



MINUTES OF MEETING OF JOINT COMMISSIONERS  
HELD ON 25 MAY 1999

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# CITY OF JOONDALUP

MINUTES OF MEETING OF THE JOINT COMMISSIONERS HELD IN  
WANNEROO CIVIC CENTRE, CIVIC DRIVE, WANNEROO, ON TUESDAY,  
25 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, Business Units:	D DJULBIC
Director, Resource Management:	J TURKINGTON
Director, Community Development:	C HALL
Director, Development Services:	C HIGHAM
Director, Strategic Planning:	R FISCHER
Manager, Division Taskforce:	B PERRYMAN
Manager, Executive Services:	K ROBINSON
Manager, Council Support Services:	M SMITH
Publicity Officer:	L BRENNAN
Committee Clerk:	J AUSTIN
Minute Clerk:	S BRUYN

### In Attendance

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

## **APOLOGIES AND LEAVE OF ABSENCE**

Nil.

There were 11 members of the Public and 1 member of the Press in attendance.

**The Chairman declared the meeting open at 1800 hrs.**

## **PUBLIC QUESTION TIME**

**The following questions, submitted by Mr Barry Higgins of Carabooda, were taken on notice at the Meeting of Joint Commissioners held on 11 May 1999:**

*Q1 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?*

A1 There are 6 Council credit cards on issue to the CEO and Directors. No Commissioners have Council credit cards.

*Q2 Does Council have a policy regarding the use of credit cards?*

A2 No, the City does not, at this point, have a policy regarding the use of credit cards. Credit cards are used, in the main, to pay for accommodation and motor vehicle hire costs when Commissioners (Councillors) or staff are interstate on conferences.

In addition, credit cards are used by the Directors for budgeted entertainment expenses with prior authority being given by the CEO.

At rare times, when it is cost effective to do so, payments are made using the credit card. Examples are when the payment amount is less than \$5.00 and drawing a cheque is cost prohibitive or when urgent payment is required and there are clear cost benefits in doing so. At all times the relevant Director authorises the payment. The City and Shire are currently reviewing the policy manual. It is proposed that a policy and procedures be developed to accommodate credit card payments.

*Q3 Does the policy contain appropriate compliance provisions?*

A3 Refer to Question 2.

*Q4 Is the policy subject to review?*

A4 Refer to Question 2.

*Q5 Is Council satisfied that all provisions are complied with?*

A5 The City and Shire comply with all the various accountability requirements as regards the use of credit cards.

Q6 *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?*

A6 ARIA Award winner, Kavisha Mazzella was flown in from Melbourne; fresh from her tour of the USA. Ms Mazzella is a singer, songwriter, and musician.

Q7 *Was such a performer not available locally?*

A7 No. Kavisha Mazzella is a unique talent. She won Best Folk/World Music Album of the Year at the 1998 ARIA's. She has been invited to perform at Music Festivals around the world and has conducted recent tours in the USA, United Kingdom and Italy.

Q8 *How many other performers, personnel etc were flown from interstate for the festival?*

A8 None.

Q9 *At what cost to Council?*

A9 Ms Mazzella's ticket was an Advance Purchase ticket, purchased by the City for the discounted price of \$578.68; significantly less than the cost of a full economy fare (currently priced at \$1,302.00. However, in March the cost was greater).

Q10 *From what area of budget was this particular airfare taken?*

A10 From the Joondalup Festival Budget – Production Costs.

Q11 *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?*

A11 Funds have been listed in the draft 1999/00 budget for further "GOLD" projects. The next GOLD program is scheduled to commence September 1999.

**The following questions, submitted by Mrs A Hine of Wanneroo, were taken on notice at the Meeting of Joint Commissioners held on 11 May 1999:**

Q1 *Has Council had a copy of chronology from DOLA on the swap of Public Open Space Reserves adjacent to Pullan Place and other parts of land effected in this swap?*

A1 This question was put previously by Mrs Hine and answered at the Meeting of Joint Commissioners held on 13 April 1999 in the following terms: "A summary of events has been received from the Department of Land Administration".

Q1(a) *Was any of peoples land allocated to them, vested in this Council, or was some Crown Land or government owned or was there any land freehold?*

- A1(a) Crown Reserves 31016 and 30958 were vested in the City. There was no City freehold land involved.
- A1(b) *What was the real reason the Minister ordered the Commissioners to sign some paper when Cheryl Edwardes asked them not to sign?*
- A1(b) This question should be directed to the Minister as Council is not aware of his reasons.
- Q1(c) *Do the Commissioners feel they had to do what the Minister ordered them to do? Is this a precedent to get rid of Public Open Space that had been legally allocated for that development at the time?*
- A1(c) The Commissioners had received advice to the effect that Commissioners' function with respect to the Minister's direction to sign the rezoning documentation is purely a functionary task. If this is not done, the Minister can direct Commissioners to sign and if no response is given to this direction, the Minister is able to sign any rezoning documents. Commissioners are in a position of being asked to affix a signature to the documents as a formality.
- Q2 *When this deal was put to Council in the first place, why did they not consult with the people of the affected areas first and give them a chance of open accountability instead of causing so much stress to decent, loyal ratepayers?*
- A2 The Council proceeded with the public notification requirements for the proposed disposition of the Section 20A Reserves as soon as it was practicable to do so.
- Q3 *Could Council request some costings from the Valuer General and Ministerial Departments as to the real facts of this deal?*
- A3 The Council could, if it is considered appropriate, request costings from the Minister. However, it is not certain if the Minister is required to provide such advice.
- Q3(a) *Were all the proper processes gone through before a decision was made by Government Departments (Section 20A)?*
- A3(a) The Council correctly followed the procedures required of it. Enquiries as to the procedures followed by the Government Departments should be made directly to them.
- Q3(b) *Were all boundaries checked out and what were the terms and consultations needed and were they strictly adhered to?*
- A3(b) All required consultations were adhered to.
- Q4 *Can Council find out who suggested to the developer that it was a good idea to swap the land in the first place? Is this a new government initiative to get rid of ratepayers' legally granted Public Open Space? People crowded together need more Public Open Space instead, now we are getting less. Is Council going to carry on this fashion in future?*

- A4 Council is unable to say who it was who suggested the exchange. The Council is unable to comment on perceived Government initiatives.
- Q5 *Why could Council have not considered the Bushplan in the public interest? You could have put in to have this land purchased and saved.*
- A5 Draft Bushplan did not consider this bushland to be of regional significance. It is most unlikely that a reasonable case could be made that this bushland should have been considered to have satisfied the relevant criteria for regional significance.
- Q6 *Council says on Question 3, that the Valuer General was consulted by the Minister for Lands on the value of the former reserves which was obtained on 14 December 1998.*
- A6 As the Council did not request advice from the Valuer General's office, it was not provided with any advice. The advice referred to was requested and received by DOLA.
- Q6(a) *Can Council tell the public what that information was?*
- A6(a) The Council is not aware of what the information referred to consists of.
- Q7 *May I ask please, why people are not having a little question time at the end of each meeting? Is this to be the practice for the future?*
- A7 Public Question Time is listed as the first item on the agenda, and no change is currently proposed for public question time. If further questions arise during the course of a meeting, the Commissioners are happy to talk to any member of the public following the meeting.

**The following question submitted by Mr S Magyar, was taken on notice at the Meeting of Joint Commissioners held on 11 May 1999:**

- 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 The Hillarys Structure Plan does not include the Ern Halliday Recreation Centre and there is no proposal to extend the entrance to the holiday centre. The holiday centre is situated on Reserve 23563, which is an 'A' class Reserve for the purpose of Recreation and National Fitness and is vested in the Recreation, Camps and Reserve Board.

**The following questions submitted by Mr J Hollywood, were taken on notice at the Meeting of Joint Commissioners held on 11 May 1999:**

- 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?*
- A1 Report CJ164-05/99 relates to a proposal for the City to part fund the preparation of a structure plan for Hillarys Boat Harbour with the Western Australian

Planning Commission (WAPC) and the Department of Transport. The study has been initiated by the WAPC and is likely to proceed regardless of the Council's participation. At the meeting of the Joint Commissioners on 11 May 1999 the Council resolved to part fund and participate in the study subject to the study having regard to the issues raised at the Special Electors' meeting scheduled for 14 June 1999.

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

A2 Hillarys Boat Harbour and the Whitfords Nodes are reserved under the Metropolitan Region Scheme and therefore the final determination of development issues is the responsibility of the WAPC. In these circumstances it is not possible for the Commissioners to guarantee that no physical structures, roads or any other structures are planned for the Whitford Nodes.

**The following question, submitted by Mr Barry Higgins, Carabooda, was taken on notice at the Meeting of Joint Commissioners held on 11 May 1999:**

*Q1 How is credit card expenditure usually indicated in the Warrant of Payments?*

A1 Credit card expenditure is a direct debit on the bank statement and is identified on the Warrant of Payments in the "Municipal Fund" column by a number/alpha listing, ie Cheque Number 109A. The same accounting treatment is undertaken for dishonoured cheques, bank charges etc.

**The following questions were submitted by Mr Steve Magyar, Drummer Way, Heathridge:**

*Re: Report CJ164-05/99 Structure Plan for Hillarys Boat Harbour. There are four reserve numbers listed at the beginning of the report. The details of the vesting or management orders for each reserve are not given in the report. Therefore:*

*Q1-4 When was Reserve 27732 created and for what purpose? With which body is this reserve vested, and can the Management Order on this Reserve be changed without public consultation?*

*The same questions are raised in connection with Reserves 39197, 40802 and 20561.*

A1 Reserve 27732 was created on 10 September 1965 for Recreation purposes. This Reserve is vested in the City of Joondalup (formerly as Shire of Wanneroo). The Management Order can be changed under clause 50 of the Land Administration Act 1997.

A2 Reserve 39197 was created on 16 August 1985 for Harbour purposes. This Reserve is vested in the Minister for Transport. The Management Order can be changed.

A3 Reserve 40802 was created on 23 December 1988 for Parks and Recreation. This Reserve is vested in the City of Joondalup (formerly as City of Wanneroo). The Management Order can be changed

- A4 Reserve 20561 was created on 14 November 1930 for Recreation and Purposes Incidental Thereto. This Reserve is vested in the City of Joondalup (formerly as City of Wanneroo). The Management Order can be changed.
- Q5 *What is the value of the capital works within “Proposed Extension of Study Area”?*
- A5 The City does not have figures of expenditure on capital works in the area readily available.
- Q6 *Has any study been made of the current level of use by the public of the “Proposed Extension of Study Areas”?*
- A6 The City is not aware of any specific study into the public use of the proposed extension to the Study area.
- Q7 *Have the Terms of Reference for the Structure Plan and Implementation Study for Hillarys Boat Harbour been drafted?*
- A7 The City has been provided with a draft Consultant’s Brief for the proposed Study.
- Q8 *If so, can the details of the Terms of Reference be made available at this meeting tonight?*
- A8 As the draft Brief has been prepared by the Ministry and the Ministry is to be responsible for the management and conduct of the Study, it is advised that an approach be made to the Ministry to request a copy of the Brief.
- Re: Report CJ184-05/99 Bushplan submission for Lot 17 Tamala Park:*
- Q9 *What is the current zoning of the land within Bushplan site 323 which covers the Tamala Park land holdings of the Mindarie Regional Council?*
- A9 This land is zoned Rural under the Metropolitan Regional Scheme and also Rural under Shire of Wanneroo Town Planning Scheme No. 1. It may be noted that the area of land leased by the Mindarie Regional Council from the Cities of Perth, Stirling and Joondalup also includes land located to the west of Marmion Avenue and falling within Bushplan Site 322. This western parcel of land is also zoned Rural under both of the Schemes referred to above.
- Q10 *What are the grounds for the Mindarie Regional Council’s claim for compensation if the area is not zoned for residential development and if the area was identified in the System Six reports of the early 1980’s?*

A10 The Mindarie Regional Council has made a submission to the Ministry for Planning in respect of Perth's Bushplan and negotiations between the Regional Council and the State Government agencies involved in Bushplan are expected to proceed over coming months. It is premature to speculate on the subject of possible compensation pending adequate progress being made in those negotiations.

Q11 *Does the Joondalup City Council recognise that it has responsibilities for the good government of the district that go beyond short term financial considerations?*

A11 Yes.

**The following questions, were submitted by Mrs A Hine, Dundobar Road, Wanneroo:**

Q1 *Could Council please explain how land vested in the City (Reserve 31016) on 15.10.1971 (4021) and Reserve No 30958 on 3.9.1971 (3221). What is the explanation of these Reserves vested for over 20 years? You say in answer (1) of 8.3.99 (Special Meeting of Electors) "Pursuant to the provisions of the Land Administration Act 1997, it is open for the Minister for Lands to cancel the Reserve status of the Reserves in question and dispose of such land?"*

A1 It is not clear what is meant by reference to "Reserves vested for over 20 years". At the time the reserves were vested in the City there was no time limitation placed on the vestings.

Q2 *Would this not apply to new reserves? Did Council get legal advice independently that this is legal practice and that the Minister can take away peoples public open space at the stroke of a pen and let a developer make heaps of money out of what was legally given to the public as their quota for that particular development? He can now make eleven extra building blocks. This is not a fair exchange. Can Council appeal to the Value General?*

A2 The power of the Minister for Land to cancel reserves will apply to new reserves. The City did receive legal advice that confirmed that the Minister has the power to cancel reserves. The City does not have any right of appeal to the Valuer General on this issue.

Q2a *Answer to Q3 (2) Same date (8.3.99 Special Meeting of Electors). Can Council ask the Minister, when he considered the Amendment 833. Why he ignored the huge response from the public in reaching his decision and favouring a developer who until now has contributed nothing to Council, but the ratepayers have over the years paid the wages of staff and these Ministers. It is a scandal of the worst kind to happen in this Council, but I do thank the Commissioners who have done a great job in trying to support the Greenwood people.*

A2a This question could be put to the Minister if it is considered appropriate.

Q3 *Can a copy of the full chronology supplied by DOLA be put out for the public to read?*

A3 The summary of events as provided by DOLA could be put out for reading by the public if necessary.

*Q4 Crown Reserves 31016 and 30958 your answer says were vested in the City. Can I ask then, was there any permission received from “Aboriginal organisations” and was a Section 18 given to the developer, or did he apply for a Section 18 to do with the Aboriginal Heritage Act?*

*A4 The City was not required to consult with any aboriginal organisation as part of its dealings with this matter.*

*Q4a When was it applied for? When was permission given? Who and which aboriginal people were consulted? As this was Crown land. If I am wrong I apologise publicly.*

*A4a The City is not in a position to answer this question as it was not involved in the issue.*

**Mr T Darby-Smith:**

*Q1 In relation to CJ153-05/99 from the meeting held on 11 May 1999 regarding the crèche worker at Granny Spiers Community House. Is Council aware that a constitutional amendment carried at the 1997 AGM formally changed the trading name of that group to Granny Spiers Community House Incorporated?*

*A1 Response by Director, Community Development: I am not aware of that.*

- *Mr Darby-Smith wished to clarify this matter as he advised that the recommendation referred to the ‘Ocean Ridge Women’s Community Group’, whereas it should read ‘Granny Spiers Community House Incorporated’ and requested this be corrected.*

*Q2 Has Council received a response from the Transport Minister regarding funding for the Eddystone Bridge?*

*A2 Response by Cmr Ansell: A response has been received.*

*Response by Chief Executive Officer: The Joint Commissioners had initially requested that the Eddystone Bridge be in the tender situation before the Main Roads Department called for tenders. This request was refused. Council has been notified that that tender has surplus funds and has therefore requested whether consideration could be given to constructing the Eddystone Bridge. Main Roads has indicated that it is too early for it to make a decision as to the allocation of surplus funds as all the funds allocated with the freeway system are within one budget and this will be considered on a priority basis.*

**Mr J Hollywood of Burns Beach:**

*Q1 In relation to new works for 1999/00, three months ago I queried the issue of the footpath from Marmion Avenue to Burns Beach. It has not yet been done and I notice it is not included in the new work for the next year. Could I have a report on when it will be done?*

*A1 Response by Cmr Ansell: Yes.*

**Mrs A Hine of Wanneroo:**

*Q1 When did Council formulate the policy that written transcripts would not be allowed, only tapes if requested? (Mrs Hine commented that she was unaware of this policy as she had previously received transcripts.)*

*A1 Response by Chief Executive Officer: It would have been some time in 1997 as it was considered during the period of elected members. The elected members reviewed the policy and transcripts were only made available to Councillors on request.*

A great deal of work and expense is involved in supplying transcripts and Council reviewed the policy for these reasons. A tape is made available to the public if requested.

*Q2 Is there a chance that the Galaxy Drive-in Theatre could be placed on an interim heritage list as it is the only one remaining in the northern suburbs?*

*A2 Response by Cmr Ansell: There is no heritage value in a drive-in theatre. This is an asset belonging to someone and there should be no restrictions on its use.*

- *Mrs Hine requested that discussions be held with the owner of the drive-in theatre regarding the future of this facility.*

*Q3 In relation to the issue of Mr Colin Vance and the Environmental Education Centre, is there any chance of this being considered?*

*A3 Response by Chief Executive Officer: Lot 1, which was the site being considered and which has also had proposals in similar lines, is currently vested with CALM and is subject to the management plan for the lake system. Discussions have been held with the CEO of CALM, who has indicated that there could be a possibility of the land being vested with the City if a community project was proposed for the land but CALM will not consider this until its master plan is finalised.*

- *Mrs Hine hoped that when this matter is considered, recognition would be given to the efforts of Colin Vance and that he would be included in this project.*

**Mr S Magyar of Heathridge:**

*Q1 In relation to CJ193-05/99, Subdivision Control Unit report, it lists an item regarding Greenwood Primary School, is this to be deleted?*

*A1 Response by Cmr Ansell: This item was included in error.*

*Q2 I believe it was reported that the Commissioners have been given a copy of the draft Yellagonga Regional Park Management Plan and that it was due to be released in April. Have you had any word as to when that document will be released for public comment?*

*A2 Response by Director, Strategic Planning: No word has been received as to when that document will be available. You will be informed when it becomes available.*

**DECLARATIONS OF FINANCIAL INTEREST**

Nil.

**CONFIRMATION OF MINUTES**

**C23-05-05/99**                    **MINUTES OF MEETING OF JOINT COMMISSIONERS -  
11 MAY 1999**

**MOVED Cmr Rowell, SECONDED Cmr Morgan that the Minutes of the Meeting of Joint Commissioners held on 11 May 1999, be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED**

**ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION****STRATEGIC PLAN AND PRINCIPAL ACTIVITY PLANS**

Before us tonight are two very important documents – the Strategic Plan which outlines the future direction of the new City 1999-2003 – and the Principal Activity Plan which addresses the five-year works program for the City.

The figures provided are preliminary and the source of funding will be further reviewed in the overall budgetary process.

Both documents will be refined with input from the community.

The draft Strategic Plan and the draft Principal Activity Plan will be positioned together as one document for the purpose of public consultation.

**INAUGURAL ELECTIONS**

Also recommended tonight is that elections for both Joondalup and Wanneroo Councils (to be held on 11 December) be held as postal elections.

It has been shown in the recent local government elections earlier this month that postal voting greatly improves voter participation.

The Local Government Minister reported that a total of 34 Councils took advantage of postal voting, resulting in an average participation of 43%.

Councils who did not use postal voting averaged only 9.5% - with one Canning ward returning only 2.4%.

### **WARD STRUCTURE**

We are also voting tonight on the recommendation of a seven ward structure for Joondalup with two Councillors per ward.

### **YOUTH ADVISORY COUNCIL**

At tonight's meeting we will vote on the establishment of our first Youth Advisory Council for the leaders of tomorrow.

The main objectives of the program are to provide an opportunity for young people to raise issues of concern and for them to be able to learn about decision-making in all levels of government.

We welcome the members of the Joondalup South Youth Advisory Council on board and wish them great success.

Promotion for Joondalup north is well underway.

### **ENVIRONMENTAL GRANTS**

We will also be voting tonight on allocation of our \$15,000 Community Environmental Grant Scheme to raise awareness in the community regarding environmental issues.

It is pleasing to see that many schools and community groups have won grants to help them do their bit for our environment.

### **PETITIONS**

**C24-05/99**

#### **PETITIONS SUBMITTED TO THE MEETING OF JOINT COMMISSIONERS – 25 MAY 1999**

#### **PETITION OBJECTING TO PROPOSED CENTRAL MEDIAN STRIP IN COCKMAN ROAD, GREENWOOD – [01068J]**

A 21-signature petition has been received from local residents objecting to the proposed central median strip to be installed in Cockman Road, Greenwood and requesting Council to seek alternative means of traffic calming for the area.

This petition will be referred to Technical Services for action.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the petition objecting to the proposed central median strip to be installed in Cockman Road, Greenwood and requesting Council to seek alternative means of traffic calming for the area be received and referred to Technical Services for action.**

**The Motion was Put and**

**CARRIED**

**POLICY SECTION****CJ168-05/99 HOME BUSINESS POLICY - [13048]**

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**SUMMARY**

Amendment 842 to Town Planning Scheme No.1 introduced provisions defining Home Business. It identified three types of Home Business, namely categories 1; 2 and 3.

It is proposed to introduce a new Home Business Policy, as a complementary document to the Home Business Scheme provisions. The proposed policy is intended to supersede the existing Home Occupation Policy G3-18.

The new policy establishes guidelines for residents wishing to set up Home Business. In more specific terms, the main purpose of the policy is to set out the criteria used in Council's exercise of discretion when considering Home Business proposals.

It is recommended that the Joint Commissioners adopt the proposed Home Business Policy (Attachment 1) and make it available for public comment.

**BACKGROUND**

The proposed Home Business Policy has been formulated as part of a wider framework of planning instruments; including the Home Business Scheme provisions and the Consultant's report on the Local Planning Strategy Relating to People Working from Home. These planning documents are intended to address the expected significant increase in the number of people working from home.

Further one of the purposes in the review of the existing Home Occupation provisions including the Policy has been the need to address the existing discrepancies between the Town Planning Scheme (the Scheme) and Policies. This issue was addressed during the Home Occupation workshop carried out during October 1997.

**Previous Council Decisions**

Amendment 842 to Town Planning Scheme No1 introduced provisions controlling home business activities. The amendment was advertised for public comment until 29 December 1998. It was adopted at the meeting of 9 February 1999 (CJ27-02/99). At that meeting the Joint Commissioners resolved to:

*"...MODIFY and ADOPT Amendment 842 to Town Planning Scheme No1 to replace current Home Occupation provisions with Home Business provisions;..."*

## **DETAILS**

### **Current Proposal or Issue**

The Town Planning Scheme provisions address the type of Home Business that could be approved in the various zones, and the intensity of uses permitted so as to minimise any likely detrimental effect on the amenity of residential areas. As Town Planning Scheme provisions are statutory instruments, compliance with any requirements can be legally enforced.

The proposed Policy (Attachment 1) is intended to complement the Town Planning Scheme Provisions. It intends to set out some guidelines for residents wishing to set up a Home Business. In more specific terms, the main purpose of the policy is to:

- identify the criteria used by Council in assessing the effect on the amenity of the area;
- establish a criteria to allow for community consultation.
- set out the criteria for Council's exercise of discretion particularly in terms of determining compliance with the various standards.

An important element addressed by the policy is the requirement of a management plan. The main purpose of the management plan is to ensure that residents wishing to set up a Home Business-Category 3 provide sufficient information. Council could then assess the extent and degree of impact on the adjoining residential areas; primarily in terms of noise, parking and traffic generation, the likelihood of any pollution, and the nature and extent of advertising signs.

The policy makes specific reference to the factors that will be considered by Council in the assessment of applications for approvals and review of Home Business uses.

### **Relevant Legislation**

The primary function of the proposed policy is to establish the criteria in the use of Council's discretion when considering proposed Home Business uses.

The process in the preparation, or rescission of a planning policy is set out by Clause 5.11 of the Scheme. The first stage is the preparation and adoption of the draft policy by Council. Once adopted, Council is required to publish a notice giving details of inspection and submissions times. The advertising period being not less than 21 days.

Following close of advertising, Council is required to review the submissions received and resolve to finally adopt the policy or not proceed with it. Where a policy is finally adopted, Council is required to publish notification of its adoption.

An existing policy may be rescinded by the preparation or final adoption of a new policy, specifically worded to supersede an existing policy.

### **Relevant Policies**

The existing policy -Policy G3-18 (Attachment 2)- sets out guidelines in respect of applications for Home Occupations. The Policy addresses a number of issues relating to amenity, storage of chemicals, complaints, number of employees, machinery, nature of the uses, sales and storage, food handling, time limits and traffic.

## COMMENT

### Issues

The proposed Policy identifies the aims that must be met when operating home business activities. The inclusion of these aims facilitates the assessment of applications; as compliance with the various requirements or possible variations can be measured against their achievement.

The current Policy (G3-18) presents more stringent requirements in relation to the Scheme provisions, particularly in terms of storage of chemicals, and sales of goods; consideration of complaints, and prohibition of industrial machinery.

Following Council's resolution to adopt the new Scheme Provisions, the existing policy is no longer appropriate. The policy needs to be updated in line with the amended Town Planning Scheme provisions.

A comparison of the issues addressed by the proposed provisions and existing Policy is as follows:-

#### 1. AMENITY:

The existing policy states that amenity considerations are of foremost importance. Under the proposed Scheme provisions, the likely effect on the amenity of the area is one of the factors that must be considered in all Home Business categories. Where the amenity is adversely affected, Council will require discontinuance of the home occupation. The incorporation of amenity provisions into the Scheme text ensures the adequate enforceability of desired standards.

Of significance is that the proposed Policy sets out the criteria in assessing the particular effect of a Home Business on the amenity of the surrounding area. Further, due to the larger intensity of use likely to be generated by Home Business- Category 3, a management plan needs to be submitted by the applicant so as to enable Council to adequately assess the proposal.

#### 2. STORAGE OF DANGEROUS OR TOXIC MATERIAL:

The existing Policy sets out that a condition of approval will be the exclusion of storage of dangerous or toxic material.

The new Scheme provisions incorporate the requirement that a Home Business occupation should not cause injury or prejudicially affect the amenity of the neighbourhood. This planning criteria allows the control in the storage of any dangerous or toxic material.

Due to the diverse range of flammable or dangerous materials commonly stored in residential premises, the management plan and application information require a description of the proposed chemicals. This gives Council discretion to exclude or allow some chemicals depending on their nature and quantity.

### 3. COMPLAINTS:

Under the existing policy, complaints are considered in the context of the effect on the amenity of the area.

The proposed policy sets out the guidelines for community consultation. It identifies community submissions as one of the factors considered in the assessment of the effect of the Home Business on the amenity of the area.

Variations or increases in the allowable areas of floorspace are also to be assessed in the context of community consultation.

### 4. EMPLOYEES:

The existing policy sets out the maximum number of employees as two. The proposed Policy does not address this issue, as it has been covered by the Scheme provisions. Under the new Scheme provisions, the number of employees is limited in relation to the corresponding Home Business category.

### 5. FOOD HYGIENE REGULATIONS:

The present policy requires compliance with the provisions of Food Hygiene Regulations. Similar requirements have been introduced in the proposed Policy.

### 6. MACHINERY:

The current policy sets out provisions relating to machinery, requiring a description of all machinery and prohibiting industrial machinery. Similar restrictions have been included in this policy.

Under the proposed policy, details of the machinery to be used must be included as part of the management plan for category 3; and for other types of Home Business in the details to be provided with the application.

### 7. RESIDENTIAL USE:

A further issue addressed by the existing policy relates to the need to retain the residential use as the predominant use, the Home Business use being only an incidental use.

Under the proposed Town Planning Scheme provisions, the Home Business must not detract from the residential appearance of the dwelling house, and floorspace restrictions are also imposed. These restrictions are considered appropriate in controlling the intensity of the Home Business as an additional use.

8. **SALES AND EXCESSIVE STORAGE:** these are further elements restricted by the existing policy. The proposed Town Planning Scheme provisions prohibit the sale of any goods.

In relation to storage of goods, the management plan requires the applicant to provide information as to any proposed storage areas. The Scheme provisions relating to amenity provide the criteria for the control of excessive storage. This criteria states that there is no injury to the amenity of the neighbourhood, and secondly that the business does not detract from the residential appearance of the dwelling house. As such, the storage of goods can be assessed in terms of the particular circumstances of the case.

9. **TIME LIMITS:**

Under the current policy, residents are required to submit details of the hours of operation of the home occupation. Details as to hours of operation of the home business activity are now also required by the management plan, and also by the information required to be submitted with the application.

10. **TRAFFIC:**

The existing policy limits the generation of additional traffic or increased parking to that which Council regards as normal in a residential neighbourhood. Also the policy restricts delivery or collection of goods by commercial transport vehicles. These issues are addressed by the Scheme provisions, as follows:

- Home Business should not result in a substantial increase of vehicular traffic,
- Parking for Home Business (Category 1 and 2) should not exceed the parking normally reserved for single dwellings;
- For Home Business -category 3 the management plan requires the submission of a car-parking plan.

11. **NUMBER OF CUSTOMERS:**

The proposed Scheme provisions for Home Business-category 1 specifically provide that the proposed use should not attract customers or frequent deliveries of goods. In relation to category 2 and 3, although there is no specific restriction as to the number of customers or deliveries, the provisions relating to protecting the amenity and increased traffic and parking enable Council to address these issues on a merits basis. As a result, the proposed policy includes some guidelines as to the number of customers permitted and what can be regarded as frequent deliveries.

12. The proposed policy also sets out the factors considered in assessing whether a home business results in a substantial or inappropriate modification of the dwelling.

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

The proposed Home Business Policy has been drafted in order to reflect the current changes to the Town Planning Scheme provisions relating to Home Business. The Policy is intended to complement the Scheme provisions.

The Policy aims to set out the criteria in the use of Council's discretion when assessing Home Business applications. Further, it sets out in detail the information that needs to be provided by residents intending to set up a Home Business.

It is recommended that the Joint Commissioners adopt the proposed Policy as included in Attachment 1.

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

- 1        **pursuant to clause 5.11(a) and (e) of the City of Joondalup Town Planning Scheme No 1, ADOPT the Draft Policy “HOME BUSINESS” included in Attachment 1 to Report CJ168-05/99;**
- 2        **pursuant to clause 5.11(b) of the City of Joondalup Town Planning Scheme No 1, advertise the Draft Policy “HOME BUSINESS” for public inspection and comment.**

Cmr Buckley spoke in support of the motion, advising that the Home Business Policy replaced the existing City of Joondalup policy, and had been drafted to support provisions contained in the Town Planning Scheme. The main amendment to the policy is to take into greater account the amenity of the people in the surrounding area to the place where the business is proposed to be carried on.

**The Motion was Put and**

**CARRIED**

Appendix I refers

<b>FINANCE AND COMMUNITY SERVICES SECTION</b>
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Items CJ169-05/99 to CJ172-05/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan.

**CJ169-05/99        SCHEDULE OF DOCUMENTS EXECUTED BY  
MEANS OF AFFIXING THE COMMON SEAL -  
[15876]**

The following is a list of documents sealed under the Common Seal of the City of Joondalup from 15.04.99 to 07.05.99.

Document:	Lease
Parties:	City of Joondalup, C W Duncan and T M Crosbie
Description:	Marangaroo Golf Course
Date:	15.4.99

Document:	Application Form
Parties:	City of Joondalup, Shire of Wanneroo and Wanneroo City ACP Program
Description:	Transfer of Place to Another Person
Date:	15.4.99

Document: Easement in Gross  
Parties: City of Joondalup and Indietro P/L  
Description: Lot 945 Warwick Commercial Park  
Date: 20.4.99

Document: Copyright Agreement  
Parties: City of Joondalup and Bronwyn Scott  
Date: 5.5.99

Document: Copyright Agreement  
Parties: City of Joondalup and Sim Clarott  
Date: 5.5.99

Document: Copyright Agreement  
Parties: City of Joondalup and Robert Burt  
Date: 5.5.99

Document: Contract of Sale  
Parties: City of Joondalup and S B Marvelli  
Description: Lot 12 Uppill Place, Wangara  
Date: 5.5.99

Document: Lease  
Parties: City of Joondalup, City of Perth, City of Stirling and Vodafone  
Network P/L  
Description: Part of Lot 17 Tamala Park  
Date: 5.5.99

Document: Transfer of Land  
Parties: City of Joondalup and Talport P/L  
Description: Lot 11 O'Connor Way, Wangara  
Date: 7.5.99

Document: Withdrawal of Caveat  
Parties: City of Joondalup  
Description: Lot 4, Strata Plan 35211  
Date: 7.5.99

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Schedule of Documents executed by means of affixing the common seal be NOTED.**

**The Motion was Put and**

**CARRIED**

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## **CJ170-05/99      INAUGURAL ELECTIONS - [35216]**

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### **SUMMARY**

At the 23 March 1999 Council meeting, the Joint Commissioners resolved (report CJ72-03/99) to seek the Electoral Commissioner's agreement to conduct the City of Joondalup's inaugural elections.

Upon writing to the Electoral Commissioner informing him of Council's decision, the City has accordingly received written confirmation from the Commissioner agreeing to be responsible for the conduct of the City's inaugural elections.

In accordance with section 4.20 (4) of the Local Government Act 1995, the City must now declare the Electoral Commissioner to be responsible for the conduct of the City of Joondalup's inaugural elections.

### **BACKGROUND**

At the 23 March 1999 Council meeting, the Joint Commissioners resolved by special majority to (report CJ72-03/99 refers):

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

The report outlined a number of reasons as to why the election should be conducted by the Electoral Commission as postal, including the:

- 1997 overall participation rate at postal voting elections was 47%, compared to a participation rate of 20% at vote in person elections.
- election is conducted by professional staff appointed for that sole purpose.
- appointment of the Electoral Commissioner removes any conflict of interest that may exist between elected members and the local government officers appointed to conduct the election.
- election process is overseen by an independent service provider with an in depth experience and adequate resources to perform the tasks.

### **DETAILS**

Following the City's letter to the Electoral Commissioner seeking his agreement, a response has been received from the Commissioner agreeing to be responsible for the conduct of the City's elections.

Section 4.20 (4) of the Local Government Act 1995 states:

"A local government may, having first obtained the written agreement of the Electoral Commissioner, declare by special majority, the Electoral Commissioner to be responsible for the conduct of an election and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election."



- (c) winners of prizes were drawn at the Administration Centre within five working days following the close of the competition from those persons who met the eligibility criteria. The judge's decision was final and no correspondence was entered into;
- (d) prize winners were notified by mail with a public announcement in newspapers circulating within the municipality; and
- (e) winners were drawn by random selection via the City's computer system.

### COMMENT/FUNDING

In view of past success (last year some 42% of ratepayers were involved, contributing \$16 m) and given that ratepayers now have the right to elect to pay rates by four equal instalments it is suggested that a rate incentive scheme be conducted for the 1999/00 year and that the conditions of entry and drawing of winners follow the same format as in past years. With the dissolution of the City of Wanneroo, effective 1 July 1998, it would be advantageous for the City of Joondalup to continue with this scheme.

By conducting these incentive schemes, the rate collection procedures of the Council will be enhanced and reduce the volume of payments close to the 35 days normal payment period.

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

- 1 **UNDERTAKE a Rate Incentive Scheme for the 1999/00 year for the City of Joondalup;**
- 2 **ADOPT the conditions of entry and drawing of winners to the 1999/00 Rate Incentive Scheme as outlined in Report CJ171-05/99;**
- 3 **COMMENCE negotiations with prospective donors for prizes for the 1999/00 rate incentive schemes.**

**The Motion was Put and**

**CARRIED**

Appendix II refers

### **CJ172-05/99 DELINEATION OF VALUATION BOUNDARIES FOR THE 1999/2000 RATING YEAR - [06881]**

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### SUMMARY

The City's split valuation system for rating purposes and the continued subdivision of broadhectare properties requires that the gross rental/unimproved valuation boundaries be delineated on an annual basis.

The boundary delineation is subject to the Minister's approval pursuant to Section 6.28 of the Local Government Act 1995.

This report identifies lots (currently rated on an UV basis) in the City of Joondalup, which it is anticipated will be subdivided during the 1999/2000 financial year and seeks the Minister's approval to change them to a GRV basis for rating purposes.

## **BACKGROUND**

The basis of rating properties within the City of Joondalup is that developed or subdivided residential, special residential, commercial, special rural industrial lots and rural lots of 2.6 hectares or less where it is considered that the property is predominantly for residential purposes are rated on gross rental valuation (GRV). Broadhectare residential and special rural and rural lots are rated on unimproved valuations (UV).

Each year Council re-defines the GRV/UV boundary to accommodate anticipated subdivision of broadhectare residential, special residential and special rural lots and spot rated rural lots of 2.6 hectares or less used predominantly for residential purposes, thus obviating the need to seek approval to change the rating bases midway through the year.

## **DETAILS**

Pursuant to the provisions of Section 6.28 of the Local Government Act 1995 the determination of the method of valuation of land to be used by a local authority rests with the Minister for Local Government:-

- “1 The Minister is to –
- (a) determine the method of valuation of land to be used by a local government as the basis for a rate; and
  - (b) publish a notice of determination in the Government Gazette.
- 2 In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –
- (a) Where the land is used predominantly for rural purposes, the unimproved value of the land; and
  - (b) Where the land is used predominantly for non-rural purposes, the gross rental value of the land.”

## **COMMENT/FUNDING**

The new GRV/UV boundaries have now been identified for the City of Joondalup for the 1999/2000 year.

The boundaries have been adjusted taking into consideration the anticipated subdivision in 1999/2000 – refer Attachment 1. The properties involved are:-

Lot 303, (173) Wanneroo Road, Kingsley WA 6026  
Lot 7, (179) Wanneroo Road, Kingsley WA 6026  
Lot 6, (187) Wanneroo Road, Kingsley WA 6026  
Lot 100, (197) Wanneroo Road, Kingsley WA 6026  
PT Swan LOC 709, (207) Wanneroo Road, Kingsley WA 6026

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners, in accordance with the provisions of Section 6.28 of the Local Government Act 1995, REQUEST the Minister of Local Government to realign the gross rental/unimproved valuation boundaries for the 1999/2000 rating year for the City of Joondalup, as outlined on Attachment 1 to Report CJ172-05/99.**

**The Motion was Put and**

**CARRIED**

Appendix III refers

**CJ173-05/99**

**FIRE SERVICES LEVY - [31229]**

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## **BACKGROUND**

Commissioners will be aware that a comprehensive report on the Fire Service Levy was adopted at the February 1999 meeting (Report CJ12-02/99 refers).

This report indicated that a new funding arrangement for the WA Fire Service was imminent.

It effectively shifted the responsibility for funding of the Fire Service from the following:-

- 12.5% Local Government
- 12.5% State Government
- 75% through a levy on insurance policy holders (property only) insuring within WA

to local government being responsible for collection of a levy as an additional line item on the rate notice. Under this arrangement each property (including vacant land, local government owned property and exempt land) within the Metropolitan Fire District would be levied a rate based on its GRV.

The City had begun preparation of the necessary planning and preparation for the introduction of the levy effective 1 July 1999. An estimated \$8,000 (for both the City of Joondalup and Shire of Wanneroo) had been expended on the project to date.

The Western Australian Municipal Association advised on 12 May 1999 that the State Government would not now proceed with the introduction of the proposed Fire Services Levy. A copy of the relevant documentation is attached as Appendix I.

As a result, the new funding arrangements cannot proceed and the old insurance based levy and 12.5% Local Government precept will need to be resurrected for the next financial year.

This effectively means that the City will need to budget approximately \$700,000 for its 1999/00 contribution towards the funding of the WA Fire Service.

## COMMENT/FUNDING

This is a major setback for local government in that the new funding arrangements were considered more equitable, fair and reasonable. There were many inequities in the “insurance based” levy arrangement:-

- Large corporations currently hold insurance policies “off shore” and as a consequence were not contributing to the levy. As the new levy is based on the valuation of the properties owned by these corporations, they will no longer be exempt.
- Persons who were **not insuring** their property did not contribute to the levy. Some property owners gamble with the risk of their property being destroyed by fire and therefore do not insure their property. With the new levy being based on the property valuation, they can no longer avoid payment of the Fire Service levy.
- Persons who **under insured** their property did not make a proper and adequate contribution to the levy. Once again being a property valuation based levy, these people will contribute more equitably to the operation of the Fire and Rescue Service.
- Persons owning vacant land did not contribute towards the levy. Most owners of vacant land do not insure their properties against fire and other damage and are therefore not currently contributing towards the levy. This will change as the property based levy will affect all vacant land within the Permanent Fire Districts.

In addition, the 12.5% Local Government contribution was also considered inequitable as it was levied on **all** ratepayers and not merely those with properties located within the Metropolitan Fire District.

The decision by the State Government to not proceed with the new funding arrangements requires the City to now build into its annual budget its contribution (in 1999/00 it is estimated to be \$700,000) and continue to reflect it in the municipal rate.

In accordance with the WAMA correspondence the City will provide estimated costs incurred on this project.

It is also recommended the City advise WAMA that:-

1. it seek reimbursement from the Government of the ‘set up’ costs incurred by each Local Government in the implementation of the new scheme, and
2. in view of the advantages associated with the proposed new funding of the Metropolitan Fire Service that it seek a deputation with the State Government Ministers to seek reconsideration of the decision for implementation in the 2000/01 financial year.

**OFFICER'S RECOMMENDATION:** That the Joint Commissioners ADVISE the Western Australian Municipal Association that:

- 1 it seek reimbursement from the Government of the 'set up' costs incurred by each Local Government in the implementation of the new scheme;
- 2 in view of the advantages inherent in the proposed new funding of the Metropolitan Fire Service that it seek a deputation with the State Government Ministers to ensure reconsideration of the decision for implementation in the 2000/01 financial year.

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

**1 ADVISE the Western Australian Municipal Association that:**

- (a) the Council seeks reimbursement from the Government for implementation expenditure incurred on the new scheme;
- (b) in view of the inherent advantages in the proposed new funding scheme for the Metropolitan Fire Service, the Joint Commissioners support moves to have the system implemented in the 2000/01 financial year;

**2 advise local Members of Parliament of the Council's support for the new scheme.**

Cmr Clark-Murphy advised that as the Western Australian Municipal Association was making representations to relevant Ministers on behalf of all local government authorities.

**The Motion was Put and**

**CARRIED**

Items CJ174-05/99 to CJ182-04/99 inclusive were Moved by Cmr Clark-Murphy and Seconded by Cmr Morgan.

## **CJ174-05/99 AUTHORIZATION OF NEW BUDGET ITEMS - [06511]**

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### **SUMMARY**

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

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

- “6.8 (1) A local government is not to incur expenditure from its municipal fund which is not included in its annual budget except where the expenditure:-
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;

- (b) is authorised in advance by resolution\*; or
- (c) is authorised in advance by the Mayor or President in an emergency.

**\*Absolute majority required.**

6.8 (2) Where expenditure had been incurred by a local government:-

- (a) pursuant to subsection (1) (a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1) (c), it is to be reported to the next ordinary meeting of the Council”.

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

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

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

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

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE, in accordance with the provisions of Section 6.8 (1) of the Local Government Act 1995, amendments to the “revised budget figures” of the 1998/99 Budget as detailed in the Schedule of Authorisation of New Budget Items - May 1999.**

**The Motion was put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix IV refers

**CJ175-05/99      WARRANT OF PAYMENTS FOR THE PERIOD  
TO 30 APRIL 1999 - [09882]**

WARRANT OF PAYMENTS TO JOINT COMMISSIONERS ON 25 MAY 1999  
INCORPORATING PAYMENTS FOR THE MONTH OF APRIL 1999

**SUMMARY**

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

**BACKGROUND**

<b>FUNDS</b>	<b>VOUCHERS</b>	<b>AMOUNT</b>
		\$      c
Director Resource Management Advance Account	9907-11260	10,616,712.48
Municipal	000112-000117	14,691,080.83
Trust	000012	60.00
Reserve Account	000017-000018	757,429.33
	<b>TOTAL</b>	<b>\$      26,065,282.64</b>

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of April 1999, the amount was \$616,076.56.

**CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT**

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$26,065,282.64. which is to be submitted to each Joint Commissioner on 25 May 1999 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

ALEXANDER SCOTT  
Manager Accounting Services

J B TURKINGTON  
Director Resource Management

**CERTIFICATE OF CHAIRMAN OF COMMISSIONERS**

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$26,065,282.64 submitted to the Joint Commissioners on 25 May 1999 is recommended for payment.

.....  
Commissioner Campbell Ansell

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners PASS FOR PAYMENT the following vouchers, as presented in the Warrant of Payments to 30 April 1999, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$26,065,282.64.**

<b>FUNDS</b>	<b>VOUCHERS</b>	<b>AMOUNT</b>
		\$ c
Director Resource Management Advance Account	9907-11260	10,616,712.48
Municipal	000112-000117	14,691,080.83
Trust	000012	60.00
Reserve Account	000017-000018	757,429.33
	<b>TOTAL</b>	<b>\$ 26,065,282.64</b>

**The Motion was Put and**

**CARRIED**

Appendix V refers

**CJ176-05/99 FINANCIAL REPORT FOR THE PERIOD  
ENDED 30 APRIL 1999 - [07882]**

**SUMMARY**

The Management Reports for the ten months ended 30 April 1999 are appended for consideration - Attachments A refers.

With ten months (83%) of the financial year expired, trends indicate that there will be some budgetary adjustments necessary. The majority of these have been reported in the Budget Review.

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

It should be noted that contributions to infrastructure assets will be brought to account either when the assets are transferred to the City or at 30 June 1999.

## **Revenues**

Local government accounting requirements dictate that rating and grant revenue is brought to account when the rates are levied and when the local authority obtains control over the asset. The Municipal Fund Summary of Financial Activity report (Attachment A, Segment 1) has however been adjusted to reflect the position at 30 April 1999 ie \$34,745,499. The accrued portion, \$6,502,025, has been shown separately.

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

Due to the implementation of Proclaim, receipts between 24 April 1999 and 30 April 1999 totalling \$205,461 have not been included in this report. These receipts will be included in the May 1999 report. These amounts are in respect of Rates \$100,232, Debtors \$51,004 and Craigie Leisure Centre \$54,229.

Interim rates have been processed up to date. The Valuer General is still experiencing problems with the new computer system, but it is anticipated that a number of interim valuations will be received by the end of the month of May.

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

- Dual use path - Perth Bicycle Network Plan
- Traffic treatment - schools
- Woodvale/Kingsley Day Care
- Ministry of Sports - Greenwood Cricket Club

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

## **Expenditures**

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

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

### **Technical Services**

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

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

- Traffic Management  
Craigie Drive programmed for construction to commence in July 1999.
- Hodges Drive Dualling  
Main Roads will install traffic lights in April – final sealing stage expected in early June.

### Community Development

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

### Resource Management

Capital expenditure is below YTD budget figure due to payments still to be made on:-

- Computer software and equipment - Oracle
- Computer software and equipment - Payroll

### RATES

Rates **levied** for the year were \$33,224,585.

Rate collection as at 30 April 1999 was \$31,365,936 (including accruals \$31,466,168) which represented 88.5% (including accruals) of the **total rates due**. While not a direct comparison the rate collection position at the corresponding period for the former City of Wanneroo in previous years was:-

1989/90	92.9%
1990/91	91.9%
1991/92	92.8%
1992/93	93.4%
1993/94	93.6%
1994/95	94.5%
1995/96	93.5%
1996/97	91.5%
1997/98	91.0%

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

	Issue Date	Collection	Discount
Canning	3/09/98	84.7	-
Wanneroo	11/09/98	83.7	5.0 %
Bayswater	2/07/98	96.9	-
Mundaring	26/07/98	90.0	2.5 %
Stirling	20/08/98	92.7	6.0 %

## REFUSE

The total refuse levied for 1998/99 was \$5,668,614 with total refuse outstanding at 30 April 1999 being \$151,299 indicating a collection of 97.4%. Again, while not a direct comparison collections in previous years for the former City of Wanneroo were:-

1992/93	95.1%
1993/94	96.3%
1994/95	96.2%
1995/96	97.6%
1996/97	97.4%
1997/98	96.7%

## SWIMMING POOL INSPECTION FEES

The amount levied for swimming pool inspection fees in the 1998/99 financial year was \$118,739. At 30 April 1999 \$2,504 or 2.1% remained outstanding.

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

## INTEREST ON INVESTMENT

The City's interest earnings to 30 April 1999 was \$1,950,208 (94.90% of budget figure) compared to an annual budget of \$2,055,109. It is to be recognised that included in these figures is the earnings of \$858,039 on the Reserve Accounts.

At 30 April 1999 the City's investment portfolio, including Reserves, was as follows:-

	\$	%
AMP Managed Treasury	8,281,234	14.84
Bankers Trust Cash Plus	9,802,095	17.57
Commonwealth Bank (CDA's)	4,109,159	7.36
CBA Cash Fund	8,321,127	14.91
NMFM Cash Enhanced	15,325,615	27.46
Trust West Treasury	9,791,358	17.55
Trust West Cash Enhanced	76,154	0.14
PBS (in liquidation)	95,266	0.17
	\$55,802,008	100.00%

A more detailed presentation of Council's investment portfolio at 30 April 1999 is shown on Attachment A, Segment 3.

## BUILDING LICENCE FEES

Fees to 30 April 1999 were \$565,302 against a budgeted \$715,000. The collections in this area at 30 April are 79% of budget against a year to date budget of 83%.

## DEVELOPMENT APPLICATION FEES

Development Application Fees have far exceeded budget expectations (budget \$70,000 as against YTD actual \$205,734). On current results this will provide a surplus of \$180,000 by 30 June 1999.

Structures for these fees were changed just prior to completion of the 1998/99 budget and as there was no previous experience relating to fee revenue under the new structure an estimate of \$70,000 was budgeted. This has proved to have been greatly underestimated.

## SUB DIVISION CLEARANCE FEES

Fees for this area of Council activity have exceeded budget estimates (YTD actual \$36,365 compared with a budgeted \$8,000). On current estimates this will provide a surplus of approximately \$35,000 by 30 June 1999.

## RECREATION FACILITIES

### Craigie Leisure Centre

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

	Annual Budget	Year to Date Budget (83%)	Year to Date Actual
	\$	\$	\$
Administration	-		-
Pool	56,822	47,352	119,639
Sports/Functions	111,173	92,644	137,513
Fitness Centre	(238,053)	(198,378)	(115,378)
Aerobics	(52,609)	(43,841)	(25,193)
Kiosk	(34,113)	(28,428)	(21,411)
Creche	87,925	73,272	76,050
Adjustment – April receipts			(54,229)
<b>Total Surplus/Subsidy</b>	<b>(\$68,855)</b>	<b>(\$57,379)</b>	<b>\$116,991</b>

Net subsidy \$116,991

The Council's budget provides for an operating surplus of \$68,855 for this complex for the whole of the 1998/99 year. At 30 April 1999 the subsidy is \$116,991.

By way of comparison the net subsidy for the corresponding period last year was \$37,241

Attendances for the 10 months to 30 April 1999 were 675,633 compared with 652,661 for the corresponding period last year. This reflects an increase in numbers of around 22,970.

The major increase in subsidy since the prior month is due to a significant decline in attendees at the pool (due to the weather) and fitness centre promotional activities which commence in May/June.

## Leisure Centres

The operating position for the individual recreation centres for the ten months ended 30 April 1999 was as follows:-

		Income	Expenditure	Council Contribution	Return
		\$	\$	\$	%
Ocean Ridge	BUDGET	304,400	346,979	42,579	87.7
	<b>YTD BUDGET</b>	<b>253,667</b>	<b>289,149</b>	<b>35,482</b>	
	ACTUAL	178,964	304,512	125,548	58.8
Sorrento/Duncraig	BUDGET	288,920	366,196	77,276	78.9
	<b>YTD BUDGET</b>	<b>240,767</b>	<b>305,163</b>	<b>64,396</b>	
	ACTUAL	209,027	317,597	108,570	65.8
Wanneroo	BUDGET	127,340	279,913	152,573	45.5
	<b>YTD BUDGET</b>	<b>106,117</b>	<b>233,261</b>	<b>127,144</b>	
	ACTUAL	83,611	186,814	103,203	44.8
Warwick	BUDGET	-	173,761	173,761	100.0
	<b>YTD BUDGET</b>		<b>144,801</b>	<b>144,801</b>	
	ACTUAL		176,578	176,578	100.0
<b>TOTAL</b>	<b>BUDGET</b>	<b>\$720,660</b>	<b>\$1,166,849</b>	<b>\$446,189</b>	<b>61.8</b>
	<b>YTD BUDGET</b>	<b>\$600,551</b>	<b>\$972,374</b>	<b>\$371,823</b>	
	<b>ACTUAL</b>	<b>\$471,602</b>	<b>\$985,501</b>	<b>\$513,899</b>	<b>47.9</b>

As reported last month, there is an expected shortfall of \$60,000 in revenue for the Ocean Ridge Community Centre. An error in calculating the subsidised use from 1997/98 resulted in an overestimate of approximately \$20,000 in the 1998/99 budgeted figure.

JAM nights are no longer held and this will result in a revenue shortfall of \$15,000 for that activity.

After School Care was over-budgeted at \$35,000 revenue, but should only have been \$10,000.

## **RESERVE ACCOUNTS**

Aggregate account balances of Council's reserves at 30 April 1999 was \$28,305,205.

## **TRUST FUNDS**

Balances at 30 April 1999 were:

Unclaimed Salaries and Wages	\$1,673.00
Unclaimed Monies	\$50,608.00
Yanchep/Two Rocks Community Bus	\$82,421.00

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Financial Reports for the period ended 30 April 1999 be NOTED.**

**The Motion was Put and**

**CARRIED**

Appendix VI refers

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## **CJ177-05/99      VEHICLES PURCHASES HEAVY VEHICLE REPLACEMENT RESERVE: TENDER 114- 98/99 - [31718]**

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### **SUMMARY**

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

The City's 1998/99 budget provided for the purchase of two (2) full forward control rear loading refuse compactors for Environmental Waste Services.

This report outlines the submissions received in relation to Tender 114-98/99. It recommends the purchase of two (2) full forward control rear loading refuse compactors from Skipper Trucks Belmont.

### **BACKGROUND**

Tender number 114-98/99 pertaining to these acquisitions was advertised on Wednesday, 17 March 1999 and closed on Thursday, 08 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 four submissions received for the supply and trade of two (2) full forward control rear loading refuse compactors and two tenders for the supply of compactor bodies in regard to tender 114-98/99 the details of which are shown on Attachment A.

Environmental Waste Services has evaluated the vehicles and recommended the purchase of the Mitsubishi FV547TW truck with a Waste Master compactor. Purchasing the Waste Master compactor in preference to the MJE compactor adds an additional \$16,802 to the purchase price giving a total changeover of \$293,234. A careful evaluation has been undertaken by the EWS Business Unit to determine the units suitability for the City's specific use in the bulk rubbish collection. It is considered that over the 10 year life of the compactor unit the increased operational productivity warrants the additional cost of the Waste Master units. The advantages are:-

- very robust vehicle
- greater productivity
- operator acceptance
- greater versatility in accepting loads

It is therefore recommended that the tender from Skipper Trucks Belmont be accepted.

**COMMENT/FUNDING**

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

<b>Plant No</b>	<b>Recommended Tender - Changeover</b>	<b>Budget Provision</b>	<b>Budget Savings/Shortfall</b>
95740	\$147,617	\$160,000	\$12,383
95741	\$145,617	\$160,000	\$14,383
<b>TOTAL</b>	<b>\$293,234</b>	<b>\$320,000</b>	<b>\$26,766</b>

Accepting this the 1998/99 budget savings on tender 114-98/99 is \$26,766.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners ACCEPT the tender from Skipper Trucks Belmont for the purchase of two (2) full forward control rear loading refuse compactors at a net change over figure of \$293,234 after trade ins, as detailed in tender 114-98/99.**

**The Motion was Put and**

**CARRIED**

**CJ178-05/99 VEHICLES PURCHASES HEAVY VEHICLES  
ADDITIONAL PURCHASES TENDER  
NUMBER 115-98/99 - [20930]**

**SUMMARY**

The City's 1998/99 budget provided for the purchase of vehicles, as detailed in the Additional Vehicles Programme, the funding of which is from the Trade/Industrial/Commercial Reserve Account.

The City's 1998/99 budget provided for the purchase of one (1) full forward control front loading refuse compactor for Environmental Waste Services.

This report outlines the submissions received in relation to Tender 115-98/99. It recommends the purchase of one (1) full forward control front loading refuse compactor from Skipper Trucks.

**BACKGROUND**

Tender number 115-98/99 pertaining to these acquisitions was advertised on Wednesday, 17 March 1999 and closed on Thursday, 08 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 six submissions received for the supply and trade of one (1) full forward control front loading refuse compactor and two tenders for the supply of compactor bodies in regard to tender 115-98/99 the details of which are shown on Attachment A.

This tender was called with the option of two sizes of truck, 6 x 4 configuration or 8 x 4 configuration. Environmental Waste Services has conducted an evaluation of the truck tendered. Some concerns were expressed by the Works Co-ordinator EWS regarding the Waste Master compactor showing signs of lifting gear failure after 18 months service. After careful consideration, it is recommended that the City purchase the International Acco 2350G x 4 with the MacDonald Johnson compactor.

It is therefore recommended that the tender from Skipper Trucks be accepted.

## COMMENT/FUNDING

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

Plant No	Recommended Tender - Changeover	Budget Provision	Budget Savings/Shortfall
N/A	\$263,224	\$301,000	\$37,776
<b>TOTAL</b>	<b>\$263,224</b>	<b>\$301,000</b>	<b>\$37,776</b>

Accepting this the 1998/99 budget savings on tender 115-98/99 is \$37,776.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners ACCEPT the tender from Skipper Trucks for the purchase of one (1) full forward control front loading refuse compactor at a net purchase price of \$263,224, as detailed in tender 115-98/99.**

**The Motion was Put and**

**CARRIED**

**CJ179-05/99      VEHICLES                  PURCHASES                  PLANT  
REPLACEMENT      RESERVE:      TENDER 118-  
98/99 - [23930]**

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## SUMMARY

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

The City's 1998/99 budget provided for the purchase of one (1) 20 tonne multi roller for Engineering Construction and Maintenance Services.

This report outlines the submissions received in relation to Tender 118-98/99. It recommends the purchase of one (1) 20 tonne multi roller from Welquip.

## BACKGROUND

Tender number 118-98/99 pertaining to these acquisitions was advertised on Wednesday, 17 March 1999 and closed on Thursday, 08 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 three submissions received for the supply and trade of one (1) 20 tonne multi roller in regard to tender 118-98/99 the details of which are shown on Attachment A.

The Multipac VP203 5-6L Powershift has been demonstrated to Engineering Construction and Maintenance Services. The supervisor has indicated that the performance of the Multipac is satisfactory and is therefore recommended.

It is therefore recommended that the tender from Welquip be accepted.

## COMMENT/FUNDING

Based on the **Welquip** tender the financial position is:

Plant No	Recommended Tender - Changeover	Budget Provision	Budget Savings/Shortfall
98655	\$90,750	\$120,000	\$29,250
<b>TOTAL</b>	<b>\$90,750</b>	<b>\$120,000</b>	<b>\$29,250</b>

Accepting this the 1998/99 budget savings on tender 118-98/99 is \$29,250.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners ACCEPT the tender from Welquip for the purchase of one (1) 20 tonne multi roller at a net change over figure of \$90,750 after trade in, as detailed in tender 118-98/99.**

**The Motion was Put and**

**CARRIED**

**CJ180-05/99 APPOINTMENT OF JOONDALUP SOUTH YOUTH ADVISORY COUNCIL - [38245]**

## SUMMARY

At the Joint Commissioners meeting of 22 December 1998 (CJ298-12/98), approval was given for the development of a Youth in Government program for the City of Joondalup.

A part of the program is the establishment of two (2) locally based Youth Advisory Councils. A selection process has been completed for the Joondalup South area and endorsement is being sought for representation to this Youth Advisory Council and the Terms of Reference for the two (2) Youth Advisory Councils in the City.

## **BACKGROUND**

At the Joint Commissioners meeting held on 22 December 1998, it was resolved that the Joint Commissioners:

- 1 ENDORSE in principle the Youth in Government Program as put forward in [Report CJ298-12/98](#);
- 2 DISBAND the Junior Council in its current form and replace it with the Junior Council Program as put forward in [Report CJ298-12/98](#).

The Youth In Government Program draws together and integrates the work done by Nick Francis and Associates, the City's subsequent Youth Action Plan, the Youth Parliament programs of the YMCA and the State Government's Youth Advisory Council program (YAC's).

The Youth in Government Program includes a range of initiatives that incorporate:

- the development of two Youth Advisory Councils;
- a revised Junior Council program;
- participation in State Youth Parliament;
- participation in Federal Youth Parliament.

The main objectives of the Youth in Government project are:

- To provide an opportunity for young people throughout the City of Joondalup to raise, discuss and advocate on issues that are of significance to them.
- To provide opportunities for young people to learn about and participate in the decision making process of all levels of Government.
- to implement a meaningful and effective youth advisory council structure that is accessible to the wider youth community.

## **Promotional Strategies**

A key objective of the project is to encourage participation from all sectors of the youth community and this has been reflected in the promotional strategies. These strategies included:

- ◆ an advertisement in the Wanneroo Times (4 weeks)
- ◆ an advertisement in University Newspapers (Harrabee , The Voice)
- ◆ detailed letters and promotional materials to school Principals
- ◆ detailed letters and promotional materials to P & C Presidents
- ◆ detailed letters and promotional materials to the managers of youth service providers in the local area
- ◆ detailed letters and promotional materials to local youth groups
- ◆ detailed letters and promotional materials to local sporting clubs
- ◆ school visits in co-operation with Office of Youth Affairs

- ◆ distribution of posters in local shopping centres, recreation centres, tertiary institutions and youth meeting places.
- ◆ liaison with disability support groups and service providers.
- ◆ promotional materials sent to local employment agencies
- ◆ media releases to inform public of project progress
- ◆ radio announcements on the “Community Switchboard”

### **Selection Process**

Twenty-nine (29) nominations were received for the Joondalup South Youth Advisory Council.

Nominations were reviewed by a panel of City of Joondalup Youth Services staff based on selection criteria including age, residential address, school attended, employment status and community involvement. Using these criteria, applications were reduced to 16 nominees who best reflected the diversity of the youth population. To ensure that participation numbers are constant throughout the year, three reserve members are also listed. This accounts for the nineteen nominees listed for endorsement below.

While this proved to be a successful selection process, it is envisaged that a panel of peers drawn from the existing Youth Advisory Council will review nominations for Joondalup North. This is obviously the preferred option.

### **Terms of Reference**

In keeping with the premise that the Youth Advisory Council should be a youth driven initiative, the young people should logically develop shared vision and values statements themselves. This also develops a sense of ownership of the document and it's principles.

The nominees have undertaken this task and a copy of the Vision and Values statement and the Youth Advisory Council meeting framework is attached to this report. (See Attachment 2)

An umbrella Terms of Reference for all Youth Advisory Council's in the City is also attached. (See Attachment 1)

### **Future directions**

Following endorsement by the Joint Commissioners, the Youth Advisory Councillors (Joondalup South) will begin meeting on a monthly basis. The details of the meetings are attached. (See Attachment 3)

At the time of writing this report, promotion for Joondalup North Youth Advisory Council is well underway and a steady flow of nominations have been received. Closing date for nominations for this Council is 14 May 1999.

Following this date, there are a number of program events currently being planned including:

- ◆ an Orientation weekend for Joondalup North Youth Advisory Council (June 11-13, 1999)
- ◆ Junior Council Week (July 12 – 16<sup>th</sup>, 1999)
- ◆ a Development and Training weekend (September)

- ◆ monthly meetings of the two Youth Advisory Councils.

In addition to this, a contract is currently being negotiated with a videographer to record the project from beginning to end. The finished product will be a professional quality video detailing all stages of the project and including footage of events, meetings, presentations and participant interviews. Once completed the video will be used as an evaluation and promotional tool for the project. It will also be seen as an initiative of “Best Practice” in the field and will be of interest to other municipalities and State government offices.

## DETAILS

### Joondalup South

#### Participant details

<b>Name</b>	<b>Address</b>
Steven Baron	29 Gregory Avenue Padbury
Hayley Brooks	8 Paisley Court Warwick
Natasha Burns	57 Ellersdale Avenue Warwick
Nina Calogero	4 Jagoe Court Marmion
Ryan Clapp	21 Durban Crescent Kingsley
Rachel Curtis	39 Groyder Way Padbury
Heidi Delaney	5 Mott Court Hillarys
Garrath Dingley	87 Bernedale Way Duncraig
Robert Harwood	245 Gibson Avenue Padbury
Andrew Logan	3 Corima Place Craigie
Jayne Miller	144 Cook Avenue Hillarys
Natasha Newman	23 Kanangra Crescent Greenwood
Kristy Pickett	190b Trappers Drive Woodvale
Aaron Tait	36 Phillips Fox Terrace Woodvale
Neil Van Drunen	48 Sillmon Way Duncraig
Andrew Wallis	20 Carr Crescent Warwick

#### Participant reserve list

<b>Name</b>	<b>Address</b>
Janelle Van Sant	10 Martin Road Sorrento
Janelle Budge	21 Tabbard Street Greenwood
Zachary Dolbel	5 Lee Court Kingsley

The age ranges of the nominees for Joondalup South Youth Advisory Council are as follows:

<b>Age</b>	<b>Frequency</b>
<b>15</b>	<b>9</b>
<b>16</b>	<b>6</b>
<b>17</b>	<b>2</b>
<b>18</b>	<b>1</b>
<b>19</b>	<b>1</b>
<b>20</b>	<b>1</b>
<b>21</b>	<b>1</b>

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

**1 in accordance with Section 5.8 of the Local Government Act, 1995, ESTABLISH, a Joondalup South Youth Advisory Council with the following membership:**

<b>1</b>	<b>Steven Baron</b>	<b>11</b>	<b>Jayne Miller</b>
<b>2</b>	<b>Hayley Brooks</b>	<b>12</b>	<b>Natasha Newman</b>
<b>3</b>	<b>Natasha Burns</b>	<b>13</b>	<b>Kristy Pickett</b>
<b>4</b>	<b>Nina Calogero</b>	<b>14</b>	<b>Aaron Tait</b>
<b>5</b>	<b>Ryan Clapp</b>	<b>15</b>	<b>Neil Van Drunen</b>
<b>6</b>	<b>Rachel Curtis</b>	<b>16</b>	<b>Andrew Wallis</b>
<b>7</b>	<b>Heidi Delaney</b>		<b>Reserve list</b>
<b>8</b>	<b>Garrath Dingley</b>	<b>17</b>	<b>Janelle Budge</b>
<b>9</b>	<b>Robert Harwood</b>	<b>18</b>	<b>Janelle Van Sant</b>
<b>10</b>	<b>Andrew Logan</b>	<b>19</b>	<b>Zachary Dolbel</b>

**2 ENDORSE the umbrella Terms of Reference for the two Youth Advisory Councils in the City attached to Report No CJ180-05/99;**

**3 NOTE the Meeting Framework and Values and Vision statements developed for the Joondalup South Youth Advisory Council;**

**4 THANK all nominees who nominated for memberships of the Joondalup South Youth Advisory Council.**

**The Motion was put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**Appendix VII refers**

**CJ181-05/99 ART COLLECTION WORKING PARTY –  
[22171]**

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## **SUMMARY**

A meeting of the Art Collection Working Party was held on 4 May 1999 and the minutes are submitted for noting by the Joint Commissioners. The Working Party also considered purchase of the following art works:

*The Way of Love* by Janis Nedela for \$1,800

*Mouth of Margaret River* by Jane Martin for \$1,500

The Art Collection Working Party has recommended purchase of the art works.

## **BACKGROUND**

The Art Collection has the following objectives:

- To support contemporary Western Australian art and Artists.

- To provide the citizens of the City of Joondalup and Shire of Wanneroo access to high quality visual art within the boundaries of the region.

The profile of the collection is to establish a collection of good quality artwork by contemporary Western Australian Artist with a second priority of having a regional focus.

Artworks over the value of \$1,000 are required to be considered by the Art Collection Working Party for acquisition for the City's Collection.

Members of the Art Collection Working Party are:

Commissioner Harry Morgan AM  
Rie Heymans, Curator, Art Consultant  
Mark Stanton, Manager Leisure Services

## DETAILS

The Art Collection Working Party has recommended purchase of the following works:

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
JANIS NEDELA	THE WAY OF LOVE	MIXED MEDIA	GALERIE DUSSELDORF	\$1,800
JANE MARTIN	MOUTH OF MARGARET RIVER	OIL ON BOARD	GALLERY EAST	\$1,500
TOTAL				\$3,300

## COMMENT/FUNDING

The Consultant recommended purchase of *The Way of Love* by Janis Nedela for \$1,800 because the work:

- meets the Art Collection profile;
- is a prize winning work (Albany Art Prize) by an important WA artist;
- it is both lyrical and enigmatic;
- is an important addition to the collection which is highly suitable for display in Joondalup library.

The Consultant recommended purchase of *Mouth of Margaret River* by Jane Martin for \$1,500 because the work:

- meets the Art Collection profile;
- is a rich, colourful and bold landscape of an area of the state;
- is painted by a well respected WA artist who is represented in many public collections and makes a very worthy addition to Council's collection.

Funds are listed in the 1998/99 budget for the purchase of Artworks; details are listed below;

Account No: 294711235  
 Budget Item: Art Purchases  
 Budget Amount: \$20,000  
 Actual Cost: \$3,300  
 Remaining Budget \$3,380

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

**1 PURCHASE the following art works for the Art Collection:**

ARTIST	TITLE	MEDIUM	ART GALLERY	PRICE
JANIS NEDELA	THE WAY OF LOVE	MIXED MEDIA	GALERIE DUSSELDORF	\$1,800
JANE MARTIN	MOUTH OF MARGARET RIVER	OIL ON BOARD	GALLERY EAST	\$1,500
<b>TOTAL</b>				<b>\$3,300</b>

at a cost of \$3,300 from Account Number 29471235 - Art Purchases.

**2 NOTE the minutes of the Art Collection Working Party held on 4 May 1999, as shown on Attachment 1 to Report CJ181-05/99.**

**The Motion was Put and**

**CARRIED**

Appendix VIII refers

**CJ182-05/99 NOISE - STEREO MUSIC AND VOICES AT 57 NAUTILUS WAY KALLAROO - [17865J]**

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**SUMMARY**

The Joint Commissioners are advised of the issuing of a Pollution Abatement Notice against the owner/occupiers of 57 Nautilus Way, Kallaroo, and the breach of that notice on 28 February 1999.

**BACKGROUND**

Under the provisions of the Environmental Protection Act 1986 the Chief Executive Officer of the City has delegated authority to issue a Pollution Abatement Notice in respect of noise. This was endorsed by the Joint Commissioners of the former City of Wanneroo at the Council meeting on 23 June 1998 (CS88 – 06/98 refers). Under the same Act, approval to prosecute for a breach of the notice must have the consent of the Council.

## DETAILS

On 17 December 1996 the former City of Wanneroo received a written complaint from Mr and Mrs Butcher of 59 Nautilus Way Kallaroo, regarding excessive noise of both amplified music and voices emanating from 57 Nautilus Way Kallaroo at the time of social gatherings. A Pollution Abatement Notice dated 7 March 1997 was eventually served on the owner/occupiers, Mr Philip Andrew Alexander and Mr Darren Royston Doble, in respect of loud music.

The notice only referred to music, as traditionally this business unit has been reluctant to become involved in complaints referring to loud voices as it is considered that the main intention of the legislation is to deal with noise of equipment. In addition, it has been found in the past that notices referring to music have had the effect of abating disturbances from the social gatherings which occur.

Legal action has since been initiated for a breach of the notice on 12 September 1998. However, both music and voices have continued to cause a noise disturbance, and because the music and voices often occur simultaneously, it has been difficult to assess the music level alone. Therefore a revised notice covering noise of both music and voices was issued on 19 November 1998.

A log of events obtained from the complainants for January & February 1999 shows alleged disturbances on 10 days.

On Sunday 28 February 1999 at 5.00pm a Council Noise Officer attended a call out and verified disturbance of noise resulting from music and activities including shouting and laughter at 57 Nautilus Way, Kallaroo. A sound level assessment confirmed that the noise exceeded the acceptable levels contained within the Pollution Abatement Notice of 19 November 1998.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners AUTHORISE the initiation of legal proceedings against Messrs Philip Andrew Alexander and Darryn Royston Doble for any breach of the Pollution Abatement Notice issued to them on 19 November 1998.**

**The Motion was Put and**

**CARRIED**

<b>TECHNICAL SERVICES SECTION</b>
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**CJ183-05/99      METHUEN WAY - DUNCRAIG - [06123J]**

## SUMMARY

In July 1998, the Joint Commissioners considered a report on the impact of commuter parking on the road network surrounding Warwick Rail Station. At that time the City gave a commitment to continue to monitor parking patterns in Methuen Way and review the existing parking prohibitions accordingly. A review has now been completed and the following parking proposal is presented for consideration.

## **BACKGROUND**

Issues relating to commuter parking were first considered by the former City of Wanneroo shortly after the opening of the Northern Rail Line in 1993.

In August 1993, Council considered reports on the impact of all day commuter parking in Methuen Way, Duncraig and Ellendale Drive, Heathridge. Both streets are located on the western side of the Freeway reserve and provide access to rail stations via pedestrian overpasses. In each case, parking facilities are provided on the Eastern side of the Freeway/Railway Reserve. Commuters living west of the freeway/railway reserve indicated it was more convenient to use Methuen Way and Ellendale Drive for all day parking because of its proximity to their place of residence. Notwithstanding this, residents of both streets expressed concern at the growing number of vehicles using their street for all day parking despite the availability of parking facilities on the eastern side of the freeway/railway reserve.

The results of a questionnaire circulated to residents of Methuen Way in August 1993, indicated that the majority of residents supported the introduction of parking bans to both sides of Methuen Way. At that time however, this option was seen to be very restrictive because it would affect residents, visitors and commuters.

In view of this, the former City of Wanneroo Council resolved to approve a parking ban on the eastern or freeway/railway reserve side of Methuen Way only (Item Number H10819 refers). The type and extent of the approved (existing) parking ban is shown on Attachment 1.

Monitoring of parking patterns in Methuen Way on a regular basis continued after the installation of the approved parking ban in September 1993. Since then there has been a steady increase in the number of commuters parking in Methuen Way. Approximately 10-20 commuters now regularly park all day in Methuen Way. Residents have continued to express concern at this practise. During this period, residents suggested several proposals such as the installation of time limited restrictions or the use of residents only parking permits to lessen the impact of commuter parking in Methuen Way.

In view of the ongoing concern, at their July 1998 meeting, the Joint Commissioners considered a report on the impact of commuter parking on the road network surrounding Warwick Rail Station. At that time the City gave a commitment to continue to monitor parking patterns in Methuen Way and review the existing parking prohibitions accordingly. A review has now been completed.

## **DETAILS**

Initially some commuters found the proximity to their place of residence and ease of access to the Rail Station via the pedestrian footbridge made Methuen Way an attractive alternative for all day parking. Some commuters also choose to park at this location because over time they have found that parking is not always available at the existing parking facilities provided.

Alternative parking bans, such as time limited parking and full parking bans have been considered as part of this and previous investigations. However, the implementation of parking bans also needs to be carefully considered. In most instances, parking bans should only be considered where parking is unsafe or when alternative parking is provided. Parking bans apply equally to all motorists and may therefore be restrictive to residents and visitors to properties in these areas. The enforcement of these parking bans also needs to be considered. Time limited bans for instance place additional demands on policing and are in many instances unrealistic to enforce.

It is also difficult to predict the commuter's preparedness to walk long distances to the Rail Station. In the case of Ellendale Drive, Heathridge, the restrictive nature of the parking bans meant that additional parking bans had to be considered for other roads within a 200m radius of the pedestrian footbridge. This occurs despite the provision of adequate parking facilities on the eastern side of the railway in Edgewater. On this basis, it is possible that a total parking ban adjacent to the Freeway Reserve may simply redirect commuter parking to other parts of Methuen Way, Brechin Court, Argyll Place and Strathyre Drive. It should also be noted that while all day commuter parking in Methuen Way is undesirable to residents, it is not causing a significant safety risk to pedestrians or other road users.

Given the obligation to balance the needs of residents, visitors and commuters, the following proposal was formulated as part of the review of the existing parking bans in Methuen Way. This proposal was circulated to residents in Methuen Way for comment in April 1999.

The proposal, as shown on the Attachment 2, is intended to restrict parking on the residential side of Methuen Way while allowing limited parking for residents, visitors and commuters adjacent to the Freeway Reserve. To achieve this it is proposed to revoke the existing 'NO PARKING ANYTIME CARRIAGEWAY OR VERGE' prohibition on the eastern side of Methuen Way and replace it with a 'NO PARKING ANYTIME' prohibition on the residential side. The construction of a dual use path on the Freeway Reserve side of Methuen Way has negated the need for a verge parking ban. Similarly, as verge parking without the permission of the adjacent land owner is prohibited under the City's Local Laws, a formal verge parking ban on the residential side of Methuen Way has not been considered.

The proposal is intended to balance both the needs of residents and commuters while ensuring access to properties is maintained at all times. The introduction of a parking ban on the residential side will improve traffic flow and improve access to properties and refuse collection. The statutory 'NO STANDING' areas will also apply on the corners to prevent stopping in these areas. The proposal allows for limited parking but may also contain the parking to the area bounded by the 'NO STANDING' zone.

The proposal has generated significant interest among residents. Of those residents that responded, two individual submissions and a 14 signature petition have been received. The two individual submissions are also signatories on the petition. The petition was present to the April meeting of the Joint Commissioners (Item No. C16-04/99) refers.

The petitioners support the installation of a parking ban on the residential side of Methuen Way. However they have also requested consideration be given to the installation of a 'NO PARKING 6.30 TO 9.30am, 4.00 TO 6.30pm' prohibition on the eastern or Freeway Reserve side of Methuen Way. This would effectively ban all day commuter parking on this section of Methuen Way, yet would allow parking in this area between 9:30am to 4:00pm and 6:30pm to 6:30am. The petitioners proposal, including the statutory 'NO STANDING' areas is shown on Attachment 3.

## COMMENT

While the petitioner's proposal has merit, its restrictive nature is more likely to relocate commuter parking to other sections of Methuen Way, Brechin Court, Argyll Place and Strathyre Drive.

In view of this, the original proposal is more desirable as an interim proposal, to confine the existing commuter parking to adjacent to the Freeway Reserve. This proposal is less likely to relocate commuter parking or create additional parking along other sections of Methuen Way. On this basis, the original proposal, with the addition of the 'NO STANDING' area is supported. The revised proposal is shown on Attachment 4.

If adopted, the City can then monitor the parking patterns in Methuen Way for a six month period and review the parking prohibitions accordingly.

A more restrictive parking ban, such as that supported by the petitioners may be considered following the opening of the proposed Greenwood Rail Station which will provide an additional 668 all day commuter park and ride bays. In the interim, the feasibility of utilising resident only parking permits may be further investigated by Health and Ranger Services.

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

- 1 RESCIND the decision of the former City of Wanneroo dated 25 August 1993 (Item No H10819), being:**
  - “2 installs ‘NO PARKING ANY TIME, CARRIAGEWAY OR VERGE’ signs along the east side of Methuen Way, Duncraig as shown on Attachment 3 to Report H10819;”**
- 2 APPROVE installation of the ‘NO PARKING ANYTIME’ prohibition on the western side of Methuen Way as shown on Attachment 4 to Report CJ183-05/99;**
- 3 APPROVE installation of the ‘NO STANDING ANYTIME’ prohibitions on the north and south bends on Methuen Way shown on Attachment 4 to Report CJ183-05/99;**
- 4 MONITOR the parking patterns in Methuen Way for a six month period and review the parking prohibitions accordingly;**
- 5 ADVISE the residents and petitioners accordingly.**

Cmr Morgan spoke in support of the Motion.

**The Motion was put and**

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Appendix IX refers

**DEVELOPMENT & PLANNING SERVICES SECTION**

Items CJ184-05/99 to CJ193-05/99 inclusive were Moved by Cmr Rowell and Seconded by Cmr Clark-Murphy.

**CJ184-05/99 BUSHPLAN SUBMISSION FOR LOT 17  
TAMALA PARK - [11045W]****SUMMARY**

This report seeks the consideration of the Joint Commissioners for Whelans Consultants, to lodge a submission with the Ministry for Planning on the Bushplan proposals that affect Council's freehold land at Lot 17, Tamala Park.

**BACKGROUND**

Lot 17 Tamala Park was purchased jointly by the former City of Wanneroo and Cities of Perth and Stirling in February 1984 for investment purposes. The Tamala Park regional refuse facility has been developed on a portion of the land. Lot 17 has significant development potential, and structure plans have been prepared for most of the property (these were endorsed by the owner Councils in mid 1993). If portions of Lot 17 become Bushplan sites, then compensation will be sought from the West Australian Planning Commission .

Full background to this matter is provided under separate cover (dated 11 May 1999) to the Joint Commissioners.

**DETAILS**

The City of Joondalup, jointly with the Cities of Perth and Stirling, has engaged consultants, Whelans, in association with Sinclair Knight Merz and Stanton Hillier Parker, to prepare a submission on behalf of the owners on the Bushplan proposals affecting Council's freehold land at Lot 17, Tamala Park.

The consultants submitted a paper entitled Lot 17, Tamala Park, Bushplan Submission: Position Paper for Cities of Joondalup, Perth and Stirling which provides options for the owner Councils to take on Bushplan proposals for the site. The Position Paper dated 11 May 1999 is considered to be commercial in confidence and is appended to the memorandum referred to above.

The memorandum outlines preferred scenarios for each affected site and these are recommended for inclusion in the Bushplan submission to be made by Whelans to the Ministry for Planning.

**MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners ENDORSE the lodging of a submission on Perth's Bushplan proposals affecting Lot 17 Tamala Park prepared by Whelans, to the Ministry for Planning, incorporating the comments recommended for submission in the preferred scenarios section of the memorandum circulated under separate cover dated 11 May 1999.**

**The Motion was Put and**

**CARRIED**

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## **CJ185-05/99      COMMUNITY      ENVIRONMENTAL      GRANT SCHEME - [35663]**

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### **SUMMARY**

The City's 1998/99 budget includes an allocation of \$15000 to fund its Community Environmental Grant Scheme that covers both the City of Joondalup and Shire of Wanneroo. The objective of the Grant Scheme is to raise awareness within the community of environmental issues. Applications for funding pursuant to the Grant Scheme have been sought. A total of twenty four applications have been received. These have been assessed, and recommendations regarding approval have been made.

### **BACKGROUND**

The City's Community Environmental Grant Scheme is intended to promote community awareness of environmental protection, conservation and management issues. An allocation of \$15000 was included in the City's 1998/99 Budget (Account No. 41237) to fund projects within both Joondalup and Wanneroo pursuant to the Scheme for this financial year.

### **DETAILS**

In accordance with normal practice, community groups and schools within the City and Shire were advised in writing that applications for funding pursuant to the Grant Scheme were being sought, and the general community was also advised of such through advertisements in the local newspaper. A copy of the information sheet forwarded with the written advice, and made available through the City/Shire libraries and administration is attached (Attachment 1). As can be seen, this included the City's Interim Community Funding Guidelines.

Twenty two applications were received in response to notification of Grant Scheme funding availability, six from community groups and sixteen from schools, and the total value of these is \$18209. In addition, two applications under the City – Shire Recreation and Cultural Development Funding Scheme (both from schools) have also been considered, because the projects for which funding was sought are more appropriate to the Community Environmental Grant Scheme. Accordingly, a total of twenty four applications for funding (six from community groups and eighteen from schools), totalling \$20319, have been assessed.

### **COMMENT/FUNDING**

The applications have been assessed by the Community Environmental Grant Scheme evaluation panel. The assessment process has focused on the consistency of the project or proposal for which funding has been sought with the objective of the Grant Scheme, its appropriateness for funding (in terms of environmental and educational benefit for example) and compliance with applicant contribution requirements, and a recommendation regarding each has been made (refer to Attachment 2).

In addition, however, as can be seen from the Grant Scheme information sheet, applications should also address matters relating to completion of the project for which funding has been sought. Also, the Interim Community Funding Guidelines, which formed an attachment to the Grant Scheme information sheet, specify a number of requirements with which applications need to comply.

In the past, not all applications received have provided information about project completion, and the submission of completion documentation (a requirement stipulated in Section 4 of the Grant Scheme information sheet) has been sporadic. However, this has not been regarded as a major issue, essentially because of the limited funding provided pursuant to the Grant Scheme (the majority of grants do not exceed \$500). However, because the Community Funding Guidelines require submission of what is effectively a project completion report, the latitude that has previously been extended in this regard may no longer be regarded as acceptable.

Although the majority of applications that have been received do not specifically address completion reporting and accordingly, could not be regarded as specifically complying with the Grant Scheme submission requirements, by making any Grant Scheme funding provided conditional upon submission of a completion report, the stipulation pursuant to the Interim Community Funding Guidelines could be accommodated.

By inference, the Interim Guidelines also require funds provided to be spent by the 30 June this year. In that the applications received will not be determined until the end of May, and as many involve actions that could not necessarily be completed by the end of June, compliance with this requirement clearly poses practical difficulties. If this requirement is rigorously applied, it would in fact preclude approval of the majority of the applications received. Such would not be regarded as a desirable outcome and it is therefore considered that this requirement should not be applied in this instance.

The Interim Guidelines also require acquittal of funding granted by the 30 September this year. The stipulation in this regard requires acquittal documentation to include "...appropriate financial statements..." and "...demonstrate that the funds have been spent on the purpose for which they were allocated." When the Grant Scheme information sheet was prepared, it was envisaged that this information would in fact be included in completion documentation, and such would still be regarded as an appropriate approach in view of the limited scale of funding provided pursuant to the Grant Scheme.

Other requirements under the Interim Community Funding Guidelines relate essentially to procedural matters concerning the advertisement of funding availability, approval of funding, and acknowledgement of City/Shire support through the allocation of funding. Such matters have either been complied with, or are really of little relevance to the fundamental objective of the Community Environmental Grant Scheme and are not, therefore, considered to require further consideration.

On this basis, and subject to submission of completion documentation demonstrating that funding has in fact been used for the purpose for which it was sought and including information on the disbursement of the funding provided, endorsement of the assessment panel's recommendations for each of the applications considered) would be regarded as appropriate. Attachment 3 summarises the panel's recommendations.

As can be seen from Attachment 3, all but three of the applications are recommended for full funding, and grants of \$500 are recommended for two of these (ie those from the Mullaloo Heights Primary School, and the Wanneroo Primary School). This amount (ie \$500) is the maximum grant available in the absence of any contribution from the applicant, and as can be seen from the assessment sheets for the Schools' applications, the matter of applicant contribution has not been addressed. The third of the applications not recommended for full funding (from the Mullaloo Beach Primary School) was actually submitted pursuant to the City/Shire Recreation and Cultural Development Funding Scheme which does not stipulate any particular requirement regarding applicant contributions. The costing information submitted with the application does indicate that the School will be contributing \$300 towards the cost of the project, and that a further "in kind" contribution through labour will occur. Such contributions could be regarded as satisfying Grant Scheme requirements for a grant of \$705, this being the maximum grant that could be provided in response to the School's application (refer to the assessment sheet for the School's application in Attachment 2). Such a grant has, therefore, been recommended.

The required budgetary information is summarised below, the actual cost being the sum of the funding grants recommended by the assessment panel.

Account No:	41237
Budget Item:	133
Budget Amount:	\$ 15,000
Actual Cost:	\$ 14,924

**MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners APPROVE the following grants pursuant to the City of Joondalup Community Environmental Grant Scheme for the year 1998/99, conditional upon recipients submitting documentation on completion of their project demonstrating that funding has in fact been used for the purpose for which it was sought and including information on the disbursement of the funding provided –**

• Beldon Community Centre Inc	\$1500
• Clarkson Community High School	\$ 496
• Clarkson Community High School	\$ 500
• 1 <sup>st</sup> Kinross Scout Group	\$ 500
• Friends of Hepburn & Pinnaroo Bushland	\$ 350
• Friends of Korella Park Bushland	\$ 440
• Friends of Warwick Senior High School Bushland	\$ 500
• Friends of Yellagonga Regional Park	\$ 500
• Hillarys Pre – School Centre	\$ 450
• Joondalup Primary School	\$ 778
• Landsdale Gardens Christian School	\$1500
• Landsdale Primary School Parents & Citizens Association	\$ 725
• Mullaloo Beach Primary School	\$ 705
• Mullaloo Heights Primary School	\$ 500
• Ocean Reef Primary School	\$ 500
• Ocean Reef Residents Association Inc	\$ 500
• Sacred Heart College	\$ 500
• Sorrento Primary School	\$ 480
• South Padbury Primary School	\$ 500

• <b>Springfield Primary School</b>	<b>\$ 500</b>
• <b>Wanneroo Primary School</b>	<b>\$ 500</b>
• <b>Whitford Catholic Primary School</b>	<b>\$ 500</b>
• <b>Woodvale Senior High School</b>	<b>\$ 500</b>
• <b>Yanchep District High School</b>	<b>\$1000</b>

**The Motion was Put and**

**CARRIED**

**CJ186-05/99      CRAIGIE OPEN SPACE - PROPOSED  
GOLFING FACILITIES - [06312J]**

METRO SCHEME:           Parks and Recreation Reserve  
LOCAL SCHEME:         Parks and Recreation Reserve

**SUMMARY**

The public consultation period on the ‘Preferred Preliminary Concept Plan’ of the proposed golfing facility at Craigie Open Space (COS) closed on 17 February 1998. The City received several submissions which outlined the lack of bushland within the Perth Metropolitan Region and requested the City to preserve the bushland at Craigie. The Department of Environmental Protection (DEP) advised that due to the regional significance of this reserve, it is likely that this proposal will be considered as environmentally unacceptable. However, the Joint Commissioners at their meeting of 28 April 1998 (DP118-04/98) deferred consideration of the proposal pending further discussions to assess the possibility of vegetation retention. Subsequently, the City’s Environmental Advisory Committee has considered the matter.

In view of the submissions received from the public, DEP and the Ministry for Planning (MFP) and the recommendations of the City’s Environmental Advisory Committee, it is now recommended that the City does not proceed with the proposal for the golf related facilities and other recreational facilities within the COS Reserve as shown in the ‘Preferred Preliminary Concept Plan’.

However, it is recommended that the City, in conjunction with the development of the final recommendations on the Bush Plan, investigates the future areas for use and conservation within COS having regard to the existing uses and functions of the Reserve, its natural assets and the future needs of the community.

**BACKGROUND**

In 1994, the former City of Wanneroo received a number of proposals from private developers seeking approval to develop commercial recreational facilities at COS. In view of the interest shown by these developers, Council at its meeting of 26 October 1994 resolved to seek ‘Registrations of Interest’ from interested parties to lease, establish and operate commercially based golf oriented or other public recreational facilities within a portion of COS (I 51010 refers).

The Council of the former City of Wanneroo received thirteen submissions of which ten related to golfing facilities and the rest to non-golfing facilities and at its meeting of 27 September 1995 (TP327-09/95 refers) resolved, in part, to:

- 4 *sends notices to the following proponents, along with the Concept 'Option' Plan mentioned at (3) above, inviting them to submit detailed proposals pursuant to the Local Government Tenders for Contracts Regulations, such proposals to specifically address social equity, environmental and economic issues arising from their proposals:*
  - (a) *Club Golf P/L;*
  - (b) *Sunstate P/L;*
  - (c) *World Pitch and Putt Cor Ltd;*
  - (d) *Target Golf International;*
  - (e) *Busselton Archery Park*
- 5 *following receipt and assessment of the detailed proposals referred to in (4) above, prepares a 'preferred' preliminary concept plan for COS to be released for public comment;*

The Concept 'Option' Plan (Attachment 1) which depicted the possible location of the proposals of the short-listed proponents and a possible conservation area, was forwarded to the short-listed proponents. Of the short-listed proponents four proponents submitted tenders.

The Joint Commissioners at their meeting of 23 December 1997 (DP325-12/97 refers) considered these tenders with reference to a Preferred Preliminary Concept Plan (Attachment 2) and resolved, in part, to

- 2 *advertise the 'preferred preliminary concept plan' twice in the Wanneroo Times and The West Australian, inviting comments for a period of six weeks.*

Consequently the former City of Wanneroo received seventeen submissions and a 34-signature petition. (In 1995, the former City of Wanneroo received a 309-signature petition objecting to the proposal). Only one submission was in favour of this proposal. The submissions objecting to the proposal outlined a lack of bushland within the Perth Metropolitan Region and requested the City to preserve the bushland at Craigie.

DEP provided the following advice:

*“COS has been identified by the Department as containing regionally significant bushland. It is part of the Karrakatta Central and South vegetation complex. The remaining bushland in this vegetation complex has largely been fragmented into small holdings many of which are highly constrained by existing zoning and development approvals. As a result it is unlikely that the Government policy target of protecting 10% of each vegetation complex is likely to be achieved in this complex. The area is also known to support populations of several significant fauna complex. Given the values of the bushland that it supports, the primary purpose of this reserve should be conservation. It is therefore suggested that this proposal is likely to be considered environmentally unacceptable.”*

The Ministry for Planning advised as follows:

*“It is highly unlikely that the golf course proposal would be acceptable since the subject site contains the vegetation complex Karrakatta Central and South which is under represented in the Metropolitan area in terms of the proposed 10% minimum protection target for each complex in Bushplan.”*

Coincidentally, in 1996, the City engaged Malcolm Trudgen to independently assess the remnant native vegetation within the City. Mr Trudgen recommended that the entire bushland portion of COS be preserved for conservation.

The Joint Commissioners at their meeting of 28 April 1998 (DP119-04/98) considered the above matters and resolved, *“to defer consideration of utilising the COS for further recreational facility pending further discussions to assess the possibility of vegetation retention for this project”*. Consequently the matter was referred to the City’s Environmental Advisory Committee.

## **DETAILS**

The City's Environmental Advisory Committee (the Committee), assessed the possibility of vegetation retention within COS with reference to the draft Bush Plan. Consequently, the Committee at its January 1999 meeting adopted the following motion -

1. *As an important principle, any development within the COS should be compatible with and complementary to the natural attributes and functions of the Reserve, and yield funding for conservation management of the Reserve; and*
2. *In considering the proposals submitted for the establishment of commercial golf related facilities within the COS Reserve, it is necessary to recognize that –*
  - *the State Government's "Perth's Bushplan" report contains a recommendation which has implications for what could be allowable within the Reserve,*
  - *the City of Joondalup will be making a submission on the Bushplan report and in so doing, will need to consider the natural values of the COS Reserve and the intentions of the Bushplan recommendation affecting the Reserve, and consequent management requirements and costs; and*
  - *completion of this process will provide a clearer understanding of commercial development opportunities within the COS Reserve and accordingly, further consideration of the golf related proposals at that time could be appropriate.*

## **COMMENT**

It would seem doubtful that the golf related proposals that have been submitted as part of the ‘Preferred Preliminary Concept Plan’ could be regarded as *“...compatible with and complementary to the natural attributes and functions...”* of the COS Reserve, essentially because of the extent of further vegetation disturbance and the intrusion upon the linkage between the Reserve and the Pinnaroo bushland to the south. Accordingly, progressing these proposals could be regarded as contrary to the objectives upon which the first part of the Committee's Motion is premised.

The second part of the Committee's Motion suggests that the Bushplan process could be an appropriate mechanism for determining whether some form of commercial recreational development within the COS Reserve could be acceptable. The suggestion that "...further consideration be given to the merits of allowing some limited commercial recreation development...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... " has been incorporated into the City's submission on the Bushplan report. Although the outcome from this suggestion will not be known for some time, it is relevant to note that earlier written advice from both DEP and MFP (the key State agencies involved with the Bushplan initiative) provides a clear indication that golf related development of the nature currently proposed would be unlikely to be regarded as acceptable in terms of the Bushplan recommendation affecting the COS Reserve.

The options realistically available to the City in respect of these proposals would, therefore, seem to be either-

- defer any decisions until the outcome of the City's Bushplan submission is known; or
- advise the proponents that the City will not be progressing any of the current proposals for commercial recreational development within the COS Reserve, but may reconsider the possibility of some form of such development depending on the outcome of the Bushplan initiative.

The 'Preferred Preliminary Concept Plan' would require 16 hectares out of the remaining about 53 hectares, (excluding the Craigie Leisure Centre). In other words, under the current proposal for the Reserve, 30% of the Reserve would be mostly cleared of its vegetation, to establish the fairways, greens, driving range, car-parks, club house, kiosk, etc. Additionally, the proposed Tennis Courts and Bowling Greens as shown on the current plan would also require clearing of about 4.0 hectares. Thus, overall about 37% of the Reserve would need to be cleared to implement the subject proposal. It is noted this development is unlikely to be compatible with and complementary to the natural attributes and functions of COS.

Considering the above matters, it is recommended that the City does not take any further action on the matter of utilising the COS for the golf related facilities and other recreational facilities as shown in the 'Preferred Preliminary Concept Plan'.

However, it is recommended that the City, in conjunction with the development of the final recommendations on the Bush Plan, investigates the future areas for use and conservation within COS having regard to the existing uses and functions of the Reserve, its natural assets and the future needs of the community.

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

- 1 after careful consideration of the submissions received from the public, the Department of Environmental Protection, the Ministry for Planning and the recommendations of the City's Environmental Advisory Committee, NOT PROCEED with the proposal for the golf related facilities and other recreational facilities within the Craigie Open Space Reserve as shown in the Preferred Preliminary Concept Plan;**
- 2 under the provisions of Regulation 18(5) of the Local Government (Functions and General) Regulation 1996 DECLINE accepting any tender;**

- 3 in conjunction with the development of the final recommendations on the Bush Plan, INVESTIGATE the future areas for use and conservation within the Craigie Open Space Reserve having regard to the existing uses and functions of the Reserve, its natural assets and the future needs of the community.

**The Motion was Put and**

**CARRIED**

**CJ187-05/99 CLOSE OF ADVERTISING - PROPOSED AMENDMENT NO 839 TO THE CITY OF JOONDALUP TOWN PLANNING SCHEME NO.1 TO REZONE LOT 7 HEPBURN AVENUE, HILLARYS AND PT LOT 158 HEPBURN AVENUE, SORRENTO TO URBAN DEVELOPMENT ZONE - [29189J]**

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METRO SCHEME:	Urban
LOCAL SCHEME:	Special Development 'A' and Residential Development
APPLICANT/OWNER:	Estates Development Company
CONSULTANT:	Taylor & Burrell

## **SUMMARY**

The advertising period for Amendment 839 in respect of rezoning Lot 7 Hepburn Avenue, Hillarys and Pt Lot 158 Hepburn Avenue, Sorrento to Urban Development Zone closed on 4 December 1998. The City did not receive a submission. It is recommended that the Joint Commissioners adopt Amendment 839 without modification.

## **BACKGROUND**

Taylor Burrell Town Planning and Design, on behalf of Estates Development Company requested an amendment to the City of Joondalup Town Planning Scheme No.1 (TPS1) to rezone Lot 7 Hepburn Avenue, Hillarys and Pt Lot 158 Hepburn Avenue, Sorrento to Urban Development Zone (Attachment 1). In the Metropolitan Region Scheme these lots are zoned Urban and in TPS1 Lot 7 is zoned Special Development 'A' and Pt Lot 158 is zoned Residential Development.

The Joint Commissioners at their meeting of 13 October 1998 (CJ173-10/98) considered the matter and resolved to amend the TPS1 and to un-code the land in the Residential Density Code Map. The amendment proposals were advertised inviting public comments and the submissions closed on 4 December 1998.

## **DETAILS AND COMMENT**

As the City did not receive a submission, it is recommended that the amendment be adopted without modification.

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

- 1 pursuant to Town Planning Regulations 17(2) **ADOPT Amendment No. 839 to the City of Joondalup Town Planning Scheme No.1 to rezone Lot 7, Hepburn Avenue, Hillarys and Part Lot 158 Hepburn Avenue, Sorrento from Special Development A Zone and Residential Development Zone respectively, to Urban Development Zone and to un-code the land in the Residential Density Code Map without modification;**
- 2 **AUTHORISE the affixation of the common seal to, and endorse the signing of the amendment documents.**

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

**CJ188-05/99 CLOSE OF ADVERTISING - CITY OF JOONDALUP TOWN PLANNING SCHEME NO.1 AMENDMENT NO 840 TO REZONE A PORTION OF HEPBURN AVENUE ROAD RESERVE ABUTTING PT LOT 158 AND RESERVE 43672 SORRENTO TO URBAN DEVELOPMENT ZONE - [14935J]**

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METRO SCHEME:	Important Regional Roads
LOCAL SCHEME:	Important Regional Roads
APPLICANT/OWNER:	Estates Development Company/Crown
CONSULTANT:	Taylor Burrell

**SUMMARY**

The advertising period for Amendment 840 in respect of rezoning the southern longitudinal portion of Hepburn Avenue road reserve adjoining Pt Lot 158 and Reserve 43672, Sorrento, between Howland Road in the east and West Coast Drive in the west, closed on 24 November 1998. The City received 54 submissions including a 21-signature petition. While one submission was in favour of the proposal the rest, including the petition, were against. The submissions have been evaluated and it is recommended that the Joint Commissioners adopt Amendment 840 without modification.

**BACKGROUND**

In November 1997 the Western Australian Planning Commission (WAPC) approved the subdivision of Pt Lot 158 Hepburn Avenue road reserve, Sorrento. The subdivision area also included the southern longitudinal portion of Hepburn Avenue road reserve abutting the subject lot. It should be noted that the former City of Wanneroo did not support the subdivision since there was no Agreed Structure Plan in place for this area. However, as the WAPC approved the subdivision, the City was compelled to abide by the WAPC decision.

As a result of the above mentioned subdivision approval the southern longitudinal portion of Hepburn Avenue between Howland Road in the east and West Coast Highway in the west was proposed to be closed and amalgamated with Pt Lot 158 and Reserve 43672, Sorrento (Attachment 1). The Joint Commissioners at their meeting of 28 July 1998 (CJ56-07/98) considered the proposed road closure and resolved to advertise the proposal in accordance with the provisions of the Land Administration Act 1997. The City received only two submissions, but the submitters misunderstood the road closure proposal thinking that the proposal was to close the constructed portion of Hepburn Avenue and divert the traffic through the residential areas.

The Joint Commissioners considered the submissions at their meeting of 13 October 1998 (CJ183-10/98) and resolved to support the closure of the portion of Hepburn Avenue road reserve and request the Hon Minister for Lands to close the road reserve.

The Joint Commissioners at their meeting of 11 August 1998 considered a proposal to amend the City of Joondalup Town Planning Scheme No.1 to rezone the subject portion of Hepburn Avenue road reserve from Important Regional Road to Urban Development Zone and resolved to do so (CJ72-08/98).

The amendment proposal was advertised inviting public comments and the submissions closed on 24 November 1998. The City received 54 submissions including a 21-signature petition. While one submission was in favour of the proposal, 52 submissions, including the petition, objected to the proposal. Another submission neither objected to nor favoured the proposal but pointed out the lack of footpaths in this area.

## DETAILS

The summary of the submissions is as follows:

### Number of submissions suburb-wise

Location	Against	Support	Other Matters	Total
<i>Sorrento</i>	48*	1		49
<i>Hillarys</i>	1		1**	2
<i>Kingsley</i>	1			1
<i>North Beach</i>	1			1
<i>Nedlands</i>	1			1
<b>Total</b>	<b>52</b>	<b>1</b>	<b>1</b>	<b>54</b>

\* Includes the petition

\*\* Did not specifically object to the amendment but highlighted the lack of pathways in the area.

The nature of objections is as follows:

1. Hillarys Marina attracts more visitors every year placing stress on Hepburn Avenue particularly the section which includes the subject land;
2. Traffic frequently backs up to Howland Road round-about resulting in congestion;

3. The provision of a left turn only lane in Hepburn Avenue to allow south-bound traffic to by-pass the Marina roundabout would not be possible if the subject portion of Hepburn Avenue is lost for public use;
4. The proposal will result in motorists taking short-cuts through Howland Road, Lacepede Drive and St Helier Drive which is undesirable; and
5. By allowing the subject land to be lost forever for public use, physical solutions to many of the problems will be severely ‘hamstrung’. In the short term, the land could be used for road widening, left turn lane or for parking 200 vehicles during the marina special events. In the long term the land could be used for a rapid transit link to marina. This may not be possible if the reserve width of Hepburn Avenue between Howland Road round-about and West Coast Drive reduces to 43 metres from 60 metres.

The petitioners indicated that the subject land is the only natural bush park which contains ducks and birds.

## COMMENT

The concerns raised by the submitters are summarised as follows.

1. The submitters are concerned that many of the local residential streets are being used for parking by visitors to the Hillarys Boat Harbour and therefore they suggest that the subject land can also be considered for parking of about 200 cars.

It is noted that on occasion parking on the local streets is as a result of parking deficiencies at the Hillarys Boat Harbour which needs to be addressed by the Hillarys Boat Harbour authorities.

2. Traffic frequently backs up to Howland Road round-about resulting in congestion. The provision of a left turn only lane in Hepburn Avenue to allow southbound traffic to by-pass the Marina roundabout would not be possible if the subject portion of Hepburn Avenue is lost for public use.

Hepburn Avenue has been currently constructed as a two-lane dual carriageway merging into a single-lane carriageway at the Hepburn Avenue/West Coast Drive/Whitfords Avenue round-about. This round-about has been designed to allow for a two-lane dual-carriageway. Once the round-about is upgraded, there will not be any interruption to the left turn movement thus nullifying the need for the motorists to traverse through the residential areas. The City is unaware of any rapid transit rail link proposals for Hepburn Avenue. However, a traffic assessment conducted for the subject portion of road has demonstrated that effective bus links can be provided within the reduced 43 metres reserve width.

The petitioners’ comment that the subject land is the only bush park is noted, however, the subject land is part of Hepburn Avenue road reserve and therefore is not a bush park. The only bush park present in this locality is Lacepede Park which will not be affected by this amendment.

The Planning Consultants have requested that the small triangular portion of Lacepede Park (marked 'X' in Attachment 1) be cancelled and amalgamated into the applicant's landholding. The applicant argues that the cancellation of the triangular portion will provide a logical rounding off of the park boundaries and will eliminate any obscure angles. In this regard it is noted that the City received written objections from the nearby residents who perceive the existing recreation reserve in its present configuration as a desirable recreation facility for the local community and therefore have requested not to cancel the subject triangular portion. On this basis it is recommended that the subject cancellation not be supported. The Department of Land Administration (DOLA) officers have advised that DOLA will not be supporting cancellation of this triangular portion in view of the public opposition.

Given that the Joint Commissioners have already resolved to close the southern longitudinal portion of Hepburn Avenue between Howland Road and West Coast Drive following a public consultation process, in view of the WAPC's approval for subdivision of Part Lot 158 including the subject land, it is recommended that the amendment be adopted without modifications.

In this regard it is noted that DOLA had advised the City in its letter of 18 January 1999 that following the request from the Hon Minister for Planning, the Hon Minister for Lands has decided to hold the matter relating to the road closure in abeyance until all aspects of traffic management in the area of the Hillarys Marina have been investigated. DOLA officers have now informally advised that this study is complete and recommends the subject road closure and that the Minister for Planning has advised the Minister for Lands to effect the road closure.

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

- 1** pursuant to Town Planning Regulations 17(2) **ADOPT** Amendment No. 840 to the City of Joondalup Town Planning Scheme No.1 to rezone the southern longitudinal portion of Hepburn Avenue road reserve abutting Part Lot 158 and Reserve 43672 Sorrento from Important Regional Road to Urban Development Zone without modification;
- 2** **AUTHORISE** the affixation of the common seal to, and endorse the signing of the amendment documents;
- 3** **ADVISE** Taylor Burrell Town Planning Design that the proposed cancellation of the north-western triangular portion of Lacepede Park is not supported.

**The Motion was Put and**

**CARRIED**

**CJ189-05/99      CLOSE OF ADVERTISING : AMENDMENT 854 TO TOWN PLANNING SCHEME NO.1 TO REZONE LOT 101(2) PRENDIVILLE AVENUE, OCEAN REEF FROM SERVICE STATION TO SERVICE STATION AND SPECIAL ZONE (ADDITIONAL USE- TAKE AWAY FOOD OUTLET & RESTAURANT) AND LOT 1326 (2) SUNLANDER DRIVE, CURRAMBINE FROM SPECIAL ZONE (RESTRICTED USE – SERVICE STATION AND SHOP) TO SPECIAL ZONE (RESTRICTED USE- SERVICE STATION; SHOP; TAKE AWAY FOOD OUTLET; DRIVE THROUGH FOOD OUTLET AND RESTAURANT)- [ 36267]**

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**SUMMARY**

Amendment 854 to Town Planning Scheme No.1 proposes to rezone two parcels of land namely Lot 101 (2) Prendiville Avenue, Ocean Reef and Lot 1326 (2) Sunlander Drive, Currambine. Under the City of Joondalup Town Planning Scheme No.1 the Ocean Reef site is currently zoned Service Station; and the Currambine site is zoned Special Zone (Restricted Use- Service Station and Shops). The rezoning application was submitted by BP Australia Ltd, being the owner of the land. The purpose of the rezoning is to expand the existing service station and convenience store, so as to include take away facilities, and minimal seating facilities for the limited consumption of food on site. The Currambine site also proposes to include a one-window drive through facility.

Due to the close interaction of the proposed rezoning and the existing school site at Ocean Reef, it is considered appropriate that traffic management measures be implemented at the development approval stage.

Overall, the proposed uses are consistent with the existing and future land uses of the surrounding land. It is recommended that the Joint Commissioners adopt Amendment 854 without modifications.

**BACKGROUND**

Lot No	101
Street Address	2 Prendiville Avenue, Ocean Reef
Land Owner	BP Australia Ltd
MRS Zoning	Urban
TPS Zoning	Service Station
Land Use	Service Station
Lot Area	0.3280 hectares

Attachment 1 shows the location of the Ocean Reef site. The site adjoins residential development along the northern boundary, and a medical centre on the western boundary.

Lot No	1326
Street Address	2 Sunlander Drive, Currambine
Land Owner	BP Australia Ltd
MRS Zoning	Urban
TPS Zoning	Special Zone (Restricted Use- Service Station and Shop)
Land Use	Service Station
Lot Area	0.3604 hectares

The location of the Currambine site is shown in Attachment 2.

### Site History

On 23 November 1998, BP Australia Limited submitted an application to rezone existing service station sites so as to allow the introduction of a “BP Express Convenience Store and Quick Serve Restaurant”.

The Ocean Reef site was formerly known as Lot 1008 and 1009 Prendiville Avenue, Ocean Reef. In September 1986, Council granted approval for the use of the site as a service station, and formal development approvals were issued in July 1987 and 1989. The area was rezoned from Residential Development to Service Station by Amendment 525 to Town Planning Scheme No.1 (gazetted 22 November 1991).

The addition of a convenience store and car wash was approved in September 1993.

The Currambine site was rezoned from Residential Development to Special Zone (Restricted Use) Service Station by Amendment 631 (gazetted 17 December 1993). In July 1994 Council approved the development of the service station; shop; and car wash.

### Previous Council Decisions

Amendment 854 to Town Planning Scheme No.1 was adopted by Council at the meeting of 22 December 1998 (CJ308-12/98). At that meeting the Joint Commissioners resolved:

*“In pursuance of section 7 of the City of Joondalup Town Planning and Development Act 1928, AMEND Town Planning Scheme No. 1 to rezone Lot 101 (2) Prendiville Avenue, Ocean Reef from Service Station to Service Station and Special Zone (Additional Use -Take Away Food Outlet & Restaurant) and Lot 1326(2) Sunlander Drive, Currambine from Special Zone (Restricted Use -Service Station and Shops) to Special Zone (Restricted Use -Service Station; Shops; Take Away Food Outlet; Drive Through Food Outlet & Restaurant ) and ADOPT Amendment 854 accordingly.”*

Following the initiation of Amendment 854, the Amendment documents were referred to the Environmental Protection Authority (EPA), and the Western Australian Planning Commission.

## **DETAILS**

### **Current Proposal or Issue**

Amendment 854 to Town Planning Scheme No.1 proposes to rezone the Ocean Reef site and Currambine Site ( See Attachment 3) as follows:-

#### Ocean Reef Site (Lot 101(2) Prendiville Avenue, Ocean Reef)

This site is currently zoned and developed as a service station. The amendment proposes the rezoning of the site from Service Station to Service Station and Special Zone (Additional Use-Take Away Food Outlet and Restaurant).

#### Currambine Site: (Lot 1326(2) Sunlander, Currambine.)

This amendment proposes to include the additional uses of Take Away Food Outlets; Drive Through Food Outlet; and Restaurant.

The Applicant seeks to expand the service station sites and BP Express Convenience Stores so as to include Quick Serve Restaurants (QSR). The Quick Serve Restaurant would provide fast food intended to be eaten primarily off the site, but including limited on site seating. The QSR allows for the seating of 5 persons internally, and 12-16 externally. The Applicants indicate that seating is designed to encourage short-term usage of no more than 15 minutes after ordering the food.

The QSR was designed for 50 customers per hour during non-peak periods and 100 customers during peak periods.

The existing service station and BP Convenience Stores currently operate 24 hours a day. The hours of operation of the proposed additional uses would be 10 AM to Midnight Sunday to Thursday; and 10 AM to 2 AM Friday to Saturday. It was indicated in the application that the expected peak times would be between 12 to 2.00 PM; and 6 to 8.00 PM.

The additional QSR use would be integrated with the convenience store, and share services including off street truck parking and deliveries; rubbish containment and collection, customer and staff parking; staff changing rooms and toilets.

In addition to the QSR, the Currambine site is intended to include a drive through food outlet consisting of a single window drive through lane at the rear of the building.

The proposed drive through lane at the rear of the site will require additional; localised lighting during operational hours.

### **Relevant Legislation**

The Town Planning Regulations 1967 set out the statutory process for the preparation of Town Planning Scheme Amendments. Following the public advertising of an amendment, the Local Authority is required to consider all submissions and pass a resolution to adopt the amendment with or without modification, or not to proceed with the amendment (Regulation 17 (2)).

## **Advertising and Summary**

The EPA indicated that the likely environmental impact of the proposed use would not be severe enough to warrant assessment under Part IV of the Environmental Protection Act.

By way of advice the EPA noted that, as the proposal will increase the number of people in the vicinity of the service station; it potentially slightly increases the societal risks associated with service station facilities especially the LP Gas tanks. The EPA considered that Australian Standards 1596; relating to the siting of LP Gas Automotive Retail Outlets could be applied in the determination of the separation distances to the various aspects of the proposal at the development application stage.

In a letter dated 12 March 1999, the Western Australian Planning Commission (WAPC) granted consent for public advertising of the amendment. The WAPC indicated that the amendment was required to be advertised for a period of 42 days, subject to:-

- signs describing the proposal being placed on-site during the advertising period;
- written notification to adjoining owners;
- notification to Main Roads Western Australia.

In accordance with the above requirements, on site advertising was placed on the subject sites; and notification given to Main Roads Western Australia and adjoining owners. Details of the proposed amendment were inserted in the Wanneroo Times, and West Australian Newspapers, and documents were also available for inspection at Council Offices. The advertising period closed on 1 May 1999.

## **COMMENT**

### **Issues**

During the public advertising period, a total of two submissions were received. Attachment 4 sets out details of the submissions.

One of the submissions relates to the Currambine site, and supports the proposed rezoning on the basis that the proposed uses would complement the future mixed-use development surrounding the site.

The second submission applies to the Ocean Reef site and expresses concerns relating to the likely impact of the proposed uses on the nearby school, primarily in terms of increased traffic, anti-social behaviour and increased litter.

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

The additional uses proposed by this amendment are essentially the same with the exception of the drive through window in the Currambine site. The likely effect of the proposed uses on the surrounding areas needs to be considered in terms of the specific sites.

### Ocean Reef site:

At the Special Meeting of the Joint Commissioners held on 4 May 1999, the Joint Commissioners resolved to adopt the City of Joondalup District Planning Scheme No.2 and to submit the documents to Ministry for Planning for consent to advertise. Under the proposed District Planning Scheme No.2 the site is zoned as Business zone.

It is considered that the likely impact of the take away and restaurant use on the residential area adjoining the northern boundary of the site would be minimal due to the existent physical separation barriers; and the location of the vehicle access to the site. With reference to the possible impact on the school site; the two primary issues include the increased traffic generated by the additional uses, and the likely effect on the amenity of the area.

As indicated in the previous report to Council, a traffic survey undertaken during February 1998 indicated that the traffic volume along Prendiville Avenue on the western side of Marmion Avenue amounted to 7000 vehicles per day. Taking into consideration the road width of Prendiville Avenue, the existing traffic volumes along this road are above desirable levels (6000-7000 vehicles per day depending on whether additional traffic management measures are undertaken.)

The additional traffic generated by the proposed uses has been estimated to amount to an additional 30 traffic movements per hour at peak times, in addition to the traffic already generated by the service station which may also be associated with the take away and fast food. The likely effect of the additional traffic movements on the surrounding area is not considered to be of a significant nature. Nevertheless, taking into account the existing traffic volumes, it is considered desirable that traffic management measures be undertaken in order to reduce any likely detrimental impact on the school site. These issues can be addressed at the development approval stage.

In relation to the concerns indicated in one of the submissions as to the possible increase in litter, the applicants have indicated that food waste and packaging will be collected inside the existing enclosed service yard. Further arrangements by the service station management will be required to control customer's litter on areas surrounding the site.

### Currambine Site:

Under proposed District Scheme No.2 the subject site is zoned Business. The proposed additional uses are considered compatible with the existing and future land uses surrounding the site. The traffic access to and from the site is considered adequate, and overall the proposed additional uses are not likely to have a negative effect on the amenity of the nearby residential areas.

Having considered the submissions received and the likely effect of the proposed additional uses in relation to the two sites; the proposed rezoning of the Ocean Reef site and Currambine sites is supported. The nature of the proposed uses is considered to be in the nature of a minor addition to the exiting service station facility, and not likely to create any significant detrimental effect on the amenity of the adjoining uses.

It is recommended that the Joint Commissioners adopt Amendment 854 without modification.

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

- 1 pursuant to Town Planning Regulation 17(2), ADOPT Amendment 854 to Town Planning Scheme No1 to rezone Lot 101 (2) Prendiville Avenue, Ocean Reef from Service Station to Service Station and Special Zone (Additional Use -Take Away Food Outlet & Restaurant) and Lot 1326(2) Sunlander Drive, Currambine from Special Zone (Restricted Use -Service Station and Shops) to Special Zone (Restricted Use -Service Station; Shops; Take Away Food Outlet; Drive Through Food Outlet & Restaurant ) without modification;
- 2 authorise the affixation of the common seal to , and ENDORSE the signing of, the amendment documents.

**The Motion was Put and****CARRIED****CJ190-05/99 PARKING IN JOONDALUP CITY NORTH -  
[07190J]**

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**SUMMARY**

Council received a 56 signature petition from residents in Joondalup City North expressing concern in relation to car parking and privacy problems caused by studio apartments in the area was presented to the Joint Commissioners of the former City of Wanneroo at their meeting on 26 May 1998. Council resolved to monitor the situation and to take appropriate measures to control parking if required.

The laneways are provided for access by residents to the rear of their property. They were not intended for parking and there is not sufficient space for parking within the laneway. Obstruction of the laneways by parked cars has continued to be an issue for landowners entering and leaving properties and for garbage collection. Council is recommended to approve the addition of signage that will make it clear that the laneways are No Parking areas.

**BACKGROUND****Site History**

The residential district of Joondalup City North was initiated with the construction of Plaistow Street in mid-1994. Development of residential land has continued until recently when the infrastructure for LandCorp's holding in the area was completed. Development has comprised mainly single family accommodation as either single or duplex residential developments. A number of houses have studio accommodation built over the garages providing surveillance of the rear lanes.

## Previous Council Decisions

At their meeting on 28 July 1998, and in response to a 56 signature petition from residents in Joondalup City North (Report No CJ49-07/98), the Joint Commissioners resolved as follows:

*THAT the Joint Commissioners advise the petitioners that:*

- 1 City North is an inner city area and visitor parking is expected to be accommodated on the streets in the form of kerbside parking;*
- 2 the parking requirement appropriate to City North is provided for each dwelling unit, accessed from the rear laneways;*
- 3 Ranger Services may be contacted if an obstruction is caused by parking in the rear laneways;*
- 4 appropriate signage will be put in place if there is a persistent problem; and*
- 5 the City will monitor the parking situation and report back to the Joint Commissioners in six months.*

## DETAILS

### Current Proposal or Issue

Rangers have presented the report requested at the Council meeting in July 1998 (enclosed as Attachment 1) that shows the number of infringement notices issued in the area over the six month period from August 1998 to February 1999. Although this list does not differentiate between roads and laneways, it indicates that around 12 infringements are issued each month apart from January and February, (which may be a result of a reduced student population during these months).

Council has continued to receive complaints from residents both by telephone and letter about parking in laneways.

Car parking for City North residents is required to be provided at the rate of two spaces for each dwelling unit to be accessed from the laneways. Visitors, however, are expected park in the streets in front of the properties.

The laneways in City North are shown on the enclosed Attachment 2. They are all 6 metres in width, which is the minimum required by Australian Standard 1742.11-1989 for access to parking spaces perpendicular to the laneway. When the area is fully developed, no part of the laneways will be suitable for casual car parking since it will obstruct access to private parking and for refuse collection.

Rangers encounter difficulties in issuing infringement notices in these areas under the City of Joondalup Parking Local Law 1998 since there are no notices designating the laneways as 'No Parking' areas. Reliance must be placed on Clause 40(c) of the Local Law, which states:

*A person shall not stand or park a vehicle so that any portion of the vehicle is in front of a right of way, passage or private drive or so close as to deny vehicles reasonable access to, or egress from, the right of way, passage or private drive.*

Application of this clause in this instance may be difficult. Problems have also been experienced in collecting refuse bins from the laneways when cars are parked there, blocking access to bins for the refuse vehicle.

## Relevant Legislation

The City of Joondalup Parking Local Law 1998 provides legislation for the control of parking in the City. Clause 34 (2) (a) states:

*A person shall not park a vehicle on any part of a road if the parking of vehicles on that part is prohibited at all times by a sign.*

Clause 8 (1) (a) provides that :

*Where the standing or parking of vehicles in a road or street is regulated by a sign, the sign for the purposes of this local law applies to that part of the road which:(a) lies beyond the sign.*

Authority to vary parking regulations is provided by Clause 33:

*The local government may by resolution constitute, determine, vary and indicate by signs:*

- (a) prohibitions;*
- (b) regulations; and*
- (c) restrictions,*

*on the parking and standing of vehicles of a specified class or classes in all roads, specified roads or specified parts of roads in the parking region at all times or at specified times, but this authority shall not be exercised in a manner inconsistent with the provisions of this local law or any other written law.*

## COMMENT

### Issues

As mentioned in the previous report to Council (CJ49-07/98) the City North District is an inner city area and visitor parking is expected to be accommodated on streets in front of the properties. This will in time lead to a degree of parking congestion which is to be expected in such situations.

Previous letters to residents have addressed the role of laneways in providing access to garages and car parking spaces on private land. The use of roads in front of the houses for visitor parking and the role of kerbside parking in generating activity on the streets and thereby enhancing safety of the streets has been emphasised.

Signage is required to define the areas of roads in City North where parking is not permitted (the laneways). The use of signs on posts would be detrimental to the appearance of the area and the legality of fixing them to walls (private property) is questionable. Therefore lines and the words “No Parking in Laneway” are proposed to be painted across the entry from surrounding roads to each laneway. The size of letters and their placement would comply with the requirements of Clause 7.4 of Australian Standard 1742.11-1989.

Council approval of this measure is required.

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

Parking at the rear of properties in City North is wholly within the properties. The use of the streets in front of the properties for visitors and casual parking is important in order to maintain the orientation of houses towards the street. If parking occurs in the laneways, access to the properties is disrupted and the area cannot function as designed, leaving no option but to declare the laneways to be NO PARKING areas.

The role of Council in enforcing the parking regime in Joondalup City Centre is clear, however the parking restrictions which apply to the roads and laneways are not obvious to all drivers. The areas for which Rangers can issue infringement notices needs to be made obvious with appropriate signage. It is considered that this can best be done by defining the laneways as ‘No Parking’ areas by means of road markings at the entrances. This will fulfil Council’s commitments to the petitioners and other concerned residents to put in place appropriate signage. Landowners in the area should be advised of this measure and the reasons why it is needed.

### **FUNDING**

Funds are available in Account No 34905 (Parking Control Signs) to cover the cost of road marking as proposed.

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

- 1 APPROVE installation of ‘NO PARKING IN LANEWAY signs in laneways as shown in Attachment 2 to Report No CJ190-05/99;**
- 2 ADVISE landowners in the City North District that signs will be installed in the laneways to clarify the rules relating to parking in the laneways and the need to maintain adequate access to all properties.**

**The Motion was Put and**

**CARRIED**

**Appendix X refers**

### **CJ191-05/99 REQUEST FOR CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN MACLEAY DRIVE AND PHILLIP COURT, PADBURY - [18849J]**

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### **SUMMARY**

An application has been received from the one of the landowners adjoining the pedestrian accessway between Macleay Drive and Phillip Court, Padbury. The three remaining adjoining landowners also support the proposal. The applicant has alleged incidents of vandalism and anti-social behaviour taking place within the accessway.

During the thirty-day advertising period three letters objecting to the closure were received by the City. Objections raised were regular use of the PAW to services, South Padbury Primary School and one objector stated that he regularly uses the accessway when cycling through Padbury.

Based on the fact that this accessway does serve as a pedestrian/cyclist link to the local schools and community facilities and the objections raised by the Department of Transport, the application for closure should not be supported.

## **BACKGROUND**

The applicant claims various acts of anti-social behaviour take place within the accessway. Allegations of general litter, broken glass, graffiti and youths drinking within the PAW have been submitted. The applicant also claims that motor bikes have used this accessway as a thoroughfare.

The proposal for closure was advertised in the local newspaper for one week and arrangements were put in place for signs to be erected at either end of the PAW for the standard thirty days advertising period. However, one objector advised the City that the signs were lying face down for at least a two-week period.

## **DETAILS**

An objection to closure from one local resident with children attending South Padbury Primary School stated that they use the accessway at least four times a day. Also, the objector claims that the PAW is well used by people accessing Padbury Shopping Centre.

A further objection from residents living quite close to the PAW advised that they use the PAW to access the local shopping centre, public transport and other services in the area. They stated that the road system in the area is not pedestrian friendly and felt comfortable using the accessway both during the day and at night. A gentleman residing in Kallaroo, and therefore not shown on Attachment 1, stated that he cycles regularly through this accessway.

The application for closure was referred to the servicing authorities to ascertain if the accessway had any service plant within it. Alinta Gas and Western Power have indicated that they do not object to closure and do not have any service plant within the accessway.

The Water Corporation has advised the City that it has an existing water main within the accessway that requires to be cut and capped at a total cost of \$1,6512.00 and three of the adjoining landowners have agreed to pay this cost and any other costs associated with closure.

Telstra objected to the proposal as it advised the City that there is both telephone plant and Foxtel cable within the accessway. Relocation of the plant is not a cost-effective option however, Telstra has indicated it will withdraw its objection if an easement is created free of cost to protect Telstra's network. The adjoining landowners have agreed to grant the easement.

The Western Australian Planning Commission (WAPC) and the Department of Transport (DOT) were also requested to comment on the proposal. The WAPC is concerned that closure of this accessway will result in longer and less convenient pedestrian and cycle access to both the local High School and Primary School and therefore objects to closure.

The Department of Transport objected to the proposal advising that closure of the PAW would increase the walking distance to the bus stops in the vicinity. In the case of the bus service along Gibson Avenue, walking distances would increase for some residents by up to 130 metres.

Two site inspections revealed use of the accessway by local High School children. The fences that adjoin the accessway had some graffiti but there was no real evidence of broken glass or litter. Sight lines are reasonable, only impeded by an overhanging tree.

## COMMENT

As well as the anti-social behaviour claims, the applicant suggests closure of this PAW is justified as access to the schools can be achieved via Barclay Park (Reserve 33468) on Barclay Avenue (as shown on the Attachment 1). However, accepting the use of Barclay Park as a thoroughfare may present some danger to cyclists, especially children, as it runs downhill to Barclay Avenue, which is quite a busy road.

The applicant also comments that alternative access is available via another PAW leading from MacLeay Drive nearby. While this may be the case, it is not necessarily appropriate to close PAW's and sever useful pedestrian links simply because another exists in close proximity. Rather there should be shown to be a genuine need for closure demonstrated by ongoing unacceptable anti-social behaviour.

Although sympathy goes to the adjoining landowners of this PAW who claim to be experiencing anti-social behaviour, the link does appear useful as it provides the opportunity for safe access for children to local schools. It is recommended that closure should not be supported.

**MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners DO NOT AGREE to the closure of the pedestrian accessway between Phillip Court and MacLeay Drive, Padbury.**

**The Motion was Put and**

**CARRIED**

**CJ192-05/99 DEDICATION OF CROWN RIGHT OF WAY AS  
PART OF SMALLMAN CRESCENT,  
GREENWOOD AND AS RECREATION  
RESERVE - [06767J, 25048J]**

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## SUMMARY

A Crown Right Of Way off Smallman Crescent, Greenwood encroaches into that dedicated public road and as a result two residential lots do not have direct frontage onto the public road. This irregularity can be rectified by the Joint Commissioners passing a resolution to request the Minister for Lands to dedicate the subject land as a road under the provisions of the Land Administration Act 1997.

## BACKGROUND

In the original subdivision of the rural landholdings in the eastern part of Greenwood certain land was set aside as a Right of Way and vested in the Crown under the provisions of the Town Planning and Development Act .

The subject area of Greenwood was included in Town Planning Scheme No 6 and in 1974 in accordance with the Scheme design part of the Right Of Way was incorporated into a new subdivisional road (Smallman Crescent) and part was to be amalgamated into a newly created Recreation Reserve. Those incorporations were never formalised and the present position is that the affected part of Smallman Crescent is still not a dedicated public road even though it has been used as such since the time the road was constructed.

This omission means that two of the residential lots that were created by the subdivision still do not have frontage to a dedicated road and that omission is in contravention of the approval to subdivide that was issued by the then Town Planning Board. The anomaly can be overcome by the Joint Commissioners passing a resolution to request the Minister for Lands to dedicate the subject Right Of Way as public road under the provisions of Section 56 of the Land Administration Act 1997.

Section 56 (1) (c) of the Land Administration Act 1997 states where land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years a local government may request the Minister to dedicate that land as a road.

The part of the Right Of Way that is not being used as public road is being used as a part of adjoining Recreation Reserve 34274 that is vested in the City of Joondalup. The Joint Commissioners request to the Minister could also seek the cancellation of this part and its amalgamation into the Recreation Reserve.

## DETAILS

The land in question is the Right Of Way shown on Land Titles Office Diagrams 31535 and 47370 between Smallman Crescent and Canham Way, Greenwood as shown on the Attachment.

**MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners AUTHORISE a request being made to the Minister for Lands for the dedication of part of the Right Of Way shown on Land Titles Office Diagrams 31535 and 47370 as a public road (Smallman Crescent, Greenwood) and to the incorporation of the balance of the Right Of Way into Recreation Reserve 34274.**

**The Motion was Put and**

**CARRIED**

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**CJ193-05/99      SUBDIVISION CONTROL UNIT - DIRECTOR,  
DEVELOPMENT SERVICES - (9 APRIL 1999  
TO 7 MAY 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 7 May 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 Clark-Murphy that the Joint Commissioners ENDORSE the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ193-05/99.**

**The Motion was Put and**

**CARRIED**

Appendix XI refers

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**CJ194-05/99      REVIEW OF WARD BOUNDARIES - [16878]**

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**SUMMARY**

The Local Government Act 1995 requires that when a local government is newly established the Local Government Advisory Board must in a written report to the Minister recommend the creation (or otherwise) of a ward system. The Advisory Board may only submit the report on the direction of the Minister or after having received a report from the Commissioners. The Minister has advised that he does not intend to give a direction in this matter in the City of Joondalup's case and it is therefore necessary for the Commissioners to submit a report. Under these circumstances the Act requires a review to be undertaken. This process has now been completed.

**BACKGROUND**

The Manager, Division Task Force reports that Schedule 2.2 of the Act sets out the processes to be followed in conducting a review. The Advisory Board has also issued guidelines on the conduct of reviews. Essentially the review requires calling for public submissions. A period of not less than six weeks, from the date the review is first advertised, must be allowed for submissions.

The review needs to consider the following matters: -

- Dividing the district into wards
- Naming the wards, and
- The number of Councillors to represent each ward.

Whilst not required by legislation, the City of Joondalup also conducted two public meetings aimed at maximising public awareness of the review process and encouraging public input.

At the close of the submission period a total of 32 submissions had been received. Copies of all submissions have been circulated to each Commissioner and the Chief Executive Officer.

**DETAILS**

The Act requires the Commissioners in considering the public submissions to have regard to the following factors: -

- Community of interest
- Physical and topographical features
- Demographic trends
- Economic factors
- The ratio of Councillors to electors in the various wards.

## **COMMENT/FUNDING**

The City of Joondalup will continue to develop into a regional City servicing the population as it develops along the coast. At the same time, care must be taken to ensure the needs of electors within the areas bordering the southern boundary of the City continue to be accommodated.

The Wanneroo Royal Commission was also critical of factions within the former City of Wanneroo. It is important, therefore, in adopting a ward structure, that consideration be given to introducing wards in a manner that will minimise factions. In this regard it is generally thought that having a mayor elected at large will assist in reducing factions. However, views expressed at the public meetings and contained in the various public submissions clearly indicated a divergence of opinion as to whether more or fewer wards would result in less factionalism. Some argue that more wards would result in councillors tending to take a narrow view on issues rather than representing the needs of the greater community. Hence, councillors in each ward may form an internal alliance, giving rise to several factions within the Council. Others argue that fewer wards result in more councillors per ward, and with the possibility of four or five councillors in a ward the opportunity for ‘power groups’ to be established is greatly heightened.

The City’s strategic plan has also been evolved to represent the various precincts within the City. These precincts can be defined as areas that have similar character or share a commonality of interest. In choosing an appropriate ward system, the Commissioners must be cognisant of the need to link compatible suburbs. Precincts, for the purposes of the Strategic Plan will incorporate one or more wards, although it may be necessary for sub precincts (e.g. the Joondalup Central Business District) to be identified for some purposes.

### **Dividing the District into Wards**

A wide range of options from no wards to 14 wards has been received. Of the 32 public submissions received, 21 supported a seven-ward proposal. The final configuration being recommended to the Commissioners was the option preferred by 19 of the 21 submissions supporting seven wards.

The various scenarios have been analysed under the criteria established in the Act, details of which are set out below: -

### **Community of Interest**

Apart from the Central Business District, two large suburban shopping centres and many local shopping centres, the City is an urban local government with few discontinuities in terms of lifestyle and land use.

All areas are also well provided for in terms of access to community facilities such as recreational areas, libraries and educational facilities.

It is considered that Community of Interest could be most appropriately grouped into seven major areas as detailed on the attached plan (appendix 1) for a seven-ward system.

### **Physical and topographical**

The most significant natural features include the coastline and Yellagonga wetlands. Significant physical features include the Mitchell Freeway and the major arterial roads running east – west. These arterial roads also form suburb boundaries. It is considered that ward boundaries should not dissect suburbs.

The City of Joondalup covers an area of 96 square kilometres and consists of 22 suburbs. The recommended seven-ward proposal produces wards consisting of three or four suburbs. The area covered by each ward is reasonably consistent, as are the current and projected future elector numbers for each ward. Under the recommended seven-ward scenario, the Mitchell Freeway considered to be the natural barrier of primary significance within the City of Joondalup dissects no ward.

### **Demographic trends**

The population of the City is nearing its full potential. The demographic features within each of the recommended wards are quite consistent in terms of household type, income, employment levels and age profiles. However, these features continually change due to the fact that, on average people change their place of residence once in every seven years.

It is considered that areas of similar demography share a commonality of interest and this is evident in the seven-ward proposal being recommended.

### **Economic Factors**

The proposed Lakeside Ward contains the North West Corridor's strategic regional centre of Joondalup. This has developed into a major metropolitan business centre, with a Business Park, regional shopping centre, thriving education precinct and regional medical precinct. The Joondalup CBD is projected to grow as a business centre over the next decade, with the attraction of new technology, medical, education and recreation industries being key growth drivers. The proposed North Coastal and Marina wards are well serviced by local shopping areas and have good access to the regional facilities offered by the Joondalup CBD.

Residents of the proposed Whitfords, Pinnaroo and South Coastal wards also enjoy handy access to local shopping centres and have easy access to the Whitfords Shopping Centre and the Sorrento Quay development. Whitfords has flourished as suburban growth north of the centre and upmarket development of the coastal belt has underpinned its retail activity. In close proximity is the Sorrento Quay development, which has become one of Western Australia's top three tourist destinations with restaurants, retail and leisure activities including underwater world. Both Whitfords and Sorrento Quay are major employment hubs in the region.

The proposed South ward is well serviced by established suburban shopping centres and has easy access to the major shopping centre located in Warwick. The Warwick Grove Shopping Centre is also within easy reach of residents of the proposed South Coastal ward.

It is considered important that each ward should, at least, have easy access to a major shopping precinct and employment centre.

## **Ratio of Councillors to elected members**

It is estimated that the City of Joondalup will have approximately 96,000 electors in the year 2001. With a maximum of 14 councillors permitted by the Act, the average number of electors per councillor should average approximately 7,000. The proposed seven-ward structure, as shown on appendix 1, indicates the levels of representation range from 8,698 in the South ward to 5,761 in the Marina ward. Both the upper and the lower end represent a variation of around 20% from the standard. In fact, the two wards which substantially exceed the average, are fully developed with little potential for growth, whilst each of the remaining wards have future growth potential to varying degrees.

## **CONCLUSION**

As previously stated, the City of Joondalup is an urban local government with few discontinuities in terms of lifestyle and land use. Therefore, any of a number of ward systems could be successfully argued. The administration of the City put forward a preference for a three-ward system based on the principal assertions that: -

- parochialism would be minimised,
- representation (electors/councillor) would be far more evenly distributed, and
- it would be less likely that narrow sectional interests could determine the result of an election.

Whilst the advantages of a three-ward system are acknowledged, the wards created would be larger (in terms of population) than some state electorates. Large wards are more difficult for individual councillors to service and campaigning costs would be relatively expensive.

It is considered that the most important principle in the establishment of a ward system is representation. The seven-ward system (two councillors representing each ward) allows: -

- councillors a better appreciation of local issues,
- provides a better level of communication between the councillor and the constituent,
- all councillors (subsequent to the inaugural elections) will contest single candidate elections (prevents candidates running on 'joint tickets'), and
- there will be an even rotation of councillors at each election.

**MOVED Cmr Clark-Murphy, SECONDED Cmr Morgan that the Joint Commissioners RECOMMEND to the Local Government Advisory Board that the Council favours a seven ward (two councillors per ward) proposal as detailed on Plan No 7/14 included as Appendix 1 to Report CJ194-05/99.**

Cmr Clark-Murphy spoke in support of the Motion, advising that following the public submission period, the balance of submissions clearly favoured an option that included more wards with fewer Councillors per ward. The option for a seven ward proposal with two Councillors per ward is very much in line with the submissions received.

**The Motion was Put and**

**CARRIED**

Appendix XII refers

**OFFICE OF THE CHIEF EXECUTIVE OFFICER****C25-05/99                      DRAFT STRATEGIC PLAN AND DRAFT  
PRINCIPAL ACTIVITY PLAN - [01529]****SUMMARY**

The following report outlines the process through which the draft Strategic Plan and the Principal Activity Plan 1999-2004 for the City of Joondalup were developed. The report recommends that the attached documentation be considered by the Joint Commissioners for release as a draft for public comment.

**BACKGROUND**

Under the Local Government Act 1995 section 5.57 (2) a Principal Activity Plan is to be made available for public consideration for 42 days after local public notice is given. To provide a context for the draft Principal Activity Plan, it is proposed that the draft Strategic Plan also be distributed for community comment. The Principal Activity Plan addresses the Five Year Works Programme for the Shire. The figures provided in the Plan are preliminary and the source of funding will be further reviewed in the overall budgetary process. The Five Year Works Programme will be reviewed during the refinement of the budget and input from the community consultative process.

**DETAILS****Draft Strategic Plan 1999-2003**

On 19 November 1998 the first full day Strategic Planning session was held, involving the Chief Executive Officer, Directors and Business Unit Managers and facilitated by Dr Liz Pattison. The session maintained a macro focus, in which the key direction and vision for the City of Joondalup was discussed. A second full day session was held on 9 December 1998 during which the focus was more of a micro nature as specific strategies, action plans and accountabilities were established.

From these sessions a draft Strategic Plan was produced and distributed to the Chief Executive Officer, Directors and Business Unit Managers for comment. Each Directorate held an individual consultation session with Dr Liz Pattison during which their projects, time frames and costings were adjusted. On January 25<sup>th</sup> 1998 a similar session was held with all Commissioners during which the draft plan was reviewed and adjusted accordingly.

A further two half day sessions were held involving the Chief Executive Officer, Directors and Business Unit Managers. The purpose for the further two sessions was to revise the plan from a corporate perspective ensuring it encapsulated a coherent and corporate sense of identity and direction.

Following these sessions a final draft Strategic Plan was produced. The Joondalup draft Strategic Plans have since been forwarded to marketing for design and presentation and a final draft product is attached for your consideration, see Attachment A.

### **Draft Principal Activity Plan**

The draft Principal Activity Plan for the City of Joondalup has been produced through the use of the information contained in the draft Strategic Plan, draft budget documentation and the relevant Business Unit Plans. The draft has been distributed to the Chief Executive Officer, Directors and Business Unit Managers for comment. Appropriate adjustments have been made and up to date drafts are attached for your consideration, see Attachment B.

The estimates provided in the Five Year Works programme are preliminary and the saving of funding and programme will need to be reviewed in the Budget process. The draft Principal Activity Plan will be modified to reflect community input, budget development and any necessary amendments to the Five Year Works programme.

The draft Strategic Plan and the draft Principal Activity Plan will be distributed together as one document for the purpose of public consideration.

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

- 1 APPROVE the draft Strategic Plan for the City of Joondalup and release for public consideration;**
- 2 APPROVE the draft Principal Activity Plan for the City of Joondalup and release for public consideration in accordance with the provisions of Clause 5.57 of the Local Government Act 1995.**

**The Motion was Put and**

**CARRIED**

**Appendix XIII refers**

### **DATE OF NEXT MEETING**

The next meeting of the Joint Commissioners has been scheduled for **6.00 pm** on **TUESDAY, 8 JUNE 1999** to be held at the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

### **CLOSURE**

There being no further business, the Chairman declared the Meeting closed at 1823 hrs, the following Commissioners being present at that time:

COMMISSIONERS: ANSELL  
MORGAN  
ROWELL  
CLARK-MURPHY  
BUCKLEY