



**MINUTES OF MEETING OF JOINT COMMISSIONERS  
HELD ON 11 MAY 1999**

**INDEX**

| <b>No:</b>       | <b>Item</b>  | <b>Page</b> |
|------------------|--|-------------|
|                  | <b>ATTENDANCES</b>   | 1           |
|                  | <b>APOLOGIES AND LEAVE OF ABSENCE</b>  | 1           |
|                  | <b>PUBLIC QUESTION TIME</b>  | 2           |
|                  | <b>DECLARATIONS OF FINANCIAL INTEREST</b>  | 13          |
| <b>C18-05/99</b> | <b>CONFIRMATION OF MINUTES</b><br>MINUTES OF MEETING OF JOINT COMMISSIONERS HELD<br>ON 27 APRIL 1999   | 13          |
| <b>C19-05/99</b> | MINUTES OF SPECIAL MEETING OF JOINT COMMISSIONERS<br>HELD ON 4 MAY 1999  | 13          |
|                  | <b>ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT<br/>DISCUSSION</b>  | 13          |
|                  | LOTTERIES HOUSE OPENING  | 13          |
|                  | WARD SUBMISSIONS   | 14          |
|                  | HEART FEST 99  | 14          |
|                  | EXTREME EXPO   | 14          |
| <b>C20-05/99</b> | <b>PETITIONS</b>   |             |
|                  | PETITION REQUESTING REPLACEMENT OF COVER TO<br>BUS SHELTER AT THE CORNER OF VENTURI DRIVE<br>AND MARINA BOULEVARD, OCEAN REEF – [06161J, 26844J] | 14          |
|                  | PETITION REQUESTING INSTALLATION OF A BUS SHELTER<br>– CORNER WATERFORD DRIVE AND CONICA CRESCENT,<br>HILLARYS – [08429J, 20473J, 00055]         | 15          |
|                  | PETITION OBJECTING TO THE PROPOSED CONSTRUCTION OF<br>A PARAPET WALL AND DWELLING AT LOT 111 (22) EPPING<br>GROVE, KALLAROO – [04855J]           | 15          |
|                  | PETITION REQUESTING CLOSURE OF THE PEDESTRIAN<br>ACCESSWAY BETWEEN LOTS 136 AND 137 HODGE COURT,<br>MARMION – [3951J]                            | 15          |
|                  | PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING<br>DEVICES IN GALLEON ROAD, BELDON – [01294J]  | 15          |

|   |    |
|---|----|
| PETITION REQUESTING CLOSURE OF PEDESTIRAN ACCESSWAY<br>– TYRRELL COURT AND TAHOE RISE, EDGEWATER – [13809J]   | 15 |
| PETITION OBJECTING TO PROPOSED SPEECH PATHOLOGY<br>CONSULTING ROOMS, LOT 13 (42) SOLANDER ROAD, HILLARYS<br>- [36565J]                                      | 16 |
| PETITION REQUESTING CONTINUATION OF ANNUAL FUNDING<br>FOR GRANNY SPIERS COMMUNITY HOUSE INC'S CRECHE<br>WORKER – [39793]                                    | 16 |
| PETITION REQUESTING DEFERRAL OF CONSIDERATION OF<br>THE PREPARATION OF A STRUCTURE PLAN AND<br>IMPLEMENTATION STUDY FOR HILLARYS BOAT HARBOUR –<br>[23094J] | 16 |
| PETITION REQUESTING SPECIAL MEETING OF ELECTORS –<br>[23094J]   | 16 |

### REPORT NO:

#### FINANCE AND COMMUNITY SERVICES SECTION

|             |   |    |
|-------------|---|----|
| CJ150-05/99 | REGISTER OF DELEGATED AUTHORITY - [07032]   | 18 |
| CJ151-05/99 | VEHICLE PURCHASES LIGHT VEHICLE REPLACEMENT<br>RESERVE TENDER NUMBER 123-98/99 - [28930]  | 19 |
| CJ152-05/99 | VEHICLE PURCHASES LIGHT VEHICLE REPLACEMENT<br>RESERVE TENDER NUMBER 125-98/99 - [33552]  | 20 |
| CJ153-05/99 | GRANNY SPIERS COMMUNITY HOUSE - EMPLOYMENT<br>OF CRECHE WORKER - [39793]  | 22 |
| CJ154-05/99 | LAKE JOONDALUP/LAKE GOOLLELAL MIDGE STRATEGY<br>- [00052J, 03171/903046]  | 27 |
| C21-05/99   | VACANCY - WESTERN AUSTRALIAN MUNICIPAL<br>ASSOCIATION MEMBER - WA PLANNING<br>COMMISSION INFRASTRUCTURE COORDINATING<br>COMMITTEE - [02011]                 | 33 |
| C22-05/99   | TEMPORARY ACCOMMODATION FOR THE SHIRE OF<br>WANNEROO – OUTCOME FOR TENDER NO 137-98/99,<br>SUPPLY AND INSTALLATION OF SCREENS AND<br>WORKSTATIONS - [33492] | 34 |

#### TECHNICAL SERVICES SECTION

|             |   |    |
|-------------|---|----|
| CJ155-05/99 | TENDER NUMBER 110-98/99 – WEST GREENWOOD<br>TRAFFIC MANAGEMENT SCHEME - [36558] | 40 |
| CJ156-05/99 | FREIGHT ROUTES - [37634]  | 42 |
| CJ157-05/99 | LACEPEDE DRIVE, SORRENTO - [13030J]   | 45 |
| CJ158-05/99 | FAILED STORMWATER DRAINAGE LINE WITHIN<br>THE JOONDALUP COUNTRY CLUB - [01641J] | 47 |
| CJ159-05/99 | WHITFORDS AVENUE, HILLARYS - [08496J]   | 49 |
| CJ160-05/99 | PROPOSED SUBDIVISIONAL RETAINING WALLS –<br>SETOMA VILLAGE, JOONDALUP [37112J]  | 55 |
| CJ161-05/99 | PETITION - EDGEWATER CYCLE TRACK - [17015]                                      | 57 |

|             |   |    |
|-------------|---|----|
|             | <b>DEVELOPMENT AND PLANNING SERVICES SECTION</b>  |    |
| CJ162-05/99 | PRE-SCHOOL CENTRES LEASED BY EDUCATION DEPARTMENT<br>- [12955]  | 58 |
| CJ163-05/99 | PROPOSED ROAD CLOSURE FOR POLICE ACADEMY<br>SITE, KENDREW CRESCENT JOONDALUP - [13949J]                   | 60 |
| CJ164-05/99 | STRUCTURE PLAN FOR HILLARYS BOAT HARBOUR - [23094J]   | 61 |
| CJ165-05/99 | UNAUTHORISED HANDRAILS – LOT 560 (3) MANAKOORA<br>RISE, SORRENTO [05034J]                                 | 63 |
| CJ166-05/99 | DELEGATED AUTHORITY REPORT - [07032]  | 66 |
| CJ167-05/99 | SUBDIVISION CONTROL UNIT - DIRECTOR,<br>DEVELOPMENT SERVICES - 9 APRIL 1999 TO 21 APRIL 1999<br>- [05961] | 66 |
|             | <b>DATE OF NEXT MEETING</b>   | 67 |
|             | <b>CLOSURE</b>  | 67 |

# CITY OF JOONDALUP

## MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE BUILDING, BOAS AVENUE, JOONDALUP, ON TUESDAY, 11 MAY 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, Resource Management:     | J B TURKINGTON |
| Director, Development Services:    | C HIGHAM       |
| Director, Business Units:          | D DJULBIC      |
| Director, Community Development:   | C HALL         |
| Director, Strategic Planning:      | R FISCHER      |
| Manager, Division Taskforce:       | B PERRYMAN     |
| Manager, Executive Services:       | K ROBINSON     |
| Manager, Council Support Services: | M SMITH        |
| Marketing Manager:                 | J LAWTON       |
| Minute Clerk:                      | L TAYLOR       |

#### In Attendance

|  |                 |
|--|-----------------|
| Chief Executive Officer<br>Shire of Wanneroo:                    | K WHITE         |
| Director, Planning & Development<br>Services, Shire of Wanneroo: | C JOHNSON       |
| Director, Community Development,<br>Shire of Wanneroo:           | H BARON-ST JOHN |
| Director, Corporate Services,<br>Shire of Wanneroo:              | R SEARLE        |
| Director, Technical Operations,<br>Shire of Wanneroo:            | D BLAIR         |

### APOLOGIES AND LEAVE OF ABSENCE

Nil

There were 20 members of the Public and 1 member of the Press in attendance.

**The Chairman declared the meeting open at 1803 hrs.**

## PUBLIC QUESTION TIME

**The following questions, submitted by Mr S Magyar of Heathridge, were taken on notice at the Meeting of Joint Commissioners held on 27 April 1999:**

*The following questions are asked in relation to Report CJ138-04/99 – Perth Bushplan:*

*Q1 On page 67, point 3, Management of Bushland Sites, it mentions that “Bushplan recognises the important role that local government already plays in the conservation of bushland”.*

*As the City is already caring for many bushland areas, will the City continue to care for such areas or will the City be retreating from its position of the last ten years and allow the last of the natural heritage areas in Joondalup to be lost forever?*

A1 At their meeting of 27 April 1999, the Joint Commissioners endorsed the position that the issue of management of regional bushland, particularly Local Government’s role in it, needs to be thoroughly investigated and it is recommended that a joint State-Local Government task force be established for this purpose.

Q2 The report to the Commissioners makes no mention of a report the former City of Wanneroo commissioned titled “An assessment of the conservation values of the remnant vegetation in the City of Wanneroo with recommendations for appropriate reserves for the City”. The report was prepared by Malcolm Trudgen, one of the most respected consulting botanists in WA:

*(a) will the City be submitting a copy of the Trudgen Report as part of its submission on Bushplan?*

A2(a) The former City of Wanneroo submitted copies of the Trudgen Report several years ago to the Department of Environment Protection and Ministry for Planning for them to take into consideration in their work on preparation of Perth’s Bushplan.

*(b) does the City recognise that the Trudgen report was prepared according to the highest international standards?*

A2(b) Yes.

Q3 *Attachment 2, page 1, referring to “Shepherds Bush Reserve, Kingsley”, 3b states “Being recognised through Bushplan as ‘regional’ bushland, appropriateness of current management role of City needs to be considered”. To me, questioning the appropriateness of the City’s current management role sounds like an attempt to back out of the job that the City is currently doing.*

*What assurances can the community be given that the City of Joondalup will continue in its current role of fairly and morally sharing this part of the planet with the other life forms currently found in the bushland areas under council's care?*

A3 Answered in 1. above.

Q4 *Attachment 2, page 2, Warwick Open Space, Part 4 Recommended Position on Bushplan Recommendation:*

(a) *can an explanation be given of how the Council can support the Bushland proposal and at the same time “suggest further consideration be given to allowing some limited future recreation facilities development as indicated in 3a”?*

A4(a) Plans adopted by the City of Wanneroo indicated the intention that any future recreation facility development would be of limited nature, and the vast majority of the Warwick Open Space bushland area would still be managed for conservation purposes and passive recreation.

(b) *how can the words “This area is already managed by the City as a conservation reserve” be read to mean that “some limited future recreation facilities be developed in Warwick Open Space”?*

A4(b) Answered in 4(a) above.

Q5 *Attachment 3, page 4, Whitfords Avenue Bushland, Craigie/Padbury. Under Implications and issues, it states “consideration is being given to the possibility of some limited recreation (including Commercial) development being permitted on the basis that the revenue so generated will be used to assist in meeting the ongoing management costs associated with the balance conservation area”.*

(a) *has the City identified the ongoing management costs of managing the balance of the conservation area?*

A5(a) No. A detailed cost estimate cannot be prepared until a management plan has been prepared.

(b) *if so, have those costs been made publicly available or been independently audited to ensure that they accurately reflect the possible costs involved?*

A5(b) Not applicable.

(c) *if the costs of care of bushland have not been made publicly available nor independently assessed, is it appropriate to include speculation in the body of a report to the Commissioners and subsequently in a submission to the State Government?*

A5(c) It is considered that the principle concerned does not necessitate the preparation of management cost estimates.

*The following questions relate to CJ139-04/99 Perth's Bushplan (Council Freehold Lands Affected):*

Q6 *The recommendation of the report refers to "preferred outcomes" and "recommended initial negotiating positions". Are the preferred outcomes based on the International Standards as described in the Trudgen Report and based on the work of Edward O Wilson of Harvard University, or are the outcomes based purely on financial considerations?*

A6 The outcomes are based on a consideration of environmental, economic and social considerations.

Q7 *Were the recommendations in the Trudgen Report regarding the parcels of land that are the subject of this report to the Commissioners considered?*

A7 Considerations of Bushplan involved consideration of the full Bushplan documentation involved. Bushplan indicates where areas are also recommended for protection by the Trudgen Report.

Q8 *At a previous Meeting of the Commissioners, Mr Allyn Bryant and myself asked questions regarding mosquitoes breeding in road drainage facilities. The drains at the front of Mr Bryant's property have been attended to. The drain at the front of my property has not. However, the issue should be addressed across the whole of the City and Shire.*

*Does the City intend to do an audit of its road drains and will it commence action to modify the drains that are allowing water to accumulate and mosquitoes to breed in residential areas?*

A8 The City has placed an item in the combined 1999/2000 Budget to raise gully bases to invert level to prevent water ponding and stagnating in drains. The City does have plans of the drainage system network that highlights the ones that need attention and will use these when carrying out remedial work. Due to the onset of winter, this project will be carried out later in the year.

The City's Health Services Business Unit annually baits approximately 15,000 gullies. This is undertaken over a period of six months from early September through to March the following year. This will continue to be undertaken until such time as Technical Services have achieved their remedial programme.

**The following questions, submitted by Mr A Bryant of Craigie, were taken on notice at the meeting of Joint Commissioners held on 27 April 1999:**

Q1 *In relation to CJ126-04/99 – Cheque No 000109H – Commonwealth Bank business cards - \$580.32. Does the Commonwealth Bank print your business cards?*

A1 No, the Commonwealth Bank does not print either the City of Joondalup or Shire of Wanneroo business cards. Cheque 109H referred to the payment of airfare expenses paid on a City of Joondalup business credit card. This expense related to a Melbourne/Perth/Melbourne economy airfare for a performer in the Joondalup Festival

Q2 *Mr Bryant advised he had not received a News Extra since 1998:*

A2 The distributors of News Extra were contacted and Mr Bryant's street, Stocker Court, Craigie, was due to receive another delivery of News Extra on either Monday 3 or Tuesday 4 May 1999.

The distributors reported they have had no reports of distribution problems in the street previously.

**The following question, submitted by Mr J Hollywood of Burns Beach, was taken on notice at the Meeting of Joint Commissioners held on 27 April 1999:**

Q1 *Regarding the bushplan report CJ138-04/99 – what percentage of bushland has been left in the City of Joondalup?*

A1 The total area of bushland contained within the various Bushplan sites affecting the City of Joondalup is 899.9 hectares. (This excludes the southern portion of Bushplan Site 322 at Burns which Bushplan designates as 'Subject to Further Investigations'. If this area of approximately 250 hectares is included, the total is approximately 1,150 hectares.) An area of 899.9 hectares is 9.32% of the total City of Joondalup area of approximately 9,660 hectares. An area of 1,150 hectares is 11.9% of that total City area.

It should be noted that the above figures only relate to regionally significant bushland as identified by Bushplan. It does not include other bushland which has not been considered to be of regional significance by Bushplan.

**The following question, submitted by Mr B Higgins of Carabooda, was taken on notice at the meeting of Joint Commissioners held on 27 April 1999:**

Q1 *Mr Higgins advised that he had not received a copy of News Extra since last year and commented that although he believed there might be some delays in rural areas, he would have thought it would have been received by now.*

A1 Mr Higgins subsequently advised on the morning of April 28 that Australia Post (subcontractors) had delivered his News Extra.

**The following questions were submitted by Mr S Magyar of Heathridge:**

*The following questions refer to the responses from the City to my questions asked at the meeting of 27 April 1999, as listed in the agenda for 11 May 1999:*

Q1 *The answer to question one was that a joint State-Local Government task force investigate the role of local government in the care of regional bushland. As the City of Joondalup currently actively cares for many sites that are listed in the*

*Perth Bushplan, and the City's involvement and management practices have evolved from many years of democratic interaction with its residents and ratepayers, does the City consider it appropriate to sideline the local community regarding the community's involvement in the care of its local assets by referring this issue to a task force?*

A1 Bushplan refers to "... the principle that local government should have no additional financial responsibility for the acquisition and maintenance of regionally significant bushland sites unless a specific negotiated agreement to that effect has been reached". (Page 40 – Volume 1). The proposed joint State-Local Government task force is intended to be the vehicle for developing a framework to enable the implementation of that principle. The concerns raised by Bushplan and this City regarding how the costs of managing regional bushland sites are to be met have also been raised by the City of Perth in respect to the Bold Park bushland site. If bushland is classified as regionally significant the State Government should be requested to meet or contribute to the management costs. The City will where able, continue to consult with its community who have also been invited to make submissions on the Bushplan proposals.

Q2 *The answer to Question 1, regarding Shepherds Bush, Kingsley and the City continuing to be involved in caring for this reserve was "answered in 1 above". Considering that the answer to question 1 gave no assurances that the City will continue to allow the local community to be involved in the care of local bushland, nor will the City itself continue to be involved in caring for bushland, has the City communicated its position to the local people involved in caring for Shepherds Bush?*

A2 The City will where able, continue to consult the community on the care of bushland, of both regional and local significance, and will continue to represent its community's views. As pointed out in Answer 1, management costs for regional bushland can become a financial burden on local government and this is what is being raised in response to the draft Bushplan.

Q3 *At the meeting of 27 April 1999, in response to a question from Mr Hollywood, it was claimed that there are 899.9 hectares of land in the City of Joondalup affected by Bushplan:*

(a) how many hectares of the 899.9 hectares mentioned are foreshore reserves?

A3(a) The coastal foreshore reserve area is included in Bushplan Site 325 which has an area of 195 hectares. It should be noted that this site also includes the Ern Halliday Recreation Centre reserve which has an area of approximately 30 hectares.

(b) *how effective are long narrow reserves at maintaining the natural biodiversity compared to other shaped areas?*

A3(b) Long, narrow reserves are generally regarded as less effective at maintaining natural biodiversity as compared to more compact shaped reserves.

Q4 *Item CJ156-05/99 Freight Routes. Ocean Reef Road at the intersection with Eddystone Avenue is suffering corrugation due to heavy vehicles braking hard and starting at the traffic lights:*

(a) *as Ocean Reef Road is a Primary Freight Route, will the State Government pay for the full cost of repairing this section of road, or will the ratepayers of the City bear the cost of the damage done by heavy vehicles?*

A4(a) The City can make application to Main Roads WA for State Road funds to improve, preserve or rehabilitate this type of road.

Approved road funding is on a 2 for 1 basis State/Local Government contribution.

(b) *several months ago Council accepted a tender to construct a roundabout at the intersection of Burns Beach Road and Connolly Drive. The cost of the roundabout more than doubled because it is on a freight route. Taking this one intersection as an example, what are the financial implications for Council regarding the freight routes through the City?*

A4(b) The freight routes within the City are proposed on the Primary/District Distributor Roads. The majority of the major intersections on these roads are either already traffic signalised or have existing roundabouts suitable for this function. The financial implications to Council are considered minimal.

#### **Mr Vic Harman of Ocean Reef:**

Q1 Page v, petition 1, relates to a petition requesting replacement of the cover to the bus shelter at the corner of Venturi Drive and Marina Boulevard Ocean Reef. Could my Association have a copy of any reply that is made to these petitioners?

A1 *Response by Cmr Ansell: Yes.*

Q2 Item CJ164-05/99 – Structure Plan for the Hillarys Boat Harbour – will there be any provision made for community consultation, when this management plan is carried out?

A2 *Response by Director, Development Services: There is provision for community consultation in the structure plan process.*

Q3 *Will that come once the structure plan has been made public?*

A3 *Response by Director, Development Services: This structure plan is being developed by the Western Australian Planning Commission in conjunction with the Department of Transport and Council. I would suggest to the Ministry that community consultation be undertaken during development of the structure plan.*

- *Mr Harman urged Council to ensure there was community consultation as there was strong community feeling regarding this issue.*

**Mrs M Zakrevsky of Mullaloo:**

- *I refer to a letter received dated 30 April 1999 in relation to a question I raised at the Meeting of Joint Commissioners held on 27 April 1999. As I do not believe my intention was correctly stated I would clarify the sentence as follows:*

“Mrs Zakrevsky referred to bushplan sites 202 and 39, which do not have clause (b) and was concerned that bushland site 303 did contain clause (b). The reason for her concern with this additional clause is that part (b) reads ‘suggest further consideration be given to merits of allowing some limited commercial recreation development as indicated in 3 (a) above’.

**Mr Alan Bryant of Craigie:**

- *Mr Bryant referred to the Special Council Meeting held on 20 April 1999 and a question asked by Mrs Audrey Hine, which was not allowed as it did not relate to the business paper for that special meeting. Mr Bryant advised he represented the Lions Club of Wanneroo and queried what would happen to the “WN 1” licence plate on the mayoral car?*

*Response by Cmr Ansell:* This will be noted. I understand the Chief Executive Officer is considering personalised number plates for the Joondalup area. As explained at the Special Council meeting, the Commissioners have not considered this matter.

- *Mr Bryant referred to Mr Higgins’ question at the last Meeting of Joint Commissioners held on 27 April 1999 regarding distribution of the bulletin “NewsExtra” and extended his thanks as he received a copy within 7 days. He expressed concern at an article in the NewsExtra relating to a graph concerning the number of wards for the Shire of Wanneroo which was stated as six, and showed eight different variations of population. Where it stated four, there were six variations of population. On the side outlining eight wards, it has four wards shown.*

*Response by Cmr Ansell:* This is a printing error.

**Mr S Magyar of Heathridge:**

- *Mr Magyar submitted two petitions, the first containing 42 unverified-signatures requesting Commissioners defer consideration of the preparation of a structure plan and implementation study for the Hillarys Boat Harbour until after a Special Electors Meeting. The second petition requested a Special Electors Meeting be held regarding the preparation of a structure plan and implementation study for the Hillarys Boat Harbour and adjoining reserves as detailed in Report CJ164-05/99.*

*Response by Cmr Rowell:* The area in question is not controlled by the City of Joondalup.

It comes under the jurisdiction of the Department of Planning and the State Planning Department. The West Australian Planning Commission considers it appropriate to have a structure plan in place for this area. Commissioners endorse the idea of a structure plan as once the structure plan is in place, if Council became part of it, there is an opportunity to take the findings of that structure plan back to the members of the community of the City of Joondalup. Commissioners have lobbied the Planning Commission extensively in this regard. Commissioners are also aware of the fact that there is a large subdivision occurring immediately to the east of the area. Commissioners believe there is a need for Council to have an extensive involvement as to what is proposed for the site. Commissioners have actively sought to be a participant in any future planning of the area. Commissioners are well aware of the environmental concerns, and the issues involving Whitford Nodes. Calling for both a delay and a public meeting relating to this issue will not stop this structure plan going ahead. It is more appropriate that Council be involved in order that findings on this issue may be conveyed back to the people of the City of Joondalup in order for members of the community have an adequate area both to lobby and make public comment on.

*Q1 In relation to the main reserve area where it is intended to extend the entrance of Ern Halliday Recreation Centre, I was under the impression that area is a recreation reserve? Who is this recreation reserve vested to? It is my belief that when it was saved, it was saved officially under the old Land Administration Act as an A Class Reserve.*

*A1 Response by Cmr Ansell: This will be investigated.*

**Mrs Glynis Monks of Wanneroo:**

*Q1 Could consideration be given to upgrading security facilities in the underground car park as vehicles have been damaged and stolen whilst located in this carpark?*

*A1 Response by Cmr Ansell: This will be considered.*

**Mr John Hollywood of Burns Beach:**

*Q1 In relation to CJ164-05/99, will the Commissioners postpone the study of the Whitford Nodes until the new Councillors are elected in December?*

*Q2 Will the Commissioners give a guarantee no physical structures, roads or any other structures are planned for the Whitford Nodes?*

*Q3 Why does the study have to be completed by October?*

*A3 Response by Cmr Ansell: Cmr Rowell has answered this. It is not our particular study that we are being involved in.*

*Q4 Have the Commissioners looked at other areas for the Fisheries Research Centre?*

*A4 Response by Cmr Ansell: No, not at this stage.*

- *Mr Hollywood proposed a recommendation that the Joint Commissioners do not authorise the use of up to \$15,000 from account 27609 for the Whitford Nodes.*

*Response by Cmr Rowell:* In relation to a question asked earlier by Mr Magyar regarding the reserve area near Ern Halliday Recreation Centre, this reserve is vested in the name of the Department of Transport. If Commissioners do not become involved in this study, the study will be done outside of their involvement.

*Response by Cmr Ansell:* If a Special Meeting of Electors is held, then concerns Commissioners are unaware of from ratepayers can be aired.

**Mr Barry Higgins of Carabooda:**

*Q1 Page iv – Response given to a question raised by Mr Bryant concerning a cheque made payable to the Commonwealth Bank. The answer to that question reads in part “the Commonwealth Bank does not print Council’s business cards”. Who does print Council’s business cards?*

*A1 Response by the Chief Executive Officer:* To the best of my knowledge, most business cards in the last run were printed by the Printing Factory, Wangara. Most recent dealings have been with this printing company.

*Q2 The second sentence of the answer provided to Mr Bryant in tonight’s agenda is “cheque H109 referred to the payment of air fare expenses paid on a City of Joondalup business credit card”. How many credit cards are on issue to Commissioners and staff?*

*Q3 Does Council have a policy regarding the use of credit cards?.*

*Q4 Does the policy contain appropriate compliance provisions?*

*Q5 Is the policy subject to review?*

*Q6 Is Council satisfied that all provisions are complied with?*

*Q7 The third sentence to Mr Bryant’s answer reads “this expense related to a Melbourne/Perth/Melbourne economy air fare for a performer in the Joondalup Festival”. What type of performer was flown in from the eastern states?*

*Q8 Was such a performer not available locally?*

*Q9 How many other performers, personnel etc were flown from interstate for the festival?*

*Q10 At what cost to Council?*

Q11 *From what area of budget was this particular airfare taken?*

Q12 *How is credit card expenditure usually indicated in the Warrant of Payments?*

*Response by Cmr Ansell:* These questions will be taken on notice.

- *Mr Higgins advised that at a previous meeting, Mr Harman raised the issue of the possibility of the Warrant of Payments being set out as the delegated authority. I initially thought that it would be too costly, but if misleading information on the face of it is being presented in the current format, I would strongly suggest that as the Commissioners agreed to, that they would look into that matter and give it serious thought.*

*Response by Cmr Ansell:* I will discuss this with my fellow Commissioners.

- *Mr Higgins referred to an item on page v of tonight's agenda regarding a question he asked at the last Joint Commissioners meeting which concerned the distribution of the News Extra and stated this matter is of some considerable concern to ratepayers and residents in the rural area, as they are not being supplied with information. Unfortunately, the Wanneroo Times is not delivered to households in rural out lying areas. News Extra is being delivered randomly. I have only received two of the last five NewsExtra bulletins delivered to my home. I make a practice that when a new issue is produced to secure some 20 or 30 and deliver them to my neighbouring households but that does not suffice for the several hundred ratepayers and residents in the rural area who make up a vital part of our economy and who employ people.*
- *There is currently a survey being undertaken by the Shire of Wanneroo and I understand the same contractor is responsible for the distribution of the survey voting material. The survey material has still not been delivered to the rural area. I understand voting closes on Friday, 14 May 1999 which will make it almost impossible for people in the rural area to get their vote back in time. Last Saturday week I was at Healy's Store in Nowergup, where on election day in the past a mobile polling booth has been located. Whilst I was there for less than half an hour, two different groups of families turned up to vote as they were under the impression that all other Councils were voting that day. Obviously, they had no idea what was happening in the Shire of Wanneroo through lack of distribution of information.*

Q13 *CJ150-05/99 - delegated authority register No 48, refers to Tender No 014-98/99. This sets out the tenders for printing and delivery of the News Extra. It refers to those tenders submitted but were not considered best value for money. What will be the consequence of that tender not being let?*

A13 *Response by the Chief Executive Officer:* The initial tender called for 12 months distribution. This tender was called prior to the division and it was felt that the scope of work would be affected by the division. It was therefore considered appropriate that none of the tenders be accepted in this instance. The issue has been dealt with since, on a quote by quote basis as required. Currently this issue is under review.

*Q14 In relation to CJI65-05/99 - Commissioners would be well aware this issue has attracted considerable public and media attention. It has involved the expenditure of many thousands of ratepayers funds, including some undisclosed amounts and it has been subject to a Department of Local Government enquiry. Have neighbours likely to be effected by the amended proposal set out in the recommendations been advised and/or consulted?*

*A14 Response by Director, Development Services: No, they have not been.*

- *Mr Higgins suggested that the Commissioners consider informing the neighbours prior to making a final decision.*

*Response by Cmr Ansell: Commissioners have taken into consideration the objections of neighbours and these objections have been addressed in accordance with Council's conditions.*

*Q15 Was an order as to legal costs made at the determination of the appeal referred to in the item?*

*A15 Response by Cmr Ansell: No determination was made.*

*Q16 During deliberations, will Commissioners consider the following alternative recommendations?*

*That the Joint Commissioners:*

- 1 agree that the prosecution be pursued and finalised as advised by Council's solicitors;*
- 2 defer any other action until due process has been followed to conclusion.*

*Response by Cmr Ansell: Commissioners will discuss this when this items is considered later in the meeting.*

*Q17 In reference to Council's current program 'GOLD' which stands for "Growing Older and Living Dangerously", a program of activities set up by Council for the older generation. I understand the whole program had been completely booked out. In view of the overwhelming success of the program, would Commissioners consider repeating this program later in the year.*

*A18 Response by Cmr Ansell: This will be considered.*

Chief Executive Officer advised a number of questions had been received from Mrs Audrey Hine. Whilst officers had made every endeavour to provide answers to these questions for this evening's meeting, this had not been possible.

These questions have therefore been taken on notice and a detailed response will be provided in the agenda for the Meeting of Joint Commissioners to be held on Tuesday, 25 May 1999.



Lotteries House accommodates 12 non-government organisations – including employment support, women’s health, family counselling and parents’ support. Community information and advocacy, migrant support and youth services are also available.

I would take this opportunity to thank everyone involved; especially the members of the Lotteries House Steering Committee and the WA Lotteries Commission.

### **WARD SUBMISSIONS**

The Commissioners are currently considering all the submissions lodged and expect to be in a position at the next Council meeting to be held on 25 May 1999 to adopt a preferred option to put to the Local Government Advisory Board.

### **HEART FEST 99**

“Heart Fest 99” was held last week as part of the National Heart Foundation’s Heart Week.

A fun run/walk/crawl was held on Sunday, 2 May 1999; with over 150 participants.

45 people attended the Easy Beat Program on Thursday, 6 May 1999. Activities included stress relaxation, light exercise and a healthy brunch.

Blood pressure testing was held at 22 chemists throughout the region and at Glengarry Hospital.

The program was designed to celebrate heart health and to promote healthy living in the community.

### **EXTREME EXPO**

The City’s first annual youth event “Extreme Expo” was held on Sunday, 2 May 1999 at Craigie Leisure Centre.

A fun day was had by all. Some of the activities included skateboarding, rock climbing, sumo wrestling, horizontal bungee, speedball and basketball – just to name a few.

### **PETITIONS**

**C20-05/99**

### **PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS –11 MAY 1999**

1 PETITION REQUESTING REPLACEMENT OF COVER TO BUS SHELTER AT THE CORNER OF VENTURI DRIVE AND MARINA BOULEVARD, OCEAN REEF – [06161J, 26844J]

A 21-signature petition has been received from local residents requesting consideration be given to replacing the cover on the bus shelter situated at the corner of Venturi Drive and Marina Boulevard, Ocean Reef.

This petition will be referred to Technical Services for action.

2            PETITION REQUESTING INSTALLATION OF A BUS SHELTER – CORNER WATERFORD DRIVE AND CONICA CRESCENT, HILLARYS – [08429J, 20473J, 00055]

A 52-signature petition has been received from local residents requesting the installation of a bus shelter at the corner of Waterford Drive and Conica Crescent, Hillarys.

This petition will be referred to Technical Services for action.

3            PETITION OBJECTING TO THE PROPOSED CONSTRUCTION OF A PARAPET WALL AND DWELLING AT LOT 111 (22) EPPING GROVE, KALLAROO – [04855J]

An 8-signature petition has been received from residents of Epping Grove, Kallaroo objecting to the proposed construction of a parapet wall and dwelling at Lot 111 (22) Epping Grove, Kallaroo as they believe it will have a negative impact on the aesthetics of the surrounding area.

This petition will be referred to Development Services for action.

4            PETITION REQUESTING CLOSURE OF THE PEDESTRIAN ACCESSWAY BETWEEN LOTS 136 AND 137 HODGE COURT, MARMION – [3951J]

A petition from 20 residents of Hodge Court, Marmion has been received requesting the closure of the pedestrian accessway between Lots 136 and 137 Hodge Court, Marmion as the residents believe this will help alleviate existing problems with parking in the area.

This petition will be referred to Technical Services for action.

5            PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING DEVICES IN GALLEON ROAD, BELDON – [01294J]

A 17-signature petition has been received from Beldon residents requesting the installation of traffic calming devices and other safety measures due to traffic problems experienced in Galleon Road, Beldon.

This petition will be referred to Technical Services for action.

6            PETITION REQUESTING CLOSURE OF PEDESTIRAN ACCESSWAY – TYRRELL COURT AND TAHOE RISE, EDGEWATER – [13809J]

A 276-signature petition has been received from residents of Edgewater requesting that the Joint Commissioners approve the closure of the pedestrian accessway between Tyrrell Court and Tahoe Rise, Edgewater.

This petition will be referred to Development Services for action.

7            PETITION OBJECTING TO PROPOSED SPEECH PATHOLOGY CONSULTING ROOMS, LOT 13 (42) SOLANDER ROAD, HILLARYS – [36565J]

A 53-signature petition has been received from Hillarys residents objecting to an application to conduct the business of speech pathology consulting rooms at Lot 13 (42) Solander Road, Hillarys.

This petition will be referred to Development Services for action and will be taken into consideration when a report is submitted to Meeting of Joint Commissioners.

8            PETITION REQUESTING CONTINUATION OF ANNUAL FUNDING FOR GRANNY SPIERS COMMUNITY HOUSE INC'S CRECHE WORKER – [39793]

A 320-signature petition has been received from Mr Chris Baker, MLA on behalf of concerned residents requesting the City of Joondalup to continue to provide annual funding for Granny Spiers Community House Inc's creche worker.

This petition will be referred to Community Development for action.

9            PETITION REQUESTING DEFERRAL OF CONSIDERATION OF THE PREPARATION OF A STRUCTURE PLAN AND IMPLEMENTATION STUDY FOR HILLARYS BOAT HARBOUR – [23094J]

Mr S Magyar presented a 42-signature petition on behalf of residents of the City of Joondalup requesting Commissioners defer consideration of the preparation of a Structure Plan and Implementation Study for Hillarys Boat Harbour and adjoining reserves as detailed in Report CJ164-04/99 until after a special meeting of electors is held.

Petitioners are concerned that the possible proposed uses of the land will deny the rights of the residents of Joondalup to continue to enjoy the current amenity of the existing reserves.

This petition will be referred to Development Services for action.

10           PETITION REQUESTING SPECIAL MEETING OF ELECTORS – [23094J]

Mr S Magyar presented a 131-signature petition requesting the holding of a Special Meeting of Electors in relation to Report CJ164-05/99 – Structure Plan and Implementation Study for Hillarys Boat Harbour.

This petition will be referred to Council Support Services for action.

**That the petitions relating to:**

- 1** requesting consideration be given to replacing the cover on the bus shelter situated at the corner of Venturi Drive and Marina Boulevard, Ocean Reef;
- 2** requesting the installation of a bus shelter at the corner of Waterford Drive and Conica Crescent, Hillarys;
- 3** objecting to the proposed construction of a parapet wall and dwelling at Lot 111 (22) Epping Grove, Kallaroo;
- 4** requesting the closure of the pedestrian accessway between Lots 136 and 137 Hodge Court, Marmion;
- 5** requesting the installation of traffic calming devices and other safety measures due to traffic problems experienced in Galleon Road, Beldon;
- 6** requesting the closure of the pedestrian accessway between Tyrrell Court and Tahoe Rise, Edgewater;
- 7** objecting to an application to conduct the business of speech pathology consulting rooms at Lot 13 (42) Solander Road, Hillarys;
- 8** requesting the City of Joondalup to continue to provide annual funding for Granny Spiers Community House Inc's creche worker;
- 9** defer consideration of the preparation of a Structure Plan and Implementation Study for Hillarys Boat Harbour and adjoining reserves as detailed in Report CJ164-05/99 until after a special meeting of electors is held;
- 10** requesting the holding of a Special Meeting of Electors in relation to Report CJ164-05/99 – Structure Plan and Implementation Study for Hillarys Boat Harbour.

Commissioner Rowell advised that the application to conduct the business of speech pathology consulting rooms at Lot 13 (42) Solander Road, Hillarys has now been withdrawn.

**be received and referred to the appropriate business units for action.**

**The Motion was Put and**

**CARRIED**

**FINANCE AND COMMUNITY SERVICES SECTION**

Items CJ150-05/99 to CJ153-05/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Buckley. Cmr Clark-Murphy stated her intention to speak on Item CJ153-05/99.

**CJ150-05/99 REGISTER OF DELEGATED AUTHORITY -  
[07032]****SUMMARY**

Section 5.46 of the Local Government Act 1995 requires the Chief Executive Officer to keep a Register of Delegated Authority. This report documents the delegated authority exercised by the Chief Executive Officer for the period 22 December 1998 to 16 April 1999.

**BACKGROUND**

Part 5 of the Local Government Act 1995 empowers a local government to delegate many of its powers and duties to the Chief Executive Officer.

Section 5.46 requires the Chief Executive Officer to maintain a register and record of delegations and to review the delegations once every financial year.

*Register of, and records relevant to, delegations to Chief Executive Officer's and employees.*

*5.46. (1) The Chief Executive Officer is to keep a register of the delegations made under this Division to the Chief Executive Officer and to employees.*

*(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

*(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

**DETAILS**

The Register documenting all delegated authority exercised by the Chief Executive Officer from 22 December 1998 through to 16 April 1999 is shown as Attachment A.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners NOTE the Register as attached to Report CJ150-05/99 documenting all delegated authority exercised by the Chief Executive Officer, for the period 22 December 1998 through to 16 April 1999.**

**The Motion was Put and**

**CARRIED**

Appendix I refers

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**CJ151-05/99      VEHICLE PURCHASES LIGHT VEHICLE  
REPLACEMENT RESERVE TENDER NUMBER  
123-98/99 - [28930]**

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### **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 five (5) 4wd one tonne dual cab utilities for Ranger Services with the trade of the following items;

- 95211 (Mitsubishi Pajero)
- 95208 (Ford Courier)
- 95212 (Mitsubishi Pajero)
- 95209 (Ford Courier)
- 95207 (Ford Courier)

This report outlines the submissions received in relation to Tender 123-98/99. It recommends the purchase of five (5) 4wd one tonne dual cab utilities from Midway Ford.

### **BACKGROUND**

Tender number 123-98/99 pertaining to these acquisitions was advertised on Wednesday, 17 March 1999 and closed on Wednesday, 07 April 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 five submissions received for the supply and trade of five (5) 4wd one tonne dual cab utilities in regard to tender 123-98/99 the details of which are shown on Attachment A.

The tender from Skipper Mitsubishi did not conform to the City's specification, which called for four cylinder petrol engines. The Mitsubishi Triton offered by Skipper has a six cylinder engine and this tender cannot therefore be considered.

The lowest tender was from Midway Ford for five (5) Ford Courier utilities and is recommended accordingly.

### COMMENT/FUNDING

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

| <b>Plant No</b> | <b>Recommended Tender - Changeover</b> | <b>Budget Provision</b> | <b>Budget Savings/Shortfall</b> |
|-----------------|--|-------------------------|---------------------------------|
| 95211           | \$4,291                                | \$2,000                 | (\$2,291)                       |
| 95208           | \$6,212                                | \$6,000                 | (\$212)                         |
| 95212           | \$3,791                                | \$2,000                 | (\$1,791)                       |
| 95209           | \$6,212                                | \$6,000                 | (\$212)                         |
| 95207           | \$6,212                                | \$6,000                 | (\$212)                         |
| <b>TOTAL</b>    | <b>\$26,718</b>                        | <b>\$22,000</b>         | <b>(\$4,718)</b>                |
|                 |  |                         |                                 |

Accepting this the 1998/99 budget shortfall on tender 123-98/99 is \$4,718. This has resulted from lower than anticipated trade values being realised on the City's trade vehicles.

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

- 1 ACCEPT the tender from Midway Ford for the purchase of five (5) 4wd one tonne dual cab utilities at a net change over figure of \$26,718 after trade in, as detailed in tender 123-98/99;**
- 2 AUTHORISE, in accordance with the provisions of section 6.8(1) of the Local Government Act 1995 the over budget expenditure of \$4,718 – such expenditure to be funded from the Light Vehicle Replacement Account.**

The Motion was Put and

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**CJ152-05/99 VEHICLE PURCHASES LIGHT VEHICLE  
REPLACEMENT RESERVE TENDER NUMBER  
125-98/99 - [33552]**

### 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 eight (8) full forward control one tonne vans, five (5) for Building and Fleet Maintenance and three (3) full forward control one tonne vans for Parks and Landscape Services with the trade of the following items;

- 95124 (Ford Econovan) } Building & Fleet
- 95126 (Ford Econovan) }
- 95127 (Ford Econovan) }
- 95132 (Ford Econovan) }
- 95133 (Ford Econovan) }
  
- 95421 (Ford Econovan) } Parks and Landscaping
- 95426 (Ford Econovan) }
- 95428 (Ford Econovan) }

This report outlines the submissions received in relation to Tender 125-98/99. It recommends the purchase of five (5) full forward control one tonne vans from Nuford and three (3) full forward control one tonne vans from Titan Ford.

## BACKGROUND

Tender number 125-98/99 pertaining to these acquisitions was advertised on Wednesday, 17 March 1999 and closed on Wednesday, 07 April 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 seven submissions received for the supply and trade of eight (8) full forward control one tonne vans in regard to tender 125-98/99 the details of which are shown on Attachment A.

To best benefit the City, it is recommended that the Joint Commissioners accept a combination of submissions from Nuford and Titan Ford.

## COMMENT/FUNDING

Based on the **Nuford and Titan Ford** tenders the financial position is:

| Plant No      | Recommended Tender – Changeover | Budget Provision | Budget Savings/Shortfall |
|---------------|---------------------------------|------------------|--------------------------|
| <b>Nuford</b> |                                 |                  |                          |
| 95124         | \$4,072                         | \$4,500          | \$428                    |
| 95127         | \$3,572                         | \$4,500          | \$928                    |
| 95421         | \$3,967                         | \$4,500          | \$533                    |
| 95426         | \$4,217                         | \$4,500          | \$283                    |
| 95428         | \$3,967                         | \$4,500          | \$533                    |
|               | <b>\$19,795</b>                 | <b>\$22,500</b>  | <b>\$2,705</b>           |

|                   |                 |                 |                |
|-------------------|-----------------|-----------------|----------------|
| <b>Titan Ford</b> |                 |                 |                |
| 95126             | \$4,380         | \$4,500         | \$120          |
| 95132             | \$4,380         | \$4,500         | \$120          |
| 95133             | \$4,997         | \$4,500         | (\$497)        |
|                   | <b>\$13,757</b> | <b>\$13,500</b> | <b>(\$257)</b> |
|                   |                 |                 |                |
| <b>TOTAL</b>      | <b>\$33,552</b> | <b>\$36,000</b> | <b>\$2,448</b> |
|                   |                 |                 |                |

Accepting this the 1998/99 budget savings on tender 125-98/99 is \$2,448.

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

- 1 ACCEPT the tender from Nuford for the purchase of five (5) full forward control one tonne vans at a net change over figure of \$19,795 after trade in, as detailed in tender 125-98/99;**
- 2 ACCEPT the tender from Titan Ford for the purchase of three (3) full forward control one tonne vans at a net change over figure of \$13,757 after trade in, as detailed in tender 125-98/99.**

**The Motion was Put and**

**CARRIED**

**CJ153-05/99 GRANNY SPIERS COMMUNITY HOUSE -  
EMPLOYMENT OF CRECHE WORKER -  
[39793]**

## **SUMMARY**

Following adoption of the Community Funding Policy and Interim Community Funding Guidelines and, as part of the establishment of two separate municipalities, the City of Joondalup has been reviewing existing internal staffing structures and funding arrangements with agencies outside the organisation. The former Shire of Wanneroo entered into an agreement with the Federal Government in 1982 to sponsor a grant on behalf of the Ocean Ridge Women's Community Group for the purpose of funding the employment of a creche worker at the Granny Spiers Community House.

It is proposed that this agreement be terminated and that the Commonwealth grant be transferred to the management of the Community House for administration. It is further proposed that the City of Joondalup, through its Community Funding Policy, invites the Community House to apply for a 'one off' grant to cover the existing shortfall in funding for one year to enable the present level of creche service to be maintained. During this time the City will assist the group in negotiating an increase to its primary funding from the State Government's Family and Children's Services and the Commonwealth Government's Department of Health and Family Services.

## BACKGROUND

The Ocean Ridge Women's Community Group was established in 1980 to provide a service to isolated families and in particular women and children living in the Heathridge area. The group, with assistance from the former City of Wanneroo, rented premises in Spirula Way, Heathridge in 1984 and later moved to a purpose built centre in Albatross Way. The City constructed this facility on a community purpose site with funds from the Lotteries Commission.

In 1985 the former City of Wanneroo assisted further in providing funding for eight months to employ a Centre Co-ordinator. The group later successfully negotiated with the State Government to permanently fund this position. This grant, together with operating funds, is provided by the State Government's Family and Children's Services. The current grant is \$54,002 per annum.

The operation of a creche facility at the Community House has been integral to the family support type services operated at the facility. In recognition of the value to family and children the Commonwealth Government provided a grant of \$4,640 in 1982 to fund a part time crèche worker. Given the early stage of the group's development, the Shire agreed to sponsor the grant. This involved employing the worker on behalf of the Ocean Ridge Community Group.

This grant was increased to \$10,249 in 1984. The funding programme under which the grant was allocated was discontinued soon after this time, although all existing funding was continued. Given the defunct status of the funding programme, the funding has been pegged at the same level since 1984. Given that the former Shire of Wanneroo and former City of Wanneroo, and now City of Joondalup were required to pay award wages, the grant has been eroded over time. The present situation requires the City of Joondalup to 'top up' the income required to cover the salaries to an amount of approximately \$7,000 per annum.

In addition to administrative and direct financial support, the City of Joondalup also provides:

- a rent free lease agreement to use the facility;
- ongoing garden maintenance;
- major maintenance works ( the City has recently carried out repairs to the roof structure)

In the past, the former City of Wanneroo has provided assistance with:

- project managing the construction of the building;
- management advice;
- administration of grants;
- co-ordination of landscaping;
- provision of one off grants for salaries and equipment.

## DETAILS

Under the original funding agreement the grant was provided to employ a creche worker for 30 hours per week for 42 weeks of the year. The present position is now shared between two workers.

Negotiations have been held with members of the management of the organisation. The management group has indicated that it is in a position to administer the grant but has concerns that its current level of funding is not sufficient to cover the shortfall or 'gap' funding which is presently provided by the City. It also believes that if the level of the creche service is reduced the overall operations of the community house will be compromised.

The group has raised its concerns with the State Member for Joondalup, Chris Baker. Mr Baker has in turn written several letters, including a petition to the Chairman of Commissioners. There are 22 signatories to the petition. All 22 signatures are from staff who provided their address as a State Government Department in Joondalup, or care of the same. The State Government Department has advised that whilst 12 of the signatories are residents or ratepayers of the City of Joondalup, the 22 signatories are in breach of Public Service policy and Departmental guidelines. Several organisations currently operating services at the Community House have also forwarded letters of support.

The Granny Spiers Community House provides a wide range of family support type services to the community. As well as services operated by the House itself the facility is used for a number of outside agencies operating sessional services. The services provided include:

- Playgroups;
- Post natal depression;
- Parenting courses;
- Parent support for children with disability;
- Financial Counselling;
- Older persons programme
- Self development courses

A total of 6,804 people attended the Community House during 1998. Referrals to other services and information was provided to 693 individuals.

Programmes involving parents with small children are dependent on a creche facility. In the year 1997-1998, 3,252 children attended the creche facility. Monthly averages ranged from 170 to 364. Given the number of children requiring the service, additional workers are employed and are funded from the Centre's operational grant and from user fees.

At present creche workers are employed for 66 hours per week. (36 hours in addition to the City's employee). The City employed position is 30 hours per week and is job shared between two people. Even though the creche operates on a two hourly sessional basis four days per week the City employee is in fact employed seven and a half hours per day four days a week. The Management maintains that the additional three and a half hours are spent cleaning and preparing for sessions and being on hand if an individual parent visits the House for counselling.

From discussions with the management, it would appear that the majority of agencies operating at the Centre, including several Government agencies, do not contribute financially to the creche operation. Parents are required to pay a \$1.00 per hour creche fee. This fee is lower than most other agencies. At the Craigie Leisure Centre the fee is \$1.70 per hour. At the Yanchep Community House, which has a similar operation to Granny Spiers, the fee is \$3.00 per two hour session.

The management group has indicated that it is in a position to administer the grant but has concerns that its current level of funding is not sufficient to cover the shortfall or 'gap' funding which is presently provided by the City. It also believes that if the level of the creche service is reduced the overall operations of the community house will be compromised. The group is also reluctant to consider reviewing the creche fee to assist in meeting the shortfall.

In recent years many non-Government agencies have experienced considerable funding constraints. Those which have remained viable have had to rationalise services and develop revenue raising strategies including introducing a user pay system. These systems can address social justice issues by having negotiated fee levels to accommodate genuine hardship.

### **COMMENT/FUNDING**

In determining the future employment of the creche worker, it would appear that two separate issues need to be considered, namely:

- The situation of the City of Joondalup employing a worker to which it has no direct control.
- the 'gap' funding required to continue the existing level of creche operation.

### **Employment of the worker**

By continuing this practice, the City, given that it cannot directly supervise the worker, is placing itself in a situation of considerable exposure and possible liability. The Management group has indicated that it has the appropriate administrative infrastructure to employ the worker.

Communication with the Commonwealth funding body has indicated that the grant can be transferred to the management group without jeopardising the current funding level and grant conditions. Accordingly, it is proposed that the administration of the grant be transferred to the Ocean Ridge Women's Community Group, effective from 1 July,1999.

### **Gap funding**

Under the provisions of the City of Joondalup's Community Funding Policy and Interim Guidelines, the City, as a general rule, will not fund deficit funding for organisations which are experiencing a shortfall in cash or revenue or anticipated revenue, recurrent salaries and recurrent operational costs, or proposals where alternative sources of funding are available. It can also be argued that the provision of creche services in community facilities is not part of the core business of the City but rather that of the Commonwealth and State Governments.

It would appear however, that there is little likelihood of increased funding from either the State or Federal Governments in the short term. In the longer term, Commonwealth officers have indicated that whilst there is a strong likelihood of indexation being factored into the grant, it is unlikely that the grant will be increased to cover the full 'gap'.

It would appear that the most likely outcome would be for the group, with support from the City, to negotiate with its primary funder, Family and Children's Services to have the current level reviewed. It is also considered appropriate that the Group needs to review several of its current management practices in relation to the operation of the creche.

It is proposed therefore, that the City of Joondalup, under its Community Funding Policy, invite the Ocean Ridge Women's Community Group to submit an application for one off 'gap' funding. Given the precedence that this may cause, it is proposed that this funding would be on a 'one off' basis for a period of one year. This will give the group time to review its current operation and negotiate with the various funding bodies. The group will be required to address the selection criteria laid down in the policy and should funding be granted will need to comply with the accountability requirements through the drawing up of an appropriate funding agreement between the City and the Group.

The City also acknowledges that the current arrangement should have been reviewed earlier and that the Community House should not be unduly penalised because of this.

The Granny Spiers Community House has provided a valuable community service to the people of Heathridge for almost twenty years. Given the long association and previous support provided by the City of Joondalup it would be appropriate for the City to assist the group in this instance.

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

- 1 NEGOTIATE with the Commonwealth Department of Health and Family Services for the purpose of transferring the grant funds to the Ocean Ridge Women's Community Group, effective from 1 July,1999;**
- 2 INVITE the Ocean Ridge Women's Community Group to submit a funding application, under the provisions of the Community Funding Policy, for funding which will subsidise the salary of a creche worker at the Granny Spiers Community House for 12 months from 1 July 1999;**
- 3 MAKE REPRESENTATION to the State and Commonwealth Governments for the purpose of assisting the Ocean Ridge Women's Community Group to negotiate increased funding levels for the operation of its creche facility.**

Cmr Clark-Murphy advised a petition had been received regarding this issue. This had been a matter of some discussion with the Ocean Ridge Womens Community group in recent weeks. Cmr Clark-Murphy felt the recommendation satisfied a good part of what the community group were hoping for in that Commissioners are suggesting that Granny Spiers Community

House should employ the creche worker. Arrangements are being made to transfer to the community group the Commonwealth funding. As to the balance of the creche worker's salary, Commissioners are suggesting interim arrangements for a 12 month period. Assistance will be given to the Granny Spiers group in arranging a more satisfactory permanent solution to funding.

Comr Buckley spoke in support of the Motion.

**The Motion was Put and**

**CARRIED**

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**CJ154-05/99 LAKE JOONDALUP/LAKE GOOLLELAL  
MIDGE STRATEGY - [00052J, 03171/903046]**

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**SUMMARY**

Residents living in the vicinity of Lake Joondalup and Lake Goollelal experienced a severe midge problem during the latter part of 1998 and the early part of 1999. The problem was assessed as being the worst incidence of midge in the past twenty to thirty years.

In order to avoid the reoccurrence of midge in the same proportions as recently experienced the City of Joondalup and the Shire of Wanneroo established a Midge Control Group involving representatives from the community, state government, local government and Edith Cowan University to investigate treatment options for both lakes in the short term and then to develop a longer term strategy to improve the water quality of the Yellagonga wetlands.

The Midge Control Group has developed a formal Strategy and an action plan that can commence early in the new financial year. Funding of \$21,000 from each local government is required and assistance has been pledged from the Department for Conservation and Land Management and the Waters and Rivers Commission. Opportunities for alternative funding are being explored.

The Midge Control Group has identified its role as being broader than just rectifying the existing midge problem. There is an ongoing need for the community and government to work together to ensure the sustainability of the Yellagonga wetlands. In order to achieve this goal the Control Group is proposing that an Integrated Catchment Management program be instituted as a means to achieve the proposed Lake Joondalup/Lake Goollelal midge strategy.

**BACKGROUND**

The residents of both Joondalup and Wanneroo living in close proximity to Lake Joondalup and Lake Goollelal experienced a severe midge problem during 1998 and the early part of 1999. The main area of concern related to the residents living between the Wanneroo Town Site and Lake Joondalup. The midge problem was the worst experienced in the past twenty to thirty years and was unusually protracted with midge being a continual nuisance for a period of virtually six months. During this time the residents of Wanneroo were subjected to unpleasant living conditions. The extent of the midge problem is one indicator of the degradation occurring within Lakes Joondalup and Goollelal.

In order to ensure the minimisation of any reoccurrence of the midge problem in the year 1999/2000, the City of Joondalup and Shire of Wanneroo established a Midge Control Group that included representatives from the community and the respective State Government authorities which have a vested interest in the preservation of the Yellagonga wetlands.

The Midge Control Group membership comprises two community representatives, the Local Member for Wanneroo, Mr Iain MacLean MLA, the Department of Conservation and Land Management, the Waters and Rivers Commission, the Friends of Yellagonga, the Department of Environmental Protection, Edith Cowan University and Council officers. Mr Michael Cousins who is one of the two community representatives chairs the control group.

## **DETAILS**

The initial Midge Control Group meeting was conducted on 16 December 1998 to principally discuss treatment options for Lake Joondalup in the short term and to begin an investigation with the intent to develop a longer-term strategy to improve the water quality of Lake Joondalup and Lake Goollelal.

Since the inaugural meeting the Midge Control Group has conducted monthly meetings culminating in the development of a Midge Strategy for both lakes. Funding for stage one has been included as a proposed new initiative in the 1999/2000 financial year budget for both the City of Joondalup and the Shire of Wanneroo. It is intended that the implementation of the various stages will be conducted using the resources of Edith Cowan University and will be supervised by Dr Mark Lund, the Undergraduate Co-ordinator, Environmental Management.

## **LAKE JOONDALUP/ LAKE GOOLLELAL MIDGE STRATEGY**

### **Mission:**

To facilitate an integrated catchment management process for the Yellagonga wetlands to provide for the rehabilitation and subsequent maintenance and sustainability of the wetlands.

### **Aims:**

- Protection of natural ecosystems and biological diversity.
- Community involvement in catchment planning and management at the local level.
- Sustainable use of our natural resources.

### **Objectives:**

- To reduce the incidence of midge nuisance.
- To reduce the algae blooms and ensuing odours.
- To reduce the pollution from the industrial, commercial, residential and rural areas.
- To enhance and protect the natural processes and historical values of the Yellagonga wetlands.
- To increase community understanding and appreciation of the wetlands.
- To encourage participation from other interested community groups.

**Action Plan:**

- To identify the midge breeding hot spots.
- To treat the hot spots as appropriate.
- To investigate the mechanical means of reducing the movement of midge from the wetlands to the residential areas.
- To investigate the opportunity of artificial recharge.
- To monitor the nutrient concentration in the lakes and ground water.
- To identify nutrient sources.
- To identify sources of potential pollutants other than nutrients.
- To implement a community education program.
- To design and implement an appropriate monitoring program.
- To identify and investigate ongoing management options.

**EDITH COWAN UNIVERSITY PROPOSAL FOR THE CONTROL OF THE MIDGE PROBLEM AT LAKE JOONDALUP AND LAKE GOOLLELAL****Stage One:1999/2000**

1. Intensive sampling exercise to identify midge hotspots within the lakes in July/August 1999.

**LAKE JOONDALUP:**

An initial survey of midge numbers based on a 250 metre grid will yield about 100 sites. This will then be used to identify possible hotspot regions, which will then be targeted in a follow-up survey that will sample possible areas more intensively. This survey will take approximately two months to complete and will cost approximately \$12,000 to \$15, 000. Included in the survey will be a detailed mapping of water depths and sediment types. The resulting data would be incorporated onto a Geographical Information System database (either existing or created).

**LAKE GOOLLELAL:**

Dr Jenny Davis has previously sampled Lake Goollelal in 1989. It is suggested that a regular monitoring program be established.

2. In April/May 2000, a full review of findings from stage 1 is undertaken to properly plan stage 2. An analysis of all data is to be undertaken by Edith Cowan University with provision of a report. The approximate cost will be \$2,000.
3. The establishment of a regular monitoring program for all lakes of concern. The City and Shire will carry out monitoring; help will be provided by ECU to train personnel. Monitoring of Lake Joondalup can only begin after hot-spots have been identified. It is suggested that the lakes be monitored at two weekly intervals. This monitoring program would allow pesticides to be used most effectively to prevent problems occurring. ECU could perform all the monitoring if desired. In total the cost including points 1 and 2 would be approximately \$40, 000.

4. An Integrated Catchment Management Group should be established. Priorities for the group would include:
  - Mapping of catchment area land uses and incorporation into a Geographical Information System database.
  - Identification of all drains entering and exiting lake.
  - Establishment of a groundwater monitoring program.
  - A regular sampling of drain waters. ECU could assist in analysis of data.
  - Costs would depend on numbers of samples. The cost over the summer months will be approximately \$2000.An application is to be made for National Heritage Trust funding to conduct a proper nutrient assessment of the lake.
5. Curtin University will be involved in regular sampling of households in the area surrounding the lake, to determine which areas of the lake are most severely affected and whether modifications to resident's lights, behaviour, etc can help reduce the problem.
6. Concurrent with the Curtin University research, the City and Shire would undertake public education activities.

**Stage two: 2000/2001**

1. Test alternative pesticide options. Edith Cowan University Honours student could be used to test these options. The approximate cost would be \$2, 000.
2. Test nutrient dynamics of metaphyton.  
  
Again an ECU Honours student could be used at an approximate cost of \$2,000.
3. Nutrient assessment to identify main nutrient sources into the lakes, funding required from National Heritage Trust etc., as the likely cost will be approximately \$45,000. A Masters or Ph.D. student could also possibly do this for less.
4. In April/May 2000, a rehabilitation/management plan could be prepared for the lakes. Edith Cowan University could prepare this at a cost of approximately \$10, 000.
5. Continue the monitoring program and selective application of pesticides.

**Stage three:2001/2002**

1. Continue monitoring program and selective application of pesticide.
2. Implement a rehabilitation/management plan.

**Stage four:2002 onwards**

1. Maintain a regular monitoring program for midges and water quality indefinitely.

## INTEGRATED CATCHMENT MANAGEMENT

The Midge Control Group has also identified its role as being broader than just rectifying the existing midge problem. The community, together with State Government and the respective local governments have a long-term role to play in the rehabilitation of Lake Joondalup and Lake Goollelal and the future management of the Yellagonga wetlands. The Group has established communication with the Swan Catchment Centre that offers a range of support services to help community groups undertake catchment management and river care projects.

Integrated catchment management is planning and managing our natural resources on a river or groundwater catchment basis to achieve sustainable use. Managing natural resources is essential to meet today's needs and to ensure sufficient resources are conserved for future generations. Catchment groups are supported financially with joint Federal and State Government funds. It is suggested that the City of Joondalup and the Shire of Wanneroo encourage the establishment of an Integrated Catchment Management Program to ensure the sustainability of the Yellagonga wetlands.

## CITY OF COCKBURN

The City of Cockburn has also been working towards the control of midge in their surrounding district. A midge steering group was established in 1992 and works in close liaison with Dr Jenny Davis from Murdoch University. The City of Cockburn recently extended an invitation to the City of Joondalup and Shire of Wanneroo to become a member of the steering group. This invitation was accepted in order to avoid duplication and to take advantage of the results of the research that has already been undertaken by Dr Davis and the ongoing research that is proposed in the new financial year. The City of Joondalup, Shire of Wanneroo and the City of Cockburn are jointly looking to approach the National Registration Authority to obtain a licence for trialling Methoprene (synthetic hormone that inhibits growth) for the control of midge. It is envisaged that the three local governments will continue to work closely together to achieve a common outcome.

## **COMMENT/FUNDING**

The Midge Strategy identifies the overall commitment by the City of Joondalup and Shire of Wanneroo, in the short term, to control the midge nuisance for residents living in close proximity to the Yellagonga wetlands and in the long term to rehabilitate the wetlands and sustain and protect the natural processes of the wetlands.

The subsequent action plan has been developed to cover a three-year period. The implementation will take place in four stages with each stage requiring extensive research to be undertaken. The large size of Lake Joondalup and the ability to collect water and soil samples will pose a significant challenge throughout the process.

It is estimated that stage one of the action plan will require approximately \$42,000 from the City of Joondalup and Shire of Wanneroo to complete and accordingly a budget request for \$21,000 for each Council has been submitted as a new initiative for the financial year 1999/2000. In association with the work planned for Stage 1 of the Action Plan, the Waters and Rivers Commission will implement a number of piezometers to assess nutrient inflow into Lake Joondalup at an estimated cost of \$2,000.

**FUNDING****Stage 1 – 1999/2000**

|   |          |                 |
|---|----------|-----------------|
| City of Joondalup and Shire of Wanneroo | \$42,000 | (\$21,000 each) |
| Water & Rivers Commission               | \$2,000  |                 |

**Stage 2 – 2000/2001**

|  |          |
|--|----------|
| City of Joondalup and Shire of Wanneroo      | \$7,000  |
| National Heritage Trust                      | \$45,000 |
| Department of Conservation & Land Management | \$7,000  |

Funding for Stages 3 and 4 will depend on the outcomes of the previous stages.

It is anticipated that the Waters and Rivers Commission will assist the Council with the provision and implementation of piezometers to be located on the eastern shoreline of Lake Joondalup to evaluate nutrient inflow into the lake. The Department of Conservation and Land Management, despite having already submitted annual budget requests, have indicated that sufficient funds will be made available to assist with the restoration process of Lake Joondalup.

The Midge Control Group is recommending the establishment of an Integrated Catchment Management process similar to the Swan Avon Integrated Catchment Management to achieve the future sustainable use of our natural resources. This proposal will also present the opportunity to apply for National Heritage Trust funds and the possibility of assistance to link with other funding sources.

The City of Joondalup and Shire of Wanneroo will maintain representation on the Integrated Catchment Management Group and contribute financially to the ongoing sustainability of the Yellagonga wetlands where both local authorities deem it appropriate. It is likely that the State Government will provide additional support to an Integrated Catchment Management process both financially and professionally. The Department of Conservation and Land Management also has a responsibility to assist in the rehabilitation and management of the Yellagonga wetlands.

The community will play a significant role in managing these local assets and contributing a labour resource for re-vegetation and water sampling of the wetland areas. It is hoped that with the involvement of the community at this level, an education programme can be developed within the community to control the use of nutrient based products.

*Cmr Clark-Murphy declared an interest in Item CJ154-05/99 as she is employed by Edith Cowan University, Joondalup.*

*Cmr Clark-Murphy left the Chamber at 1850 hrs.*

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

- 1 ENDORSE the midge strategy and action plan for Lake Joondalup and Lake Goollelal;**
- 2 APPROVE \$21,000 to be listed for consideration as a new initiative in the 1999/2000 annual budget as a high priority;**
- 3 ENCOURAGE the Midge Control Group to establish an integrated Catchment Management Program for the management of natural resources at the local and regional level.**

**The Motion was Put and****CARRIED**

*Cmr Clark-Murphy entered the Chamber at 1851 hrs.*

At the request of Cmr Clark-Murphy, the late Items relating to Vacancy - Western Australian Municipal Association Member - WA Planning Commission Infrastructure Coordinating Committee (C21-05/99) and Temporary Accommodation for the Shire of Wanneroo – Outcome for Tender No 137-98/99, Supply and Installation of Screens and Workstations (C22-05/99) were considered at this point.

**C21-05/99 VACANCY - WESTERN AUSTRALIAN MUNICIPAL ASSOCIATION MEMBER - WA PLANNING COMMISSION INFRASTRUCTURE COORDINATING COMMITTEE - [02011]**

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**SUMMARY**

The Western Australian Municipal Association has invited member Councils to submit nominations to the WA Planning Commission Infrastructure Coordinating Committee.

Nominations are invited from elected members with significant knowledge and/or experience of Town Planning and infrastructure issues.

**DETAILS**

The Western Australian Municipal Association has invited member Councils to submit nominations for the position of member on the WA Planning Commission Infrastructure Coordinating Committee. Nominations are invited from elected members with significant knowledge and/or experience of Town Planning and infrastructure issues.

The Terms of Reference of the Committee are in accordance with Town Planning legislation and will deal with infrastructure issues across the State.

The term will commence on 1 July 1999 for a term of approximately 3 years (up to a maximum of 5 years). Meetings are held on the third Wednesday of alternative months at Ministry of Planning, Albert Facey House, 469 Wellington Street, Perth. Meetings commence at 2.30 pm for a duration of approximately 2 hours.

There is a meeting fee of \$4,800 per annum.

The Committee will comprise representatives as follows or their nominees:

- Chairman, WAPC
- CEO, Ministry of Planning
- Managing Director, Water Authority
- Director General of Transport
- CEO, Western Power
- CEO, Alinta Gas
- Director General of Education
- Commissioner for Health
- CEO, Commerce and Trade
- CEO, Resources Development
- Local Government Representative
- Director General, Minerals and Energy
- Environmental Protection representative
- Commissioners of Main Roads
- State Treasury representative
- LandCorp representative
- Telecommunications industry representative
- Other persons WAPC may appoint

Nominations for this vacancy close 20 May 1999.

*Cmr Rowell declared an interest in Item C21-05/99 as he was nominated for consideration of appointment as the Western Australian Municipal Association Member – WA Planning Commission Infrastructure Coordinating Committee.*

*Cmr Rowell left the Chamber at 1851 hrs.*

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners NOMINATE Commissioner R Rowell, for consideration of appointment as the Western Australian Municipal Association Member - WA Planning Commission Infrastructure Coordinating Committee.**

**The Motion was Put and**

**CARRIED**

*Cmr Rowell entered the Chamber at 1852 hrs.*

**C22-05/99            TEMPORARY ACCOMMODATION FOR THE SHIRE  
OF WANNEROO – OUTCOME FOR TENDER NO 137-  
98/99, SUPPLY AND INSTALLATION OF SCREENS  
AND WORKSTATIONS [33492]**

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**SUMMARY**

The Shire of Wanneroo's administration is to be located in temporary premises, from July 1999 until the new Administration and Chamber Centre is available in Dundobar Road Wanneroo currently scheduled for completion in late 2000.



Facility plans showing workstation locations,

|  |                 |
|--|-----------------|
| Workstation Layout Plan Kingsley Service Centre  | attachment “C”; |
| Workstation Layout Plan Merriwa Service Centre   | attachment “D”; |
| Workstation Layout Plan Ashby Depot Building (1) | attachment “E”; |
| Workstation Layout Plan Ashby Depot Building (2) | attachment “F”; |

and detail drawings as specified herein,

|   |                 |
|---|-----------------|
| Gantt Tender Programme                            | attachment “G”; |
| Shire of Wanneroo Temporary Accommodation Summary | attachment “H”; |
| Schedule of New Workstations                      | attachment “I”. |

The screens and workstations supplied (90 to 120 units) in the temporary accommodation, stage (1) for year 1999, will be reused wherever possible in the initial staffing of the new Wanneroo Administration and Chamber Centre.

Tenders will be called for the construction of the Shire of Wanneroo Administration Centre & Chamber Centre in August/September 1999 and completion is expected in late 2000. This Centre will require the balance of screens and work stations to be supplied and installed in the latter part of the year 2000.

The Shire of Wanneroo Administration & Chamber Centre is being designed to accommodate some 200 staff. Further orders will need to be placed for screens and work stations. The tenderers were asked to furnish a second priced schedule for this stage (2) to reflect costs in the year 2000.

As the staff number could increase in the first year of occupation of the Shire of Wanneroo Administration & Chamber Centre the tenderers were asked to furnish a third priced schedule to reflect costs for this stage (3) in the year 2001.

Each priced schedule is applicable to the purchases to be made in that particular calendar year and subject to no rise and fall in the scheduled rates.

The tender document invited the tenderers to also include a lump sum figure for the work identified in the tendering documents. This lump sum figure can only represent an estimate of the total cost of the first phase of the project which is the provision of work stations for the temporary office accommodation.

## **COMMENT/EVALUATION OF TENDERS**

The assessment criteria presented in the tender document cited the:

1. tenderers performance history;
2. degree of compatibility of screens and workstations offered for integration into re-used existing workstations;
3. pricing of the proposed systems and associated accessories;
4. ability to meet the time schedule as shown in the Gantt Chart;

5. ability and experience of the supplier to provide the products and service;
6. guarantee of delivery and performance;
7. clients' ability to view and sample the products offered in the Perth metropolitan area;
8. the lowest or any price may not be accepted;

These principals have been used as the basis for tender evaluation.

The final decision is based on a combination of quality, price and the ability to supply (experience, reputation, capacity and technical competence).

Submissions for tender 137-98/99 were received on Thursday 6 May, 1999 from Freiberg Australia, Schiavello Commercial Interiors and Technic Australia.

The assessment for this tender is based on the submitted schedule of component rates (**Attachment "J"**) even though the tender form asked for a lump sum. The lump sum amounts shown below cannot be qualified as no quantities were given on which to base a lump sum tender.

|                                 |           |
|---------------------------------|-----------|
| Freiberg Australia              | \$229,513 |
| Schiavello Commercial Interiors | \$257,340 |
| Technic Australia               | \$286,429 |

Quantities for workstation screens were not scheduled as the tender quantities could not be confirmed until after the design reconfiguration work has been completed at the Joondalup Administration Centre and it is known how many spare workstations are available for use by the Shire of Wanneroo.

Attachment "J" confirms Schiavello Commercial Interiors as the lowest tender based on the principal of procurement against a set of component rates for the purchase of screens and workstations. This firm is the preferred supplier and has met the selection criteria (experience, reputation, capacity and technical competence) previously.

Orders will be placed to meet the immediate requirements for the Shire of Wanneroo's temporary accommodation.

The quantity based costs for purchases to be made in each subsequent year for which unit rates were submitted by tenderers can only be confirmed:

- after the design reconfiguration work has been completed for the City of Joondalup staffing arrangements at the Joondalup Administration Centre;
- after the internal design work has been completed by Brand Deykin and Hay for the new Wanneroo Administration and Chamber Centre; and
- when it is known what number of workstations can be reused from the temporary accommodation of the Shire of Wanneroo Staff.

## FUNDING

The costs for funding the required number of screen and workstations will be debited against the general account assigned for the temporary accommodation for the Shire of Wanneroo.

If the required furniture was hired from Perth Expohire Group the cost for melamine finished desks and credenza over eighteen months would be:

|                |  |                  |
|----------------|--|------------------|
| Manager        | \$165 per month x 20 staff x 18 months | \$59,400         |
| Clerical staff | \$96 per month x 100 staff x 18 months | <u>\$172,800</u> |
| <b>Total</b>   |  | <b>\$232,200</b> |

This demonstrates that the hire option is not cost effective.

|                |             |
|----------------|-------------|
| Account No:    | 51961       |
| Budget Item:   | BMJ205      |
| Budget Amount: | \$500,000   |
| Actual Cost:   | \$NOT KNOWN |

While the \$500,000 in account 51961 has been budgeted to meet the full requirements of the temporary accommodation for the Shire of Wanneroo other expenditure such as the design work for the reconfiguring of the Joondalup Administration Centre has been assigned to this account.

A summary of purchases and committed expenditure to this account is tabled below.

|  |                  |
|--|------------------|
| Modifications to JAC (to house S of W staff) & Wanneroo Function Centre    | \$18,848         |
| Modifications to air conditioning at the Depot                             | \$22,595         |
| Modifications to building (1) at the Depot                                 | \$21,546         |
| Additional purchase of chairs  | \$3,731          |
| Miscellaneous and minor purchase items                                     | \$22,738         |
| Architectural design fees temporary accommodation                          | \$23,750         |
| Electrical design fees JAC   | \$7,580          |
| Documentation fees for JAC   | \$16,750         |
| <u>Architectural design fees for JAC reconfiguration</u>                   | <u>\$24,800</u>  |
| <b>Total committed expenditure to date inclusive of items listed above</b> | <b>\$162,338</b> |

**Additional expenditure estimated for set up of Shire:**

|   |                  |
|---|------------------|
| Extensions to Depot car parking                                       | \$50,000         |
| Relocation of staff   | \$20,000         |
| Partition and physical modification to the four buildings             | \$95,000         |
| Electrical services, and lighting modifications to the four buildings | \$120,000        |
| External communication and data support systems                       | \$130,000        |
| New Tambour compactus storage and white goods                         | \$50,000         |
| Screens and workstations (120 x \$2,100)                              | \$250,000        |
| Chairs (\$250 x 100) meeting room tables                              | \$30,000         |
| Miscellaneous – bin, mat, trays, stationery (\$250 x 100)             | \$25,000         |
| Printers, photocopiers, facsimile machines, white boards              | \$40,000         |
| 10% cost variation  | <u>\$80,000</u>  |
| <b>Total additional estimated expenditure</b>                         | <b>\$890,000</b> |

It should be noted that an estimated sum of **\$250,000** may be required for the reconfiguration of the Joondalup Administration Centre and for its relocation of staff

Based on the estimated costs presented above and current committed expenditures there is a need to allocate additional funds of approximately \$565,000 in the 1999/2000 budgets for the Shire of Wanneroo and City of Joondalup.

In view of Clause 10(1) of the Governor's Order which states:

*“Until 30 June 1999, the executive functions of the Shire of Wanneroo are to be performed by the City of Joondalup unless the Shire of Wanneroo, by written notice to the City, directs otherwise.*

It is necessary for the City of Joondalup to make a decision on this matter. This item is scheduled for information.

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

- 1 APPROVE the procurement, against a set of component rates, for screens and workstations for the temporary and the permanent accommodation of the Shire Of Wanneroo; firstly at the Merriwa Service Centre in Deepwater Circuit, Merriwa; Kingsley Service Centre at 11 Moolanda Boulevard, Kingsley and Ashby Depot - Building (1) and Building (2) - at 1204 Wanneroo Road, Ashby and later the Administration and Chamber Centre in Dundobar Road Wanneroo;**
- 2 ACCEPT the tender submitted by Schiavello Commercial Interiors WA Pty Ltd for the provision of screens and workstation requirements for the Shire of Wanneroo's temporary and permanent accommodation based on the submitted schedule of rates for the years 1999, 2000, and 2001;**
- 3 AUTHORISE the execution of the contract documents under Common Seal;**
- 4 CONSIDER AT A HIGH PRIORITY additional funding of approximately \$802,338 in the 1999/2000 Budget for temporary and revised “set up” accommodation requirements for the Shire of Wanneroo and City of Joondalup.**

**The Motion was Put and**

**CARRIED**

Appendix VI refers

The Chairman reverted back to the normal order of the agenda at this point.

|                                   |
|-----------------------------------|
| <b>TECHNICAL SERVICES SECTION</b> |
|-----------------------------------|

Items CJ155-05/99 to CJ158-05/99 inclusive were Moved by Cmr Morgan and Seconded by Cmr Clark-Murphy. Cmr Morgan stated his intention to speak on Item CJ155-05/99.

**CJ155-05/99 TENDER NUMBER 110-98/99 – WEST GREENWOOD TRAFFIC MANAGEMENT SCHEME - [36558]**

### SUMMARY

A Traffic Management Scheme has been proposed for various locations within Greenwood, west of Allenswood Road. A number of traffic concerns had been identified as part of a public consultation process and a traffic management scheme has been developed to address these issues. To undertake this scheme, tenders were called for this project and it is recommended that Council accepts the tender submitted by Densford Pty Ltd to carry out the construction of these works.

### BACKGROUND

Traffic concerns had been identified in various areas of Greenwood and a Traffic Management strategy was initially prepared for Bottlebrush Drive. The public consultation process highlighted other issues within the area such as speed, parking requirements and through traffic. As a result the City adopted an overall approach and expanded the initial scheme to help minimise the numerous concerns raised by the residents and schools in the area.

The final traffic concept adopted combined the principles of both Traffic Management and Streetscape Enhancement thus assisting in minimising the various traffic issues and integrating the look of the streets more in line with their residential status. The extent of the works associated with this contract includes the proposed treatment in Coolibah Drive and Blackall Drive. Refer to Attachment 1 depicting the various treatments proposed.

### DETAILS

The design of these works was completed by Gutteridge Haskin and Davies (GHD) Consultants and advertised for tender on Saturday 13 March 1999. At the close of tender at 3.00pm on Thursday 30 March 1999 three tenders had been received. The following table summarises the tenders after a full assessment using the City's multi-criteria matrix:

|                              |              |             |
|------------------------------|--------------|-------------|
| Densford Pty Ltd             | \$676,084.90 | 96.6 points |
| Highway Construction Pty Ltd | \$699,787.00 | 93.3 points |
| Malavoca Pty Ltd             | \$783,045.00 | 60 points   |

CSR WA Paving and Gravel Pty Ltd and Ertech Pty Ltd were issued tender documents but confirmed their withdrawal in writing during the tender period.

### Tender schedules

The Lump Sum Breakdowns submitted with the tenders have been reviewed and confirmed as accurate.

Malavoca Pty Ltd did not submit any schedules or supporting information with their tender.

All tenders included the following Contingency and Provisional Sums:

- |                     |             |
|---------------------|-------------|
| 1. Contingency      | \$37,000.00 |
| 2. Provisional Sums | \$18,000.00 |

**TOTAL    \$55,000.00**

### Qualifications

All tenderers acknowledged the addendum issued through the tender period.

The two lowest tenderers both confirmed their Lump Sum prices and the Scope of Works.

The full assessment of this tender has been carried out by Gutteridge Haskin & Davies, Consultants.

### COMMENT/FUNDING

The accounts shown have all been approved to cover the proposed works.

| Account No. | Account Name                           | Amount              |
|-------------|--|---------------------|
| 35005       | West Greenwood Traffic Management      | \$251,000.00        |
| 35006       | Coolibah Drive                         | \$22,000.00         |
| 35007       | Blackall Drive                         | \$33,000.00         |
| 32701       | Blackall Drive underpass               | \$25,000.00         |
| 32702       | Coolibah Underpass                     | \$25,000.00         |
| 32907       | Blackall Drive                         | \$36,000.00         |
| 32903       | Coolibah Drive                         | \$75,000.00         |
|             | Additional Funds Surplus Budget Review | \$263,000.00        |
|             | <b>TOTAL</b>                           | <b>\$730,000.00</b> |

Committed funds to date are approx \$30,000.00 associated with Consultancy fees.

Following the mid year Budget Review, additional funds of \$263,000.00 were identified as surplus in the Current Budget and are available to be allocated to this project.

The resultant available funds for the Construction of these works is \$700,000.00 with the recommended and lowest conforming tendered price being \$676,084.90 for the full scope of works.

In broad terms the prices received for this work is 10-15% higher than the Engineers estimate. This is attributed to market forces at work, which suggest that contractors are experiencing a very busy period. The limited number of tenders received (three) also reinforces this suggestion. It is not anticipated that delaying the construction of these works will necessarily result in any significant benefit to the City.

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

- 1 ACCEPT Tender Number 110-98/99 from Densford Pty Ltd to undertake the construction of the West Greenwood Traffic Management Scheme for the lump sum price of \$676,084.90 which includes a provisional sum and contingency amount of \$55,000.00;**
- 2 APPROVE the use of \$263,000.00, as part of the surplus funds arising from the half year Budget Review, to construct the West Greenwood Traffic Management Scheme.**

Cmr Morgan advised considerable details have been set out in the report regarding the reasons for this scheme being adopted. Tenders prices were 10-15% higher than the engineer's estimate. Savings have been made in other capital works which will be contributed towards this work.

**The Motion was Put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**CJ156-05/99**

**FREIGHT ROUTES - [37634]**

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## **SUMMARY**

In co-operation with WA Municipal Association (WAMA) and the Task Force for Heavy Vehicles, Main Roads WA is mapping the freight road network in the Perth metropolitan area. The movement of freight in the metropolitan area requires a defined network that satisfies the needs of all stakeholders including Local Authorities. Main Roads has submitted a proposal of the network for the City's consideration. The Joint Commissioners' endorsement of the proposed freight network, as amended, within the City is recommended.

## **BACKGROUND**

In order to maintain safe, efficient and unobtrusive movement of freight in the Perth Metropolitan Area it is important that Main Roads, Local Councils and the Freight Industry work together to define an agreed freight network that meets the needs of all stakeholders. In cooperation with WAMA and the Task Force for Heavy Vehicles, Main Roads is mapping the freight road network in the Perth Metropolitan Area.

For a number of years representatives from Main Roads; the Department of Transport; the Ministry for Planning; the road freight industry; and WAMA have been working on issues related to the need to facilitate efficient and effective movement of goods to, from, and within the Perth Metropolitan Region. In meeting this objective, the necessity to safeguard the urban amenity, including limiting both noise and emissions problems, as well as the impact on safety in urban centres and residential areas was important.

To date, a number of outcomes have been documented following widespread consultation with local authorities and the wider community. These have included:

1. "The Way Ahead - Regional Land Transport Directions for Western Australia". This document examined both road and rail transport issues, and developed five main objectives and their associated strategies. One of these (Strategy 5.2) sought to ensure that social and environmental concerns were recognised in transport decision-making. Two of the specific actions required to implement that strategy were:
  - 1.1. sufficient mechanisms needed to remain in place to control transport movements that had the potential to create unacceptable social and environmental impacts, and
  - 1.2. further work was to be done on designating land freight routes, particularly in Perth's suburbs.
2. A series of Regional Transport Strategies covering the State were produced, with the most recently released of these freight strategies being "Perth Metropolitan Freight Transport Strategy" (Draft January 1999).
  - 2.1. Issue 5.2 lists a number of commitments, which include:
    - 2.1.1. the need to define a freight road network in the Metropolitan Region based on a road hierarchy that distinguishes between local access, district distribution, and the through movement of freight vehicles. This the need to develop guidelines to assist with the management of freight traffic movement, including the signage of designated routes, and how to discourage inappropriate truck movements from other local roads. This later task has resulted in the publication "Guidelines for Managing Truck Movements in Urban Areas"; and
    - 2.1.2. hierarchy will consist of "primary" and "secondary" roads to serve General Access Vehicles of up to 42.5 tonne or a maximum of 19 metres in length. Other larger vehicles will continue to operate under permit conditions and on specified roads.

Primary roads are those that will be used by freight for through movement, with few deliveries being made along those roads. The secondary network will comprise those roads that link a through route to the actual point of pick up or delivery. Thus it would be expected that there would be a far higher concentration of freight traffic on the primary roads by comparison with secondary roads.

## **DETAILS**

Main Roads WA is now seeking to finalise the network of secondary roads that will complement the primary freight network, previously discussed with local authorities. Councils wishing to provide further comment on the primary network may do so at the same time as they comment on the secondary network.

To facilitate discussion of the draft network of secondary freight roads, and their link to the primary network Main Roads has met with appropriate personnel at each metropolitan local authority. The aim is to provide an agreed network of roads that can then be discussed with the road transport industry and promoted to their members for future freight movements.

Main Roads WA will produce a map of an agreed road network that will meet the transport task in 1999, and also indicate what changes will be required to meet the transport needs likely to exist in 2020.

Main Roads WA has completed its consultation with each Metropolitan Council to evaluate its draft network and to confirm the preferred roads for through freight and access to local freight destinations (shopping centres, factories, service stations, etc). Main Roads' draft network is shown at Attachment 1 in table form.

During officer discussions, the draft network was revised to more accurately reflect the needs of the road network in the City. The revised road network is shown at Attachment 2.

## COMMENT

The changes were mainly amending sections and deleting roads that the City does not intend to be part of the freight network in accordance with the established road hierarchy. These changes are listed below:

- 1 Burns Beach Road – the western section from Delgado Parade to Marmion Avenue is a coastal access road and has been deleted from the network as it is not intended to form part of the freight network.
- 2 Connolly Drive – this has been deleted from the network as it is not intended to form part of the freight network.
- 3 Erindale Road – this has been deleted from the network as it is not intended to form part of the freight network.
- 4 Hodges Drive - the western section from Ocean Reef Road to Marmion Avenue has been deleted from the network as it is not intended to form part of the freight network.
- 5 Joondalup Drive - a correction has been made due to the boundary with the Shire of Wanneroo being at the intersection with Burns Beach Road.
- 6 Marmion Avenue - its whole length has been made a primary route.
- 7 Mitchell Freeway - the section currently under construction to Hodges Drive has been included.
- 8 Moore Drive – this has been deleted from the network as it is not intended to form part of the freight network.
- 9 Ocean Reef Road – the western section from Hodges Drive to Marmion Avenue has been deleted as it is not intended to form part of the freight network.
- 10 Whitfords Avenue – the western section from Endeavour Road to Hepburn Avenue has been deleted as it is not intended to form part of the freight network.

The road freight routes shown on Attachment 2 as amended ensure the safe, efficient and unobtrusive movement of freight in the City and is supported.

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

- 1 ENDORSE the Road Freight Routes as proposed for the City of Joondalup for General Access Vehicles of up to 42.5 tonne or a maximum of 19 metres in length, as listed in Attachment 2 to Report CJ156-05/99;**
- 2 NOTIFY Main Roads WA accordingly.**

**The Motion was Put and**

**CARRIED**

Appendix II refers

**CJ157-05/99**

**LACEPEDE DRIVE, SORRENTO - [13030J]**

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## **SUMMARY**

A 76 signature petition has been received from Sorrento residents requesting consideration be given to the installation of traffic calming treatments on Lacepede Drive. The petitioners are concerned with problems associated with increased traffic on this road. A survey of traffic along Lacepede Drive has confirmed an increase in traffic flow along this road, however the volume of traffic remains within acceptable limits for a road of this local function.

## **BACKGROUND**

In February 1999, a 76 signature petition was received from Sorrento residents requesting consideration be given to the installation of traffic calming treatments on Lacepede Drive. The petitioners were concerned with problems of increased traffic on this road associated with the road being used as a thoroughfare from Marmion Avenue to Hepburn Avenue and West Coast Drive.

In view of this, a survey of traffic flow including speed and volume of vehicles was carried out on Lacepede Drive and the adjacent road network.

## **DETAILS**

Lacepede Drive is a 7.4m wide local road that provides access to the north western residential cell of Sorrento. Roads such as this can be expected to carry up to 3000 vehicles per day in accordance with MRWA Metropolitan Functional Road Hierarchy criteria. A summary of the February 1999 traffic survey and the proximity of Lacepede Drive to the local road network are shown on Attachment 1.

The survey of traffic along Lacepede Drive in February 1999 has shown an increase in traffic flow by approximately 350 vehicles per day since 1995. The following table shows a comparison of volumes recorded in July 1995 and February 1999 along Lacepede Drive.

|                |                        | Jul-1995 | Feb-1999 |
|----------------|------------------------|----------|----------|
| LACEPEDE DRIVE | EAST OF ASHMORE WAY    | 575      | 919      |
| LACEPEDE DRIVE | NTH OF ST HELIER DRIVE | 656      | 974      |
| LACEPEDE DRIVE | WEST OF BALEINE COURT  | 792      | 1167     |
| LACEPEDE DRIVE | WEST OF SEACREST DRIVE | 929      | 1332     |

The major contributor to increased traffic volumes on this road is the development of residential lots in the area of Seaward Loop during the past four years. Development of a residential lot can generate between 6-10 additional vehicle trips per day. Therefore, development of 35 lots could result in the increase of around 350 vehicles per day currently recorded.

A number of local motorists may use Lacepede Drive as a through route to Hepburn Avenue and West Coast Drive, however the volumes do not indicate that this is a significant movement.

The 85<sup>th</sup> percentile vehicle speeds recorded along Lacepede Drive are at, or below, 60km/h during peak flow periods, as shown on Attachment 1. There is no indication that excessive vehicle speeds occur during these periods, with the majority of motorists travelling in accordance with the built up area speed limit.

In the five year period from 1 January 1994 to 31 December 1998 there has been one recorded vehicle crash on Lacepede Drive. The crash was recorded at the intersection of Lacepede Drive and Howland Road.

#### **COMMENT/FUNDING**

While the traffic survey has indicated an increase in traffic volumes along Lacepede Drive since 1995, the current level of traffic remains well within acceptable limits for a road of this function.

In addition, the recorded vehicle speeds and crash history are not uncommon at this point in time. On this basis, the traffic treatment of this road will be monitored and listed for consideration by the Joint Commissioners in the City's 5 Year Traffic Management Program.

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

- 1 LIST for consideration in the City's 5 Year Traffic Management Program, the traffic calming of Lacepede Drive, Sorrento ;**
- 2 ADVISE the petitioners accordingly.**

**The Motion was Put and**

**CARRIED**

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**CJ158-05/99      FAILED   STORMWATER   DRAINAGE   LINE  
WITHIN THE JOONDALUP COUNTRY CLUB -  
[01641J]**

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**SUMMARY**

It was recently discovered that a major stormwater drainage line that discharges into an old quarry within the Joondalup Country Club (JCC) has suffered a major failure. The drainage line is 1500mm in diameter and services a very large catchment of approximately 57 hectares including a significant part of Joondalup City and the north-eastern part of Connolly.

A section of aluminium pipe just downstream from a manhole located just within the JCC property has been dislodged and washed downstream. This has resulted in the formation of a large cavity where the section of pipe has been dislodged. The ground surrounding the cavity is considered unstable and potentially very hazardous. Any further rain is very likely to cause the subsidence of the ground above the cavity and a major failure of the City's stormwater drainage system. The proximity of several residential buildings abutting the golf course and the steep terrain of this part of the golf course add further concern to the stability of the surrounding ground.

It is considered that remedial works need to be actioned immediately to rectify the situation, although the precise design of these works has not been finalised. An initial investigation and discussions with a Consultant and Contractor suggested that the entire section of aluminium pipe between the manhole and the sump outfall structure will need to be replaced. The cost for the works has been costed at approximately \$150,000 though additional costs may be incurred due to further rains.

In accordance with Section 6.8(1)(c) of the Local government Act 1995, the local government is not to incur expenditure from its municipal fund, which is not included in its annual budget except where the expenditure is authorised in advance by the Mayor or President in an emergency.

**BACKGROUND**

The 1500mm diameter main drainage line services a 57 hectare catchment including the Joondalup City Centre, the Joondalup Health Campus, the Lakeside Shopping Complex, the Joondalup Business Park and the north eastern section of Connolly. Drawing 86-058 depicts the route of this main drainage line. (the route in the vicinity of the shopping centre has been changed from that shown)

It appears from investigations that the 1500mm diameter line originally terminated just inside the JCC property with a 600mm diameter pipe directing stormwater into a quarry. This was a temporary measure pending the further development of both the City and the golf course. In approximately 1989 the 600mm pipe was replaced and a larger 1200mm pipe was installed to extend the drainage line to the base of the quarry, which became the permanent sump site.

The pipe between the JCC property boundary and the sump was constructed using a rolled aluminium pipe product rather than the usual reinforced concrete. The use of aluminium pipe was approved by Council officers after discussions with both JDC and Consultants due to the difficulty of construction and stability of concrete pipes in the steep terrain.

## **DETAILS**

The attached plans show the layout and profile of the drainage line. It would appear at this stage that the failure of the drainage pipe is the result of the abrasion of the bottom of the aluminium pipe by sand and silt laden stormwater flowing through the pipe since its installation. The acidic nature of the stormwater and ground conditions may have contributed to this corrosion problem. The bottom of the pipe appears to have worn completely through. The combined action of the stormwater flow and soil loads on the pipe would appear to have caused the eventual collapse of the section of pipe.

A site inspection and discussions were arranged with a Consultant and Contractor to determine the most appropriate remedial works. Their recommendation was to replace the entire section of aluminium pipe with concrete lined steel pipe. This work has been estimated to cost \$150,000 though additional costs could be incurred if works are delayed or disrupted by rain.

The option of excavating and replacing the damaged section of pipe with concrete pipe was considered, however, this would still require a very large excavation and the integrity of the remaining length of aluminium pipe could not be guaranteed.

The option of constructing a new drainage line parallel to the existing line was also considered, though not favoured. The excavation would be in virgin ground and likely to be limestone. This would require more intensive excavation and result in more noise and vibration likely to generate complaints from nearby residents. An alternative route would probably also require more clearing of vegetation and have a greater impact on the golf course.

Regardless of what works are decided upon the excavation will have a significant impact on the golf course and will require significant reinstatement works to be undertaken by JCC. Therefore, it is recommended that the full pipe length be reinstated.

## **Ownership of problem**

The City has drainage easements over its stormwater drainage facilities within JCC property and has the responsibility for the performance and maintenance of these facilities. Responsibility for the drainage facilities entering the JCC property is clearly not with the JCC. A brief discussion of this point with Landcorp suggests that they consider it the responsibility of the City.

## **Insurance/Public Liability**

Further investigations will be undertaken in relation to the cause of the failure.

## COMMENT/FUNDING

Unexpended funds of \$102,400 from Account 34172 Drainage - Sorrento/Marmion/Various Upgrade and \$50,000 from Account 34195 Drainage – Marmion Avenue/Craigie Upgrade in the current Budget and can be directed to these works.

Though some of these funds were intended to address drainage problems in Marmion/Sorrento/Various areas they are considered a lesser priority than the current situation.

In accordance with Section 6.8 (1)(c) of the Local Government Act 1995, the local government is not to incur expenditure from its municipal fund, which is not included in its annual budget except where the expenditure is authorised in advance by the mayor or president in an emergency. A report on the matter must be issued at the next meeting of the joint Commissioners on the expenditure of funds.

Consequently, the Chairman of Commissioners classified the remedial works as an emergency and agreed that the matter should be progressed in accordance with the abovementioned section of the Local Government Act 1995, and in accordance with regulation 11(2)(a) of the Local Government (Functions & General) Regulations 1996, enabling the tender process to be waived in this instance.

**MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners endorse the action of the Chairman of Commissioners in:**

- 1           ACKNOWLEDGING that the required works should be considered an emergency;**
- 2           APPROVING expenditure of an amount of \$152,400 from Account 34172 Drainage – Sorrento/Marmion/Various Upgrade and Account 34195 Drainage – Marmion Avenue/Craigie Upgrade to undertake the above works in accordance with section 6.8 (1)(c) of the Local Government Act 1995;**
- 3           APPROVING the appointment of a suitable contractor to undertake the remedial works in accordance with regulation 11(2)(a) of the Local Government (Functions and General) Regulations 1996.**

**The Motion was Put and**

**CARRIED**

**CJ159-05/99      WHITFORDS AVENUE, HILLARYS - [08496J]**

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## SUMMARY

In March 1999 the Joint Commissioners recommended that a review of the traffic function of Whitfords Avenue from Hepburn Avenue to Northshore Drive be carried out. The review was in response to community concern at the speed of traffic and lack of pedestrian facilities for Whitfords Avenue, Hillarys. The adoption of a two traffic lane boulevard with central median for Whitfords Avenue from Hepburn Avenue to Northshore Drive is recommended.

## **BACKGROUND**

A multi-signature petition was presented to the 9 February 1999 meeting of the Joint Commissioners from residents of Hillarys and Kallaroo. The petition requested the installation of traffic calming measures and a reduction to the speed limit on Whitfords Avenue between Cumberland Drive and Hepburn Avenue, Hillarys. A report on the petition recommended that a review of the traffic function of Whitfords Avenue, Hepburn Avenue to Northshore Drive, (Item CJ55-03/99 refers). This report puts forward the findings of that review.

There is a community expectation that Whitfords Avenue will remain as a single carriageway similar to West Coast Drive. However, this is in conflict with current planning that indicates Whitfords Avenue has reached the threshold of traffic volumes at which a second carriageway would be built.

## **DETAILS**

### **Residents' Concerns**

The residents of Hillarys and Kallaroo are concerned at the lack of pedestrian facilities on Whitfords Avenue where they wish to cross to access the beach. Their problems are compounded by the speed of vehicles on Whitfords Avenue, which currently has a speed limit of 80kph.

There are a large number of older residents and young families in the area; both of these groups have problems crossing the road due to the slower speed at which they cross. Many families, whilst within easy walking distance of the beach, choose to drive their children because of the perceived road safety risk crossing the road. Students from St Mark's School also cross the road to access the beach during school time.

The residents prefer to have the speed limit reduced to 60kph and for Whitfords Avenue to remain as a two lane road. The installation of pedestrian refuge islands close to the intersection of Northshore Drive and Whitfords Avenue would assist them in crossing the road.

### **Traffic Issues**

Commuters use Whitfords Avenue extensively and the morning peak time for traffic coincides with a busy period for pedestrians accessing the beach. This compounds the conflict as the nature of the traffic is commuter whilst the pedestrians are recreational. There is, therefore, clearly a need for pedestrian facilities in this area.

The current weekday traffic volumes for the area are shown on Attachment 1. The volumes are at a peak during the summer weekends due to the proximity of Hillarys Boat Harbour. For a District Distributor Road the current traffic volumes are of a level where a dual carriageway would be considered to efficiently carry the traffic volumes, especially as the traffic volumes are expected to continue to grow. However, a coastal road, such as Whitfords Avenue from Hepburn Avenue to Northshore Drive, serves a different function to other district distributor roads.

This section of Whitfords Avenue is part of the Sunset Coast Tourist Drive. The function of the Tourist Drive is to:

1. carry reduced volumes of through, commuter and heavy vehicle traffic;
2. have a reduced speed limit to create a safe environment for vehicular and pedestrian traffic; and
3. to permit the safe use of the road by local access and recreational traffic.

In accordance with this, traffic management works in West Coast Drive have been progressively undertaken over the past years. The short stretch of West Coast Drive dual carriageway from The Plaza to St Helier Drive, is currently being reduced from two lanes to a single lane on each carriageway. The existing two lane dual carriageway is inconsistent with the standard of the remaining sections of West Coast Drive and this encourages motorists to exceed the 60kph speed limit.

### **Planning Issues**

In the early 1990's the former City of Wanneroo adopted the foreshore management plan for Hillarys and Pinnaroo Point, adjacent to Whitfords Avenue. The plan shows recreational use only. Therefore, there will be no major traffic attractors developed in the area to the west of Whitfords Avenue.

The planning for West Coast Highway and Whitfords Avenue in the 1980's involved the use of loop roads to discourage through traffic and to promote Marmion Avenue as the "commuter route". The loop involved Whitfords Avenue being continuous with Hepburn Avenue, all as a dual carriageway. West Coast Drive and what is now Northshore Drive were diverted to join the dual carriageways as the minor leg of a priority intersection as shown on Attachment 2. However, the minutes of a meeting held in January 1987 between the former City of Wanneroo, the City of Stirling and the State Planning Commission noted that:

"Council's decision to abandon realignment of West Coast Highway has a long term adverse effect and is contrary to the Commission's objectives. It would result in a 4-way intersection between West Coast Highway, Hepburn Avenue and Hillarys Boat Harbour access road. It would also encourage commuter and boat harbour generated traffic into that section of West Coast Highway south of Hepburn Avenue thus nullifying the purpose of the Marmion Avenue – West Coast Highway link."

The City of Joondalup in its draft Strategic Plan has emphasised the need to refurbish the coastline maintaining its attractiveness as an accessible recreational facility of both local and regional significance for not only vehicular traffic, but also pedestrian access as well.

### **Current Planning**

In February 1999 the Ministry for Planning was requested to comment on the need for Whitfords Avenue, Hillarys to be dualled. The Ministry for Planning indicated that since the traffic volume is likely to continue growing in this area it would be inadvisable to limit Council's capacity to upgrade Whitfords Avenue to a dual carriageway in the future. The figures suggest that traffic is growing at a rate of approximately 7% a year and will continue to grow for the foreseeable future.

The Ministry for Planning recently undertook a study of the proposed road reserve narrowing for Hepburn Avenue, east of Hillarys Boat Harbour. Several suggestions were made to improve access to the Boat Harbour in order to address residents' concerns with the functioning of the currently single lane roundabout at the intersection of Hepburn Avenue and Whitfords Avenue. One of the suggestions was to construct a roundabout at the intersection of Northside Drive, which is the northern access to the Boat Harbour, and Whitfords Avenue. This would make egress from the Boat Harbour easier for boats with trailers. This is also in keeping with the adjacent Developer's proposed Structure Plan for the area.

Estates Development Company is the developer of the Harbour Rise subdivision on the corner of Hepburn and Whitfords Avenues. The draft structure plan, put forward by the developer, shows a two traffic lane "Boulevard" on Whitfords Avenue between Angove Drive and Hepburn Avenue, as shown on Attachment 3. The Developer has proposed an integrator arterial for Whitfords Avenue as this:

- 1 will provide direct street frontage;
- 2 has the potential to strengthen Boulevard character;
- 3 has the potential for minimal setback providing strong definition of streetscape and generating an urban village character;
- 4 provides for onstreet parking;
- 5 has the potential for mixed use to evolve; and
- 6 facilitates pedestrian crossing.

The Structure Plan is in the draft phase.

The Minister for Planning has recently advised that he was requested by the Minister for Lands to provide advice on the proposed partial closure of Hepburn Avenue, immediately east of Hillarys Boat Harbour, to narrow the reserve width from 60 to 44 metres. This proposed reservation reduction will assist in implementing a residential subdivision approved by the Western Australian Planning Commission which incorporates a number of principles of the Commissioner's Liveable Neighbourhoods Community Design Code.

A number of objections were raised by local residents and Mr Rob Johnson MLA, Member for Hillarys, and initially by the Harbour Manager at Hillarys Boat Harbour, to the partial closure.

The Ministry for Planning undertook a study in conjunction with a transportation consultant and conferred with officers of the City, the Department of Transport, Estates Development Limited (developer of the Harbour Rise subdivision immediately to the east) and Mr Kent Hamilton, local resident, to address the objections raised.

The Ministry for Planning study confirms that the existing single land roundabout at Hepburn Avenue/West Coast Drive/Whitfords Avenue is operating close to capacity during peak periods on summer weekends when Hillarys Boat Harbour is normally most popular, resulting in some queuing on the surrounding roads.

The smaller roundabout to the west, just within the entrance to Hillarys Boat Harbour can also become blocked by traffic queuing back from the main roundabout, possibly interfering with incoming traffic turning towards the less used northern car parks within Hillarys Boat Harbour.

The study proposed several options for intersection improvements that would significantly reduce the amount of congestion in this area during busy periods at Hillarys Boat Harbour. All improvements are compatible with the proposed Hepburn Avenue 44 metre road reservation as approved in the subdivision of the adjoining land by the Western Australian Planning Commission.

The proposals represent a first stage of improvements and include the following:

- widening the main Hepburn Avenue/West Coast Drive/Whitfords Avenue roundabout to two lanes to significantly increase its capacity;
- marking the left hand lane on Hepburn Avenue (westbound) to be exclusively for left turning traffic to West Coast Drive to directly address the residents' concerns about traffic rat-running through Sorrento
- widening the main exit from Hillarys Boat Harbour to two lanes to help to disperse traffic from the harbour more efficiently;
- widening the main entry to Hillarys Boat Harbour to two lanes to separate left and right turning traffic;
- widening the smaller roundabout within the harbour access to avoid traffic queues blocking this roundabout.
- closing off the north to south traffic movement through this smaller roundabout (making this a "teardrop" shaped roundabout) to avoid this north-to-south traffic from obstructing traffic entering Hillarys Boat Harbour;
- constructing a roundabout at the Whitfords Avenue/Northside Drive intersection to encourage boat trailer traffic to exit here rather than at the main roundabout; and
- installing electronic signs near the main entry (linked to vehicle detectors) to advise when the southern car parks are full and direct incoming traffic to the northern car parks.

The road proposals that relate to Whitfords Avenue support the concept of a Boulevard.

In February 1999 Main Roads was requested to comment on the need for Whitfords Avenue, Hillarys to be dualled. Main Roads is in agreement with the principle of a Boulevard to assist pedestrians and to enable the speed limit to be reduced. Advice from Main Roads is that the speed limit on Whitfords Avenue would not be reduced unless the road environment was conducive to a lower speed.

#### **COMMENT/FUNDING**

An application for Federal Black Spot Funding has been submitted for a proposed roundabout at the intersection of Northshore Drive and Whitfords Avenue. Black Spot Funding is aimed at sites where proposed engineering works will reduce the crash potential of a site. The roundabout was put forward to address an existing crash problem at this site. In October 1998 a fatal collision occurred between a vehicle exiting Northshore Drive and a vehicle travelling eastbound on Whitfords Avenue. The roundabout will further lessen the previous loop road concept for Whitfords Avenue.

An application for Metropolitan Local Roads Funds was previously submitted for the 1999/2000 financial year for the construction of a second carriageway for the section of Whitfords Avenue from Endeavour Road to Flinders Avenue. The funding is assessed on a multi-criteria analysis with the emphasis being on the roadway capacity. While this project was not funded in the 1999/2000 year, its high ranking for future submission means that funding may be available in the 2000/2001 financial year for the construction of a second carriageway. This funding is unlikely to be available for the construction of a two traffic lane Boulevard and therefore the City will be required to provide the source of funds for this project. This Boulevard project is likely to be considered for staged construction in the 2000 to 2002 financial years.

The funding for the upgrading of Whitfords Avenue, Hepburn Avenue to Angove Drive, would be the responsibility of Estates Development Company as the developers of the Harbour Rise subdivision. This is subject to separate discussions as part of the Structure Planning process.

West Coast Drive south of Hepburn Avenue currently carries higher traffic volumes than Whitfords Avenue and functions with a single carriageway. Also a dual carriageway would be inconsistent with the function of the Sunset Coast Tourist Drive, therefore a “Boulevard” (two traffic lanes with a central 5 metre median) is recommended to be constructed for Whitfords Avenue from Hepburn Avenue to Northshore Drive, as shown on Attachment 4.

The construction of a Boulevard would not limit Council’s ability to construct a dual carriageway at a later date, provided that the existing width of road reserve was retained. At this stage no reduction to the road reserve is proposed.

As a lower speed limit can be implemented with appropriate traffic management treatments; therefore, the Boulevard would address the major concerns of the residents with a reduction in speed limit and the provision of pedestrian crossing facilities.

**OFFICER’S RECOMMENDATION:** That the Joint Commissioners:

- 1 ADOPT a two traffic lane boulevard with a central median as the design standard for Whitfords Avenue from Hepburn Avenue to Northshore Drive, Hillarys;
- 2 ADVISE the petitioners accordingly.

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

- 1 **ADOPT a two traffic land boulevard with a central median as the design standard for Whitfords Avenue from Hepburn Avenue to Cumberland Drive with a target operating speed of 60 kmph;**
- 2 **NOTE the residents concerns in relation to duplicating the carriageway;**
- 3 **ADVISE the petitioners accordingly.**

Cmr Morgan advised Commissioners received a deputation earlier today, particularly in regard to the speed limit and other aspects, and felt the representations made to Commissioners were worthy of consideration and have been included in the revised recommendation.

**The Motion was Put and**

**CARRIED**

Items CJ160-05/99 and CJ161-05/99 were Moved by Cmr Morgan and Seconded by Cmr Buckley. Cmr Morgan gave his intention to speak on Item CJ161-05/99.

**CJ160-05/99      PROPOSED      SUBDIVISIONAL      RETAINING  
WALLS – SETOMA VILLAGE, JOONDALUP  
[37112J]**

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**SUMMARY**

Halpern Glick Maunsell Consulting Engineers, on behalf of the owners N, H & S Trandos, propose to construct tiered or stepped retaining walls which have a total effective retaining height over 3.0 metres and, in some instances, up to 7.5 metres for the re-subdivision of Lots 87 to 97 (11 lots) in Setoma Court, Joondalup into 16 lots. The retaining walls are proposed at the rear of the new lots (Lots 125 to 131) on the low side of Setoma Court. These lots are steep lots and it is considered that the Consulting Engineers has designed the retaining walls in such a manner that it will reduce the impact on the amenity of the surrounding area. Council's approval of the tiered retaining walls as proposed is, therefore, recommended.

**BACKGROUND**

Setoma Court in Joondalup was constructed in May 1997 as part of a prior subdivision approved by the Western Australian Planning Commission (WAPC Ref. 97333). Eleven lots were created fronting Setoma Court which is a cul de sac road (i.e. Lots 87 to 97). Subsequent to this, the owners/developers N, H & S Trandos obtained approval from the WAPC (Ref. 108750 dated 13 January 1999) for the re-subdivision of these 11 lots into 16 new lots (proposed Lots 124 to 139) as shown on Attachment 1.

The land along the low side of Setoma Court (east side) falls approximately 10 metres from the front to the rear of the blocks where it abuts existing properties. The lots affected are the proposed Lots 125 to 131. In order to provide level building areas at the front of these new lots while not adversely impacting on the adjoining properties, Halpern Glick Maunsell Consulting Engineers on behalf of the developers, has proposed the construction of tiered or stepped retaining walls at the rear of the lots. Refer to Attachments 1 and 2.

The total effective retaining height for the proposed walls are over 3.0 metres and, in some instances, up to 7.5 metres. In accordance with Council's policy on retaining walls, approval is sought for the use of retaining walls in excess of 3.0 metres in height.

## DETAILS

The cross-sectional details of the proposal battering, tiered retaining walls and terracing are shown on Attachments 1 and 2.

### Proposed Lots 127 to 131

The proposed Lots 127 to 131 are located on the low side of Setoma Court (east side) which falls approximately 10 metres to the rear of the blocks abutting existing properties. These lots are elongated lots in the order of 65 metres from the front to the rear of the lots. Tiered retaining walls and battering are proposed along the rear portion of these lots. The proposal will create level building areas for the first 35 metres from the front of these lots. Also, in order to reduce the impact of large retaining walls, it is proposed to grade the lots down at a 1 in 4 batter for 20 metres past the level building area and then construct a two tiered retaining wall terracing approximately 8.5 metres from the rear boundaries to match into existing levels.

The total effective height of retaining for the combined tiered walls along the rear of these lots will be over 3.0 metres in height and, in some instances, up to 5.5 metres (at the rear of Lots 129 and 130). The maximum height of each of the tiered wall however has been limited to 3.0 metres.

For Lot 131, along its northern boundary abutting Burns Beach Road, it is proposed to construct a three tiered retaining wall near this boundary terracing approximately 9.0 metres into the lot. The total effective height of retaining for the combined tiered walls is 7.0 metres. The maximum height of each of the tiered wall has also been limited to 3.0 metres.

### Proposed Lots 125 and 126

The proposed Lots 125 and 126 are located near the corner of Setoma Court and Ohrid Place which abuts existing properties along its eastern boundaries. These are smaller lots in comparison with the previous lots. Similarly, tiered retaining walls are proposed along the eastern boundary of these lots. Battering of the lots was not practical in this case due to the smaller size lots.

For Lot 125, it is proposed to construct a three tiered retaining wall from the side boundary terracing approximately 9.5 metres into the lot. The total effective height of retaining for the combined tiered walls is 7.5 metres. The maximum height of each of this tiered wall has been limited to 3.0 metres.

For Lot 126, it is proposed to construct a two tiered retaining wall from the side boundary terracing approximately 4.0 metres into the lot. The total effective height of retaining for the combined tiered walls is 4.0 metres. The maximum height of each of this tiered wall has been limited to 2.5 metres.

In all instances steps have been proposed to enable access to the lower level of the terraced areas.

## COMMENT

The landform and subdivision design suggests that the combined tiered retaining walls over 3.0 metres in height is warranted. It is considered that the design of the tiered walls will not have an adverse impact on the amenity of the surrounding area. A precedent exists for approving retaining walls of over three metres in height where topographical constraints have existed. The proposed design and height of the tiered retaining walls will not create overshadowing of adjoining lots.

Due to topographical constraints, existing roads and abutting properties, the design of the subdivision had been difficult to achieve without the use of high retaining walls. The Consulting Engineer, Halpern Glick Maunsell, in its design to reduce the impact of large retaining walls on the surrounding area, has proposed the use of terraced retaining walls and battering.

The owner's representative has approached the existing owners of the abutting properties along the eastern boundary regarding the retaining wall proposal. There were no major objections raised with the design as proposed.

No major concerns were raised by the Managers of Development Management Services and Approval Services in relation to the proposed tiered retaining walls.

It is therefore recommended that the tiered retaining wall design for the subdivision with the total effective height over 3.0 metres, as proposed by the Consulting Engineer, be approved.

**MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners APPROVE the tiered retaining wall design, with the total effective height over 3.0 metres, as proposed in the re-subdivision of Lots 87 to 97 Setoma Court, Joondalup as shown on Attachments 1 and 2 to Report CJ160-05/99 subject to the retaining walls being structurally sound.**

**The Motion was Put and**

**CARRIED**

Appendix III refers

**CJ161-05/99      PETITION - EDGEWATER CYCLE TRACK -  
[17015]**

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## SUMMARY

Council has received a petition from 36 youths in Edgewater requesting construction of a cycle track. The petition nominated various areas of Public Open Space. Parks Landscaping Services supports the request and recommends construction within Quarry Park in Edgewater, subject to acceptance by residents.

## BACKGROUND

The proposed location in Quarry Park (see Attachment 1) is protected by a limestone embankment, a drainage sump and dry parkland. The site terrain offers ideal site conditions for this type of facility.

## DETAILS

Construction of cycle tracks has proved successful in various locations within the City. The location requires specific consideration to minimise the impact on adjoining property owners. It is proposed that residents in Quarry Ramble be surveyed prior to construction.

In conjunction with any track construction, the park would require bollards around the perimeter to restrict vehicle access. Bollards for Quarry Park are currently listed for consideration in the 1999/2000 Budget.

## COMMENT/FUNDING

|                |                        |
|----------------|------------------------|
| Account No:    | 37260                  |
| Budget Item:   | Dry Parks<br>Joondalup |
| Budget Amount: | \$3,200                |

**MOVED Cmr Morgan, SECONDED Cmr Buckley that the Joint Commissioners AUTHORISE the installation of a cycle track within Quarry Park Edgewater, subject to a favourable response from residents.**

Cmr Morgan spoke in support of the Motion.

**The Motion was Put and**

**CARRIED**

## DEVELOPMENT & PLANNING SERVICES SECTION

Items CJ162-05/99 and CJ163-05/99 were Moved by Cmr Rowell and Seconded by Cmr Buckley.

**CJ162-05/99 PRE-SCHOOL CENTRES LEASED BY  
EDUCATION DEPARTMENT - [12955]**

## SUMMARY

Since July 1998 a report has been sought from the Education Department on the future requirements of pre-schools leased from the City and the status of the buildings to meet minimum standards. The request for details was reiterated in February 1999. The Education Department has responded with a list of maintenance requirements for each leased building and a statement that the leased pre-primary centres will be needed for the long term by the

Education Department. As the lists do not include any structural requirements, all items listed should be attended upon by the Lessee.

## **BACKGROUND**

The Education Department currently leases five pre-school buildings from the City of Joondalup: High Street Sorrento, Marri Road Duncraig, Juniper Way Duncraig, Camberwarra Drive Craigie, and Yagan Pre-school in Poimena Mews Kingsley. Marmion Pre-school was built in 1969 with the other buildings being built between 1972 and 1976.

Under the lease with the Education Department, the City as Lessor provides premises and the Department as Lessee provides all expenditure to support the activities. Given that the buildings range in age between 22 and 30 years, and that the Four Year Old programme needs in pre-primary education have changed, there was some doubt as to the suitability of the buildings to house the activities.

## **DETAILS**

The Client Services Manager for the Education Department has written to Council stating that the five pre-schools leased from the City “will be required for the long term by the Education Department of WA”. He has attached to his letter itemised lists of work required to improve each facility to comply with the minimum standards. These lists are summarised on the matrix attached as Attachment A.

It can be noted from Attachment A that none of the works necessary to achieve minimum standards require structural alteration of the buildings’ fabric.

The leases governing the five pre-schools stipulate that all maintenance and operating costs are the responsibility of the Lessee. The minor nature of the listed items is not likely to alter the capital value of the premises and must consequently fall into the maintenance and operating domain. All the work required to achieve minimum standards is therefore the responsibility of the Lessee, the Education Department of Western Australia.

Lease fees for the five pre-schools were standardised from 1 July 1995, being set at \$1,410 for the first year, this rate increasing by rises in the Consumer Price Index (All Groups – Perth) for subsequent years of the five year lease term. A similar arrangement was effected by the City of Stirling commencing on 1 January 1999. These fees fall well below a reasonable commercial rental for such properties. A former pre-school in the City of Joondalup now leased as a private child care facility attracts a rental of “... the current market rent then prevailing to such amount as determined by the Licensed Valuer nominated by the President for the time being of the Australian Institute of Valuers and Land Administrators (Inc.) WA Division ... .”

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

- 1 AUTHORISE discussions with the City of Stirling regarding issues of common concern about the lease fees obtained from the Education Department of Western Australia for Local Government owned Pre School centres;**

**2 RAISE THE CONCERNS with the North Metropolitan Zone meeting of Western Australian Municipal Association.**

The Motion was Put and

**CARRIED**

**CJ163-05/99 PROPOSED ROAD CLOSURE FOR POLICE ACADEMY SITE, KENDREW CRESCENT JOONDALUP - [13949J]**

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**SUMMARY**

The Western Australian Police Service proposes to establish a police academy in Joondalup. An unconstructed section of the Kendrew Crescent road reserve falls within the proposed site and the Joint Commissioners have been requested to approve the permanent closure of the road reserve for amalgamation with the police academy site.

The public notification requirements of the Land Administration Act have been complied with and the Joint Commissioners may resolve to close the subject section of road.

**BACKGROUND**

At the meeting held on 9 March 1999 (Item CJ59-03/99 refers) the Joint Commissioners authorised the giving of public notice in respect to the permanent closure of the unconstructed section of the Kendrew Crescent road reserve that falls within the proposed police academy site between the existing Joondalup TAFE and Edith Cowan University campuses as shown on the attached plan.

Public Notification as required by Section 58 of the Land Administration Act 1997 was published in the “Wanneroo Times” newspaper on 23 March 1999 and the 35 day period allowed for the lodging of submissions expired on 27 April 1999 without any submissions being received.

The servicing authorities were advised of the proposed closure and no objections were received

**DETAILS**

An alternative alignment for Kendrew Crescent will be provided in the subdivision that creates the police academy site thereby ensuring future traffic movement in the precinct.

**MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners AUTHORISE a request being made to the Minister for Lands in accordance with Section 58 of the Land Administration Act 1997 for the permanent closure of the section of the Kendrew Crescent road reserve that is within the proposed Joondalup police academy site for amalgamation into that site.**

## **CJ164-05/99      STRUCTURE PLAN FOR HILLARYS BOAT HARBOUR - [23094J]**

### **SUMMARY**

The Western Australian Planning Commission has identified the need for a Structure Plan to be prepared for the Hillarys Boat Harbour area. The original Master Plan was drawn up in the early 1980s and has guided development until recently. Access and parking pressures on the area make a new plan necessary to control future development in an orderly manner.

Council funding is sought to share the cost with the Commission and the Department of Transport, of the appointment of a consultant to prepare a Structure Plan and Implementation Study.

### **BACKGROUND**

|                |                                      |
|----------------|--------------------------------------|
| Reserve Nos    | 27732, 39197, 40802 and 20561        |
| Street Address | West Coast Highway                   |
| Land Owner     | Crown Land (Department of Transport) |
| MRS Zoning     | Parks and Recreation Reserve         |
| TPS Zoning     | MRS Reserve Parks and Recreation     |
| Land Use       | Various                              |

### **Site History**

Hillarys Boat Harbour was constructed in the mid 1980s on reclaimed land as a tourist and boating facility to support the 1987 defence of the Americas Cup. It comprises Crown Reserves, vested in and managed by the Department of Transport (DoT). The original Master Plan was prepared by James Christou and Associates in the early 1980s and has guided development until recently. The area provides a range of commercial, recreational, tourist, club and maritime activities approved on leases of varying periods from the Minister of Transport.

A Transport Study carried out in July 1998 by Uloth and Associates concluded that a parking management plan and signage to direct drivers to available spaces, a pedestrian and bicycle plan are necessary. A Parking Policy is needed, with physical measures to alter junctions and temporary measures to handle peak events.

### **DETAILS**

#### **Current Proposal or Issue**

Following consideration of a number of applications for further development at Hillarys Boat Harbour the WAPC decided that a Structure Plan is necessary for the area and proposes to appoint a consultant to prepare a Structure Plan and Implementation Strategy as a basis for the evaluation of future proposals.

A number of important issues are involved, including access and parking, (especially at peak summer weekends), access to the adjoining beaches and Whitfords Nodes parkland to the north, public transport provisions and connections to the surrounding areas that are now being developed. In particular, recent approvals for subdivision of the Harbour Rise Estate, across Whitfords Avenue to the east, will affect access to and use of the precinct.

Fisheries Western Australia has proposed to relocate its research and education centre from Waterman to the northern side of the Hillarys Boat Harbour area.

A Structure Plan Study is proposed to be commissioned jointly by Transport (DoT), the WAPC and the City of Joondalup. The cost for the employment of consultants and preparation of the Plan and Strategy, budgeted at \$45,000, is proposed to be split equally between the three authorities. The Study area will include Whitfords Nodes and Sorrento Beach, the adjacent roads and the surrounding area to the extent that it interacts with Hillarys Boat Harbour. The Study will address, among other issues, the statutory basis for planning and development control of the area. The structure plan is proposed to be completed by October 1999.

Council has been requested to match the funding provided by the other two proponents for this study and to budget up to \$15,000 for this purpose.

### **Relevant Legislation**

Under the Metropolitan Region Scheme the Western Australian Planning Commission (WAPC) is the development control authority for the area. DoT, as the vesting authority manages the maritime and harbour functions of the Harbour, subleases land to commercial operators and markets and manages the general operations of the area, including access roads, car parking, public open space and special events. It authorises applications for development that requires the approval of the WAPC. Development applications are submitted to the DoT as landowner, and lodged with the City. The City then refers them with recommendations to the WAPC for determination.

### **COMMENT**

#### **Issues**

The original Hillarys Boat Harbour Master Plan, prepared for DoT, provided for the construction of the boat harbour and its associated facilities, the fisherman's wharf and beachside commercial areas, Underwater World and two residential sites, of which one has been developed. This plan provided for the access and parking which was considered at the time to be necessary, including provisions for cars with trailers using the two boat launch ramps.

Pressure on these facilities has increased immensely, with the area acting as a magnet to both marine-related, tourist and commercial activities.

#### **Assessment and Reasons for Recommendation**

The preparation of a Structure Plan and Implementation Study for Hillarys Boat Harbour is considered essential to provide an orderly context for the ongoing development of one of the City of Joondalup's main attractions. It will address the current situation and the development of Hillarys Boat Harbour and the surrounding areas over the next 10 years.

Provision had been made in the budget to employ consultants to investigate and prepare a proposal for the Canham Way service industrial area. However, following preparation of the City's draft Strategic Plan it is considered that the priority for Canham Way should be reconsidered in the light of other possible enhancement possibilities. This will free up funds that could be applied to the Hillarys Boat Harbour Structure Plan.

The cost of \$15,000 can be met from account 27609 (Consultancies).

**OFFICER'S RECOMMENDATION:** That the Joint Commissioners AUTHORISE the use of up to \$15,000 from account 27609 (Consultancies) to share equally the cost of consultant work on the preparation of a Structure Plan and Implementation Study for Hillarys Boat Harbour with the Western Australian Planning Commission and the Department of Transport, subject to:

- 1 the boundary of the study area being extended northwards to include the land between the ocean and Whitfords Avenue up to the entrance to the Ern Halliday Recreation Centre;
- 2 the study paying particular regard to public safety, security, pedestrian and vehicular access.

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE the use of up to \$15,000 from account 27609 (Consultancies) to share equally the cost of consultant work on the preparation of a Structure Plan and Implementation Study for Hillarys Boat Harbour with the Western Australian Planning Commission and the Department of Transport, subject to:**

- 1 the boundary of the study area being extended northwards to include the land between the ocean and Whitfords Avenue up to the entrance to the Ern Halliday Recreation Centre;
- 2 the study paying particular regard to public safety, security, pedestrian and vehicular access and comment from the proposed public meeting.

Cmr Rowell spoke to the Motion.

**The Motion was Put and**

**CARRIED**

**CJ165-05/99 UNAUTHORISED HANDRAILS – LOT 560  
(3) MANAKOORA RISE, SORRENTO [05034J]**

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## SUMMARY

Unauthorised handrails were erected to the edge of parapet walls to flat roof sections of the dwelling under construction at Lot 560 (3) Manakoora Rise, Sorrento. A notice was served by Council to remove the handrails and to erect the approved balcony walls. As the handrails have not been removed, legal action is pending with the matter listed for hearing. The builder

and owner appealed the notice to the Minister of Local Government and the appeal was dismissed. Subsequent to the appeal dismissal and construction of the balcony walls, the owner has made a building licence application for approval of the handrails. Council cannot legally approve the handrails retrospectively but Council's solicitors have suggested that the handrails could remain if those sections of roof adjacent the handrails are made inaccessible and a restrictive covenant placed on the title at the owner's expense to prevent normal access to the roof.

The owner of the dwelling (Mr Parin) indicated that he is prepared to remove the handrails, submit amended plans for a less intrusive design for safety rails, formalise as balcony the eastern portion of roof adjacent Jodie's room and to enter into a covenant at his expense that the western side roof cannot be used as a balcony/entertainment area. Amended plans have been received indicating a new design (See Attachment A) together with correspondence confirming the discussions subject to Council withdrawing legal action against West-Ville Homes and VM & FL Parin with respective parties paying their legal costs.

The options open to the Joint Commissioners are to accept the proposal from Mr Parin or to continue with the prosecution proceedings against West-Ville Homes Pty Ltd and VM & FL Parin.

## **BACKGROUND**

Unauthorised handrails were erected to the edge of the parapet wall bordering the flat sections of roof adjacent Bed 1, Bed 1 balcony, Jodie's Room balcony, and the balcony opposite Jodie's Retreat. ( See Attachment A ) In correspondence to Council the owners have admitted that the handrails were erected without approval but were installed as a perceived safety measure to protect maintenance workers from possible danger. They have also indicated that at no time will the flat roof adjacent the handrails be accessed for normal living purposes.

Adjoining owners of Lot 561 (71) Ashmore Way alerted Council verbally to the erection of the handrails and were concerned about any overlooking that may occur to their property should that section of roof be utilised.

Concerning the flat roof section adjacent Jodie's Retreat, the original building licence issued indicated access to that portion of the roof via a sliding door thus creating a requirement to provide an adequate balustrade. The handrail in conjunction with the parapet wall provides an acceptable balustrade. The overlooking from that section of roof is predominantly towards the street into Manakoora Rise with some overlooking to the front of Lot 559 Manakoora Rise.

A Section 401 Notice under the Local Government (Miscellaneous Provisions) Act was served on both the builder and the owners to remove the unauthorised handrails. The owners exercised their appeal rights to the Minister of Local Government and the appeal was subsequently dismissed.

An application was received From Mr Parin for a building licence for the unauthorised handrails and advice was sought from Council's solicitors as it is not possible for Council to issue a retrospective building licence.

The advice from the solicitors included three suggested options available to Council, with one particular option discussed with Mr Parin. As a consequence, amended plans were received for a modified handrail detail including correspondence from Mr Parin offering the following proposals:

- (a) On the north western wall directly above Lot 561 (71) Ashmore Way, remove the handrail and replace with a safety rail as detailed on the amended plans.
- (b) Jodie's eastern area to be formalised as a balcony as detailed on the amended plans.
- (c) With regard to the area on the western side designated as roof, enter into a covenant that it will not be used as a balcony/entertainment area.

The proposals are subject to Council withdrawing legal action against West-Ville Homes Pty Ltd and VM & FL Parin with the respective parties paying their legal costs.

The amended plans submitted by Mr Parin also include a steel-framed flower box/walkway fixed to the outside of the western elevation retaining wall adjacent the respective boundaries immediately below the handrails. As the flower box incorporated a walkway which is highly visible from the two adjoining lots (Lots 561 & 562 Ashmore Way) it was verbally agreed with Mr Parin to delete the flower box from the amended plans.

## COMMENT

The options suggested by Council's solicitors included continuing the current legal action against the unauthorised handrails, allowing the handrails to remain subject to a restrictive covenant being placed on the title of the property preventing general use of the flat roof adjacent Bed 1, balcony to Bed 1 and the balcony to Jodie's Room or removal of the handrail subject to the restrictive covenant.

It is considered that the proposals from Mr Parin are consistent with the options presented by Council's solicitor, will allow Council to approve a safety rail to the edge of the roof and also prevent the unauthorised use of the roof as an outdoor living area.

It is also pointed out that handrails erected to the edge of a roof or a parapet wall forming part of a roof, can be approved as an architectural feature by Council should no obvious access point be provided that indicates the roof is a balcony.

The finalisation of this matter will conclude the City's long involvement in this development.

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

- 1 APPROVE the building licence application dated 11 February 1999 for handrails and safety rails (amended detail dated 22 April 1999) subject to:**

- (a) **the removal of the existing unauthorised handrail;**
- (b) **a restrictive covenant to the City's satisfaction and at the owner's cost being endorsed on the title of Lot 560 (3) Manakoora Rise which limits access to that portion of the western roof adjacent to Lots 561 and 562 which are necessary for maintenance and cleaning purposes only;**

**2 WITHDRAW legal action against West-Ville Homes Pty Ltd and VM & FL Parin with the respective parties paying their legal costs.**

Cmrs Rowell, Morgan and Buckley spoke in support of the Motion.

**The Motion was Put and**

**CARRIED**

Items CJ166-05/99 and CJ167-05/99 were Moved by Cmr Rowell and Seconded by Cmr Morgan.

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**CJ166-05/99 DELEGATED AUTHORITY REPORT - [07032]**

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**SUMMARY**

This report provides a resumé of the development applications processed by Delegated Authority from 9 April 1999 to 21 April 1999

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners NOTE the determinations made under Delegated Authority in relation to the applications described in Report CJ166-05/99.**

**The Motion was Put and**

**CARRIED**

Appendix IV refers

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**CJ167-05/99 SUBDIVISION CONTROL UNIT - DIRECTOR, DEVELOPMENT SERVICES - 9 APRIL 1999 TO 21 APRIL 1999- [05961]**

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**SUMMARY**

Overleaf is a resumé of the Subdivision Applications processed by the Subdivision Control Unit 9 April 1999 to 21 April 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 CJ167-05/99.**

**The Motion was Put and**

**CARRIED**

Appendix V refers

#### **DATE OF NEXT MEETING**

The next meeting of the Joint Commissioners has been scheduled for **6.00 pm** on **TUESDAY, 25 MAY 1999** to be held at the Wanneroo Civic Centre, Civic Drive, Wanneroo.

#### **CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 1900 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL  
MORGAN  
CLARK-MURPHY  
ROWELL  
BUCKLEY