



MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 23 MARCH 1999

INDEX

No:	Item	Page
	ATTENDANCES	1
	APOLOGIES AND LEAVE OF ABSENCE	1
	PUBLIC QUESTION TIME	2
	DECLARATIONS OF FINANCIAL INTEREST	5
C10-03/99	CONFIRMATION OF MINUTES	6
	MINUTES OF MEETING OF JOINT COMMISSIONERS HELD ON 9 MARCH 1999	6
C11-03/99	MINUTES OF SPECIAL MEETING OF JOINT COMMISSIONERS HELD ON 16 MARCH 1999	6
	ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION	6
	JOONDALUP FESTIVAL	6
	ENTERPRISE BARGAINING AGREEMENT	7
	IMM CHALLENGE	7
	STRATEGIC PLAN	7
	DEVELOPMENTS	7
C12-03/99	PETITIONS	7
	PETITION REQUESTING TRAFFIC CALMING TREATMENT – INTERSECTION OF DAVA STREET AND WARWICK ROAD, DUNCRAIG – [39581J, 09384J]	7
	PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN QUEENSCLIFF COURT AND KIERNAN PLACE, KALLAROO – [20134J]	8
	REPORT NO:	
	POLICY	
CJ67-03/99	REVIEW OF ANIMALS LOCAL LAW - (21067J, 05885J)	8
CJ68-03/99	REVIEW OF HEALTH LOCAL LAWS - [00432, 05885]	13

	FINANCE AND COMMUNITY SERVICES SECTION	
CJ69-03/99	SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [15876J]	16
CJ70-03/99	LORD MAYOR'S APPEAL – SHIRE OF ESPERANCE FLOODS - [08032]	18
CJ71-03/99	1998 STATUTORY COMPLIANCE RETURN - [09492]	19
CJ72-03/99	INAUGURAL ELECTIONS – [35216]	20
CJ73-03/99	DETERMINATION PURSUANT TO CLAUSE 8 OF THE JOONDALUP AND WANNEROO ORDER 1998 - VESTED RESERVES (DRAINAGE SUMPS/PUBLIC ACCESS WAYS) - [23475]	24
CJ74-03/99	ART COLLECTION WORKING PARTY - [14158]	25
CJ75-03/99	WARRANT OF PAYMENTS FOR THE PERIOD TO 28 FEBRUARY 1999 - [09882]	26
CJ76-03/99	FINANCIAL REPORT FOR THE PERIOD ENDED 28 FEBRUARY 1999 - [07882]	27
CJ77-03/99	OUTSTANDING GENERAL DEBTORS – 28 FEBRUARY 1999 - [04881]	33
CJ78-03/99	1998/99 RATE DISCOUNTS – [04267]	36
CJ79-03/99	VEHICLE PURCHASES - LIGHT VEHICLE REPLACEMENT RESERVE: TENDER 086-98/99 - [34356]	38
CJ80-03/99	VEHICLE PURCHASES - HEAVY VEHICLE REPLACEMENT RESERVE: TENDER 094-98/99 - [32352]	40
CJ81-03/99	PLANTS PURCHASES - PLANT REPLACEMENT RESERVE: TENDER 099-98/99 - [37352]	41
CJ82-03/99	VEHICLES PURCHASES EXECUTIVE VEHICLES MODEL UPGRADE TENDER NUMBER 168-96/97 - [20087]	42
CJ83-03/99	CLARKSON YOUTH CENTRE - APPROVAL TO COMMENCE DEVELOPMENT - [04372W]	43
CJ84-03/99	COMPLETION OF HERITAGE AND MUSEUM SERVICES AND FACILITIES PLANNING STUDY - [12979J]	47
CJ85-03/99	BURGLARY AWARENESS PROGRAM - [17874]	51
CJ86-03/99	CULTURAL DEVELOPMENT FUND PEER ASSESSMENT ADVISORY COMMITTEE - [07084]	56
	TECHNICAL SERVICES SECTION	
CJ87-03/99	CONTRACT NO 007-93/94 - MANAGEMENT AND PROVISION OF GOLFING SERVICES - MARANGAROO GOLF COURSE - [03973]	58
	DEVELOPMENT AND PLANNING SERVICES SECTION	
CJ88-03/99	AMENDMENT 851 TO TOWN PLANNING SCHEME No 1 – CLOSE OF ADVERTISING - [31119]	60
CJ89-03/99	PETITION OBJECTING TO AN APPLICATION SEEKING THE REMOVAL OF A RESTRICTIVE COVENANT AFFECTING LOTS IN MORGAN PLACE, HILLARYS- [35149J]	61
CJ90-03/99	OFFER TO PURCHASE COUNCIL LAND AT LOT 11 O'CONNOR WAY, WANGARA - [03902W]	63
CJ91-03/99	OFFER TO PURCHASE COUNCIL LAND AT LOT 12 (2) UPPILL PLACE WANGARA. S. B. MARVELLI. - [01902W]	64
CJ92-03/99	REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN RIPLEY WAY AND DOVERIDGE DRIVE, DUNCRAIG - [04784J]	66
CJ93-03/99	DELEGATED AUTHORITY REPORT - [07032]	69

CJ94-03/99	SUBDIVISION CONTROL UNIT - DIRECTOR, DEVELOPMENT SERVICES - (18 FEBRUARY 1999 TO 3 MARCH 1999) - [05961]	69
C13-03/99	REPORT OF THE CHIEF EXECUTIVE OFFICER IMM NATIONAL CONGRESS AND EXPO - 16 - 19 MAY 1999	70
	DATE OF NEXT MEETING	71
	CLOSURE	71

CITY OF JOONDALUP

**MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN
WANNEROO CIVIC CENTRE, CIVIC DRIVE, WANNEROO, ON TUESDAY,
23 MARCH 1999**

ATTENDANCES

Commissioners:

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

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Business Units:	D DJULBIC
Director, Resource Management:	J TURKINGTON
Director, Community Development:	C HALL
Director, Development Services:	C HIGHAM
Director, Strategic Planning:	R FISCHER
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

In Attendance

Chief Executive Officer Shire of Wanneroo:	K WHITE
Director, Development and Planning Services, Shire of Wanneroo:	C JOHNSON

APOLOGIES AND LEAVE OF ABSENCE

Nil.

There were 10 members of the Public and 2 members of the Press in attendance.

The Chairman declared the meeting open at 1800 hrs.

PUBLIC QUESTION TIME

The following questions, submitted by Mrs M Zakrevsky of Mullaloo were taken on notice at the Meeting of Joint Commissioners held on 9 March 1999:

Q1 How many persons are on the Community Environmental Grant Scheme evaluation panel and who are they and their position?

A1 The Community Environmental Grant Scheme evaluation panel consists of the City's Manager Strategic Development Mr James Kirton, the Environmental Planner Mr Paul Holmes and the Co-ordinator Planning Strategies Mr Philip Thompson who assess applications against the objective of enhancing environmental awareness within the community; likely environmental benefits, and degree of extension into the community. In the case of applications from schools the degree to which the proposed project/activity has been integrated with curricular activities is also assessed.

Q2 How will the ratepayers of the City of Joondalup be informed as to which projects their money has been allocated by the panel and how much in dollars in each case?

A2 A report on applications for Community Environmental Grants will be presented to the Joint Commissioners. The report will indicate the successful applicant and level of grant.

Q3 When and how will ratepayers be informed as to the success or otherwise of these ratepayer funded projects?

A3 The Community Environmental Grants scheme guidelines require applicants to indicate expected outcomes and to report on the success of the project. This would be reported on in due course to the Council.

The following questions, submitted by Mrs A Hine of Dundobar Road, Wanneroo, were taken on notice at the Special meeting of the Joint Commissioners held on 16 March 1999:

Q1 Is there a full chronology from the commencement of the sale of the school site including all reserves and other areas of land in question on record with the Council?

A1 The Ministers for Works and Lands were responsible for the disposal of the former school site and the adjacent reserves and therefore Council does not have a full chronology of events concerning the disposal of these sites. The Department of Land Administration (DOLA) may have this information.

Council was only involved on matters relating to planning, namely, rezoning the land to Residential Zone.

Q2 Were the areas of land offered to the public as being of sale value?

- A2 This question is not clear. However, if the question is asking whether the former public open space reserves were offered to the public for sale, then I believe that the answer is no. DOLA would need to confirm this.
- Q3 *Was a value ever obtained from the Department of Land Administration?*
- A3 As mentioned in Question 1 above, Council was not involved in the disposal of these sites. DOLA officials have indicated that the Minister for Lands consulted the Valuer General on the value of the former reserves which was obtained on 14 December 1998.
- Q4 *Was there an agreement completed prior to the sale of the school site, or after the sale to purchase or swap a portion of the reserve land with DOLA or Council? Who made all these proposals?*
- A4 The City is not aware of any such agreement.
- Q5 *Would Commissioners or the Chief Executive Officer request a full chronology from the outset of this issue?*
- A5 DOLA has been requested to provide this information

Mr V Harman of Ocean Reef:

- Q1 *In relation to the dualling of Ocean Reef Road from Marmion Avenue to Hodges Drive, has there been any traffic count on that road recently?*
- Q2 *Is it on the 5 year plan for being actioned?*
- A1 & A2 *Response by Director, Business Units:* These questions will be taken on notice.
- Q3 *Has any progress been made on the possibility of setting out the Warrant of Payments in landscape, rather than portrait, to enable an explanation to be made regarding the reason for the cheques?*
- A3 *Response by Cmr Ansell:* This would be very time consuming to do. If you have a particular question, research will be undertaken to provide the answers, on an exception basis.
- Response by Director, Resource Management:* To provide an explanation to all cheques would be a time consuming process. When the new computer system is installed this will be considered.

Mr A Bryant of Craigie:

- Q1 *In relation to CJ68-03/99 – Review of Health Local Laws – Part 6, Pest Control, states that premises are to be kept free of mosquito breeding matter. Can you tell me whether the Council is liable under these laws for its own mosquito breeding efforts?*

A1 *Response by Chief Executive Officer:* The Council would not prosecute itself under its own local laws. Where Council is shown to have breeding grounds for mosquitoes, appropriate action will be taken.

Q2 *Warrandyte Reserve has a very good reticulation system, however it places a lot of water in the turning circle which then runs down the road into the sumps in Stocker Court. I am getting mosquitoes in my house and the only place they could come from is the Council's sumps. On occasions I have put kerosene in the sump but I notice it states you have to put in oil. Can you supply the oil for me to use in the sump?*

A2 *Response by Chief Executive Officer:* Yes, Council is happy to supply the necessary controls.

Response by Cmr Morgan: Kerosene would come under the same classification as oil.

Q3 *In relation to the Statutory Compliance Return, I notice that Cmr Ansell and the Chief Executive Officer have to sign it. It states that the information in Parts A and B of this Return are true and correct to the best of 'my' knowledge. Are you only one person?*

A3 *Response by Cmr Ansell:* It is being signed individually.

Mr S Magyar of Heathridge:

- *Mr Magyar referred to Mr Bryant's question in relation to mosquitoes breeding in the street drains, and commented that in quite a few of the older suburbs, water sits in the bottom of the road drains throughout summer. Mr Magyar stated that in the newer developments the drains are designed so that they do not accumulate and hold water to the same extent and believed that although the bottom of these sumps are cleaned, there were places where mosquitoes could be breeding in the road drainage system throughout the City of Joondalup and the Shire of Wanneroo region. Mr Magyar suggested a hole in the bottom of the sump was needed to allow the water to drain. Mr Magyar was also concerned at the idea of pouring a large amount of kerosene into every drain as he believed the kerosene would eventually enter the groundwater.*

Response by Cmr Ansell: This situation will be investigated.

Following a query from Mr Bryant as to whether he would be unable to use kerosene, Cmr Ansell stated that after investigating the matter, Mr Bryant would be advised accordingly.

Mr B Higgins of Carabooda:

- *Mr Higgins endorsed the recommendation for Item CJ70-03/99 – Lord Mayor's Appeal – Shire of Esperance Floods – and queried whether Council could also contribute to other recent flood appeals.*

Response by Cmr Ansell: Council will be considering providing assistance to the communities of Exmouth and Moora.

Q1 In relation to CJ71-03/99 – Statutory Compliance Audit – The response to Item 6.3 of the attachment which stated that “tenders were publicly invited before entering into any extension period of renewal option in a contract” is marked ‘no’. Why is that?

A1 Response by Cmr Clark-Murphy: Pages 14 – 16 of the report contain explanatory notes on the Return.

Q2 In relation to CJ75-03/99 – Warrant of Payments – page 3 of Attachment A, cheque No 7607 drawn in favour of a Chinese restaurant for an amount of \$1,379.59. Could we have an explanation of this account?

A2 Response by Director, Resource Management: This question will be taken on notice.

- *Mr Higgins referred to CJ83-03/99 – Clarkson Youth Centre – and urged the Commissioners to accept the entire recommendation and in particular recommendation 3, as he believed the working group had contributed an outstanding effort.*

Q3 Is it anticipated that an Annual General Meeting of Electors will be held by the Shire and/or the City, in this financial year?

A3 Response by Cmr Ansell: There will not be an Annual General Meeting of the City of Wanneroo in this financial year but there will be a meeting of both the City and the Shire, between 30 June and 31 December 1999. The final annual report for the City of Wanneroo is nearing completion and will be available to ratepayers in the near future.

- *Mr Higgins referred to an advertisement contained in 16 March 1999 edition of the Wanneroo Times regarding the availability of free slabs from Council and stated that although four dates were advertised for collection, there was no slabs available on the second day. Mr Higgins was concerned at the possibility that people not residing in the City of Joondalup or Shire of Wanneroo had collected large quantities of slabs. In this regard, Mr Higgins suggested that a stipulation be placed on future collections that people collecting free slabs produce evidence that they are a ratepayer of the City of Joondalup or Shire of Wanneroo and that a limit be set to enable a greater number of people to have access to the free slabs.*

Response by Cmr Ansell: These comments will be noted.

DECLARATIONS OF FINANCIAL INTEREST

Nil.

CONFIRMATION OF MINUTES**C10-03/99 MINUTES OF MEETING OF JOINT COMMISSIONERS -
9 MARCH 1999**

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Minutes of the Meeting of Joint Commissioners held on 9 March 1999, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

**C11-03/99 MINUTES OF SPECIAL MEETING OF JOINT
COMMISSIONERS - 16 MARCH 1999**

Correction

Mr S Magyar – A2, Page 4 should be amended to read as follows:

“As late as this afternoon, I had discussions with Cheryl Edwardes regarding this matter who advised that in her view, Commissioners should follow the wishes of the people of Greenwood and refuse to accept the ruling given by the Minister on this matter. However, according to legal advice received, Commissioners would be placing the Council in a difficult position should they refuse to accept.”

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Minutes of the Special Meeting of Joint Commissioners held on 16 March 1999, amended as above, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**JOONDALUP FESTIVAL**

The countdown is well and truly on for the first Joondalup Festival which starts on Friday night.

We are hoping it will be the biggest event staged in the City so far and our aim is that the Joondalup Festival will become one of the best events in the State.

After some warm-up entertainment, I will be officially opening the festival at 7.50 pm on Friday from the main stage at the corner of Reid Promenade and Grand Boulevard.

Along with the sundown markets and summer events series, the festival is part of our effort to attract people into the City centre.

The highlights will be the night parade through the Joondalup Central Business District on Friday immediately after the official opening and the Sunset Concert with fireworks on Sunday evening, starting at 5.50 pm.

All are welcome so please come along and help us make this a great event.

ENTERPRISE BARGAINING AGREEMENT

You may have read in the Wanneroo Times Community Newspaper recently about the negotiations over a payrise for Council staff.

I am pleased to report that members of the Australian Services Union have voted overwhelmingly to accept a package that includes a 5% payrise.

All staff, including those who do not belong to the Union, will now vote on the proposal.

IMM CHALLENGE

The City of Joondalup this week will be hosting the Institute of Municipal Management Challenge.

Local governments enter teams of six officers.

The City of Joondalup will be one of 11 teams competing, with the winner going onto the Australasian final in Canberra.

STRATEGIC PLAN

Last Thursday, the Chief Executive Officer, Directors and Business Unit Managers attended the second strategic planning session for the City of Joondalup.

The draft plan was critically reviewed and necessary adjustments made to incorporate strategies and action plans, resulting in a clear direction for the City of Joondalup.

DEVELOPMENTS

Developments being considered this evening include a showroom and recreation centre in Packard Street, Joondalup.

PETITIONS

C12-03/99

PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS - 23 MARCH 1999

1 PETITION REQUESTING TRAFFIC CALMING TREATMENT – INTERSECTION OF DAVA STREET AND WARWICK ROAD, DUNCRAIG – [39581J, 09384J]

A 9-signature petition has been received from Duncraig residents requesting that some type of traffic calming measure be undertaken to alleviate the dangerous situation that now exists at the intersection of Dava Street and Warwick Road, Duncraig.

This petition will be referred to Technical Services for action.

2 PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN QUEENSLIFF COURT AND KIERNAN PLACE, KALLAROO – [20134J]

An 85-signature petition has been received from local residents requesting the closure of the pedestrian accessway between Queenscliff Court and Kiernan Place, Kallaroo due to antisocial behaviour.

This petition will be referred to Development & Planning Services for action.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the petitions:

- 1 **requesting that some type of traffic calming measure be undertaken to alleviate the dangerous situation that now exists at the intersection of Dava Street and Warwick Road, Duncraig;**
- 2 **requesting the closure of the pedestrian accessway between Queenscliff Court and Kiernan Place, Kallaroo due to antisocial behaviour.**

be received and referred to the appropriate Business Units for action.

The Motion was Put and

CARRIED

POLICY SECTION

Items CJ67-03/99 and CJ68-03/99 were Moved by Cmr Buckley and Seconded by Cmr Morgan. Cmr Buckley gave notice of her intention to speak on these two items.

CJ67-03/99 REVIEW OF ANIMALS LOCAL LAW - (21067J, 05885J)

Summary of Purpose and Effect (as read aloud at the Meeting of Joint Commissioners)

The first action in the process of adopting a local law, requires a summary of the purpose and effect of the proposed local law to be read aloud by the chairman. The summary is as follows:

“The purpose of this local law is to:

provide for the regulation, control and management of the keeping of animals, within the City of Joondalup.

The effect of this local law is to:

establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law”

SUMMARY

This report covers the first of two parts of the process to be followed in adopting a new or substantially revised local law, in accordance with section 3.12 of the Local Government Act 1995. The first part involves:

reading aloud the purpose and effect of the proposed local law, at the meeting;

the giving of statewide public notice that the local government proposes to make a local law. Matters to be included in that notice:

- (i) the purpose and effect of the local law;
- (ii) advice that copies of the proposed local law can be obtained from the local government; and
- (iii) inviting submissions for six weeks after giving the notice.

This process is outlined in greater detail in the background section of this report.

The report outlines the objectives of the local law review process, plus the content of the local law being: dog related matters not included in the Dog Act Regulations, dog kennel establishments, livestock, pigeons and bees plus the animals, birds and poultry provisions that have previously been included in the Series “A” Health Model By-Laws. The report also recommends that the proposed adoption of the local law be advertised to seek public comment, in order to progress making of the local law.

BACKGROUND

The local laws of the former City of Wanneroo became the local laws of the City of Joondalup and Shire of Wanneroo on creation of the two new local governments on 1 July, 1998. The need to review these local laws was previously recognised and an officer working party was established to do this work.

The officer working party have completed the review of local laws relating to animals. Officers responsible for enforcement and application of various sections of the proposed local law were consulted to ensure areas of difficulty experienced in the past, have been addressed in the proposed local law.

The following objectives have been applied to preparation of the new local laws:

- 1 consolidate existing local laws relating to similar subjects;
- 2 ensure they comply with the Local Government Act 1995 and other relevant legislation;
- 3 ensure they are relevant to today's needs;
- 4 use plain English so they are easy to read and understand;
- 5 delete duplication of similar clauses;

- 6 include infringement issue as an enforcement process;
- 7 remove forms previously included in schedules to the local laws;
- 8 to be read alone without the need to refer to other documents.

The by-laws of the former City of Wanneroo relating to bee keeping, dogs and dog kennels, keeping pigeons, part of the reserves and foreshores by laws and sections of the Series “A” Health Model By Laws relating to animals, birds and poultry, were used as the base to develop the new local law. The majority of matters covered in the proposed local law were referred to in the old by-laws.

DETAILS

Major Changes

Health Act animal provisions

Special approval was required from the Executive Director of Public Health to enable the inclusion of provisions of the former Series “A” Health Model By-Laws relating to animals, birds and poultry. Obtaining this approval has enabled the majority of matters relating to animals to be included in the one local law. This will make it easier for the public to understand.

Consolidation of similar subject local laws

The proposed local law includes as far as possible, all matters relating to control and management of animals. This is a significant change from what previously applied, particularly with the inclusion of those relevant sections of the former Series “A” Health Model By-laws.

Infringement Issue

The issue of infringements rather than initiating prosecution in the local court for minor offences, has been applied where considered appropriate. This approach enables persons authorised under the local law to enforce the provisions of that local law promptly. It also provides for the least cost for both the local government and the alleged offender and has been encouraged through the local law making provisions of the Local Government Act 1995 and local courts.

The Health Act 1911 does not currently permit the issue of infringements as an option for enforcement of provisions which were previously dealt with under the Series “A” Health Model By-laws. In seeking approval for the animal related provisions to be included in the proposed Animals local law, approval was sought and obtained to apply infringement issue to those provisions. This is possible as the proposed Animals local law will be made under the powers of the Local Government Act 1995.

Modified penalty values have been included at appropriate levels to provide some deterrent and in recognition of the seriousness of the offence.

Unnecessary Schedules

Several forms that would usually be included in schedules to the local law have been treated as “forms approved by the local government.” This allows greater flexibility for these forms to be amended without the need to amend the local law which would result in a lengthy process under the Local Government Act 1995.

Compliance With Local Government Act 1995

The new Act has introduced new terminology and provides greater flexibility, autonomy and responsibility for local governments in the creation and application of their local laws. The inclusion of infringements as previously mentioned, is expected to be of great assistance to enforcement staff in gaining compliance with licence conditions.

Fees and charges applicable under the local law have been removed from schedules and form part of the attachments to the annual budget. This is in accordance with the provisions of the Local Government Act 1995. At the conclusion of the public comment period, appropriate fees and charges will be set and advertised in accordance with the Local Government Act 1995.

Local Law Making Procedure

Section 3.12 of the Local Government Act 1995, details the procedure that a local government must follow when making a local law. The details relating to the first stage of making a local law are:-

- “ **3.12**
- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence it is described.
 - (2) At a Council meeting the person presiding is to read aloud ,or cause to be read aloud, a summary of the purpose and effect of the proposed local law .
 - (3) The local government is to -
 - (a) give statewide and local public notice stating that -
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day not less than 6 weeks after the notice is first given.
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the proposed local law is proposed to be made, to that other Minister, and

- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions , the local government is to consider any submissions made and may make the local law* as proposed or make a local law * that is not significantly different from what was proposed.

**Special Majority Required ”*

COMMENT

The proposed local law includes the repeal of the current by laws carried over from the former City of Wanneroo, being:

By Law B2: Keeping Of Bees, published in the Government Gazette – 19 August 1983;

By Law D2: Dog Kennels, published in the Government Gazette – 1 February 1980;

By Law D3 Relating To Dogs, published in the Government Gazette – 21 November 1986;

Local Law P6: Keeping Of Pigeons, published in the Government Gazette – 27 February 1998;

Clauses 9 and 9A of By Law : Reserves and Foreshores, published in the Government Gazette – 28 September 1990.

The repeal of the above by-laws coincides with the coming into operation of the proposed local law.

The sections of the former City of Wanneroo Series “A” Health Model By-laws will be repealed when the new Health local laws come into operation.

The proposed local law has been reviewed by the City’s solicitors to ensure that its contents are within the bounds of operation of the Local Government Act 1995. It is considered that the proposed local law is in keeping with what is required by both local governments.

It is recommended that the proposed local law be advertised in accordance with section 3.12 of the Local Government Act 1995, in order to seek public comment.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners in accordance with Section 3.12 of the Local Government Act 1995, APPROVE the advertising of the proposed local law, “City of Joondalup Animals Local Law 1999”, in order to seek public comment.

Cmr Buckley spoke in support of the motion, commenting that although the local laws relating to Health and Animals had previously been considered by Commissioners, changes had been made to include the majority of matters relating to animals in the Animals Local Law and to delete matters relating to animals from the Health Local Law. Cmr Buckley commended the officers for their efforts on achieving this.

The Motion was Put and

CARRIED

Appendix I refers

**CJ68-03/99 REVIEW OF HEALTH LOCAL LAWS - [00432,
05885]**

SUMMARY***Summary of Purpose and Effect [as read aloud at the Meeting of Joint Commissioners]***

The first action in the process of adopting a local law, requires a summary of the purpose and effect of the proposed local law to be read aloud by the Chairman. The summary is as follows:-

“The purpose of this local law is to:

provide for the regulation, control and management of day to day Health matters within the City of Joondalup

The effect of this local law is to:

establish the various Health criteria under which people living and working within the City of Joondalup must observe.”

A proposed new local law based on the former City of Wanneroo Model Health Bylaws Series “A”, has been prepared. The proposed new local law is considered to be in keeping with what is required by both the City of Joondalup and the Shire of Wanneroo.

These Local Laws will cover the following subject matter:

- Sanitation;
- Housing and general;
- Eating Houses;
- Refuse disposal;
- Pest Control;
- Lodging Houses; and
- Offensive Trades.

BACKGROUND

The local laws of the former City of Wanneroo became the local laws of the City of Joondalup and Shire of Wanneroo on creation of the two new local governments on 1 July, 1998. The need to review these local laws was previously recognised and an officer was nominated to conduct the review. The officer established several objectives and priorities to review the local laws. The objectives included:

- review the style and presentation of the local laws; and
- review the local laws to reflect contemporary issues.

DETAILS

Local Law Making Procedure

Section 3.12 of the Local Government Act 1995, details the procedure that a local government must follow when making a local law. The details relating to the first stage of making a local law are:-

- 3.12**
- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence it is described.
 - (2) At a Council meeting the person presiding is to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed local law.
 - (3) The local government is to:
 - (a) give statewide and local public notice stating that -
 - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day not less than 6 weeks after the notice is first given.
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the proposed local law is proposed to be made, to that other Minister,
 - (c) send a copy of the Statewide public notice and the proposed Local law to the:

Director, Environmental Health
Health Department of Western Australia
 - (d) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
 - (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed .

**Special Majority Required*

Major Changes

Several forms that would usually be included in schedules to the local law have been treated as “forms approved by the local government”. This allows greater flexibility for these forms to be amended without the need to amend the local law.

Fees and charges applicable under the local law have been removed from schedules and either currently or in the future will, form part of the attachments to the annual budget. This is in accordance with the provisions of the Local Government Act 1995.

The proposed Health Local Law has reduced these local laws from 218 to 84. The main changes include the removal of all provisions dealing with the keeping of animals, birds and poultry as well as the addition of new provisions for sanitary facilities at outdoor festivals, private swimming pool upkeep and the current Health Department of Western Australia Model lodging house requirements. Whilst the maximum penalty for a breach of the eating house provisions has been increased from \$1000 to \$2500, the other penalties remain unchanged.

The Executive Director of Public Health approved the request to place provisions of the former Health Series “A” Model By Laws, relating to animals, birds and poultry, in the proposed Animals Local Law. These provisions included the keeping of miniature pigs and horses, emu and ostrich.

The removal of these provisions has contributed to the significant reduction of the Health local laws.

COMMENT

The proposed local law includes the repeal of the current “Health Local Laws 1970” carried over from the former City of Wanneroo and the repeal coincides with the coming into operation of the local law. The proposed local law has been reviewed by Council’s solicitors to ensure that its contents are within the bounds of operation of the Local Government Act 1995.

It is recommended that the proposed local law be advertised in accordance with section 3.12 of the Local Government Act 1995, in order to seek public comment.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners, in accordance with Section 3.12 of the Local Government Act 1995, APPROVE the advertising of the proposed local law, “City of Joondalup Health Local Law 1999”, in order to seek public comment.

Cmr Buckley spoke in support of the motion, commenting that although the local laws relating to Health and Animals had previously been considered by Commissioners, changes had been made to include the majority of matters relating to animals in the Animals Local Law and to delete matters relating to animals from the Health Local Law. Cmr Buckley commended the officers for their efforts on achieving this.

The Motion was Put and

CARRIED

Appendix II refers

FINANCE AND COMMUNITY SERVICES SECTION**CJ69-03/99 SCHEDULE OF DOCUMENTS EXECUTED BY
MEANS OF AFFIXING THE COMMON SEAL -
[15876J]**

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 9.2.99 to 8.3.99.

Document:	Withdrawal of Caveat
Parties:	City of Joondalup and Mr and Mrs Macauley
Description:	Lots 6 & 7, Strata Plan 35609
Date:	9.2.99
Document:	Easement in Gross
Parties:	City of Joondalup and Dawson Harrison Pty Ltd
Description:	Lot 35 Winton Road, Joondalup
Date:	16.2.99
Document:	Local Law
Parties:	City of Joondalup
Description:	Private Property
Date:	22.2.99
Document:	Local Law
Parties:	City of Joondalup
Description:	Extractive Industries
Date:	22.2.99
Document:	Service Agreement
Parties:	City of Joondalup and The Minister for Family and Children's Services
Date:	22.2.99
Document:	Scheme Amendment
Parties:	City of Joondalup and The Minister for Planning
Description:	TPS No 1 – Amendment No 825
Date:	22.2.99
Document:	Scheme Amendment
Parties:	City of Joondalup and The Minister for Planning
Description:	TPS No 1 – Amendment No 820
Date:	22.2.99
Document:	Deed
Parties:	City of Joondalup and Translane Holdings & W A Land Authority
Description:	Lot 524 Reid Promenade, Joondalup
Date:	25.2.99

Document: Scheme Amendment
Parties: City of Joondalup and Minister for Planning
Description: TPS No 1 – Amendment No 809
Date: 25.2.99

Document: Scheme Amendment
Parties: City of Joondalup and Minister for Planning
Description: TPS No 1 – Amendment No 842
Date: 25.2.99

Document: Deed
Parties: City of Joondalup and the owners of Carine Glades Commercial Centre and G R and S J Macauley
Description: Lot 10 Diagram 43849
Date: 25.2.99

Document: Withdrawal of Caveat
Parties: City of Joondalup and Tarana Holdings P/L
Description: Lot 941 Warwick Commercial Park
Date: 8.3.99

Document: Deed
Parties: City of Joondalup and Tarana Holdings P/L
Description: Lot 941 Warwick Commercial Park
Date: 8.3.99

Document: Withdrawal of Caveat
Parties: City of Joondalup and Warwick Entertainment
Description: Lot 22 Warwick Grove Shopping Centre
Date: 8.3.99

Document: Lease
Parties: City of Joondalup and Joondalup Lotteries House Inc
Description: Variation
Date: 8.3.99

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

The Motion was Put and

CARRIED

**CJ70-03/99 LORD MAYOR'S APPEAL – SHIRE OF
ESPERANCE FLOODS - [08032]**

SUMMARY

The Shire of Esperance region was devastated by flooding in early January 1999. The City of Perth has now established a Lord Mayor's Appeal to assist the many people adversely affected by the flooding. This report recommends that the Joint Commissioners reallocate a sum of \$2000 from Account 20006 - Members Conferences towards the Lord Mayor's Appeal.

DETAILS

On Tuesday 5 and Wednesday 6 January 1999, the Esperance Shire was deluged with up to eight inches of rain, leading to widespread flooding in the Esperance townsite and outlying rural areas.

Damage occurred to roads, bridges, homes, farms and livestock. Whilst the Shire progresses with the rebuilding of infrastructure and services, the true cost of the floods will be borne by those individuals and companies who suffered some tangible loss. In most cases, this will prove an onerous burden, as already it is becoming clear than many insurance policies only partially cover losses due to a disaster of this magnitude.

The City of Perth has established a Lord Mayor's Appeal and contributed \$25,000. The Western Australian Municipal Association has now requested all local Councils in Western Australia to donate towards this Appeal. The Shire of Esperance intends to use the funds to assist the many people adversely affected by the flooding.

COMMENT/FUNDING

Account 20006 – Members Conferences has a budgeted expenditure of \$30,000. This financial year to date, a total of approximately \$9,000 has been expended. It is recommended that the Joint Commissioners reallocate a sum of \$2000 from this account towards the Lord Mayor's Appeal.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, reallocate a sum of \$2,000 from Account 20006 – Members Conferences towards the Lord Mayor's Appeal.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ71-03/99 1998 STATUTORY COMPLIANCE RETURN -
[09492]**

SUMMARY

The Joint Certification by the Chairman of Commissioners and the Chief Executive Officer was read aloud at the meeting of the Joint Commissioners

“We, Campbell Theodore Ansell being the Chairman of Commissioners and Lindsay Owen Delahaunty being the appointed Chief Executive Officer of the City of Joondalup hereby certify that:

- *The information contained in Parts A and B of this Return are true and correct to the best of my knowledge.*
- *This Return was included in the agenda papers and considered by the Joint Commissioners at the Ordinary Meeting of the Joint Commissioners held on 23 March 1999.*
- *The contents of this Certification were read out aloud to the meeting.*
- *Each Commissioner has had the opportunity to review the Return and to make comment to the Joint Commissioners.*
- *The particulars of any matters of concern relating to the Return were recorded in the Minutes of the meeting.*
- *The Appendix attached to this Return is a true and correct copy of the relevant section(s) of those minutes.*
- *Subject to the matters of concern raised and recorded, the Joint Commissioners adopted the Compliance Return as the official Return of the Joint Commissioners for the period 1 July 1998 to 31 December 1998.”*

The City has completed the Department of Local Government’s voluntary statutory compliance return for the period 1 July to 31 December 1998. The return is for both the City of Joondalup and the Shire of Wanneroo as per the Governors Order that divided the former City of Wanneroo which stated that the City of Joondalup was to provide all the Shire’s executive functions until 30 June 1999 or unless otherwise directed.

The compliance return for the former City of Wanneroo, for the period 1 January 1998 to 30 June 1998, has been completed and forwarded to the Department of Local Government.

BACKGROUND

Some years ago the Local Government Department introduced a voluntary statutory compliance assessment as a result of its concerns at the level of non compliance within the industry. The former City of Wanneroo was part of the programme since its inception and it is considered appropriate that the City of Joondalup and the Shire of Wanneroo continue.

DETAILS

The former City of Wanneroo was divided by Governor's Order on 1 July 1998. Clause 10 of the order detailed that the City of Joondalup was to perform the executive functions for the Shire of Wanneroo until 30 June 1999, or until otherwise directed by the Shire.

As a result of this clause and upon advice from the Department of Local Government, one return will be completed on behalf of the two new local governments for the period 1 July to 31 December 1998. A return for the former City of Wanneroo for the period 1 January to 30 June 1998 has been completed and forwarded to the Department of Local Government.

COMMENT/FUNDING

Explanatory notes have been attached to the return to qualify answers which are unclear or indicate non-compliance.

The completed form reveals a high level of compliance with a relatively minor number of issues that did not comply and need to be addressed.

Following the adoption of the Statutory Compliance Return, the Chairman of Commissioners and the Chief Executive Officer will jointly certify it. This will then be forwarded to the Department of Local Government prior to 31 December 1999.

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

- 1 NOTE the completed Local Government Compliance Assessment Return and appended notes forming Attachment 1 to Report CJ71-03/99;**
- 2 AGREE to the completed return being forwarded to the Executive Director of the Department of Local Government.**

The Motion was Put. There being 5 votes in favour and nil against, the Motion was CARRIED

Appendix III refers

Items CJ72-03/99 to CJ86-03/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan. Cmr Clark-Murphy gave notice of her intention to speak on Items CJ72-03/99, CJ73-03/99, CJ83-03/99 and CJ85-03/99.

CJ72-03/99 INAUGURAL ELECTIONS – [35216]

SUMMARY

A recent amendment to the Joondalup and Wanneroo Order 1998 requires the inaugural elections for the City of Joondalup to be held before 31 December 1999. It is recommended that the inaugural elections be held on Saturday, 11 December 1999.

This report recommends the City of Joondalup conduct the December 1999 elections as a postal election and seeks the Electoral Commissioner's agreement to conduct the City of Joondalup's inaugural elections.

BACKGROUND

A panel of inquiry was appointed in accordance with Section 8.16 of the Local Government Act 1995 by the Minister for Local Government on 28 November 1997 to inquire into the report of the Royal Commission into the City of Wanneroo, dated September 1997.

One of the recommendation of the inquiry panel was that the former City of Wanneroo "take immediate steps to introduce postal voting for Council elections."

At the 28 April 1998 meeting of the Joint Commissioners it was resolved that:

"The Joint Commissioners intend to take all necessary steps to introduce postal voting at the next elections held in both the City of Joondalup and Shire of Wanneroo."

DETAILS

Local Government as an industry is now required to consult more with the community, encourage community participation and be more open and accountable for their actions. The City of Joondalup actively supports these requirements and considers elections to be an extremely important function and critical to achieving the above objectives.

Legislative Requirements

Section 4.61 of the Local Government Act 1995 enables the local government's elections to be held as either a "voting in person election" or a "postal election".

The "postal election" method of casting votes is by posting or delivering them to an electoral officer on or before election day, and must be carried out by the State Electoral Commissioner.

A "voting in person" election is one where the principal method of casting votes is by voting in person on election day but also allows for votes to be cast in person before election day or posted or delivered in accordance with regulations. The Chief Executive Officer and their staff can carry out a voting in person election or another person appointed as Returning Officer or the Electoral Commissioner who appoints the Returning Officer and staff.

If the City decides to conduct a "postal election" section 4.61 requires the following conditions be complied with:

- "(2) The local government may decide to conduct the election as a postal election (special majority required);
- (3) A decision under subsection (2) has no effect if it is made after the 80th day before Election Day;
- (4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20 (4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration;

- (5) A decision made under subsection (2) on or before the 80th day before Election Day cannot be rescinded after that 80th day;
- (6) For the purpose of this Act, the poll for an election is to be regarded as having been held on Election Day even though the election is conducted as a postal election;
- (7) Unless a resolution under subsection (2) has effect, the election to be conducted as a voting in person election.”

Electoral Roll

Should the City decide to conduct its election by post, the City will be required to supply the Electoral Commissioner a copy of the owners and occupiers roll. The Electoral Commissioner will be responsible for co-ordinating all other aspects of the election.

The Local Government Act 1995 makes provisions for the following persons to be eligible to vote at local government elections:

Eligibility of residents to be enrolled

- 4.29. (1) A person is eligible to be enrolled to vote at elections for a district or ward (“the electorate”) if the person is enrolled as an elector for the Legislative Assembly in respect of a residence in the electorate.
- (2) For the purposes of subsection (1) a person is to be regarded as being enrolled as an elector for the Legislative Assembly even if his or her name has been omitted in error from the relevant electoral roll under the Electoral Act 1907.

Eligibility of non-resident owners and occupiers to be enrolled

- 4.30. (1) A person is eligible to be enrolled to vote at elections for a district or ward (“the electorate”) if the person –
 - (a) is enrolled as an elector for the Legislative Assembly or the House of Representatives in respect of a residence outside the electorate;
 - (b) owns or occupies rateable property within the electorate; and
 - (c) has made an enrolment eligibility claim which has been accepted under section 4.32 and still has effect under section 4.33.

Electoral Commission

Having the local government election process managed by the Western Australian Electoral Commission whose principal activity is to conduct elections, is generally accepted as being extremely positive for the following reasons:

- The election is conducted by professional staff appointed for that sole purpose;
- The election is overseen by an independent service provider with an in depth experience and adequate resources to perform the task;

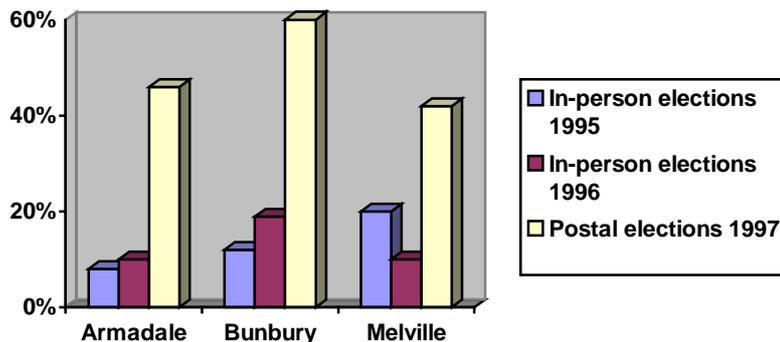
- The appointment of the Electoral Commissioner to manage Local Government Elections removes any conflict of interest that may exist between elected members and the Returning Officer and other local government officers appointed for the election.

COMMENT/FUNDING

There are now 34 Councils who propose to exercise the right to conduct their elections as postal for the local government ordinary elections to be held in May of this year.

In 1997, the overall participation rate at postal voting elections was 47%, which was considerably higher than the statewide local government voter turnout figure reported at around 20%. More relevant perhaps, the metropolitan postal voting participation rate was 44% compared to the 16% turnout rate achieved by metropolitan local governments using the voting-in-person method. A country comparison is not possible as only one of the two country postal voting customers, Bunbury, went to election. The turnout in Bunbury, where there was also a mayoral election, was 60%.

Higher turnout figures clearly indicate that electors are more prepared to vote in postal elections. The graph that follows illustrates comparative participation rates for in-person elections and postal voting elections for the three local governments which opted for postal voting in 1997.



It is therefore recommended to hold the inaugural elections for the City of Joondalup on 11 December 1999 and request the Western Australian Electoral Commission to conduct it by postal vote.

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

- 1 AGREE to hold the inaugural elections for the City of Joondalup on Saturday, 11 December 1999;**
- 2 REQUEST the Western Australian Electoral Commission to conduct the inaugural election on behalf of the City of Joondalup as a 'post election'.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

**CARRIED BY A
SPECIAL MAJORITY**

**CJ73-03/99 DETERMINATION PURSUANT TO CLAUSE 8
OF THE JOONDALUP AND WANNEROO
ORDER 1998 - VESTED RESERVES
(DRAINAGE SUMPS/PUBLIC ACCESS WAYS)
- [23475]**

SUMMARY

The former City of Wanneroo was abolished on 1 July 1998, and in its place two new local governments were established - namely, the City of Joondalup and the Shire of Wanneroo. The property, rights and liabilities of the former City were transferred to (or vested in) the City of Joondalup pending a determination by the Commissioners pursuant to clause 8 of the Joondalup and Wanneroo Order 1998.

The assets of the former City of Wanneroo have been identified and appropriate transfers in ownership will be recommended to the Commissioners over the next few months. The transfers will be progressed on a category by category basis commencing with vested reserves. This report deals with vested reserves used as either drainage sumps or public access ways. As these vested reserves are used for the benefit of the adjacent community the transfer is being recommended on the basis of geographic location.

BACKGROUND

The division of the former City of Wanneroo on 1 July 1998 resulted in all the property, rights and liabilities of the former City becoming vested in the City of Joondalup pending a determination by the Commissioners. Clause 8 of the Joondalup and Wanneroo Order 1998, provides that the Commissioners are to determine any adjustment or transfer that is to be made between the City of Joondalup and the Shire of Wanneroo of property, rights and liabilities of the former City of Wanneroo. In making that determination, the Commissioners are to have regard to the interests of the City of Joondalup and the Shire of Wanneroo.

DETAILS

The fixed assets and vested reserves of the former City of Wanneroo have been identified and categorised. It is proposed to place a series of recommendations before the Commissioners over the next few months, commencing with vested reserves. This report deals with vested reserves used as either drainage sumps or public access ways. As these particular properties are used for the benefit of the adjacent community the transfer is being recommended on the basis of geographic location.

All of the properties listed in the schedules attached are vacant land, used as either drainage sumps or public access ways, unless otherwise stated.

Although the Joondalup and Wanneroo Order 1998 transferred or vested all real and personal property in the City of Joondalup, this was intended as an interim measure, and Department of Land Administration (DOLA) records continue to refer to the former City of Wanneroo. It is necessary, therefore that a determination is made in respect of all properties. The transfer of these vested reserves will require written advice to DOLA requesting the current vesting be amended to the City of Joondalup or the Shire of Wanneroo in accordance with the Commissioner's determination. To avoid complications, especially in terms of Budgets and Rating, it is proposed that the necessary transfers be effective on and from 1 July 1999.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that:

- 1 the Joint Commissioners REQUEST the Department of Land Administration to amend the vesting of the reserves listed in the Attachments to Report CJ73-03/99 as follows:**
 - (a) the vested reserves listed in Attachment A be vested in the City of Joondalup;**
 - (b) the vested reserves listed in Attachment B be vested in the Shire of Wanneroo.**
- 2 the amended vesting detailed in 1 above become effective on 1 July 1999.**

Cmr Clark-Murphy spoke in support of the Motion.

The Motion was Put and

CARRIED

Appendix IV refers

**CJ74-03/99 ART COLLECTION WORKING PARTY -
[14158]**

SUMMARY

A meeting of the Art Collection Working Party was held on 1 February 1999 and the minutes are submitted for noting by the Joint Commissioners.

DETAILS

A meeting of the Art Collection Working Party was held on 1 February 1999.

No action has arisen as a result of these minutes and these are attached for noting and inclusion in the minute book.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the minutes of the Art Collection Working Party held on 1 February 1999 (forming Attachment 1 to Report CJ74-03/99) and the recommendations contained therein be NOTED.

Cmr Morgan advised that following the meeting of the Art Collection Working Party held on 23 March 1999, a further point was to be added in relation to Separation of Art Collection. Cmr Morgan commented that this related to an art work that had been donated to the Shire of Wanneroo to recognise the opening of the Joondalup Administration and Civic Centre and advised that this art work would therefore remain at Joondalup.

The Motion was Put and

CARRIED

Appendix V refers

**CJ75-03/99 WARRANT OF PAYMENTS FOR THE PERIOD
TO 28 FEBRUARY 1999 - [09882]**

WARRANT OF PAYMENTS TO JOINT COMMISSIONERS ON 23 MARCH 1999
INCORPORATING PAYMENTS FOR THE MONTH OF FEBRUARY 1999

SUMMARY

This report details the cheques drawn on the funds during the month of February 1999. It seeks Joint Commissioners' approval for the payment of the February 1999 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	7481-8728	6,794,137.49
Municipal	000094-000103	8,277,349.26
Trust	000007-000009	665.98
Reserve Account	000013-000014	180,533.19
	TOTAL	\$15,252,685.92

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 February 1999, the amount was \$783,265.80.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$15,252,685.92 which is to be submitted to each Joint Commissioner on 23 March 1999 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.

CERTIFICATE OF CHAIRMAN OF COMMISSIONERS

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$15,252,685.92 submitted to the Joint Commissioners on 23 March 1999 is recommended for payment.

.....
Commissioner Campbell Ansell

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that, in accordance with Regulation 13(2) of the Local Government (Financial Management) Regulations 1996, the Joint Commissioners RECEIVE THE PAYMENTS for the period ended 28 February 1999 made under delegated authority and certified by the Chairman of Commissioners and Director Resource Management, and totalling \$15,252,685.92, namely:

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	7481-8728	6,794,137.49
Municipal	000094-000103	8,277,349.26
Trust	000007-000009	665.98
Reserve Account	000013-000014	180,533.19
	TOTAL	\$ 15,252,685.92

The Motion was Put and

CARRIED

Appendix VI refers

CJ76-03/99 FINANCIAL REPORT FOR THE PERIOD ENDED 28 FEBRUARY 1999 - [07882]

GENERAL

The Management Reports for the eight months ended 28 February 1999 are appended for consideration - Attachments A refers.

With 8 months (67%) of the financial year expired, trends indicate that there will be some budgetary adjustments necessary. The majority of these have been reported in the Budget Review.

The Management Report (Municipal Fund Summary of Financial Activity), Attachment A, Segment 1, has been rearranged to more accurately reflect the operating position. The contributions for infrastructure assets and non operating income has been extracted from the operating statement and shown separately. Depreciation for infrastructure assets too has been shown separately. These amendments enable the operating position to be readily reflected.

It should be noted that contributions to infrastructure assets will be brought to account at 30 June 1999.

The non-operating income actual as compared to budget YTD is down due to the following revenue being outstanding:

- Dual use path – Perth Bicycle Network Plan
- Davallia Primary School
- Traffic treatment – schools
- Beach Road
- Joondalup Road Resurfacing Programme
- Iluka Oval and Sports Area
- Bush Fire Board – fire truck
- Wanneroo State Emergency Service
- St John Ambulance – ambulance replacement
- Woodvale/Kingsley Day Care Centre
- Ministry of Sports – Greenwood Cricket Club
- Ministry of Sports – Whitford Sea Sports Club

Follow up action to ensure that this revenue is accounted for prior to 30 June 1999 has commenced.

Revenues

Interest earnings are slightly above budget and should end the year with a slight surplus.

Interim rates have been processed up to date. As mentioned in the January report the Valuer General's office is experiencing problems with its new computer system which is holding up documentation being sent to all local governments.

Expenditures

Operating expenditure for Strategic Planning is below YTD budget figure as the donation to the aquatic facilities, Joondalup Arena, as yet has not been paid in full.

Operating and capital expenditure in Technical Services and Community Development directorates remain below YTD budget figures due to the following factors:-

Technical Services

Major engineering works which have not yet commenced or are only partly completed:-

- Marmion Avenue Dualling
Kinross Southern Section – work to be completed in June.
- Mindarie Northern Section – construction planned May to October.
- Drainage (various locations)
Currently design work is being carried out, with works programmed for construction during April/May.

- Traffic Management (Craigie Drive and West Greenwood)
West Greenwood programmed for construction in April and Craigie Drive in May.
- Hodges Drive Dualling
Main Roads will install traffic lights in April – final sealing stage May.

Community Development

- Woodvale/Kingsley Day Care Centre (for completion end of April 1999)

RATES

Rates **levied** for the year were \$35,532,094.

Rate collection as at 28 February 1999 was \$29,478,878m which represented 83.0% of the total rates due. While not a direct comparison the rate collection position at the corresponding period for the former City of Wanneroo in previous years was:-

1989/90	89.5%
1990/91	90.1%
1991/92	90.4%
1992/93	90.1%
1993/94	91.6%
1994/95	91.7%
1995/96	91.5%
1996/97	85.6%
1997/98	84.9%

In comparison with other local governments, the position at the end of February 1999 was:-

	Issue Date	Collection	Discount
Canning	3/09/98	79.6%	-
Wanneroo	11/09/98	76.9%	5.0%
Bayswater	2/07/98	95.1%	-
Mundaring	26/07/98	91.0%	2.5%

The final instalment notices (approximately 10,000) will be issued shortly and are due and payable by 23 April 1999.

REFUSE

The total refuse levied for 1998/99 was \$5,910,066 with total refuse outstanding at 28 February 1999 being \$230,294 indicating a collection of 96.1%. Again, while not a direct comparison collections in previous years for the former City of Wanneroo were:-

1990/91	95.6%
1991/92	95.3%
1992/93	95.1%
1993/94	95.4%
1994/95	95.6%
1995/96	95.9%
1996/97	96.4%
1997/98	95.4%

At the close of business on 28 February 1999 the City's records indicated 5,347 persons had elected to participate in the voluntary recycling scheme. Although this is the majority of participants in the scheme, it is anticipated that a small number may be added during March 1999.

SWIMMING POOL INSPECTION FEES

The amount levied for swimming pool inspection fees in the 1998/99 financial year was \$118,757. At 28 February 1999 \$3,711 or 3.1% remained outstanding.

Full details of rates, refuse and swimming pools are shown on Attachment A, Segment 2.

INTEREST ON INVESTMENT

The City's interest earnings to 28 February 1999 was \$1,620,091 compared to an annual budget of \$2,055,109. It is to be recognised that included in these figures is the earnings of \$686,378 on the Reserve Accounts.

At 28 February 1999 the City's investment portfolio was as follows:-

	\$	%
AMP Managed Treasury	10,212,969	16.82
Bankers Trust Cash Plus	11,717,160	19.29
Commonwealth Bank (CDA's)	1,404,109	2.31
CBA Cash Fund	12,239,670	20.15
NMFM Cash Enhanced	15,211,429	25.05
Trust West Treasury	9,791,358	16.11
Trust West Cash Enhanced	75,615	0.12
PBS (in liquidation)	95,266	0.15
	\$60,747,576	100.00%

A more detailed presentation of Council's investment portfolio at February 1999 is shown on Attachment A, Segment 3.

BUILDING LICENCE FEES

Fees to 28 February 1999 were \$449,229 against a budgeted \$715,000. The collections in this area at 28 February are 63% of budget against a year to date budget of 67%

DEVELOPMENT APPLICATION FEES

Development Application Fees have far exceeded budget expectations (budget \$70,000 as against YTD actual \$163,994). On current results this will provide a surplus of \$180,000 by 30 June 1999.

Structures for these fees were changed just prior to compilation of the 1998/1999 budget and as there was no previous experience relating to fee revenue under the new structure an estimate of \$70,000 was budgeted. This has proved to have been greatly underestimated.

SUB DIVISION CLEARANCE FEES

Fees for this area of Council activity have exceeded budget estimates (YTD actual \$24,610 compared with a budgeted \$8,000). On current estimates this will provide a surplus of approximately \$29,000 by 30 June 1999.

RECREATION FACILITIES

Craigie Leisure Centre

In broad terms, the financial position for the Craigie Leisure Centre for the eight month period ended February 1999 was:

	Annual Budget	Year to Date Budget (67%)	Year to Date Actual
	\$	\$	\$
Administration	-		-
Pool	56,822	37,881	92,896
Sports/Functions	111,173	74,115	94,846
Fitness Centre	(238,053)	(158,702)	(104,988)
Aerobics	(52,609)	(35,073)	(23,391)
Kiosk	(34,113)	(22,742)	(19,010)
Creche	87,925	58,617	58,688
Total Surplus/Subsidy	(\$68,855)	(\$45,904)	\$99,041

Net subsidy \$99,041

While the overall attendances to 28 February 1999 for the entire centre were 544,951 compared with 528,353 for the corresponding period last year reflecting an increase in numbers of around 16,600, the swimming pool attendances were down due to a relatively cool summer. Similar downturns have been experienced in other metropolitan pools.

Three major promotions are planned before 30 June 1999 to attract membership to the gym. There is an expectation that this will increase revenue and help achieve budget for the fitness centre.

The Council's budget provides for an operating surplus of \$68,855 for this complex for the whole of the 1998/99 year. At 28 February 1999 there is a subsidy of \$99,041.

By way of comparison the net surplus for the corresponding period last year was \$51,358

Leisure Centres

The operating position for the individual recreation centres for the eight months ended 28 February 1999 was as follows:-

		Income	Expenditure	Council Contribution	Return
			\$	\$	%
Ocean Ridge	BUDGET	304,400	346,979	42,579	87.7
	YTD BUDGET	202,933	231,319	28,386	
	ACTUAL	150,843	233,962	83,119	64.5
Sorrento/Duncraig	BUDGET	288,920	366,196	77,276	78.9
	YTD BUDGET	192,613	244,131	51,518	
	ACTUAL	176,387	236,305	59,918	74.6
Wanneroo	BUDGET	127,340	279,913	152,573	45.5
	YTD BUDGET	84,894	186,609	101,715	
	ACTUAL	69,520	144,226	74,706	48.2
Warwick	BUDGET	-	173,761	173,761	100.0
	YTD BUDGET		115,840	115,840	
	ACTUAL		154,129	154,129	100.0
TOTAL	BUDGET	\$720,660	\$1,166,849	\$446,189	61.8
	YTD BUDGET	\$480,440	\$777,899	\$297,459	
	ACTUAL	\$396,750	\$768,622	\$371,872	51.6

As reported last month, there is an expected shortfall of \$60,000 in revenue for the Ocean Ridge Community Centre.

RESERVE ACCOUNTS

Aggregate account balances of Council's reserves at 28 February 1999 was \$29,176,514 as shown in Attachment A, Segment 4.

TRUST FUNDS

Balances at 28 February 1999 were:

Unclaimed Salaries and Wages	\$1,453
Unclaimed Monies	\$50,338
Yanchep/Two Rocks Community Bus	\$78,760

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Financial Reports for the period ended 28 February 1999 be NOTED.

The Motion was Put and

CARRIED

Appendix VII refers

**CJ77-03/99 OUTSTANDING GENERAL DEBTORS – 28
FEBRUARY 1999 - [04881]**

SUMMARY

This report shows the total outstanding general debtors as at 28 February 1999, together with their status and a comparison with the previous two months. It also recommends that \$960.00 of debts be written off, by Absolute Majority in accordance with the provisions of Section 6.12(1)(c) of the Local Government Act 1995.

BACKGROUND

This report recommends a write-off of debts totalling \$960.00. The debts relate to the closure of eating establishments and an offensive trade and the reclassification of offensive trades to eating houses.

A report covering the full detail relating to debtors is prepared for internal management controls and for follow up action.

DETAILS - SUMMARY OF DEBTORS

Debtor Status	1999				1998	
	FEBRUARY		JANUARY		DECEMBER	
	Total O/S		Total O/S		Total O/S	
	\$	%	\$	%	\$	%
Current	320,763.88	5.38	492,364.87	8.54	370,890.72	6.63
30 Days	292,597.71	4.91	162,948.25	2.83	111,054.84	1.99
60 Days	51,360.11	1.00	77,587.43	1.35	46,413.42	0.83
90 Days	433,106.66	7.26	422,889.04	7.34	468,778.67	8.38
Deferred Debtors	4,531,917.49	75.84	4,272,959.49	74.13	4,271,697.69	76.40
Deferred Sporting Club Debtors	334,817.40	5.61	335,342.40	5.81	322,931.22	5.77
	\$5,964,563.25	100.00	\$5,764,091.48	100.00	\$5,591,766.56	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
	• Plastic Recyclers	490
	• Bovells Bakery	2,560
	• Premier Lounge Frames	160
2.	Accounts, the 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
d)	Municipal Association of WA (Local Government House-equity)	14,712
3.	Debits raised for headwork levies on East Wanneroo Development Schemes - various cells.	
a)	Pacesetter Homes East Wanneroo Development Cell 2 - awaiting Ministerial approval	102,500
b)	RJ & HC Geary East Wanneroo Development Cell 3 - awaiting Ministerial approval	22,000
c)	Galea Building Company East Wanneroo Development Cell 4 - awaiting ministerial approval on contribution	87,225
d)	North Whitford Estate Pty Ltd East Wanneroo Development Cell 5 - Minister of Planning is to determine a headwork levy for each developed lot	2,390,000
e)	Citywing Nominees East Wanneroo Development Cell 6	152,575

4. Mindarie Regional Council - funds owing to the City for:-

- Operational Surpluses -

1994/95	\$649,603.15
1995/96	<u>\$541,014.17</u>
	<u>\$1,190,617.32</u>
- Capital Advances \$548,575.

A review of the payment of the Operational surpluses :-

1994/95	\$649,603.15
1995/96	<u>\$541,014.17</u>
	<u>\$1,190,617.32</u>

was to have taken place in December 1998. This has now been delayed awaiting a number of consultants reports. It is now anticipated that a decision on the outstanding surpluses will be made at the Mindarie Regional Council meeting in April 1999.

Significant Changes Since the Last Report

\$

90 Days

Included in the 90 days status, are the following outstanding amounts:-

Ministry of Sport and Recreation	320,342
1. Community Sporting and Recreation Facilities Fund (CSRFF) grant for the construction of a multi use sportsground and clubrooms at Iluka (\$270,342.27). The claim is awaiting the signature of the President of the Iluka Sports Association.	
2. CSRFF grant for Warwick Sports Club (\$50,000). Payment of \$37,500 (being 75% of amount claimed) has been approved at this time. The \$37,500 was presented by the Hon. Cheryl Edwardes at a handover function on 5 March 1999.	

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	14,597.88
Wanneroo Districts Rugby Union Football Club	47,412.28
Wanneroo Districts Basketball Association	272,807.14

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

1 RECEIVE the Outstanding Debtors Report as at 28 February 1999;

- 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 \$960.00 representing debts considered irrecoverable, as detailed in **Attachment A to Report CJ77-03/99.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix VIII refers

CJ78-03/99 1998/99 RATE DISCOUNTS – [04267]

SUMMARY

The City of Joondalup offered a 5% discount if rates payments were received by the close of business on 9 October 1998. There were approximately 350 payments made after this date on which the discount was claimed albeit the amounts were received after the “cut off” period.

This report lists properties where payment of rates/refuse was received after the discount period but where for various reasons discount could be permitted. It is recommended that an amount of \$51.32 in rates levied be written off in accordance with the provisions of Section 6.12 (1)(c) of the Local Government Act 1995. It further recommends that in view of an amendment to the Local Government Act 1995, that the power to write off monies be delegated to the Chief Executive Officer.

BACKGROUND

As the Joint Commissioners will be aware, ratepayers were, this year, permitted to claim a 5% discount on rates if payments were received prior to the close of business on 9 October 1998. This rate payment scheme was imposed in accordance with the provisions of Section 6.45 of the Local Government Act 1995 and the details were included in the 1998/99 budget.

There were approximately 350 payments made after this date, on which the discount was claimed albeit that the amounts were received after the “cut off” period.

Letters were sent to each of these persons, advising that the 5% discount could not be applied and that payment for the shortfall must be made by 4 December 1998.

While there is no provision for the Joint Commissioners to amend or use discretion in extending the time in which discounts could apply, the provisions of Section 6.12 (1) (c) of the Local Government Act 1995 do permit the Joint Commissioners **BY ABSOLUTE MAJORITY** to write off any amount which is owed to the local government. If this option were favoured in relation to the 350 late payers the figure to be written off would be approximately \$11,000. This course of action is not recommended.

DETAILS

As has occurred in past years all envelopes for rate payments received were kept for 7 days following the 9 October 1998 “cut off”. This assisted in resolving a large percentage of the disputes received.

COMMENT/FUNDING

Council has received a number of written and verbal requests from ratepayers (whose payments of rates/refuse were not received until after the due date of 9 October 1998), seeking to waive the outstanding discount amount of approximately \$25.00. The majority of these could not be supported for write off as they clearly were received after the “cut off” and the envelope was stamped after the time for eligibility for the discount. There are a few however where there is some doubt and where the discount could be extended (or more correctly the discounted amount written off). These are shown on Attachment ‘A’ to this report.

This attachment separates the various complaints into two categories.

- **Category ‘A’**

One ratepayer who made payment by the City’s credit card option for his/her three properties on 1st October 1998. Payments for their properties at 9 Saint Cloud Gdns and 15 Sottogrande View, Connolly were processed. The payment for the property at 14 Sorrell Gdns, Joondalup appears not to have been processed. As soon as this problem was identified the owner contacted this office and gave authorisation for payment via credit card. No explanation can be offered why the payment for the third property was not processed.

The total amount contained in this category is \$22.85

- **Category ‘B’**

This ratepayer appears to have mailed his/her payment allowing the standard delivery time however the payment was not received until after 9 October 1998. In this case, the payment envelope cannot be located and consequently the date of mailing cannot be ascertained.

The total amount contained in this category is \$28.47

Since officers are unable to categorically confirm the dates on which the rate payments received after the “cut off” date were posted for those payments listed in Category ‘B’, and through no fault of their own the ratepayer in Category ‘A’ did not make the payment by the “cut off” date, it is considered appropriate that the Joint Commissioners write off these amounts. The total amount by category is:-

Category ‘A’	22.85
Category ‘B’	28.47
	\$ 51.32

Local Government Amendment Act (No.2) 1998 amended Section 6.12 (1) (b) and (c) of the Local Government Act 1995, so that an ABSOLUTE MAJORITY is no longer necessary for the writing-off of debts.

This now makes it possible for the Joint Commissioners to delegate the writing-off of debts to the Chief Executive Officer under the provisions of Section 5.42 (1) of the Local Government Act 1995. (This was previously not permitted under the provisions of Section 5.43 (a) which states that a local government cannot delegate to a CEO any power that requires a decision of an absolute majority).

Since the majority of debts written off are minor amounts and occur sporadically throughout the year, it is an appropriate opportunity for the Joint Commissioners to be relieved of this task. An absolute majority is required to make this delegation to the CEO.

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

- 1 in accordance with Section 6.12 (1) of the Local Government Act 1995, WRITE OFF \$51.32 in rates levied as detailed in Attachment 'A' to CJ78-03/99;**
- 2 in accordance with Section 5.42 (1) of the Local Government Act 1995, DELEGATE to the Chief Executive Officer to write off monies, as provided in Section 6.12 (1) (c) of the Local Government Act 1995.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix IX refers

**CJ79-03/99 VEHICLE PURCHASES - LIGHT VEHICLE
REPLACEMENT RESERVE: TENDER 086-
98/99 - [34356]**

SUMMARY

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

The City's 1998/99 budget provided for the purchase of four (4) full forward control dual cab three tonne trucks, three for Engineering Maintenance Services and one for Parks and Landscape Services with the trade of the following items of plant.

- 95704 (Ford Trader)
- 95707 (Daihatsu Delta)
- 95708 (Ford Trader)
- 95392 (Ford Trader)

This report outlines the submissions received in relation to Tender 086-98/99. It recommends the purchase of four (4) full forward control dual cab three tonne trucks from Midway Ford.

BACKGROUND

Tender number 086-98/99 pertaining to this acquisition was advertised on Wednesday, 20 January 1999 and closed on Thursday, 04 February 1999.

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 three submissions received for the supply and trade of four (4) full forward control dual cab three tonne trucks, two tenders for sale only and one for outright purchase in regard to tender 086-98/99 the details of which are shown on Attachment A.

The lowest tender received was from Midway Ford and is recommended accordingly. Accepting this tender resulted in a budget shortfall of \$1,600. This shortfall can be accommodated utilising savings from tender 088-98/99.

Consequently Midway Ford is the recommended tender.

COMMENT/FUNDING

Based on the **Midway Ford** tender the financial position is:

Plant No	Recommended Tender – Changeover	Budget Provision	Budget Savings/Shortfall
95704	\$13,150	\$12,500	(\$650)
95707	\$14,750	\$11,000	(\$3,750)
95708	\$10,750	\$11,000	\$250
95392	\$9,950	\$12,500	\$2,550
TOTAL	\$48,600	\$47,000	(\$1,600)

Accepting this the 1998/99 budget shortfall on tender 086-98/99 is \$1,600.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners ACCEPT THE TENDER from Midway Ford for the purchase of four (4) full forward control dual cab three tonne trucks at a net change over figure of \$48,600 after trade ins, as detailed in tender 086-98/99, with the budget shortfall of \$1,600 to be funded from the Light Vehicle Replacement Reserve Account.

The Motion was Put and

CARRIED

Appendix X refers

CJ80-03/99 VEHICLE PURCHASES - HEAVY VEHICLE REPLACEMENT RESERVE: TENDER 094- 98/99 - [32352]

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 tandem axle cab chassis of 22,500Kg GVM for Engineering Construction and Maintenance Services with the trade of the following item of plant.

- 97537 (Mitsubishi FV458)

This report outlines the submissions received in relation to Tender 094-98/99. It recommends the purchase of one (1) full forward control tandem axle cab chassis of 22,500Kg GVM from Skipper Trucks.

BACKGROUND

Tender number 094-98/99 pertaining to these acquisitions was advertised on Wednesday, 20 January 1999 and closed on Tuesday, 09 February 1999.

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 four submissions received for the supply and trade of one (1) full forward control tandem axle cab chassis of 22,500Kg GVM and two tenders for the outright purchase the City's trade in regard to tender 094-98/99 the details of which are shown on Attachment A.

The tenders of Major Motors for an Isuzu FVZ 1400 and AV Trucks for a UD Nissan CW250 do not conform to the City's specification in regard to engine power and transmission type and therefore cannot be considered. The lowest conforming tender received was from Skipper Trucks and is recommended accordingly.

COMMENT/FUNDING

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

Plant No	Recommended Tender – Changeover	Budget Provision	Budget Savings/Shortfall
97537	\$62,369	\$75,000	\$12,631
TOTAL	\$62,369	\$75,000	\$12,631

Accepting this the 1998/99 budget savings on tender 094-98/99 is \$12,631.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners ACCEPT THE TENDER from Skipper Trucks for the purchase of one (1) full forward control tandem axle cab chassis of 22,500Kg GVM at a net change over figure of \$62,369 after trade in, as detailed in tender 094-98/99.

The Motion was Put and

CARRIED

Appendix XI refers

**CJ81-03/99 PLANTS PURCHASES - PLANT
REPLACEMENT RESERVE: TENDER 099-
98/99 - [37352]**

SUMMARY

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

The City's 1998/99 budget provided for the purchase of two (2) 4WD tractors for Parks and Landscape Services with the trade of the following items of plant.

- 98383 (Kubota M8970)
- 98384 (Kubota M8970)

This report outlines the submissions received in relation to Tender 099-98/99. It recommends not to accept any submitted tender and to recall tenders with a revised specification.

BACKGROUND

Tender number 099-98/99 pertaining to this acquisition was advertised on Wednesday, 20 January 1999 and closed on Thursday, 04 February 1999.

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 nine submissions received for the supply and trade of two (2) 4WD tractors and one tender for outright purchase of the City's trades in regard to tender 099-98/99 the details of which are shown on Attachment A.

The purchase price for new machines quoted in this tender exceed the budgeted figure and acceptance of any tender would result in a significant budget shortfall. It is therefore proposed not to accept any tender offered, reassess the type of tractor required and to recall tenders with a revised specification.

Considering the above it is in the City's best interest to decline all tenders and recall tenders plant numbers 98383 and 98374 with a revised specification.

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners NOT ACCEPT any tenders received for the purchase and trade of two (2) 4WD tractors, as detailed in tender 099-98/99 forming Attachment 1 to Report CJ81-03/99 and recall tenders with a revised specification

The Motion was Put and

CARRIED

Appendix XII refers

**CJ82-03/99 VEHICLES PURCHASES EXECUTIVE
VEHICLES MODEL UPGRADE TENDER
NUMBER 168-96/97 - [20087]**

SUMMARY

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

At the October 1998 meeting of the Joint Commissioners approval was granted to upgrade five of the six executive vehicles. The remaining vehicle is now due for an upgrade. 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 upgraded. This price variation is in accordance with the contract received from 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 upgrade.

It is to be recognised that the City has enjoyed the benefits of this tender for the last 12 months While this price variation is an additional impost the long term benefit to the City will be an upgraded model.

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

DETAILS

The Director of Business Units Mr David Djulbic's contract of employment stipulated that a station wagon would be provided. Accepting this it would appear prudent to upgrade the sedan in question to a station wagon at this time. The additional cost would be \$2,500.

Accepting the above the vehicle and account number to be debited is as follows:-

99024	45050	\$5,177
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Total		<u>\$5,177</u>
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MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners:

- 1 authorise, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the OVER BUDGET EXPENDITURE of \$5,177 - such expenditure to be funded from the Light Vehicle Replacement Reserve Account;**
- 2 UPGRADE the classification of vehicle from a sedan to a station wagon in accordance with the Director of Business Units' employment contract.**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ83-03/99 CLARKSON YOUTH CENTRE - APPROVAL
TO COMMENCE DEVELOPMENT - [04372W]**

SUMMARY

At the meeting of the Joint Commissioners on 22 December 1998 a progress report was provided on establishing a facility for young people in the Clarkson/Merriwa area. The meeting endorsed the preliminary concepts for a facility at Clarkson put forward by the Clarkson Youth Centre consultative working group as the basis for further development.

Work has progressed with the group on the development of a concept plan for the Clarkson Youth Centre.

This report seeks endorsement in principle for the concept plan prepared for the Youth Centre and approval to proceed with the preparation of drawings and calling of tenders, for the construction of the Clarkson Youth Centre at Lot 409 Main Road (Road 2) in Clarkson.

BACKGROUND

The proposal to establish a youth facility in the Clarkson/Merriwa area resulted from a series of Youth Forums held in May/June 1996. In October, 1997 Nick Francis and Associates was engaged to conduct a youth consultation to progress the work which had already been done in respect to a youth facility and, more importantly, to examine the role of young people in relation to the facility. The Francis report, which was endorsed by the Commissioners, strongly recommended that young people should not be seen merely as customers, but as critical stakeholders with a legitimate role in the planning, development and on-going management of youth facilities, events and programs.

A Community Forum was also held in October 1998 which included local community groups and other stakeholders, to ascertain current services and activities, identify gaps in services and to initiate collaboration and co-operation between stakeholders. This forum was also used to establish a working group of seven young people and three adults to progress the preliminary concept proposal.

During November 1998 the group met several times and inspected a range of facilities in the area. At its meeting of 1 December 1998 the group, through a workshop process established its preliminary recommendations and a progress report was presented to the Joint Commissioners at the meeting of 22 December 1998. (SW244-12/98 refers.)

During January 1999 work progressed with the working group to develop and prepare a concept plan for the Clarkson Youth Centre.

This is the first Youth Centre of this type in the region and must be considered to be a pilot project.

It is also recognised that the demand for the facility may change over time due to changes in demographics etc. Accordingly, the building has been designed to be adapted to meet changing needs.

DETAILS

The proposed Youth Centre is to be sited opposite the planned district shopping centre as indicated in the attached site plan (Attachment A) and will have, when established, good access to public transport.

The group recommended that rather than constructing a large multipurpose recreation type facility; a smaller scale facility should be built, together with a range of other outdoor facilities. The building itself is called upon to:

- be one smaller scale building which is warm, friendly and intimate similar to the Alexander Heights Day Centre for the Disabled;
- have maximum flexibility to accommodate changing fads and needs;
- house outreach services provided by other agencies;
- have several informal entries so that different sections can be used independently and at different times;
- have indoor and outdoor, passive and active, leisure spaces, which can be used throughout the whole day and on weekends.

The activities, as prioritised at the Youth and Community Forums and which will be accommodated in the building are:

- under aged night club/disco;
- drop-in centre;
- late night activities;
- Internet Café,
- out door adventure courses and similar activities.

A key theme is for the youth to have access to personal support as well as interesting and exciting indoor and outdoor activities.

The proposed site for the Clarkson Youth Centre is 5,000m² and is one of two designated in the Clarkson Structure Plan for Public Purposes. The northern Lot of 6,000m² is allocated for a library and it is separated from the Youth Centre by a Public Purposes (Open Space) land use. Each site has no special design provisions apart from the requirements that relate to the Main Street (Road 2) frontage.

The Clarkson Structure Plan has placed the Clarkson Youth Centre opposite the shopping centre with a north/easterly outlook overlooking the public open space to the north. It is located in the south/west corner of its Lot and will utilise on site and street parking for visitors.

The proposed centre design does not meet the guideline provisions for the Clarkson District Centre, specifically:

“Buildings fronting any section of Main Street shall be oriented towards Main Street and shall have active frontages with no blank facades to the street and with continuous awnings and/or colonnades to give pedestrian protection from the weather.”

It is believed, however, that the concept plan addresses the major issues of the structure plan for the District Centre. During the design development stage the street frontage issues will be addressed with Development Services. The building has a minimum street frontage setback and any setback is to be treated as an extension to the public domain. Entrances to the building and cloister will be identified and directly accessible by paths, with the main entry located off Road (8).

The building is to have a traditional character, i.e. solid construction punctuated and articulated by door and window openings, with an internal sheltered and fenced cloister integrated into the building design. Glazed areas on the east and west facing facades are avoided or will be protected from direct summer solar penetration and where possible external openings are to optimise natural day lighting. The on site car park is to be provided with shade trees and appropriate lighting for night time public safety.

The building has been designed to, wherever possible, overlook the surrounding public spaces, avoid obscured corners, and be provided throughout with security and safety lighting. Landscaping and planting which obscures public areas from general view will be avoided. Any security grill or cloister enclosure fencing will be designed as an integral part of the building. Similarly fencing and bin enclosure are to be compatible with the main building.

Management

In the interim, a reference group of young people will assist the Community Services Business Unit to establish an appropriate management structure for the Youth Centre.

A late approach has been made by the organisation of Police and Citizen's Youth Club (P.C.Y.C.) to enter into a joint project with the Shire of Wanneroo to develop a P.C.Y.C. facility in the Clarkson/Merriwa area. Initial discussions have shown that the management model and style of building embraced by the organisation would be a departure from that determined by the community consultation with young people. P.C.Y.C. would require a larger facility with provision for gymnastics and some indoor recreation.

The proposal by P.C.Y.C. however has, merit, given:

- the local Police Division would commit two staff persons to manage the facility;
- the establishment of a P.C.Y.C. would be a positive step in improving relations between the Police and young people in the area.

The disadvantages in pursuing the proposal at this time are that:

- additional funding of approximately \$500,000 would need to be sought and P.C.Y.C. has no funds to contribute to the project;
- the management model is a departure from that established through community consultation;
- further consultation would need to be carried out to determine if young people favoured both the style of facility and the management model.

It is being proposed therefore that the existing proposal proceeds as a Stage 1 development and that negotiations continue with P.C.Y.C. with a view to developing either an extension or an additional facility on the same site at a later date.

COMMENT/FUNDING

Account No:	27195
Budget Item:	BMJ180
Budget Amount:	\$300,000 in 1998/99
Budget Amount	\$500,000 in 1999/00

A total of \$600,000 has been set aside to construct the facility. Of this, \$300,000 has been included in this Financial Year's Budget and \$300,000 listed for consideration in the 1999/2000 Budget.

The estimated costing for the attached Option (3) concept plan is tabled below.

Building area (52.8 x 9)	475m ² x \$935.00	\$445,000
Verandah, porch & pergola areas	300m ² x \$350.00	\$105,000
Car Parking	355m ² x \$45	\$16,000
Paths & paving	880m ² x \$30	\$27,000
Landscaping	(5,000-2,000) m ² x \$10	\$30,000
Sub total		\$623,000
Consultancy fees	8% x sub total	\$50,000
Administration costs		\$2,000
Internet Café		\$20,000
Furniture & fitments		\$65,000
Skate Park		\$40,000
Estimated Total Cost		\$800,000

Negotiations have commenced with the Lotteries Commission seeking a grant of \$200,000 that will make up the construction shortfall and they will also provide funding for the Skate Park. A positive outcome is anticipated prior to the calling of tenders. In the event that the grant funding is not forthcoming the project can be scaled back prior to tendering.

It is appropriate at this time to acknowledge the efforts and contribution of the consultative working group for this project. This group was formed from two public forums held in September and October 1998. The group included the following individuals:

Adults	Young People	City Staff
Lyn Buckley	Susanna Steffans	Garry Prus
Liz Prime	Nathaniel Slivkaff	Jo Wilkie
Lyn Allis	Bradley Kynestan	
Jill Brown	Deborah Flanagan	
	Ryan McHugh	
	Jacqui Cooper	

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

- 1 ENDORSE IN PRINCIPLE the concept plan prepared for the Clarkson Youth Centre on Lot 409 Main Road (Road 2) Clarkson;**
- 2 AGREE to the preparation of working drawings and the calling of tenders for the construction of the proposed Clarkson Youth Centre;**
- 3 ACKNOWLEDGE the efforts and contribution made by the Clarkson Youth Centre consultative working group in the early development of the Clarkson Youth Centre.**

Cmr Clark-Murphy spoke in support of the Motion, congratulating all those involved in the process.

The Motion was Put and

CARRIED

CJ84-03/99 COMPLETION OF HERITAGE AND MUSEUM SERVICES AND FACILITIES PLANNING STUDY - [12979J]

SUMMARY

In August 1998, consultants were commissioned to undertake a Heritage and Museum Services and Facilities Planning Study for the City of Joondalup and Shire of Wanneroo [Report CJ12-07/98]. The consultants undertaking the Study were Museum Studies Unit - Sydney University, Sarah Murphy Consulting and Desmond Freeman & Associates. The Heritage and Museum Services and Facilities Planning Study has now been completed.

As a result of the Study, a framework has been created addressing heritage management across the two Local Government areas. This framework proposes that the City of Joondalup engages itself in a regional heritage planning role, and the Shire of Wanneroo develops an integrated approach for the care of specific heritage sites, programs and collections in the form of an eco-museum concept. (Referred to in the Study as the ‘Wanneroo Heritage Collective’.) Minor and major works implications for each Local Government has been addressed as well as staffing and supporting committees. It was a principle objective of the Study that recommendations for heritage management and staffing for both Local Government authorities should reflect two independent heritage services that were both co-operative and complimentary. It is therefore strongly recommended that each summary should not be read exclusively but read within the context of the whole of the study. The proposed framework is outlined in Attachment A.

Copies of the Heritage and Museum Planning Study have been placed in the Commissioner’s Reading Room and the Joondalup Local Studies Library.

This report proposes that Joint Commissioners endorse in principle the recommended framework contained in the Heritage and Museum Services and Facilities Planning Study and note the associated financial and staffing implications.

BACKGROUND

The need for a review of heritage services in the former City of Wanneroo was identified in November 1997, and as a result a brief was written for a Review of Heritage Services and Management [Contract 064-97/98]. No tenders were received for this original brief. With the foreseen division of the former City of Wanneroo, a new brief was written in April 1998, which was broader in its requirements and addressed new heritage issues arising from the division of the former City of Wanneroo. Through a tender process, Museums Studies Consulting Sydney University, in association with Sarah Murphy Consulting and Desmond Freeman Associates, were commissioned to undertake a Heritage and Museum Services and Facilities Planning Study for the agreed fee of \$42,940.

The methodology in undertaking the Heritage and Museum Planning Study included comprehensive site visits to all relevant heritage properties owned by the City of Joondalup and Shire of Wanneroo, a review of all printed material directly associated with the study area, two public meetings, and ten individual meetings with staff members and those working in a voluntary basis at the region’s heritage facilities. All comments and responses received by the consultants, written and verbal were reviewed and considered thoroughly by the consultants prior to the completion of the study. The draft recommendations were placed in the Joondalup and Wanneroo libraries, for a minimum period of two weeks, for public review.

DETAILS

The Heritage and Museum Study contains separate executive summaries for both the City of Joondalup and the Shire of Wanneroo (Attachments B and C respectively). Each separate summary and the recommendations emerging from the Study reflect the overall strategic framework for a comprehensive, shared heritage service throughout the region. The proposed overall framework is based on the premise that the City of Joondalup should engage in a regional heritage role and the Shire of Wanneroo, having ownership of traditional public collections and heritage sites, should focus on providing a highly integrated, localised service.

It was a principle objective of the Study that recommendations for heritage management and staffing for both local government authorities should reflect two independent heritage services that were both co-operative and complimentary. It is therefore strongly recommended that each summary should not be read exclusively but read within the context of the whole of the study.

In undertaking the study, the consultants were conscious of creating two distinct heritage services that would address the separate needs and characters of the two local authorities. The executive summaries for both the City of Joondalup (refer Attachment B) and the Shire of Wanneroo (refer Attachment C) outline the essential issues identified for each local authority. The complete Recommendations are contained under Attachment D.

The primary implications for both the City of Joondalup and the Shire of Wanneroo relate to staffing structures. In essence the Study recommends that staffing structures for the City of Joondalup do not duplicate the proposed services to be offered by the Shire of Wanneroo. With consideration of the proposed boundary changes, the predominant heritage sites and buildings currently owned and administered by the City of Joondalup, will be transferred to the Shire of Wanneroo. This change in responsibility is reflected in the Study's recommended heritage management structure and services for the City of Joondalup.

Recommendations contained in the Study relating to heritage services in the City of Joondalup included:

- That a Memorandum of Understanding be drawn up between the City of Joondalup and the Shire of Wanneroo concerning long term shared management responsibilities for heritage and museum matters. The Memorandum of Understanding would specifically deal with:
 - the transfer of museum artefacts and associated material to the Shire of Wanneroo
 - financial and staffing responsibilities associations with long term management of the collection
 - the clarification of responsibilities between the Shire of Wanneroo and the City of Joondalup
- That the City of Joondalup establish a Heritage Service that is staffed by a full time Heritage Officer whose principle responsibility would be to ensure relevant natural and cultural heritage concerns were effectively integrated into Council planning procedures. The Council would be required to recruit a museum consultant to further develop the regional city museum concept.
- That the Historic Sites Advisory Committee under its previous terms of reference be formally disbanded. Its duties relating to the Municipal Inventory would in future be undertaken by Heritage staff employed by the City of Joondalup and the Shire of Wanneroo in conjunction with a community consultation process. Its duties relating to natural and cultural assets would be undertaken by the Wanneroo Heritage Collective and involve a specialist reference group of people with recognised and appropriate expertise. *[Note: the Historic Sites Advisory Committee was formally disbanded July 1998]*
- That the City of Joondalup establishes a Heritage Advisory Committee to provide technical support for heritage Services and to assist with the planning of regionally based heritage interpretation initiatives.

- That the City of Joondalup endorses in principle the development of, and commences planning for the construction of a regional museum by 2005. The facility would be designed to serve the cultural and educational needs of a regional containing 250,000 – 300,000 people.

Reference should be made to Attachment D for full list of Recommendations.

The Study recommends that the Shire of Wanneroo create a comprehensive conservation program and public service program to maximise use of the various heritage sites and cultural collection to fall in the Shires boundaries. This proposed management concept is referred to in the Study as the Wanneroo Heritage Collective. As such, staffing for the City of Joondalup should not compete with this service but focus on providing a quality heritage service that includes the professional management of the Inventory of Heritage Places, technical advice to ratepayers and developers and the progression of the concept and strategic planning for a regional museum facility.

Following Report CJ 30-07/98 Review of Committees, it is recommended that the Historic Sites Advisory Committee not be constituted and that a letter of appreciation be sent to former members of the Committee thanking them for their services over the years. The proposed Joondalup Heritage Advisory Committee would in future serve the needs of a heritage reference group in the City of Joondalup.

It is proposed that the Joondalup Heritage Advisory Committee be comprised of staff and members of Council, an Aboriginal community representative, one general community representative and individuals with expertise in areas such as built heritage conservation and natural conservation. The purpose of the Committee would be to provide technical advice on relevant natural and cultural heritage development initiatives being pursued by Council and facilitate external support as appropriate. It would make recommendations relating to the Municipal Inventory of Heritage Places (a statutory requirement under the Heritage of Western Australia Act 1990) and on issues concerning heritage policy as distinct from operational issues. The proposed Joondalup Heritage Advisory Committee would be responsible for some of the functions previously undertaken by the former Historic Sites Advisory Committee.

COMMENT/FUNDING

Financial implications for heritage management in the City of Joondalup are not specifically referenced in the Study. The recommendation for provision of a Heritage Officer/Planner would require funding, in addition to maintenance of the Municipal Inventory of Heritage Places and associated programs relating to the Inventory.

Account No:	41137 264
Budget Item:	Consultancy
Budget Amount:	\$45,000
Actual Cost:	\$42,940

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

- 1 RECEIVE the Heritage and Museum Services and Facilities Planning Study which proposes a regional framework for City of Joondalup Heritage Services and a revised heritage committee structure;**
- 2 SEEK a further report addressing the Consultant's recommendations and in particular the financial ramifications.**

The Motion was Put and

CARRIED

**CJ85-03/99 BURGLARY AWARENESS PROGRAM -
[17874]**

SUMMARY

This report provides information on a proposed initiative from the Burglary and Stealing Task Force which was established as a result of which regional Community Summit on Crime Prevention that the then City of Wanneroo hosted in April 1998. This task force is one of three task forces which have been established by the Joondalup Community Policing Committee and has worked at developing a campaign to encourage members of the community to take responsibility for reducing the incidence of burglary in the Joondalup and Wanneroo Districts by participating in a burglary awareness program.

It is recommended that financial assistance and in-kind support, administrative and other, be contributed by the City of Joondalup to ensure the successful launch of this program to businesses and community members.

BACKGROUND

The Burglary and Stealing task force was one of three task forces established by the Joondalup Community Policing Committee as a result of the Community Summit on Crime Prevention that the then City of Wanneroo hosted in April 1998. The task force was given the responsibility of developing community responses to the issues of burglary and stealing.

To date, this task force has examined a number of issues and their possible connections to stealing and burglary. A smaller working party has since been established comprising of representatives from the Joondalup Police District, the City of Joondalup and Shire of Wanneroo, Family and Children's Services, the Lions Club and one member of the general public.

The working party has developed a Burglary Awareness Program to encourage the practice of householders engraving household items and personal belongings and to encourage retailers to promote and participate in point-of-sale engraving. From a Police perspective, the capacity to identify property is paramount to the success of police operations for stealing and burglary. Identification assists the Police in arresting and ultimately convicting long term burglars and individuals that on-sell stolen goods. It is also important that property is returned to the rightful owners.

In a recent analysis of 100 stolen items recovered by the Police it was found that 79% were unidentifiable. In circumstances such as these, recovered property has, on occasion, been returned to the suspected burglar or fence because a crime victim has been unable to properly identify his or her own belongings. The Awareness Program describes Police investigative practices and limitations to give members of the public some insight into the practical difficulties that the Police face in tackling burglary.

The engraving and marking of property is not a new concept but one that has been a focus of Neighbourhood Watch for a number of years. It is suggested that there is a lack of understanding within the community of the importance of engraving and/or recording of their serial numbers. To address this situation, the Burglary and Stealing Task Force is advocating the introduction of a Burglary Awareness Program for the Joondalup and Wanneroo Districts, and the challenge for such a program is to change the attitude of the Joondalup and Wanneroo communities towards engraving their property and/or recording their serial numbers.

DETAILS

The Burglary Awareness Program has obtained the full support of the local Police, the Joondalup Policing Committee, the Business Community, Neighbourhood Watch, and the Drug Awareness Program. Other community/service groups and potential volunteers are being recruited to assist with the program.

The Burglary Awareness Program centres on raising awareness in the community of police procedures and practices and their limitations. It is believed that through such awareness members of the community will take a greater responsibility to ensure their property can be identified and thereby contribute to reducing the incidence of Burglary.

The program involves a number of components, including:

- the delivery of a two hour Workshop to members of the community, at local community venues;
- a short sharp 20 minute presentation to address community groups at their respective meetings; and
- a proactive engraving service to members of the Joondalup Business District [including the promotion for Point-of-Sale (POS) engraving].

The Burglary and Stealing Task Force of the Joondalup Community Policing Committee (Safer WA) will be the central co-ordinating body for all components of the program, and it will be responsible for the monitoring, reviewing and evaluation of the program.

Two presentation models have been developed to encourage the public to take responsibility for engraving their equipment. The first is brief and can be attached as an agenda item/guest speaker spot at community meetings i.e. P&C evenings, Lions Club, Rotarians, Apex, CWA etc. The second presentation is longer exploring the issues around burglary in greater detail, allowing for more interaction with the community.

The proposal for this initiative is consistent with the City's Community Security and Safety Action Plan and to successfully launch the program a number of events are planned. It is proposed that the City of Joondalup host the first two (2) events as follows:

- A Community meeting to be held on 13 April 1999. The purpose of this meeting is to explain the Stop Burglary campaign and enlist volunteers to assist the Burglary and Stealing Task Force in promoting the business breakfast. Inspector Geoff Moloney who currently chairs the Burglary and Stealing task force meetings will chair this meeting.
- A North West Metro Business Group's breakfast launch on 23 June 1999. Approximately 200 local businesses would be encouraged to take up point of sale engraving as part of their customer service. They would be presented with Burglary Awareness packages comprising a Certificate of Merit, a Customer Information Pack, containing sheets for recording details of items purchased, and an engraving kit. Stop Burglary Logo stickers would also be provided. Following the presentation on Burglary Awareness, a presentation on Drug Awareness will follow to alert retailers to the issues of drug abuse in shopping centres. It is suggested that the Chairman of Commissioners be the Master of Ceremonies for this meeting.
- There would be three shopping centre launches involving participating retailers. July 7 - Joondalup; July 14 - Whitfords Shopping Centre and July 15 Warwick Shopping Centre. The Stop Burglary Logo will be prominently displayed on shop windows and it is anticipated that easily identifiable volunteers or shop staff will be available to carry out engraving on purchases as required.

The City and Shire would benefit from supporting the Burglary Awareness Program for the following reasons:

- It will assist the Police force in tackling an area of serious concern for local residents, many of whom are bearing the physical and financial cost of securing their homes against burglary.
- It will encourage people to take some responsibility for tackling the issue as a community.
- It will strengthen the City and Shire's links within the community and the local business sector whilst enhancing its image and its capacity to perform as a proactive organisation.
- It will increase the likelihood of sponsorship monies being made available to support other security initiatives linked to the outcomes of the Crime Summit.
- It will provide opportunities for the City and Shire to evaluate the success of the initiative by publicly acknowledging participating residents with Certificates of Merit.

The Community Policing Committee will be responsible for these meetings and the proposed launch of the program. Major supporting bodies will include the City of Joondalup and Shire of Wanneroo, Neighbourhood Watch, SGIO, Channel Ten and the Joondalup Community Policing Committee. The Neighbourhood Watch sponsors have agreed to finance the cost of printing 30,000 customer packs which will include:

- the logos of the City of Joondalup and Shire of Wanneroo;

- a letter from the Warwick and Joondalup Burglary Teams detailing the need to engrave and/or record serial numbers;
- the “Operation Identification” pamphlet of the Neighbourhood Watch program;
- the “Welcome to Neighbourhood Watch” pamphlet of the Neighbourhood Watch program; and
- a Neighbourhood Watch registration form.

The City of Joondalup has been requested to assist by providing Committee meeting rooms as a venue for the community meeting and breakfast launch of the program. There is also a need to provide security, and catering services, the provision of administrative assistance to assist the production and dispatch of invitations, acceptance of replies to the invitations and general assistance and co-ordination.

The Joondalup Police District has already assisted with the launch of this program by providing administrative support and meeting rooms for the sub-committee. They have also assisted in compiling the Burglary Awareness Package and the Customer Information Pack

COMMENT/FUNDING

The City and Shire have a significant role to perform in supporting and promoting the Burglary Awareness Program through its involvement in the Burglary and Stealing Task Force.

The estimated direct financial cost to the City of Joondalup will include the following for both the community night and the breakfast launch, the postage and stationery for this initiative has been catered for by the City’s marketing services:

Community night April 13 1999:

Catering	\$300
Security	\$100
Total:	\$400

Business breakfast launch June 23 1999:

Catering	\$2,800
Room hire	\$320
Equipment hire	\$210

Total:	\$3,330
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Grand Total:	\$3,750
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The total of \$3,750 can be made available from the 1998/99 budget allocation for community security and safety initiatives.

Account No:	22384
Budget Item:	All Night Security
Budget Amount:	\$262,500
Actual Cost:	\$3,750

Other associated costs to the City by way of in-kind contributions will include:

- Staff time to provide administrative support. This is all ready being utilised and provided by the Community Development Directorate as currently two (2) staff members are actively involved with the Stealing and Burglary Task Force.
- Staff times provided from the City's Marketing Services Business Unit to co-ordinate the events and distribute invitations on behalf of the City and Shire.

It should be noted that the Joondalup Community Policing Committee does not have any funds available to contribute to the launch of this initiative. The Committee has access to special grant funds that are made available from time to time by the Government of Western Australia. The task force has recently submitted an application to the WA plate fund through the Joondalup Community Policing Committee for the approval of a \$5,000 grant, this grant is for assistance in the purchase of business packs and promotional material as well as the purchase of 70 Arlec engravers.

The City of Joondalup and Shire of Wanneroo would receive recognition by the way of logos on any available promotional material and information packs.

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

- 1 APPROVE the use of the Council Committee rooms for the community meeting and the business breakfast launch and provide catering, security and administrative support to the events;**
- 2 in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 allocate \$3,750 to support the Burglary Awareness Program and the funds to be allocated from Ranger Services All Night Security line item 22384.**

Cmr Clark-Murphy spoke in support of the Motion and congratulated all those involved in this initiative.

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

**CJ86-03/99 CULTURAL DEVELOPMENT FUND PEER
ASSESSMENT ADVISORY COMMITTEE -
[07084]**

SUMMARY

The Cultural Development Fund Peer Assessment Advisory Committee was established on 13 October 1998 (refer CJ166-10/98).

Applications for the Cultural Development Fund closed Monday 1 March 1999. It is recommended that membership of the Committee be changed and the following nominees be appointed to the community representative panel for the 1999 Cultural Development Fund. It is recommended that by absolute majority in accordance with Section 5.8 of the Local Government Act 1995:

- Manager Leisure Services
- Mr Chris Waddell
- Ms Yvonne Coutts
- Ms Julia Wren
- Ms Janey Emery
- Mr John Simpson

be appointed to the 1999 Cultural Development Fund Peer Assessment Advisory Committee.

BACKGROUND

The Cultural Development Fund was set up in 1995 and is designed to provide financial assistance to clubs, community groups and schools which develop unique, innovative cultural leisure opportunities within the City of Joondalup or Shire of Wanneroo. Its current membership comprises:

Ms Diana James, Writer
Ms Fiki Pitts, Performing Artist
Ms Janey Emery, Visual Artist
Mr John Simpson, Visual Artist
Ms Carmelita Baltazaar, Arts Project Officer

The goals of the fund are:

- To increase the level of participation in cultural activities within the community.
- To increase the number and variety of cultural opportunities in the City and Shire.
- To positively contribute to the community.

The Cultural Development Fund grants are awarded annually with applicants called for each January in the Wanneroo Times. The applicants are assessed by a working party appointed by the Joint Commissioners. The Assessment Panel consists of the Manager Leisure Services and five community representatives.

DETAILS

Council allocated \$ 27,000 in the 1998/99 budget to the Cultural Development Fund with \$1,000 for administration of the grant scheme. The remaining \$26,000 is available for projects that meet the Cultural Development Fund's criteria, conditions and requirements and are deemed worthy by Council.

An advertisement was placed in the Wanneroo Times 26 January 1999 requesting nominations for community representatives. To be eligible as a community representative, nominees had to reside within the City of Joondalup or Shire of Wanneroo and have a background or involvement in the arts. The proposed five nominees exceed these minimum requirements and were chosen because of their history in cultural activities and their experience on similar funding committees.

COMMENT/FUNDING

It is recommended that the following people be endorsed as members of the Cultural Development Fund Assessment Panel:

- Mr Chris Waddell - Senior Policy Advisor, Office of The Premier & Cabinet and a member of the Wanneroo Public Art Community Consultative Committee.
- Ms Yvonne Coutts CSTD - Top Tappers Dance Company, Principle; Sundance Dance Group, Principle (Dance Teacher)
- Ms Julia Wren - Art Teacher
- Ms Janey Emery - Art Teacher
- Mr John Simpson - Full time artist/Arts Workshop Facilitator

MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners in accordance with Section 5.8 of the Local Government Act 1995, ADOPT the amended membership of the Cultural Development Fund Peer Assessment Advisory Committee as follows:

- **Manager Leisure Services**
- **Mr Chris Waddell**
- **Ms Yvonne Coutts**
- **Ms Julia Wren**
- **Ms Janey Emery**
- **Mr John Simpson**

The Motion was put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

TECHNICAL SERVICES SECTION**CJ87-03/99 CONTRACT NO 007-93/94 - MANAGEMENT
AND PROVISION OF GOLFING SERVICES -
MARANGAROO GOLF COURSE - [03973]****SUMMARY**

The lease for the Management and Provision of Golfing Services - Marangaroo Golf Course (Contract No 007-93/94), is due for extension for a period of three years at the expiry of the five year term. The lessees, Messrs Crosbie and Duncan, have exercised the option for extension from 4 March 1999 to 3 March 2002.

Under the terms and conditions of the lease it is recommended that the lease be extended for a further three years, for a rental of \$26,000 per annum.

Renewal of this contract was mistakenly omitted from Report No CJ56-03/99, which was adopted by the Joint Commissioners at the meeting dated 9 March 1999.

BACKGROUND

The former City of Wanneroo invited public tender for the Management and Provision of Golfing Services - Marangaroo Golf Course in July 1993. The former Council adopted the lease for five years with an extension of a further three years subject to the satisfactory performance of the lessee and an option to extend the lease by the lessee.

The rental fees have been \$15,000 for the first year, increasing to \$26,000 in the fifth year, with a provision to have the three year lease extended for annual rent prevailing in the fifth year.

DETAILS

The conditions of the contract have been met by Crosbie & Duncan and Clause 6 Item (g) relating to the painting of all surfaces of the building has been agreed to. This work will be completed during March 1999.

Page 16, Item 7 reads as follows:-

“If:

- (a) the Lessees shall desire to take a renewal of the term of the lease for a further term of three (3) years immediately following the term hereof;*
- (b) the Lessees shall give to the City notice in writing of such desire not less than three (3) months prior to the expiration of the said term;*
- (c) the Lessees shall duly and punctually at all times pay the rent hereby reserved and all other monies hereby payable by the Lessees within seven (7) days of the days respectively appointed for payment thereof and in the manner hereinbefore provided up to the date of expiration of the said term;*

- (d) *at the time of giving the said notice and at the expiration of the said term there shall be no outstanding or unsatisfied breach non-observance or non-performance of any of the covenants or undertakings herein expressed and implied and on the part of the Lessees or the Professionals to be observed and performed of which written notice has been given by the City to the Lessees or the Professionals;*
- (e) *in the meantime the City right of re-entry shall not have otherwise arisen; then the City will at the cost of the Lessees grant to the Lessees a lease of the building and an extension of the other rights hereby granted for a further term of three (3) years commencing on the day immediately following the date of expiration of the term hereof on the same terms and subject to the same covenants and stipulations expressed and implied herein (but without any further right of renewal) at the lease rental and percentage of the fees for hire of balls on the practice fairway applicable immediately prior to the expiration of the said term.”*

Marangaroo Golf Course - Price of contract:-

<u>Lease Agreement</u>	<u>Rental</u>	<u>% Green Fees</u>
Year 1	\$15,000	10%
Year 2	\$20,000	10%
Year 3	\$22,000	10%
Year 4	\$24,000	10%
Year 5	\$26,000	10%

The City’s solicitors advised that the lessees have properly exercised the option and are entitled to an extension of the least for a further three years from the expiry of the original term. The rent and percentage of fees payable are those which applied immediately prior to the expiration of the original term.

In view of Clause 9 of the Governor’s Order which states:

“Until a determination is made under clause 8, or further directions are given by order under Section 9.62(1) of the Act, as to the adjustment or transfer between the City of Joondalup and the Shire of Wanneroo of property, rights or liabilities, on commencement:

- (a) *all real and personal property owner by or vested in the former City of Wanneroo is transferred to or becomes vested in the City of Joondalup”*

it is necessary for the City of Joondalup to make a decision on this matter. This item is included in the agenda for information for the ordinary meeting of the Shire of Wanneroo scheduled for 23 March 1999.

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

- 1 the extension of Contract No 007-93/94 Management and Provision of Golfing Services Marangaroo Golf Course for a period of three (3) years from 4 March 1999 to 3 March 2002 at a rental of \$26,000 per annum, in accordance with the tender specifications;**
- 2 the preparation of the lease extension documents.**

Cmr Morgan spoke in support of the Motion.

The Motion was Put and

CARRIED

DEVELOPMENT AND PLANNING SERVICES SECTION
--

Items CJ88-03/99 to CJ91-03/99 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan.

**CJ88-03/99 AMENDMENT 851 TO TOWN PLANNING
SCHEME NO 1 - CLOSE OF ADVERTISING -
[31119]**

SUMMARY

The Joint Commissioners recently initiated amendment 851 to amend the wording of Clauses 3.4 and 10.8.3 of Town Planning Scheme No 1. This Amendment provides authority for provisions in an agreed Structure Plan to vary the Scheme provisions.

The amendment was advertised for a 42 day period concluding on 23 February 1999. No submission was received and the amendment is recommended for adoption without modification.

BACKGROUND

Council has obtained legal advice concerning its use of the provisions of Part 10 of Town Planning Scheme No 1 (“the Scheme”) to introduce Structure Plans. Some provisions of these documents modify Scheme provisions and the Residential Planning Codes. The advice provided was that additional text is required in the Scheme to give the Structure Plan the legal basis for these provisions.

It has been found that the location of Table No 1, the Zoning Table is referred to incorrectly in Clause 3.4.

At their meeting on 27 November 1998 (Report No CJ267-11/98), the Joint Commissioners supported Amendment No 851 to amend Town Planning Scheme No 1 by modifying the Scheme Text in clause 10.8 to enable structure plans to vary standards and to make a correction to clause 3.4.

DETAILS

Structure Plans are prepared under Part 10 of the Scheme, which empowers Council to require a proponent to prepare a Structure Plan for any area and covering any matter. Clause 10.8.3 might be considered to be unclear in providing authority for a Structure Plan to alter the Scheme. Amendment 851 (Attachment 1) amends paragraph (b) of this subclause so that the legal basis of any alteration is clear.

The Environmental Protection Authority has indicated that this amendment does not require assessment under Part IV of the Environmental Protection Act.

The Western Australian Planning Commission granted consent to advertise the amendment in its letter dated 8 January 1999. The amendment was advertised for a period of 42 days, ending on 23 February 1999. No submission was received.

COMMENT

No submission was received to the proposed amendment. The purpose of this Amendment 851 is to amend the Scheme Text to clearly authorise variations to the Scheme and to delete incorrect text in Clause 3.4.

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

- 1** pursuant to Town Planning Regulation 17(2) **ADOPT Amendment 851 to Town Planning Scheme No 1 to adjust the wording in Clause 10.8 of the Scheme Text and to correct clause 3.4 without modification;**
- 2** **AUTHORISE the affixation of the common seal to, and endorse the signing of, the amendment documents.**

The Motion was Put and

CARRIED

**CJ89-03/99 PETITION OBJECTING TO AN APPLICATION
SEEKING THE REMOVAL OF A
RESTRICTIVE COVENANT AFFECTING
LOTS IN MORGAN PLACE, HILLARYS-
[35149J]**

SUMMARY

A number of properties in Morgan Place, and Waterford Drive, Hillarys are affected by a restrictive covenant restricting the use of the land to one dwelling. An application for the removal of a restrictive covenant affecting 4 Morgan Place, and several other lots in Hillarys is being prepared but no fees have yet been paid.

A number of residents have lodged a petition objecting to an application to remove the restrictive covenant on lots in Morgan Place resulting in the possible erection of more than one dwelling. The petition indicates that the removal of the covenant would have a negative effect on the quality of life and character of Hillarys.

DETAILS

The following residents of Morgan Place, Hillarys:-, lodged a petition:-

Mr & Mrs O'Neill- 3 Morgan Place Hillarys;
Mr & Mrs Unkovich- 6 Morgan Place; Hillarys
Mr & Mrs Fildes- 8 Morgan Place; Hillarys
Mr & Mrs Davis- 5 Morgan Place; Hillarys.

The purpose of the petition is to object to an application seeking the removal of the restrictive covenant affecting Morgan Place. One of the main reasons for objecting to the application is that the removal of the restrictive covenant would have a deleterious effect on the quality of life, due to the increased density, tenanted housing and resulting loss of character. Attachment 1 indicates the properties affected by the restrictive covenant, and properties of owners lodging the petition.

Section 6 of the Town Planning and Development Act 1928 (TP & D Act) sets out that a Town Planning Scheme may be made for any of the purposes contained in the First Schedule of the Act. Item 15 of the First Schedule, sets out that one of the matters which may be dealt with by the Scheme is the extinction or variation of any right of way or easement, public or private or any restrictive covenant or covenants affecting the land.

At present, no specific provision is included in Town Planning Scheme No.1 which empowers Council to vary or extinguish restrictive covenants. Amendment 824 proposes to introduce such provisions. This amendment was considered by the Joint Commissioners at the meeting of 9 February, 1999, where it was resolved to “introduce provisions allowing the variation or extinguishment of restrictive covenants and ADOPT Amendment 824...”

COMMENT

The petition objecting to a proposed removal of the restrictive covenant affecting Morgan Place is acknowledged. At this stage, an application has been received but no fees have been paid. Consequently, no formal report has yet been submitted to Council for consideration.

As indicated above, the current Town Planning Scheme does not yet contain provisions allowing the removal or variation of restrictive covenants. The proposed provisions set out a specific criteria for the variation or removal of restrictive covenants, this being that the extinguishment or variation would either be consistent with the objectives and principles of the Scheme, or otherwise consistent with the interest of orderly and proper planning. In either case, the variation or extinguishment must involve a greater benefit than detriment to the amenity of the locality of the lands burdened and benefitted by the covenant.

Once a valid and completed application is received, the objections of the owners of the lots burdened and benefitted by the covenant, will be assessed in terms of the specified criteria.

The objection by the owners of the land burdened by the covenant will be given due consideration.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners ADVISE the petitioners that the removal of the covenant is not under consideration at this stage, and that the enabling provisions proposed would require all benefiting landowners to be advised for comment and for the Council to determine that any changed would benefit the locality as a whole.

The Motion was Put and

CARRIED

**CJ90-03/99 OFFER TO PURCHASE COUNCIL LAND AT
LOT 11 O'CONNOR WAY, WANGARA -
[03902W]**

SUMMARY

An offer to purchase the Council owned vacant land at Lot 11 (11) O'Connor Way, Wangara has been received from Talport Pty. Ltd. at the price of \$295,000. The offer is equal to the current valuation of the land .

The public notification requirements of Section 3.58 of the Local Government Act 1995 have been complied with and the offer is recommended for acceptance.

BACKGROUND

At the meeting held on 9 February 1999 at item (CJ30-02/99) the Joint Commissioners resolved to authorise the giving of public notice in respect to an offer to purchase the Council land at Lot 11(11) O'Connor Way, Wangara that had been submitted by Talport Pty. Ltd at the price of \$295,000.

Lot 11 (11) O'Connor Way, Wangara is a vacant parcel of 3721 square metres and is zoned for light industry (Attachment 1). It formed part of the 16 lot subdivision that the Council of the former City of Wanneroo developed in 1997 and first placed on the open market at a public auction on 8 October 1997. It was not sold at the auction and Talport Pty. Ltd is the first party to make an offer to purchase it.

The 16 lot subdivision was the remnant portion the whole Wangara industrial estate that the Council purchased for development purposes in the mid 1970s.

DETAILS

The offered price of \$295,000 is equal to the current value of the land as assessed by the Valuer General's Office. The Joint Commissioners support for the transaction was dependent on the offer being free of any conditions other than finance approval and settlement taking place within a period of 30 days from the satisfaction of the requirements of Section 3.58 of the Local Government Act 1995.

Talport Pty. Ltd subsequently agreed to the removal of the conditions requested by the Joint Commissioners. Public notice of the proposed disposition was given in the "West Australian" newspaper on 27 February 1999 and the 14 day period allowed for the lodgement of submissions expired on 13 March without any submissions being received.

Comment

The public notification requirements of Section 3.58 of the Local Government Act 1995 have been complied with and the offer is recommended for acceptance.

In view of Clause 9 of the Governor's Order which states:

“Until a determination is made under clause 8, or further directions are given by order under Section 9.62(1) of the Act, as to the adjustment or transfer between the City of Joondalup and the Shire of Wanneroo of property, rights or liabilities, on commencement:

(a) all real and personal property owner by or vested in the former City of Wanneroo is transferred to or becomes vested in the City of Joondalup”

it is necessary for the City of Joondalup to make a decision on this matter. This item is included in the agenda for information for the ordinary meeting of the Shire of Wanneroo scheduled for 23 March 1999.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE the sale of the Council property at Lot 11 (11) O'Connor Way Wangara to Talport Pty. Ltd. for the price of \$295,000 with settlement to take place within 30 days of the satisfaction of the requirements of Section 3.58 of the Local Government Act 1995.

The Motion was Put and

CARRIED

**CJ91-03/99 OFFER TO PURCHASE COUNCIL LAND AT
LOT 12 (2) UPPILL PLACE WANGARA. S. B.
MARVELLI. - [01902W]**

SUMMARY

An offer to purchase the vacant Council owned land at Lot 12 (2) Uppill Place Wangara has been received from Mr. Salvatore Biagio Marvelli at the price of \$154,000. The offered price is equal to the current valuation of the land and it is recommended that the Joint Commissioners authorise the giving of public notice of their intention to accept the offer.

BACKGROUND

Lot 12 (2) Uppill Place Wangara is a vacant parcel of 2004 square metres zoned for light industry situated on the corner of O'Connor Way as shown on attachment No 1. It is the last of the lots to be sold out of the subdivision of 16 light industrial lots that the Council of the former City of Wanneroo produced in 1997 and first offered for sale at public auction on 8 October 1997. The lot was not sold at the auction and this offer from Mr. Marvelli is the first offer to be received on it.

The 16 lot subdivision comprised the remnant area of the whole Wangara industrial estate that the Council purchased for development purposes in the mid 1970s.

DETAILS

The Valuer General's Office has assessed the current value of Lot 12 at \$154,000 and the offered price is equal to that valuation.

The offer is not subject to finance approval but it is conditional on approval being given for a chicken boning factory to be developed on the site.

The sale of the land by private treaty must be done in accordance with the provisions of Section 3.58 of the Local Government Act 1995. That section provides that before agreeing to dispose of a property by private treaty, a local government must give state-wide public notice of the proposal giving the following details;

- 1 a description of the property concerned
- 2 the names of the parties
- 3 the consideration for the disposition
- 4 the market value of the property as ascertained by valuation not longer than six months prior to the proposal

The state-wide public notice is to invite submissions from interested parties within a period of not less than 14 days from the notice.

COMMENT

The intended use of the site for a chicken boning factory appears to be acceptable under the Shire of Wanneroo Town Planning Scheme No.1. However, consideration of this request will need to be made via a formal application to commence development and is inappropriate as a condition of this offer. This will be conveyed to the purchaser following the Joint Commissioners consideration of this sale after advertising.

In view of Clause 9 of the Governor's Order which states:

“Until a determination is made under clause 8, or further directions are given by order under Section 9.62(1) of the Act, as to the adjustment or transfer between the City of Joondalup and the Shire of Wanneroo of property, rights or liabilities, on commencement:

- (a) *all real and personal property owner by or vested in the former City of Wanneroo is transferred to or becomes vested in the City of Joondalup”*

it is necessary for the City of Joondalup to make a decision on this matter. This item is included in the agenda for information for the ordinary meeting of the Shire of Wanneroo scheduled for 23 March 1999.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE the giving of State-wide public notice of the proposal to sell Lot 12 (2) Uppill Place Wangara to Salvatore Biagio Marvelli for the price of \$154,000 in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

The Motion was Put and

CARRIED

**CJ92-03/99 REQUEST FOR CLOSURE OF PEDESTRIAN
ACCESSWAY BETWEEN RIPLEY WAY AND
DOVERIDGE DRIVE, DUNCRAIG - [04784J]**

SUMMARY

An application has been received from the four landowners adjoining the pedestrian accessway between Ripley Way and Doveridge Drive, Duncraig. They allege that besides having had in excess of a dozen break-ins, they have had to frequently contend with various forms of anti-social behaviour.

The proposal was advertised and in addition to a petition representing six local households, one further letter of support was received. Letters of objection were received from 53 local households and two from residents living outside of the immediate area. The majority of these submissions consisted of two main objections, ie: a number of St Stephen's school children use the accessway daily, and this accessway will provide an important link to the proposed new railway station planned for Hepburn Avenue.

Based on the amount of objections received, the fact that this accessway is frequently used by local school children, and its strategic position with regard to the proposed new railway station, closure should not be supported.

BACKGROUND

Applicants allege property damage and loss of property has involved them in expensive security upgrading. It is claimed that invasion of privacy and anti-social behaviour such as drug taking are common, with smoking implements and evidence often discarded in the accessway.

Adjoining landowners also allege that they have experienced between them in excess of a dozen break-ins, the frequency of them increasing markedly in recent years. Various forms of anti-social behaviour are claimed and the applicants state that the accessway acts as a convenient escape for offenders.

The application for closure was referred to the servicing authorities and Alinta Gas and the Water Corporation have indicated that they do not object to closure and do not have any service plant within the accessway.

Telstra advised the City that it has communication plant within the accessway but relocation costs can be avoided by the adjoining landowner accepting a 3 metre wide easement to protect Telstra's equipment.

Western Power has service plant within the accessway that requires modification and the cost is approximately \$4,155.00. An easement over the land within the accessway is also required with regard to this plant.

All four adjoining landowners have agreed to pay associated costs and grant the necessary easements.

The Ministry for Planning (MFP) and the Department of Transport (DOT) were also requested to comment on the proposal. The MFP is concerned that closure of this accessway will result in longer and less convenient pedestrian and cycle access to the Mitchell Freeway footbridge and the nearby recreation reserve and therefore objects to closure.

DOT's Bikewest Division state that this accessway is an essential link for pedestrians and cyclists to the proposed Hepburn Avenue railway station. It also provides access for cyclists to the Principal (Bicycle) Transport Route adjacent to the Mitchell Freeway. Bikewest also stated that this pedestrian accessway is a necessary section of the Local Bicycle Route NW4 and in agreement with the City of Joondalup, this bike route is scheduled for works to improve the PAW in the 1998/99 financial year.

DETAILS

Advertising

The standard advertising period of thirty days was organised for this proposal. However, many of the objectors to this closure stated that this accessway was an important link to St Stephen's school, and it was inappropriate that the advertising period coincided with the January school holidays. Due to these concerns, it was decided to extend the advertising period by two weeks. This would ensure that residents and students of St Stephen's school who use the accessway were made aware of the proposal.

At the close of advertising a petition representing six households was received by the City, along with one other letter fully supporting the closure. Petitioners stated that closure should be supported based on nearby properties frequently being subject to vandalism and graffiti. Real estate prices would be affected due to the problems associated with a walkway. Allegations of anti-social behaviour of youths at night and an increase of non-local pedestrian traffic accessing the proposed new railway station were also concerns of the petitioners.

Submissions objecting to closure were received from residents representing 53 households in the vicinity of this accessway. Two further submissions objecting to closure were received from residents in Greenwood and Duncraig at households not able to be shown on the attachment.

The main objections were access for school children to St Stephen's school and the fact that this accessway will serve as an important pedestrian link to the proposed new railway station. Many objectors use this route to access the Mitchell Freeway pedestrian footbridge that leads to Kanagra Park and Kingsley cycle way. Also some Glengarry Primary School students claim to use it.

Proposed Hepburn Avenue Railway Station

The design of the Hepburn Avenue Railway Station has been prepared and it is envisaged that advertising of the proposal for public comment will take place shortly. Plans and perspectives will be displayed at Joondalup, Whitfords and Woodvale libraries, as well as in the foyer of the Administration Building.

It is intended that the Hepburn Avenue railway station will accommodate over 650 cars thus alleviating the parking problems being experienced at Warwick and Whitfords railway station.

The location of the Railway station and associated car park can be seen on Attachment (1). A bridge either side of the central rails will provide the pedestrian/cycle access to the railway station.

A site inspection revealed graffiti on one of the adjoining landowner's garage wall that abutted the accessway and a small amount on the footpath. Fences were clean and in good order. There was little in the way of broken glass and rubbish. Sight lines are good and there are light poles at each end of the accessway.

As a number of objectors raised the issue of usage of this accessway by school children attending St Stephen's, monitoring of the accessway was conducted on two occasions. This were carried out at the approximate time school children were travelling to and from school. Overall, 30 people used the accessway the majority of them being students of St Stephen's school. Eight students were riding bicycles with the pedestrian traffic being significantly heavier in the afternoon.

COMMENT

Some sympathy must go to the adjoining landowners and supporters of this application who claim to be experiencing anti-social behaviour. However, not only does this pedestrian accessway appear to be frequently used by the students of St Stephen's school but, it is also a strategic pedestrian link to the new railway station. It is believed that the community at large will benefit by this accessway remaining open.

OFFICER'S RECOMMENDATION: That the Joint Commissioners DO NOT SUPPORT the closure of the pedestrian accessway between Ripley Way and Doveridge Drive, Duncraig.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners DEFER consideration of the closure of the pedestrian accessway between Ripley Way and Doveridge Drive, Duncraig pending further consideration.

Cmr Rowell referred to the deputation held prior to the meeting regarding the closure of this pedestrian accessway and requested that the matter be deferred to enable further investigation to be undertaken.

The Motion was Put and

CARRIED

Items CJ93-03/99 and CJ94-03/99 were Moved by Cmr Rowell and Seconded by Cmr Morgan.

CJ93-03/99 DELEGATED AUTHORITY REPORT - [07032]

SUMMARY

This report provides a resumé of the development applications processed by the Development Assessment Unit and Delegated Authority Committee from 18 February 1999 to 3 March 1999.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners NOTE the action taken by the Development Assessment Unit and Delegated Authority Committee in relation to the applications described in Report CJ93-03/99.

The Motion was Put and

CARRIED

Appendix XIII refers

CJ94-03/99 SUBDIVISION CONTROL UNIT - DIRECTOR, DEVELOPMENT SERVICES - (18 FEBRUARY 1999 TO 3 MARCH 1999) - [05961]

SUMMARY

Overleaf is a resumé of the Subdivision Applications processed by the Subdivision Control Unit (18 February 1999 to 3 March 1999). 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 CJ94-03/99.

The Motion was Put and

CARRIED

Appendix XIV refers

REPORT OF THE CHIEF EXECUTIVE OFFICER

C13-03/99

**IMM NATIONAL CONGRESS AND EXPO - 16 - 19
MAY 1999**

SUMMARY

The Institute of Municipal Management National Congress and Expo is to be held in Canberra, 16 – 19 May 1999. The theme of the Conference is “Success 2005 – Mapping your Path”. This report recommends that the Chief Executive Officer, Director Resource Management and Manager Executive Services be authorised to attend the conference followed by a two day study tour of Victorian local governments.

BACKGROUND

The 1999 Institute of Municipal Management National Congress and Expo is to be held in Canberra, 16 – 19 May 1999. The theme of the Conference is “Success 2005 – Mapping your Path”. Speakers from both the public and private sector from within Australia and overseas will address delegates on a range of issues including best value, global economic change and strategic planning.

Victorian local governments have also undergone massive change in recent years with the amalgamation of Councils and the introduction of Compulsory Competitive Tendering. It is considered desirable that whilst in the eastern states that it would be advantageous to arrange to visit a number of leading Victorian local governments to look at their approach to organisational change and other initiatives.

DETAILS

The estimated cost of attending the conference followed by a two day study tour of Victorian local governments, including airfares, accommodation, registration and travel allowance is \$3000 per person. As the Chief Executive Officer is one of two Western Australian representative on the IMM National Office his airfares, registration and accommodation expenses whilst in Canberra will be met by the IMM.

The total estimated cost for Chief Executive Officer, Director Resource Management and Manager Executive Services to attend the Conference and two day study tour of Victorian local governments is therefore \$7000.

COMMENT/FUNDING

Budget Item ‘CEO – Administration – Conference Expense’ includes sufficient funds to cover the expenditure.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that:

- 1 the Joint Commissioners AUTHORISE the attendance of the Chief Executive Officer, Director Resource Management and Manager Executive Services at the 1999 IMM National Congress and Expo in Canberra, 16-19 May 1999, followed by a two day study tour of Victorian local governments;**
- 2 the estimated total expenditure of \$7000 be charged to budget item ‘CEO – Administration –Conference Expenses’.**

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, 13 APRIL 1999** 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 1832 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
MORGAN
ROWELL
CLARK-MURPHY
BUCKLEY