims that vehicles are travelling at excessive speed along Banks Avenue. A graph showing overall vehicle speeds along Banks Avenue is shown on Attachment 1. Traffic treatments to reduce speed are generally only considered when the 85th percentile speed is 10-15 kph above the posted speed limit.

The petitioners have requested the construction of roundabouts and traffic inhibitors (calming devices) in conjunction with a road closure on Banks Avenue to reduce vehicle speeds and restrict vehicle movements. For a roundabout to function successfully as a traffic calming device, each leg of the roundabout should generate around the same number of vehicles. In this instance, Solander Road and Green Road do not generate high enough vehicle turning movements to make a roundabout function well in isolation as a traffic calming device. The use of any form of traffic calming device to restrict certain vehicle types is also not supported as they may prevent reasonable access by emergency services.

An investigation of the crash statistics shows that 19 crashes were recorded on Banks Avenue in the three years to 31 December 1997. For this class of road only 10 crashes would be expected. A high number of these crashes involved vehicles travelling in the same direction being involved in rear end crashes.

COMMENT/FUNDING

Banks Avenue performs an important function as a local distributor in the road network surrounding Whitford City Shopping Centre. While the City acknowledges that development of this site has seen an increase in traffic along Banks Avenue, the amount and type of vehicular traffic is in keeping with the overall road function. While a road closure on Banks Avenue would reduce traffic volumes on this road, it would have significant implications for the surrounding road network. A road closure would not be in keeping with the intended road function.

On this basis, the petitioners request for a road closure can not be supported.

As the City does not have the authority to ban certain vehicle types on gazetted roads, the petitioners request to ban or restrict the use of Banks Avenue by commercial vehicles can not be supported.

The Town Planning Appeal Tribunal is in the process of considering an appeal against the former City of Wanneroo's refusal of an application on behalf of Permanent Trustee Australia Ltd for major alterations and additions to the Whitford City Shopping Centre. The outcome of this appeal may impact on Banks Avenue. Therefore, the outcome should be known before any Traffic Management Scheme is developed.

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

- 1 do not support the closure of Banks Avenue, Hillarys;**
- 2 do not restrict the use of Banks Avenue, Hillarys by commercial vehicles;**
- 3 develop a Traffic Management Scheme for Banks Avenue, Hillarys in conjunction with the residents when the outcome of the Town Planning Appeal Tribunal regarding Whitford City Shopping Centre is known;**
- 4 advise the petitioners accordingly.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

CJ203-10/98 SUPPLY OF SERVICES TO CONTROL GRAFFITI TO COUNCIL BUILDINGS - [026-98/99]

SUMMARY

The current contract for the Supply of Services to Control Graffiti to Council Buildings was rolled over for a four (4) month period from 1 July 1998 to enable tender/specification documents to be reviewed and re-tendered, expires on 31 October 1998.

Tenders were called and it is recommended that the contract be awarded to Graffiti Coatings on a schedule of rates contract for a twelve (12) month period from 1 November 1998 to 31 October 1999, with a further twelve (12) month rollover option.

BACKGROUND

Graffiti removal and application of non sacrificial coatings, to Council owned buildings contained within the contract has previously been carried out by graffiti removal contractors.

Report TS108-06/98 to Council in June 1998 dealt with the rollover and tendering of the contract No: 034-96/97, approval was given for the following:

1. Authorise the extension on a month by month basis for a maximum period of four (4) months from 1 July 1998 to 31 October 1998; Contract No 034-96/97

The current contracts are therefore due to expire on 31 October 1998 and tenders were called for a new contract period.

DETAILS

Public tenders were invited on a schedule of rates basis on 29 August 1998, closing on 14 September 1998 with four (4) tenders received.

The tenders were evaluated using the multi criteria model recommended by the City's framework of Contract Management and the selection criteria as detailed below.

Selection Criteria	Weighing Factor
1. Schedule of rates	80%
2. Resource credentials and capacity	10%
3. Previous experience and financial resources	5%
4. Insurance Policy declaration	5%

Ideal Total	100%
--------------------	-------------

The tender evaluation is shown in attachment 1

The prices submitted in the schedule of rates for labour was totalled and the evaluation weighting was applied on the total figure for each tender submitted.

Graffiti removal from any surface.	}	
Supply and install non-sacrificial coating.	}	80%
Colour photograph.	}	

The highest score in each category was assigned the maximum value when appropriate. The final score to each tender being the total of the four (4) selection criteria scores. The evaluation of tenders has been undertaken on the basis of information provided by each tenderer in response to the tender document requirements.

Based on the total evaluation weightings in Tender Number 026-98/99, Graffiti Coatings with a total score of 100% is best value for money, and currently carry out graffiti coatings/removal services to the City of Joondalup.

COMMENT/FUNDING

Funding for the schedule of rates contract has been included in the 1998/99 financial year and allocated to the various Building Assets, Maintenance Budget accounts for execution of the contracts between 1 November 1998 and 31 October 1999.

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

- 1 accept Tender No: 026-98/99, Graffiti Coatings Western Australia, for the control of graffiti on a schedule of rates basis, as shown on Attachment 1 to Report No CJ203-10/98, to be executed from 1 November 1998 to 31 October 1999, with the option to extend the contract for an additional twelve (12) months, to 30 June 2000 if agreeable to both parties;
- 2 agree to the signing of the Contract Documents.

The Motion was Put and

CARRIED

Appendix VIII refers

CJ204-10/98 SUPPLY OF PLUMBING MAINTENANCE SERVICES - VARIOUS SITES - [025-98/99]

SUMMARY

The current contract for Supply of Plumbing Maintenance Services - Various Sites expires on 31 October 1998. It was rolled over for a four (4) month period from 1 July 1998 to enable tender/specification documents to be reviewed and re-tendered.

Tenders were called and it is recommended that the contract be awarded to Wanneroo Plumbing Services on a schedule of rates contract for a twelve (12) month period from 1 November 1998 to 31 October 1999, with a further twelve (12) month rollover option.

BACKGROUND

Plumbing Maintenance Services to Council owned buildings contained within the contract has been previously carried out by plumbing contractors.

Report TS108-06/98 to Council in June 1998 dealt with the rollover and tendering of the contract No: 033-96/97 and approval was given for the following:

1. Authorise the extension on a month by month basis for a maximum period of four (4) months from 1 July 1998 to 31 October 1998; Contract No 033-96/97.

The current contracts are therefore due to expire on 31 October 1998 and tenders were called for a new contract period.

DETAILS

Public tenders were invited on a schedule of rates basis on 28 August 1998, closing on 14 September 1998 with five (5) tenders received.

The tenders were evaluated using the multi criteria model recommended by the City's framework of Contract Management and the selection criteria as detailed below.

<u>Selection Criteria</u>	<u>Weighing Factor</u>
1. Materials Schedule of Rates	30%
2. Travel	5%
3. Labour rates (skilled)	25%
4. Labour rates (unskilled)	15%
5. After hours rate	5%
6. Resource credentials and capacity	10%
7. Previous experience and financial resources	5%
8. Insurance policy declaration	5%
Ideal Total	100%

The tender evaluation is shown in attachment 1

The highest score in each category was assigned the maximum value when appropriate. The final score to each tender being the total of the eight (8) selection criteria scores. The evaluation of tenders has been undertaken on the basis of information provided by each tenderer in response to the tender document requirements.

All five (5) companies were contacted to request confirmation/clarification of current plumbing and gas certification which were received satisfactorily.

Based on the total weightings in Tender Number 025-98/99, Wanneroo Plumbing, with a total score of 82.41% is best value for money and currently carry out plumbing services to the City of Joondalup.

COMMENT/FUNDING

Funding of the schedule of rates contracts has been included in the 1998/99 financial year and allocated to the various Council Building Assets, Maintenance Budget accounts for execution of the contracts between 1 November 1998 and 31 October 1999.

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

- 1 accept Tender No: 025-98/99 from Wanneroo Plumbing Services for the schedule of rates contract for plumbing maintenance services, as detailed on Attachment 1 to **Report** No CJ204-10/98, to be executed from 1 November 1988 to 31 October 1999, with the option to extend the contract for an additional twelve (12) months, to 30 June 2000 if agreeable to both parties;
- 2 agree to the signing of the Contract Documents.

The Motion was Put and

CARRIED

Appendix IX refers

CJ205-10/98 SUPPLY OF ELECTRICAL MAINTENANCE SERVICES - VARIOUS SITES - [024-98/99]

SUMMARY

The current contract for the Supply of Electrical Maintenance Services - Various Sites was rolled over for a four (4) month period from 1 July 1998 to enable tender/specification documents to be reviewed and re-tendered, expires on 31 October 1998.

Tenders were called and it is recommended that the contract be awarded to Wanneroo Electrics and Alarm Systems on a schedule of rates contract, for a twelve (12) month period from 1 November 1998 to 31 October 1999, with a further twelve (12) month rollover option.

BACKGROUND

Electrical maintenance Services to Council owned buildings contained within the contract has been previously carried out by contract electricians.

Report TS108-06/98 to Council in June 1998 dealt with the rollover and tendering of the Contract No: 034-96/97 and approval was given for the following:

1. Authorise the extension on a month by month basis for a maximum period of four (4) months from 1 July 1998 to 31 October 1998; Contract No 034-96/97 refers.

The current contracts are therefore due to expire on 31 October 1998 and tenders were called for a new contract period.

DETAILS

Public tenders were invited on a schedule of rates basis on 29 August 1998, closing on 14 September 1998 with three (3) tenders received.

The tenders were evaluated using the multi criteria model recommended by the City's framework of Contract Management and the selection criteria as detailed below.

Selection Criteria	Weighing Factor
1. Labour rates	
Labour rates - non schedule materials	30%
Trades Assistant	10%
After hours rate	10%
2. Schedule of rates	30%
3. Resource credentials and capacity	10%
4. Previous experience and financial resources	5%
5. Insurance Policy declaration	5%
Ideal Total	100%

The tender evaluation is shown in attachment 1.

The highest score in each category was assigned the maximum value when appropriate. The final score to each tender being the total of the five (5) selection criteria scores. The evaluation of tenders has been undertaken on the basis of information provided by each tenderer in response to the tender document requirements.

All three (3) companies were contacted to request confirmation/clarification of current electrical certification which were all received satisfactorily.

Based on the total evaluation weightings in tender number 024-98/99, Wanneroo Electric and Alarm Systems with a total score of 100% is best value for money and currently carry out electrical repair/maintenance services for the City of Joondalup.

COMMENT/FUNDING

Funding of the schedule of rates contract has been included in the 1998/99 financial year and allocated to the various Council Building Assets, Maintenance Budget accounts for execution of the contracts between 1 November 1998 and 31 October 1999.

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

- 1 accept the Tender No: 024-98/99 from Wanneroo Electrics and Alarm Systems for the schedule of rates contract for electrical maintenance services, as shown in Attachment 1 to **Report** No CJ205-10/98, to be executed from 1 November 1998 to 31 October 1999, with the option to extend the contract for an additional twelve (12) months, to 30 June 2000 if agreeable to both parties;
- 2 agree to the signing of the Contract Documents.

The Motion was Put and

CARRIED

Appendix X refers

CJ206-10/98 MECHANICAL AND HVAC CONSULTANCY - CITY OF JOONDALUP - [044-98/99]

SUMMARY

The current contract for the Mechanical and HVAC Consultancy was rolled over for a four (4) month period from 1 July 1998, to enable the existing contract, including the specification and conditions of tender to be reviewed, in order to seek a new tender.

Tender (044-98/99) was called and it is recommended that the contract be awarded to Lincoln Scott at a lump sum fee of \$56,369.00 with the schedule of rates for a nine (9) month period from 1 November 1998 to 31 July 1999, with a further twelve (12) month rollover option in accordance with contract conditions.

BACKGROUND

The current Mechanical and HVAC Consultancy for Council owned buildings has been carried out by Norman Disney and Young for approximately eight (8) years.

Report TS108-06/98 to Council in June 1998 dealt with the rollover and tendering of the contract and approval was given for the following:

1. Authorise the extension on a month by month basis for a maximum period of four (4) months from 1 July 1998 to 31 October 1998, of the Consultancy Agreement, Mechanical and Fire Services Overview.

The City has incurred approximately \$105,586.00 in the mechanical and HVAC consultancy contract for the previous 1997/98 financial year. The contract is due to expire on 31 October 1998 and a new tender has been called in accordance with Regulation 11(2) of the Local Government (Functions and General) Regulations 1996, for undertaking the mechanical and HVAC consultancy for Council buildings located within the Shire of Wanneroo and City of Joondalup.

DETAILS

Public tender (No 044-98/99) was invited on 8 August 1998, closing on 26 August 1998 with five (5) tenders received.

The tenders were evaluated using the multi criteria model recommended by the City's framework of Contract Management and the selection criteria provided in the tender information document and as detailed below:

Selection Criteria	Weighting Factor
1. Lump Sum Fees	30%
2. Schedule of Rates	25%
3. Methodology	15%
4. Previous experience	15%
5. Resource credentials and capacity	10%
6. Quality Assured	5%
Ideal Total	100%

The fees and disbursement criterion was divided into two sub criteria e.g., Lump sum fees and Schedule of Rates. The nature of the contract does require work to be carried out on a schedule rates basis in addition to a lump sum fee. The tender evaluation is shown at Attachment 1

The highest score in each category was assigned the maximum value when appropriate. The final score to each tender being the total of the six (6) selection criteria scores. The evaluation of tenders has been undertaken on the basis of information provided by each tenderer in response to the tender document requirements.

The committee sought clarification from Lincolne Scott on 4 September 1998 with regard to its contract management role on the checking/certification of mechanical contractors invoices and its team members to be involved in the project. A satisfactory response was received on 8 September 1998.

Norman Disney and Young is the current Contractor for the Mechanical and HVAC consultancy services for the City of Joondalup and has provided engineering consultancy services to the former City of Wanneroo for approximately eight (8) years. The City under the frame work of contract management, provided a clear set of criteria for all tenderers to address, so that the evaluation process became more scientific, transparent and the City received best value for its money from a contract. The committee, evaluated the tenders under the evaluation model based on the information provided in the tenders, clarifications were sought and received and reference checks were carried out. The committee judged the submission by Lincolne Scott to provide the best value for money.

Therefore, based on the total evaluation weightings in Tender Number 044-98/99, Lincolne Scott Australia Pty Ltd, at \$56,369.00 and the schedule fees for a nine (9) month period is the best value for money with a total score of 95.36%.

COMMENT/FUNDING

Funding of the \$56,369.00 has been included in the 1998/99 financial year and allocated to each of the twenty (20) Building Assets, Operating Budget accounts for execution of the contracts between 1 November 1998 and 31 July 1999.

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

- 1 accept Tender No: 044-98/99 for \$56,369.00 with the schedule fee rates from Lincolne Scott Australia Pty Ltd for the Mechanical and HAVC Consultancy, as shown in Attachment 1 to Report No CJ206-10/98, to be executed from 1 November 1998 to 31 July 1999, with the option to extend the contract for an additional twelve (12) months, to 31 July 2000 subject to conditions of contract;**
- 2 agree to the signing of the Contract Documents.**

Discussion ensued.

The Motion was Put and

CARRIED

Appendix XI refers

CJ207-10/98 MECHANICAL AND HVAC SERVICES - VARIOUS BUILDINGS - CITY OF JOONDALUP - [022/98/99]

SUMMARY

The current contract for the Maintenance of Mechanical Services - Various Buildings expires on 31 October 1998. It was rolled over for a four (4) month period from 1 July 1998 to enable tender/specification documents to be reviewed and re-tendered.

Tenders were called and it is recommended that the contract be awarded to Haden Engineering at a cost of \$40,771.60 for an eight (8) month period from 1 November 1998 to 30 June 1999, with a further twelve (12) month rollover option.

BACKGROUND

The maintenance and repair of mechanical plant and equipment to Council owned buildings contained within the contracts have been previously carried out by mechanical contractors

Report TS108-06/98 to Council in June 1998 dealt with the rollover and tendering of the contract and approval was given for the following:

1. Authorise the extension on a month by month basis for a maximum period of four (4) months from 1 July 1998 to 31 October 1998. Contract Numbers 128, 129, 130 and 147-96/97.

The current contracts are therefore due to expire on 31 October 1998 and tenders were called for a new contract period.

DETAILS

Public tenders were invited on 8 August 1998, closing on 26 August 1998 with nine (9) tenders received.

The tenders were evaluated using the multi criteria model recommended by the City's framework of Contract Management and the selection criteria as detailed below.

Selection Criteria	Weighing Factor
1. Fees and disbursements	55%
2. Understanding the nature of the project	15%
3. Previous experience	15%
4. Credentials and capacity	10%
5. Quality Assured	5%
Ideal Total	100%

The tender evaluation is shown at attachment 1

The highest score in each category was assigned the maximum value when appropriate. The final score to each tender being the total of the five (5) selection criteria scores. The evaluation of tenders has been undertaken on the basis of information provided by each tenderer in response to the tender document requirements.

Norman Disney and Young, commissioned by the City as a consultant, evaluated the tenders based on the City's multi criteria tender evaluation system and conditions of tender. Haden Engineering is adjudged to be the best at an annual base price of \$40,771.60, with the price schedule submitted for the period of eight (8) months. The lowest price tender for Contract No: 022-98/99 (37) was Winton Air Engineering at a base price of \$24,223.00. Some of the salient features have been considered by the multi criteria evaluation model to determine the best value for money as follows:

- Fees and disbursements
- Understanding the nature of the project
- Previous experience
- Credentials and capacity
- Quality Assurance

The lowest priced tenderer, Winton Air Engineering is deficient compared to the selected tenderer in the remainder of the selection criteria, as it has not specified Satchwell controls to perform monthly maintenance on the Administration building. Norman Disney and Young is also of the opinion that Winton Air Engineering does not have the necessary experience and backup to effectively maintain the buildings.

In the 1997/98 financial year, the former City of Wanneroo awarded the contract for Mechanical Services to Direct Engineering Services (DES) who submitted a late tender for 022-98/99, which was rejected in accordance with Regulation 23(1) of the LG (F&G) Regulations 1996.

Trane Engineering was very closely behind Haden Engineering in the table. It should be noted that the hourly rate of Haden Engineering is the lowest and will bring value for money when additional works, if any are considered. The same applies for sub contractor rates, Haden Engineering prices are almost half of the rest of the sub contractors used by the other tenderers.

Haden Engineering achieved the best score in the evaluation and currently satisfactorily carry out mechanical and HAVC services for the City of Joondalup and Shire of Wanneroo and are recommended for the contract.

COMMENT/FUNDING

Funding of \$40,771.60 has been included in the 1998/99 financial year and allocated to each of the thirteen (13) Building Assets, Operating Budget accounts for execution of the contracts between 1 November 1998 and 30 June 1999.

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

- 1 **accept Tender No: 022-98/99 for \$40,771.60 from Haden Engineering for the Mechanical and HAVC Services, to be executed from 1 November 1998 to 30 June 1999, with the option to extend the contract for an additional twelve (12) months, to 30 June 2000 if agreeable to both parties;**
- 2 **agree to the signing of the Contract Documents.**

The Motion was Put and

CARRIED

CJ208-10/98 TENDER NUMBER 055-98/99 - HIRE OF PLANT, AUXILIARY PLANT AND VEHICLES - [20127]

SUMMARY

Tender Number 055-98/99 for the hire of plant, auxiliary plant & vehicles was advertised on 12 September 1998. Tenders closed on 30 September 1997. The tender submissions have been evaluated and the recommendations are now available for the Joint Commissioners consideration.

BACKGROUND

The Engineering Construction and Maintenance Services of the City hires a considerable amount of plant, auxiliary plant and vehicles to effectively deliver its engineering construction works programme.

In all, sixteen (16) companies have submitted tenders but not all of them have included all items specified in the tender.

This year, the tenderers were informed in the tender information document that it is intended to select two contractors in the order of preference, where possible, for each type of plant. However, in normal circumstances, the first preferred contractor will be commissioned for the supply of the requested plant. In the event of first preferred contractor not being able to supply the requested plant within the nominated notice period, the next preferred contractor will be commissioned. In such case the first preferred Contractor shall be required to bear the difference (i.e. any additional cost) for hiring the plant from the next preferred Contractor.

Tenders have been evaluated in accordance with the multi assessment criteria which includes weightage based on price, minimum notice, reliability & compliance to the safety regulations. Recommendations have been made for the acceptance of tenders from those companies which meet the selection criteria specified in the tender information document for the type of equipment defined in the tender specification. Some contractors have included plant items in their bids which are not used by the Engineering Construction & Maintenance Services and have not been considered and recommendations made only for the suitable items.

DETAILS**Item No 1 : Bulldozer** (Attachment No 1 refers)

The evaluation has determined that four companies are the first preferred contractors for 6 types of bulldozers. Also four companies are the second preferred contractors for these 6 types of bulldozers.

For D5 type bulldozer, only Executive Plant Hire has tendered price for the specified type and Mayday Earthmoving & Dalco Earthmoving have priced for D4 type bulldozer. In order to have a second preference available, though of a lower type, it is recommended to accept Mayday Earthmoving as a second preferred contractor for this type of bulldozer.

It is recommended to accept the tender from following companies for the type of bulldozer shown against each:

D 5	First preferred	Executive Plant Hire
	Second preferred	Mayday Earthmoving
D 6	First preferred	Mayday Earthmoving
	Second preferred	Dalco Earthmoving
D 7	First preferred	Mayday Earthmoving
	Second preferred	Executive Plant Hire
D 8	First preferred	Executive Plant Hire
	Second preferred	WA Plant Hire & Service Pty Ltd
D 9	First preferred	Executive Plant Hire
	Second preferred	WA Plant Hire & Service Pty Ltd
Track	First preferred	Alvito Pty Ltd
	Second preferred	Mayday Earthmoving

Item No 2 : Scrapers (Attachment No 2 refers)

Although tenderers have submitted prices for various types of scrapers, recommendations have been based only for three types (15 m3, 19 m3 & 28 m3 capacity) of scrapers commonly required for the Council operations. Executive Plant Hire is the first preferred contractor and WA Plant Hire & Services Pty Ltd is the second preferred contractor for the hire of the scrapers, and are recommended accordingly.

Item No 3 : Loaders (Attachment No 3 refers)

Alvito Pty Ltd is the first preferred contractor for three types of specified loaders and Executive Plant Hire is the first preferred contractor for the loader with clearing rake. It is recommended to accept tenders from Alvito Pty Ltd & Executive Plant Hire, as first preferred contractor for three types of specified loaders & loader with clearing rake respectively.

Mayday Earthmoving (for 1.5 -2 m3 capacity), Mayday Earthmoving (for 2 - 2.5 m3 capacity), Executive Plant Hire (for 3 - 3.5 m3 capacity) and Mayday Earthmoving (for Loader with clearing rake) are the second preferred contractors for loaders, and are recommended accordingly.

Item No 4 : Graders (Attachment No 4 refers)

Executive Plant Hire and Mayday Earthmoving are the first and second preferred contractors for the hire of the specified grader and are recommended accordingly.

Item No 5 : Backhoe (Attachment No 5 refers)

As per tender evaluation, Dalco Earthmoving & Mayday Earthmoving both are the first preferred contractors for the specified backhoes. However in order to provide equal opportunity to both companies it is recommended that for the first half of the tenure of this tender, one company (Dalco Earthmoving) be accepted as first preferred contractor and the other (Mayday Earthmoving) as second preferred, and in the second half the arrangement be reversed.

Item No 6 : Cranes (Attachment No 6 refers)

Mayday Earthmoving and Dalco Earthmoving are the first and second preferred contractors for the hire of the specified crane and are recommended accordingly.

Item No 7 : Self Propelled Vibratory Rollers(Attachment No 7 refers)

Mayday Earthmoving & Executive Plant Hire are the first and second preferred contractors for 2 - 3 tonne operating weight roller and Alvito Pty Ltd & Mayday Earthmoving are the first and second preferred contractors for 6 tonne operating weight roller, and are recommended accordingly.

Item No 8 : Watercarts (Tractor drawn)(Attachment No 8 refers)

Alvito Pty Ltd & WA Plant Hire Services Pty Ltd are the first and second preferred contractors for the hire of the specified tractor drawn watercart and are recommended accordingly.

Item No 9 : Watercarts (Truck)(Attachment No 8 refers)

Alvito Pty Ltd & Executive Plant Hire are the first and second preferred contractors for 4 wheel truck watercart and Executive Plant Hire & Mayday Earthmoving are the first and second preferred contractors for 6 wheel truck watercart, and are recommended accordingly.

Item No 10 : Rubber Tyred Rollers(Attachment No 9 refers)

Mayday Earthmoving & Executive Plant Hire are the first and second preferred contractors respectively for the specified rubber tyred rollers, and are recommended accordingly.

Item No 11 : Low Loaders(Attachment No 10 refers)

Alvito Pty Ltd & Mayday Earthmoving are the first and second preferred contractors respectively for the specified low loaders, and are recommended accordingly.

Item No 12 : Skid Steer Loaders(Attachment No 11 refers)

Alvito Pty Ltd is the first preferred contractor for the hire of skid steer loaders with or without truck and Mayday Earthmoving (for skid steer loader with truck) & WA Plant Hire & Service Pty Ltd (for skid steer loaders without truck) are the second preferred contractors, and are recommended accordingly.

Item No 13 : Tip Trucks(Attachment No 12 refers)

Alvito Pty Ltd & Executive Plant Hire are the first and second preferred contractors respectively for the specified Tip Trucks, and are recommended accordingly.

Item No 14 : Plate Compactors(Attachment No 13 refers)

Cockburn Hire & Coates Hire are the first and second preferred contractors for the specified plate compactors, and are recommended accordingly.

Item No 15 : Pedestrian Rollers(Attachment No 14 refers)

Cockburn Hire & Coates Hire are the first and second preferred contractors for the specified pedestrian rollers, and are recommended accordingly.

Director, Technical Services, Mr Ron McNally, declared an interest in this item as his wife owns shares in the parent company of one of the tenderers.

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

- 1 accept the Tender Number 055-98/99 for hire of different types of plant, vehicle and equipment from different contractors as listed below and as detailed on Attachments 1 to 13 to Report No CJ208-10/98:**

Item no	Description	Type	Name of company	Order of preference
1	Bulldozer	D5	Executive Plant Hire	First
			Mayday Earthmoving	Second
		D6	Mayday Earthmoving	First
			Dalco Earthmoving	Second
		D7	Mayday Earthmoving	First
			Executive Plant Hire	Second
		D8	Executive Plant Hire	First
	WA Plant & Hire Service	Second		
	D9	Executive Plant Hire	First	
		WA Plant & Hire Service	Second	
	Track	Alvito Pty Ltd	First	
		Mayday Earthmoving	Second	
2	Scrapers		Executive Plant Hire	First
			WA Plant & Hire Service	Second
3	Loaders	1.5 - 2 m3	Alvito Pty Ltd	First
			Mayday Earthmoving	Second
		2 - 2.5 m3	Alvito Pty Ltd	First
			Mayday Earthmoving	Second
		3 - 3.5 m3	Alvito Pty Ltd	First
			Executive Plant Hire	Second
	with clearing rake	Executive Plant Hire	First	
		Mayday Earthmoving	Second	
4	Graders		Executive Plant Hire	First
			Mayday Earthmoving	Second

5	Backhoe (from 1 November 1998 to 31 August 1999)		Dalco Earthmoving Mayday Earthmoving	First Second
	(from 1 September 1999 to 30 June 2000)		Mayday Earthmoving Dalco Earthmoving	First Second
6	Cranes		Mayday Earthmoving Dalco Earthmoving	First Second
7	Self Propelled Vibratory Roller	2 - 3 tonne weight	Mayday Earthmoving	First
		6 tonne weight	Executive Plant Hire Alvito Pty Ltd Mayday Earthmoving	Second First Second
8	Water Carts - tractor drawn		Alvito Pty Ltd	First
			WA Plant Hire & Service	Second
9	Water Carts - trucks	4 Wheel	Alvito Pty Ltd	First
		6 Wheel	Executive Plant Hire Executive Plant Hire Mayday Earthmoving	Second First Second
10	Rubber Tyred Rollers		Mayday Earthmoving	First
			Executive Plant Hire	Second
11	Low Loaders		Alvito Pty Ltd Mayday Earthmoving	First Second
12	Skid Steer Loaders	With Truck	Alvito Pty Ltd	First
		Without Truck	Mayday Earthmoving Alvito Pty Ltd WA Plant & Hire Service	Second First Second
13	Tip Trucks		Alvito Pty Ltd Executive Plant Hire	First Second
14	Plate Compactors		Cockburn Hire Coates Hire	First Second
15	Pedestrian Rollers		Cockburn Hire Coates Hire	First Second

2 endorse the signing of contract documents.

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix XII refers

CJ209-10/98 ROLLOVER OF CONTRACT NO 016-97/98 - SUPPLY AND APPLICATION OF PESTICIDES - [15296]

SUMMARY

Annual contract for Supply and Application of Pesticides, administered by Parks Landscaping Services, is due for extension for a further 12 month period, subject to agreement by both parties.

The contractor has indicated that it is willing to continue for a further 12 month period with no price variation.

DETAILS

TransAus Pty Ltd has provided written confirmation of acceptance of extension as follows:-

Awarded to TransAus Pty Ltd (formerly GT Evans Weedspraying Service Pty Ltd)

Period of contract - 1 July 1997 to 30 June 1998

Optional 12 month period from 1 July 1998 to 30 June 1999

It is recommended that the Joint Commissioners authorise the extension of Contract No 016-97/98 - Supply and Application of Pesticides, awarded to TransAus Pty Ltd (formerly GT Evans Weedspraying Pty Ltd), for the period 1 July 1998 to 30 June 1999.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners authorise the extension of Contract No 016-97/98 - Supply and Application of Pesticides, awarded to TransAus Pty Ltd (formerly GT Evans Weedspraying Pty Ltd), for the period 1 July 1998 to 30 June 1999.

The Motion was Put and

CARRIED

CJ210-10/98 PETITION - QUAYSIDE ESTATE - CONICA PARK HILLARYS - [24029J]

SUMMARY

Council has received a petition signed by 17 residents of Quayside Estate in Hillarys regarding the entry statement wall in Conica Park Hillarys.

Replacement/repair of the entry statement wall will be listed for consideration in the 1999/2000 Budget submissions.

The option of redesigning the wall, as recommended by the community, will be assessed and also listed for Budget consideration.

BACKGROUND

The Quayside Estate Public Open Space is known as Conica Park, a 1 hectare reticulated park. This park was developed with a feature drainage/natural water lake centrally located.

Feature walls at the estate entrance were created with a mosaic tile pattern to simulate wave shape. Entry statement walls were located within the adjoining properties and many have been removed by residents. The remaining wall forms the park boundary with Angove Street.

DETAILS

The wall which forms the park boundary with Angove Street is ageing and restoration works will be listed for consideration in the 1999/2000 Budget.

The concept design walls are high maintenance items and the decision to retain or remove them will require community discussion. The tiled surface of the walls is ideal for graffiti and this has a significant visual impact due to its location.

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

- 1 redevelopment of the entry statement area in Conica Park Hillarys will be listed for consideration in the 1999/2000 Budget submissions;**
- 2 listing the item for Budget consideration is not a commitment by Council.**

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **6.00 pm** on **TUESDAY 10 NOVEMBER 1998** to be held at the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1837 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
MORGAN
ROWELL
CLARK-MURPHY
BUCKLEY