



MINUTES OF MEETING OF JOINT COMMISSIONERS
HELD ON 28 SEPTEMBER 1999

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CLOSURE 70

CITY OF JOONDALUP

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

ATTENDANCES

Commissioners:

C T ANSELL

H MORGAN, AM

R M ROWELL

W BUCKLEY

Chairman

Deputy Chairman

Officers:

Acting Chief Executive Officer:

J B TURKINGTON

Director, Planning & Development:

C HIGHAM

Director, Infrastructure Management:

D DJULBIC

Director, Community Development:

C HALL

Executive Manager, Strategic Planning:

R FISCHER

Manager, Executive Services

K ROBINSON

Manager, Council Support Services:

M SMITH

Publicity Officer:

L BRENNAN

Committee Clerk:

J AUSTIN

Administrative Assistant:

J SHARP

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence

Cmr Clark-Murphy - 18 September – 3 October inclusive

Apology

Chief Executive Officer, Mr L Delahaunty

There were 17 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 were submitted by Mr Vic Harman, Ocean Reef:**

- Q1 Are any females employed as Security Officers for the Security Watch?*
- A1 The City's rangers are multi skilled officers who undertake both patrol and security duties as part of their normal role. The City currently employees two female rangers.*
- Q2 Would Council approach the Main Roads Department to provide two right turn lanes from Ocean Reef Road into Joondalup Drive as a solution to the current traffic congestion?*
- A2 Main Roads WA advises that construction of double right turn lanes from Ocean Reef Road into Joondalup Drive are tentatively programmed to commence in October 1999 as part of the freeway extension works.*
- Q3 Has any further action been taken regarding my former suggestion, and the information I supplied, of installing beach shelters in line with those at Busselton?*
- A3 Mr Harman's suggestion has been investigated and the information he provided was useful in developing a proposal for shade shelters on City of Joondalup Beaches. It is proposed that Sorrento, Mullaloo and Hillarys Beach Park each have a shelter erected in the 1999/2000 financial year at approximately \$2,500 each. The shelters resemble a "sail" and are compliant with Cancer Council shading policy.*

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

- Q1 CJ333-09/99 Centres Strategy. Who are Planwest (WA) and Belingwe Pty Ltd?*
- Q1A Why do we need these studies when we have just had so-called "Structural Plans" drawn up?*
- Q2 Could Council clarify their answer to me 14/9/99 regarding the position of a development given approval in January 1996 and the mention of protection of a historical site nearby?*
- Q3 Re: question 3, same date 14/9/99 and re: Pullan Place: Can Council please supply the public a record of events from DOLA starting from when the swap of public open space was suggested, by whom, when and what date? When were the public open spaces cancelled, gazetted and finalised?*
- Q3A Who made all the different decisions on these deals before the public were notified and were the deals done without the prior knowledge of the senior staff and Commissioners being consulted?*
- Q3B Could Council have stopped this awful thing happening by intervening?*

Q3C In reference to A3(11) same date 14/9/99. I ask can Council amend what is happening in WA Planning Commission under Section 20D Town Planning and Development Act? Are they allowed to run our Council and take away Council's power? Have the ratepayers no rights at all?

A1-3 Response by Cmr Ansell: The questions submitted by Mrs Hine, received in the morning of 28 September 1999, will be taken on notice.

Mr M Sideris, Mullaloo:

Regarding the recently issued rates notices, can you advise the following:

Q1 The relevant section of the Local Government Act and supporting Financial Regulations, which authorises or enables the Council to impose a Security Levy.

A1 Response by Acting Chief Executive Officer: The section of the Local Government Act which is applicable is Section 6.38. The Financial Management Regulations Clause 54 is the specific regulation applicable to the security levy.

Q2 Can you point out specifically which part of the clause? I do not believe there is anywhere in the Local Government Act or the Regulations that entitles the Council to impose a security levy, but merely refers to a charge.

A2 Response by Cmr Ansell: We do not want to go into the detail but we have checked this matter very carefully. We are calling it a levy, rather than a charge.

Q3 Do the Commissioners have a legal opinion which supports the implementation of such a levy?

A3 Response by Cmr Ansell: No, we do not have a legal opinion.

Q4 Will you be seeking a legal opinion?

A4 Response by Cmr Ansell: No, we will not, because we do not need a legal opinion.

Q5 What is the expected revenue generated by the levy?

A5 Response by Acting Chief Executive Officer: \$1.5 million.

Q6 What is the implications of not paying the levy?

A6 Response by Acting Chief Executive Officer: If the levy is not paid, the rates discount will not apply. It is therefore in everyone's interests to pay all the outstanding rates and charges, including the levy, to be able to obtain the discount.

Q7 What happens if I don't pay?

A7 Response by Acting Chief Executive Officer: If the amount is not paid, it would be followed up as for outstanding rates.

- Q8 I am not talking about rates, I am talking about a levy.*
- A8 Response by Cmr Ansell: If the \$27 for the security levy had been included in the rates, it would not have been noticed. At the end of last year, Council warned ratepayers that the cost of security was increasing, and that a levy would be raised this year. The reason for raising a levy, rather than including the amount in rates, is to identify the amount that is actually being spent.*
- Q9 Have the Commissioners undertaken a survey of all ratepayers as to the imposition of such a levy; if so, when and how, and what are the results?*
- A9 Response by Cmr Morgan: In November 1998, research was undertaken which showed 78% of people living in the City of Joondalup were concerned about security, and 84% of the people were concerned about graffiti. 90% of the people who completed the survey were in favour of ranger patrols and 97% of these people were prepared to pay a security levy. On 29 July 1999, the City placed an advertisement in the West Australian notifying that the Joint Commissioners were considering the introduction of a security levy. Submissions from ratepayers were encouraged; none was received.*
- Q10 Did Council apply for the Safer WA grant to conduct a crime audit, and if so, why was the monies not invested in advising the ratepayers of the outcome of the proposals?*
- A10 Response by Director, Community Development: The security audit is currently being completed; delays have taken place as information is being awaited from the WA Police Service. We have applied for all available funding through the Safer WA Campaign.*
- Q11 What is the service expected to deliver, and what will be used as a performance indicator as to the effectiveness of such a programme?*
- A11 Response by Director, Community Development: The services to be delivered are outlined in the information made available this evening (Appendix 5 refers) giving a range of initiatives from mobile security patrols to graffiti programmes and environmental design initiatives. There are already some performance indicators in place for a number of these strategies, and a number of new strategies foreshadowed in these initiatives for which performance indicators are being developed.*
- Q12 Can I have specific details of those indicators?*
- A12 Response by Director, Community Development: I will be happy to provide this information.*
- Q13 How often can ratepayers expect to see a security service in their area?*
- A13 Response by Director, Community Development: The security patrols have been set up in such a way to target specific areas. There is detailed information on suburbs covered, and they are targeting specific problem areas within the City.*
- Q14 Can I have copies of those please?*
- A14 Response by Director, Community Development: Certainly.*

Response by Cmr Rowell: The police within the Joondalup area have stated that since this association with City of Joondalup security service, crime has dropped, and the police has given its praise for the work undertaken.

Q15 What input will the community have on the services through community working groups?

A15 *Response by Director, Community Development:* There has been extensive consultation with various community groups in relation to the audit currently being completed.

Q16 Why haven't I been personally asked whether I wish to have this service provided?

A16 *Response by Cmr Morgan:* In the Chairman's statement last year, it was indicated that a charge for security would probably be implemented during this year. As I mentioned previously, this was advertised in July, and no response was received.

Q17 From the information recently received from the Council, I note that the survey conducted in February 1997 had 558 reported responses from residents of the City of Wanneroo. The same information also advised that this accounted for about 7% of residents. Can the Commissioners please advise how this high percentage of value was achieved? My calculations are that this represents approximately 1%.

Q18 Do the Commissioners consider that this is a valid scientific basis for making revenue raising decisions?

Q19 What implication does such a levy have on commercial properties that currently have a security surveillance service?

Q20 From the information recently received from Council, I note that the services being proposed do not relate to the question in the survey, and that only 38% of the revenue raised by the levy is to be used for the surveyed services. Is this in contravention of the Local Government Act and if so what action do the Commissioners propose?

Q21 Have the Commissioners sought legal opinion on the advised proposed Community Security and Safety Initiatives? If so, what are the outcomes of the opinion and will they be publicly available?

Q22 In the event that any of the above questions results in the termination of any of the actions by the Council, or by the Commissioners, is unlawful, then I respectfully call on the Commissioners to resign their commission immediately.

A17-22 These questions will be taken on notice.

FOR APPENDIX 5, CLICK HERE: [Att5.pdf](#)

Mrs M Zakrevsky, Mullaloo:

Q1 In relation to the City's security service, CJ305-09/99, and tonight's progress report. Could you confirm the number of rangers presently employed by the City of Joondalup as being 12, and to be increased to 14?

- A1 *Response by Director, Community Development:* The present number is 13 rangers.
- Q2 *Is their area only the City of Joondalup, and does it exclude the City of Wanneroo?*
- A2 *Response by Director, Community Development:* Those rangers employed by the City of Joondalup are confined to the City of Joondalup.
- Q3 *If Gnangara pine plantation and Lake Gnangara mentioned in the report are no longer within the rangers' territory, will additional troublespots such as the route from Mullaloo beach through the Mullaloo Beach Primary School and Korella Park during summer by noisy drunken gangs on Friday and Saturday nights be targeted if it becomes a problem, as it has been each summer in the last couple of years?*
- A3 *Response by Cmr Ansell:* The Director, Community Development will look at this issue.
- Q4 *When will the fully automated base-to-field data referral system be in operation, and does this system immediately refer calls received to a computer database?*
- A4 *Response by Director, Community Development:* A number of systems is being examined at the present time, but the basic principle is for an immediate recording of a ranger's location at any point in time.
- Q5 *Can rangers take names and addresses if they see anyone doing graffiti? Can they do any more than an ordinary citizen?*
- A5 *Response by Director, Community Development:* This question will be taken on notice.
- Q6 *What is the criteria for a Council asset having an alarm system installed and roughly how many buildings would have alarm systems?*
- A6 *Response by Acting Chief Executive Officer:* This question will be taken on notice.
- Q7 *I notice there are 16 fire control officers mentioned in CJ328-09/99. Do they operate only in the City of Joondalup? Is this number of 16 officers the same number as before the split of the City?*
- A7 *Response by Director, Community Development:* These officers only relate to the City of Joondalup. It is important to point out that a number of the names listed relate to administration staff and not to rangers.
- Q8 *Do these officers have any duties other than fire break and fire hazard inspections, and issuing permits to burn?*
- A8 *Response by Director, Community Development:* This question is answered in the report, where the responsibilities are clearly outlined.
- Q9 *If a ratepayer sees smoke in the dunes or the bush area within the City of Joondalup, and calls the fire brigade, where would the brigade be coming from?*

A9 *Response by Director, Community Development:* Fire response services are provided by the WA Fire and Rescue Service; that service will decide where those resources are deployed from.

Q10 *How many depots are there, and where are they?*

A10 *Response by Director, Community Development:* I am aware that there is a depot in Joondalup CBD, but the responsibility falls within the WA Fire and Rescue Service.

Mr B Higgins, Carabooda:

Q1 *I understand that 24 rangers were employed at the time of the split of the City, and 13 plus a team leader went to Joondalup and 9 plus a team leader went to Wanneroo. What was the criteria for dividing the staff in this manner?*

A1 *Response by Director, Community Development:* A number of criteria was utilised to split staff. Extensive examination was undertaken in areas such as the number of dog complaints received for each authority, through to factors such as population split.

Q2 *Were the areas covered by the two cities taken into consideration, as the City of Wanneroo has more than seven times the area of the City of Joondalup?*

A2 *Response by Director, Community Development:* There would have been some consideration taken into the fact that livestock issues are relevant to Wanneroo, and that is clearly related to geographical distances.

Q3 *Can I take it from the answer given to Mrs Zakrevsky earlier, in relation to cooperation between the two Cities' Ranger Services, that no cooperation exists?*

A3 *Response by Director, Community Development:* That is not correct. There is extensive consultation and cooperation between the two Cities, not only in Ranger Services but in other areas.

Mr T Muller, Woodvale:

Q1 *How many of the Joint Commissioners inspected the public accessway between The Rise and Timbercrest Rise, Woodvale?*

A1 *Response by Cmr Ansell:* Three.

Q2 *How many of these Joint Commissioners came at night, say on Tuesday or Saturday night, when most of the problems occur?*

A2 *Response by Cmr Ansell:* None.

Q3 *In light of the \$27 Security levy, would the Commissioners consider that security being an essential criteria now, it is important that the levy go a long way and the closure of this particular walkway would help cut down the crime which occurs and the destruction of property, and allow the levy to be used on more fruitful purposes?*

A3 *Response by Cmr Ansell:* Commissioners will be considering this issue later in the meeting.

Mrs A Hine, Wanneroo:

- *At the request of Mrs Hine, the Acting Chief Executive Officer read aloud the questions submitted by Mrs Hine and taken on notice.*

DECLARATIONS OF FINANCIAL INTEREST

Nil

CONFIRMATION OF MINUTES

**C43-09/99 MINUTES OF MEETING OF JOINT COMMISSIONERS –
14 SEPTEMBER 1999**

MOVED Cmr Morgan, SECONDED Cmr Buckley that the Minutes of the Meeting of Joint Commissioners held on 14 September 1999, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE CHAIRMAN WITHOUT DISCUSSION**RATES RISES EXPLAINED**

Increases in rental values of homes by the Valuer General have resulted in rates rises along the City of Joondalup's coastal strip.

This year, residential valuations in pockets of the coastal strip increased substantially, especially in the newer areas of Hillarys, Sorrento, South Duncraig, Iluka and Ocean Reef.

The Valuer General's Office has advised that these valuations are in line with recent market evidence and reflect an upward movement in rents payable.

As a consequence of the higher valuations, the rate-in-the-dollar was reduced to partially compensate, but ratepayers in suburbs where values rose still face increases.

While the Valuer General's valuations have historically been conservative, ratepayers have the right to object to the Valuer General if they believe their valuation is unfair.

Although many people in the high value coastal suburbs face bigger rates bills, the additional rates revenue across all ratepayers was 3%.

Our total rates pool last year was \$33.3 million. This year it is \$34.3 million.

Because of the revaluation there has been a partial shift in the rates burden from inland suburbs to the coastal strip.

There have been no big rises in Greenwood, Warwick and Padbury and values in Craigie and Heathridge have fallen.

SECURITY CHARGE

This year's security levy of \$27 per household or 52 cents a week, will fund a host of initiatives to keep the community safer and more secure.

We are spending \$570,000 this financial year on Ranger patrols. Our 13 Rangers will be conducting 2080 patrol hours per month. These patrols average approximately 24,000 kms per month or 775 kms per day.

We will be covering the whole City area from Warwick to Burns Beach and our patrols will be a visible deterrent to crime.

As well as covering the whole City, we will be beefing up patrols in the Joondalup CBD.

The security charge will raise a total of \$1.5 million and will fund a variety of other moves to curb crime and anti-social behavior including:

- Community Connections, taking the message to our schools;
- Mural Arts programmes;
- Graffiti Service;
- Community Crime Audit;
- Sponsorship for Constable Care;
- Neighbourhood Watch and Safety House Program
- Elder Protection Program and;
- A feasibility study for security cameras in the Central Business District will also be funded.

CITY HELPS SCHOOLS BEAT GRAFFITI

The City of Joondalup's Community Connections project is working with local schools to tackle vandalism and graffiti.

One school which has been working with the Council to tackle its graffiti problems is Springfield Primary School.

The 'undercover' in the school has been a target for vandalism and graffiti for many years. To combat the problem, Council assisted Springfield Primary School to design its own murals in the undercover area of the school. Through the City's Community Connections project the City hopes to promote and encourage other schools to be proactive in preventing graffiti.

PETITIONS

Nil

FINANCE AND COMMUNITY DEVELOPMENT
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Items CJ321-09/99 to CJ328-09/99 inclusive were Moved by Cmr Buckley and Seconded by Cmr Morgan. Cmr Buckley stated her intention to speak on Item CJ326-09/99 and CJ327-09/99.

**CJ321-09/99 ACTING CHIEF EXECUTIVE OFFICER - 28
SEPTEMBER 1999 TO 8 OCTOBER 1999 - [20106]**

SUMMARY

The Chief Executive Officer will be on annual leave from 28 September through to 8 October 1999 inclusive. During this period, it is recommended that John Turkington, the Director Resource Management be appointed the Acting Chief Executive Officer.

DETAILS

It is normal practice that when the Chief Executive Officer is on leave, that a Director is appointed in his/her absence to act in the Chief Executive Officer position for statutory requirements.

The Director Resource Management has previously acted in this position, and it is recommended that he be appointed the Acting Chief Executive Officer for this period.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Director Resource Management, Mr John Turkington be APPOINTED the Acting Chief Executive Officer from 28 September 1999 through to 8 October 1999 inclusive, whilst the Chief Executive Officer is on annual leave.

The Motion was Put and

CARRIED

**CJ322-09/99 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 18.8.99 to 8.9.99:

Document: Agreement
Parties: City of Joondalup and the Commonwealth of Australia
Description: City of Joondalup Community Care Services Package
Date: 18.8.99

Document: Agreement
Parties: City of Joondalup and Laurel Dawn Wareham
Description: Copyright Agreement – Local Studies (Oral History)
Date: 18.8.99

Document: Agreement
Parties: City of Joondalup and Harvey Hills
Description: Copyright Agreement – Local Studies (Oral History)
Date: 18.8.99

Document: Agreement
Parties: City of Joondalup and Ron Mildenhall
Description: Copyright Agreement – Local Studies (Oral History)
Date: 23.8.99

Document: Agreement
Parties: City of Joondalup and Bethal Caporn
Description: Copyright Agreement – Local Studies (Oral History)
Date: 23.8.99

Document: Agreement
Parties: City of Joondalup and John Jones
Description: Copyright Agreement – Local Studies (Oral History)
Date: 23.8.99

Document: Structure Plan
Parties: City of Joondalup and WA Planning Commission
Description: Currambine Local Centre
Date: 23.8.99

Document: Agreement
Parties: City of Joondalup and Pam Sizer
Description: Copyright Agreement – Local Studies (Oral History)
Date: 1.9.99

Document: Agreement
Parties: City of Joondalup and Harvey Boffey
Description: Copyright Agreement – Local Studies (Oral History)
Date: 1.9.99

Document: Agreement
Parties: City of Joondalup and Terence Trewin
Description: Copyright Agreement – Local Studies (Oral History)
Date: 1.9.99

Document: Withdrawal of Caveat
Parties: City of Joondalup and Silkchime P/L
Description: Lots 944-947, 950, 956, 960, 961, 963, 965 Warwick Commercial Park
Date: 3.9.99

Document: Easement in Gross
Parties: City of Joondalup and the Roman Catholic Archbishop of Perth – Davidson P/L
Description: Pt Lot M1722 Burns Beach Road, Currambine
Date: 3.9.99

Document: Contract 032-99/00
 Parties: City of Joondalup and CSR Emoleum Road Services
 Description: Bituminous Products and Sealing Aggregates and Spray Seal Works
 Date: 8.9.99

Document: Withdrawal of Caveat
 Parties: City of Joondalup and Si P/L, Ke Has P/L and HoWan Investments
 Description: Lots 252 and 253 Koorana Road, Mullaloo

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Schedule of Documents executed by means of affixing the Common Seal be NOTED.

The Motion was Put and

CARRIED

CJ323-09/99 WARRANT OF PAYMENTS FOR THE PERIOD TO 31 JULY 1999 [09882]

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	15001-15228	2,627,247.06
Municipal	000165-000166	2,627,247.06
Trust	-	0
Reserve Account	-	0
	TOTAL	\$ 5,254,494.12

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 July 1999, the amount was \$2,389,805.80

Previous requests from the City's ratepayers have been to provide additional descriptive information regarding payments. While such a report is not available as a standard report from the new system, modifications could be undertaken however, at a significant cost. This matter is currently being reviewed with the software supplier.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$5,254,494.12 which is to be submitted to each Joint Commissioner on 28 September 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 \$5,254,494.12 submitted to the Joint Commissioners on 28 September 1999 is recommended for payment.

.....
Commissioner Campbell Ansell

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners PASS for payment the following vouchers, as presented in the Warrant of Payments to 31 July 1999, certified by the Chairman of Commissioners and Director Resource Management, and totalling \$5,254,494.12

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	15001-15228	2,627,247.06
Municipal	000165-000166	2,627,247.06
Trust	-	0
Reserve Account	-	0
	TOTAL \$	5,254,494.12

The Motion was Put and

CARRIED

Appendix 1 refers

FOR APPENDIX 1, CLICK HERE: [Att1.pdf](#)

CJ324-09/99

GOVERNMENT ONLINE 99 – [11866]

SUMMARY

Government Online 99 is a major conference on Electronic Strategic Development of online services. The Conference is being held on 9-10 November 1999 in Sydney. This report recommends that the Online Services Development Officer attends the conference.

DETAILS

Government Online 99 is the first conference to be held that will cover all areas relating to the strategic development and delivery of online services, from technical web design and enhancement through to transaction-based e-commerce initiatives.

Case studies will be presented by various local governments and agencies, demonstrating effective strategic planning, development measures and best practice, as well as business integration and process change.

COMMENT/FUNDING

The City has recently appointed an Online Services Development Officer to strategically focus and co-ordinate the development and enhancement of the Intranet and Web page for the organisation. Enhanced utilisation of the Intranet for improved business operations is the initial work being addressed. The application of e-commerce to assist with Council operations is also a major project that will be investigated and examined. The conference will provide practical case studies, experience and knowledge for online services development.

Airfare	\$802
Registration	\$2095
Accommodation	\$256
Travel Allowances	<u>\$270</u>
Total	<u>\$3423</u>

Funds have been allocated in the 1999/2000 Budget for conference attendance. The account number is 11.10.16.164.3302.0001.

MOVED Cmr Buckley, SECONDED Cmr Morgan that:

- 1 the Joint Commissioners ENDORSE the attendance of the Online Services Development Officer at the Government Online 99 Conference in Sydney on 9-10 November 1999 at an estimated cost of \$3,423.00;**
- 2 the costs associated in (1) above be charged to Account 11.10.16.164.3302.0001.**

The Motion was Put and

CARRIED

CJ325-09/99 JOONDALUP FUNCTION CENTRE – EXTENSION OF LEASE [07030J]

SUMMARY

The lessee of the Joondalup Function Centre, Spices Catering (Fawn Holdings Pty Ltd) is seeking approval to use the “glass” room adjacent to the Function Centre. This report examines the current use of the room and proposes an amendment to the current Function Centre lease to accommodate the request.

BACKGROUND

The design of the Joondalup Civic Chambers building comprises of a number of facilities including the Council Chamber and Committee Rooms at Level 2 and a Function Centre and glass room at Level 1. Initially the room was established as a gallery. However the intention is that in the long term the room will become a kiosk or restaurant addressing Central Park.

The Council of the day elected to lease out the management and operation of the Function Centre. In April 1997 Spices Catering was successful in its tender for the management rights for the Joondalup Function Centre.

Spices Catering has recently written to the Council seeking the opportunity to lease the “glass” room as an adjunct to its Function Centre operations.

Spices Catering would upgrade the room to become a ceremony room and be responsible for the maintenance, cleaning and servicing of the room. It proposes the arrangement would be an addition to the present lease arrangement.

DETAILS

The “glass” room is currently used for the display of two models, the Joondalup Civic Cultural precinct and the Joondalup City Centre district. Because the room is locked it is difficult to see the models through the glass walls due to the distances involved.

The use of the room for art displays has been very limited. The Cultural Services Unit advises that it would be useful if it is able to obtain access rights to the room on a number of days (up to 10) per year.

The lease of the room to Spices Catering would produce an income and see the room used on a regular basis.

The Property Officer advises the lease should be agreed on the following basis:

- incorporation of the “glass room” into the existing lease. This provides for a lease fee of 12% of turnover which has incremental increases;
- the lessee to pay all outgoings;
- all expenses of amending the lease to be met by the applicant.

The lease for the function centre expires on 30 June 2002.

COMMENT/FUNDING

The approval of the request from Spices Catering to lease the “glass” room will increase activity around the Joondalup Civic and Cultural facilities and provide increased income and reduced expenses for the City.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners ADVISE Spices Catering (Fawn Holdings Pty Ltd) that it will lease the “glass” room on the following basis:

- 1 the area is incorporated into the existing lease for the function centre under the same terms and conditions;**
- 2 Spices Catering meets the expense of the lease amendment;**
- 3 it makes up to 10 days per year available free of cost for the City’s purposes.**

The Motion was Put and

CARRIED

CJ326-09/99 FUNDING GUIDELINES - VOLUNTEER EMERGENCY SERVICES FOR THE CITY OF JOONDALUP [08162]

SUMMARY

Following a 1998 review of the Wanneroo Volunteer Emergency Services, various steps have been taken to implement the findings of the review. Amongst these steps, has included the development of a set of funding guidelines for the emergency services currently operating within the boundaries of the City of Joondalup – Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division.

The proposed guidelines do not mean a reduction in funding for the Emergency Services rather it places the relationship between the City and the Emergency Services on a more business like basis.

The City’s staff are working closely with relevant staff at the City of Wanneroo to ensure that a consistent approach is adopted by both Cities in the implementation of these Funding Guidelines and arrangements with the emergency services in the region.

This report provides information on the funding guidelines which have been developed.

BACKGROUND

In January 1998, the former City of Wanneroo engaged Metri Services to undertake a review of Wanneroo’s Volunteer Emergency Services – Volunteer Bush Fire Brigade, Volunteer State Emergency Services and the St John Ambulance Wanneroo Operations Division.

The review included an examination of the current funding levels, financial management and accountability arrangements with each of the services with a view to making improvements in each of these areas.

The review was undertaken as an extension of the former City of Wanneroo’s reform agenda and the need to review all structural and operational areas to ensure better accountability and financial management, and improved services to the City’s customers.

In June 1998, a report was submitted to the former City of Wanneroo's Finance and Community Services Committee recommending that the report by Metri Services be adopted for the purpose of obtaining written feedback and comment from the Volunteer Emergency Services (Report CS90-06/98 refers).

A report detailing the outcomes of this latter consultation with the Volunteer Emergency Services was submitted to the Council meeting of the former City of Wanneroo on 22 September 1998 (Report CJ135-09/98 refers).

As a result of the consultation with the services Council decided to adopt the recommendations made by Metri Services noting that in the main the emergency services organisations agreed with the recommendations. The principle area of concern at that time was the proposed devolution of responsibility and funding to the services. Council instigated the commencement of a programme to implement the recommendations taking into consideration the interests of each organisation.

During late 1998, early 1999, the City engaged in the process of establishing a set of guidelines for the provision of financial support to the Emergency Services for both the City of Joondalup and then Shire of Wanneroo.

The City has had a long tradition of providing financial and other direct and in-kind support to the Wanneroo Volunteer Emergency Services. The history of the City's funding and support arrangements with these independently incorporated organisations has been extensive. The City's administration of these arrangements has been largely uncoordinated and ad hoc, lacking in appropriate accountability and reflecting a confused mix of direct administrative support provided by Council staff and various purchaser-provider arrangements. There is considerable potential to improve upon the current arrangements that will be beneficial for both the City and the Volunteer Emergency Services.

In line with the recommendations arising out of the Metri Services review, it is intended to make the Volunteer Emergency Services more self sufficient by their assuming greater administrative responsibility for their operations and by the City providing an annual financial subsidy to each of the services based on a more formal and clearly defined purchaser-provider funding arrangement.

The latter involves the establishment of a funding relationship between the City and the Volunteer Emergency Services based on the introduction of a formal Emergency Services Funding Application Package. This package consists of:

- Clearly defined funding guidelines;
- Clearly defined funding application processes;
- A pro forma application form; and
- A pro forma funding agreement which includes appropriate accountability and reporting requirements.

DETAILS

The funding guidelines for emergency services for the City of Joondalup are included as Attachment 1 in the form of an information package and application process.

The guidelines will apply to the provision of financial support to those emergency services currently operating within the City of Joondalup viz the Wanneroo State Emergency Service and the St John Ambulance Wanneroo Operations Division.

The changes to the current funding processes are outlined in section 2 of the guidelines with new procedures incorporating the provision of detailed budget information, administrative systems and anticipated outcomes. The changes also reflect a linking of the City's financial assistance to each of the services' strategic objectives and to the services' nominated outcomes and key performance indicators for each funding period.

The objectives of the changed funding process are detailed as seeking to achieve:

- Transparent and accountable funding support for emergency services within the region;
- Clear lines of communication between the City and the service;
- Substantiated annual budget targets;
- Focus on core business for Council staff; and
- Streamline support for the provision of emergency services.

A key change reflected in the new funding arrangements is the requirement on each of the volunteer services to assume full responsibility for the self management of their total operations.

To assist the services to achieve this outcome, the guidelines foreshadow the intent of the City to provide additional funds to the services from 1999 to enable them to administer and account for their own affairs.

The guidelines detail the types of financial assistance for which each of the services may apply, together with the relevant assessment criteria.

In line with the City's Community Funding Policy, the services will be required, through various means, to give formal and appropriate acknowledgment to the City as a major provider of financial assistance. This is an area to date which has not been paid adequate attention by both the City and the services.

The proposed pro forma funding agreement is largely consistent with the pro forma funding agreement recently adopted by Council as part of the City's Community Funding Guidelines for projects greater than \$2,500.

COMMENT/FUNDING

The Emergency Services Funding Guidelines have been developed to recognise the particular purchaser-provider arrangement which the City has with the Volunteer Emergency Services operating within the City's boundaries. This arrangement falls outside the provisions of the City's recently adopted Community Funding Policy and Guidelines.

During the period June to August 1999, key personnel of the Wanneroo State Emergency Service and Wanneroo Operations Division of St John Ambulance were consulted on the proposed new Funding Guidelines for the Volunteer Emergency Services. The City engaged a consultant to work through the guidelines and proposed new funding arrangements with each of the services. A draft copy of the guidelines was used as the basis for these discussions.

The consultant has since provided a written report which indicates the services have accepted the principles contained in the draft guidelines.

It is important to note that the adoption and implementation of the Funding Guidelines represent a significant change in the funding relationships and arrangements between the City and the Volunteer Emergency Services from July 1999.

In particular, the 1999/2000 financial year will be an important transitional period as the new guidelines come into operation. Extensive discussions have been held with the emergency services key personnel to assist the services with understanding the new arrangements. Council staff will provide all the necessary support and assistance to the emergency services to enable a smooth transition to the new funding arrangements, particularly during the current financial year.

The structure and operations of the St John Ambulance Wanneroo Operations Division as a special division of the St John Ambulance Incorporated is an arrangement unique to the region of the City of Joondalup and City of Wanneroo. It is understood that there is no other arrangement in the metropolitan area which parallels this arrangement.

There appears to be well founded historical reasons for this arrangement, but with the imminent establishment of a major regional service by the St John Ambulance service in Joondalup CBD, the current structure and operation of the St John Ambulance Wanneroo Operations Division warrants further examination.

It is considered that a one year funding agreement with St John Ambulance Wanneroo Operations Division should be endorsed rather than a three year funding agreement pending the outcome of this review.

It is proposed that in order to provide a level of stability of funding to Wanneroo State Emergency Services and to assist them with their forward planning a three year funding agreement be endorsed. The actual level of funding provided to the group will be negotiated on an annual basis.

The City's staff are working closely with relevant staff at the City of Wanneroo to ensure that a consistent approach is adopted by both Cities in the implementation of these Funding Guidelines and arrangements with the emergency services in the region.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners NOTE the Funding Guidelines for the Volunteer Emergency Services for the City of Joondalup forming Attachment 1 to Report CJ326-09/99.

Cmr Buckley spoke in support of the motion.

The Motion was Put and

CARRIED

CJ327-09/99 NEW FUNDING ARRANGEMENTS AND LEVELS – VOLUNTEER EMERGENCY SERVICES FOR THE CITY OF JOONDALUP [08162]

SUMMARY

This report provides information and makes recommendations on proposed new funding levels and arrangements, including the treatment of assets, for the volunteer emergency services currently operating within the boundaries of the City of Joondalup – Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division.

These new funding levels and arrangements have been determined based on the Funding Guidelines for the Volunteer Emergency Services for the City of Joondalup.

The City's staff are working closely with relevant staff at the City of Wanneroo to ensure that a consistent approach is adopted by both Cities in the implementation of these Funding arrangements and levels with the emergency services in the region.

BACKGROUND

In January 1998, the former City of Wanneroo engaged Metri Services to undertake a review of Wanneroo's volunteer emergency services – Volunteer Bush Fire Brigade, Wanneroo State Emergency Service and the St John Ambulance Wanneroo Operations Division.

The review included an examination of the current funding levels, financial management and accountability arrangements with each of the services with a view to making improvements in each of these areas.

The review was undertaken as an extension of the former City of Wanneroo's reform agenda and the need to review all structural and operational areas to ensure better accountability and financial management, and improved services to the City's customers.

In June 1998, a report was submitted to the former City of Wanneroo's Finance and Community Services Committee recommending that the report by Metri Services be adopted for the purpose of obtaining written feedback and comment from the volunteer emergency services (Report CS90-06/98 refers).

A report detailing the outcomes of this latter consultation with the volunteer emergency services was submitted to the Council meeting of the former City of Wanneroo on 22 September 1998 (Report CJ135-09/98 refers). As a result of the consultation with the services, Council decided to adopt the recommendations made by Metri Services noting that in the main, the emergency services organisations agreed with the recommendations. The principle area of concern at that time was the proposed devolution of responsibility and funding to the services. Council authorised the commencement of a programme to implement the recommendations taking into consideration the interests of each organisation.

During late 1998, early 1999, the City engaged in the process of establishing a set of guidelines for the provision of financial support to the emergency services for both the City of Joondalup and then Shire of Wanneroo.

The City has had a long tradition of providing financial and other direct and in-kind support to the Wanneroo Volunteer Emergency Services. The history of the City's funding and support arrangements with these independently incorporated organisations can be described as extensive but also largely uncoordinated and ad hoc, lacking in appropriate accountability and reflecting a confused mix of direct administrative support provided by Council staff and various purchaser-provider arrangements.

In line with the recommendations arising out the Metri Services review, it is intended to make the volunteer emergency services more self sufficient by their assuming greater administrative responsibility for their operations and by the City providing an annual financial subsidy to each of the services based on a more formal and clearly defined purchaser-provider funding arrangement.

The latter involves the establishment of a funding relationship between the City and the volunteer emergency services based on the introduction of formal Emergency Services Funding Guidelines.

A key change reflected in the new funding guidelines is the requirement on each of the volunteer services to assume full responsibility for the self-management of their total operations.

To assist the services to achieve this outcome, the guidelines foreshadow the intent of the City to provide additional funds to the services in 1999/2000 in order to enable them to administer and account for their own affairs.

Following the Metri Services review of the emergency services, and the development of the Emergency Services Funding Guidelines, and in preparation for the operation of separate local government authorities from 1 July 1999, the City, in conjunction with the City of Wanneroo, engaged a consultant, Mr Bill Harris from Fire Plan WA, in June 1999, to assist with implementing new funding arrangements and levels of funding for the emergency services operating within the City.

The consultant's brief was to:

- Establish the current assets of each volunteer group, which assets are owned, purchased or contributed to by local government.
- Review and implement changes to asset management as outlined in "Review of Emergency Services Report" by Metri Services.
- Obtain agreement from the volunteer services regarding future funding levels and arrangements for asset maintenance, asset replacement and capital equipment purchases.
- Obtain agreement with the volunteer services that future funding would be in line with the "Funding Guidelines for Emergency Services for the City of Joondalup".

The consultant's report titled "Volunteer Emergency Services Proposed New Funding Arrangements City of Joondalup and City of Wanneroo 1999" was received in August 1999.

To implement the consultant's brief, the consultant undertook the following tasks:

- Established the current assets held by each volunteer unit, which assets that are owned, purchased or contributed to by local government and correlated actual assets with those of Asset Management's list prepared by the City of Joondalup.

- Identified the recommendations outlined in the Metri Services report that have not been implemented relevant to each of the volunteer groups.
- Discussed with each of the volunteer groups future funding levels and arrangements for asset management, asset replacement and capital equipment purchases.
- Ascertained from volunteer groups their commitment and agreement that future funding would be in line with the Funding Guidelines.
- Prepared an application for funding and a summary of the specific objectives, strategies and anticipated outcomes for each item of equipment or task for which funding had been requested.
- Prepared a report on each application for the emergency services.
- Recommended the level of contribution for funding the Volunteer Emergency Services between the City of Joondalup and the City of Wanneroo.

Various meetings and telephone discussions were held with key stakeholders including key personnel from local and state operations of the State Emergency Service and St John Ambulance.

DETAILS

1. Status of Recommendations made by Metri Services

The consultant undertook a review of the status as at June 1999 of the recommendations which had been made by Metri Services in 1998. The key findings were:

Wanneroo State Emergency Service

- It is the intention of the City of Joondalup and City of Wanneroo to continue to support the Wanneroo State Emergency Service.
- The ratio of financial support each Council is to contribute for the 1999/2000 financial year would be based on population figures, and/or usage, with the actual level of contribution to be determined by each Council.
- No formal lease exists between the City of Joondalup and the Wanneroo State Emergency Service for the building occupied by the Wanneroo State Emergency Service in the Joondalup CBD, and steps are currently being taken to remedy this situation.
- A full list of assets purchased by the former City of Wanneroo and the City of Joondalup for use by the Wanneroo State Emergency Service has now been established.
- As a result of the review and updating of the assets supplied by the City and used by the Wanneroo State Emergency Service, issues such as the responsibility for maintenance costs of vehicles and asset insurance arrangements have been clarified.
- The quality and levels of mutual support and communication between the Wanneroo State Emergency Service and Wanneroo Bush Fire Brigade, and between the Wanneroo State Emergency Service and the City, have significantly improved since the time of the original review.
- The Wanneroo State Emergency Service is in agreement with the principles contained in the Emergency Services Funding Guidelines for the City of Joondalup.

St John Ambulance Wanneroo Operations Division

- The St John Ambulance Wanneroo Operations Division is in agreement with the principles contained in the Emergency Services Funding Guidelines for the City of Joondalup.
- Recommendations made to establish new funding arrangements between the City and St John Ambulance Wanneroo Operations Division have progressed satisfactorily.
- A lease for the building in the Wanneroo Townsite currently occupied by the St John Ambulance Wanneroo Operations Division apparently exists but is yet to be located.

2. Identification and Treatment of Assets

The major and minor assets supplied by the former City of Wanneroo and City of Joondalup and used by the emergency services have now been identified with a full list of these assets contained in the consultant's report.

Despite the division of the former City of Wanneroo into two separate authorities, the assets have been held in ownership by the City of Joondalup pending the outcome of decisions regarding the best treatment of these assets.

The Wanneroo State Emergency Service has use of a range of minor assets (equipment) and major assets (three motor vehicles) which have been purchased and replaced by the City over time. The St John Ambulance Wanneroo Operations Division has use of four motor vehicles and a caravan which have been fully purchased and replaced by the City over time, or for which the City has contributed a significant amount of funds to the purchase and replacement of these vehicles at various points in time.

Consideration has been given to the age, status and condition of all of the City's minor assets (equipment) used by the Wanneroo State Emergency Service. The written down value of these assets at 30 June 1999 was valued at nil dollars.

It is proposed that as part the new funding arrangements between the City and the Wanneroo State Emergency Service, the ownership of these minor assets be transferred to the Wanneroo State Emergency Service and that the Wanneroo State Emergency Service take full responsibility for the ongoing maintenance and replacement programme for these minor assets. This will require the City to make a donation of these assets to the Wanneroo State Emergency Service. These assets are shown as follows:

Table 1 - Wanneroo State Emergency Service

Plant Number	Registration Number	Description	Purchase Date
98084		McCulloch Chainsaw	15 Aug 95
98092		Stihl Chainsaw	-
98093		Stihl Chainsaw	-
98095		Stihl Chainsaw 029AV	7 Oct 93
98099		Stihl Chainsaw Electric E14	20 Feb 95
98191		Stihl Chainsaw 036	-
98192		Stihl Chainsaw 036	2 Dec 96
98085		Mase Generator	-
98086		Yamaha Generator	15 Aug 85
98088		Large Generator on trailer	15 Aug 85
98090		Modra Generator	27 Mar 84
98094		Generator	-
98091	6RW238	Polmack Box Trailer 7 x 4	
98083		Chainsaw	
		1 x Wooden cupboard	1984
		5 x Wooden desks	1984
		1 x Wooden trophy cupboard	1984
		1 x Mat cupboard	1978
		1 x Aluminum extension ladder	1991
		1 x Stokes litter stretcher	1990
		1 Ferno Washington Basket stretcher	1993
		3 x Motorola Mobile Radio	1992
		1 Panasonic Photocopier & stand	1993
		1 Phillips wet/dry vacuum cleaner	1994
		1 x Icon Handheld radio	1994
		1 DTC Vesa 286 DX2-66 Computer	1995
		1 Café Bar	1978
		1 Ocean Freezer	1978
		1 Security Alarm System	1986
		1 Old Switchboard	1978

It is further proposed that as part of the new funding arrangements between the City and the Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division, the ownership of the major assets (motor vehicles) be transferred to each of these services and that the services take full responsibility for the ongoing maintenance and replacement programme of these assets. This will also require the City to make a donation of these assets to the respective emergency services. These assets are shown as follows:

Table 2 - Wanneroo State Emergency Service

Plant Number	Registration Number	Description	Purchase Date	Written Down Value 30 June 1999
95077	WN26068	International Van	19 Feb 71	\$0
95198	WN30744	Ford Trader 3 tonne Truck	25 Jan 96	\$18,872
95218	WN814	Ford Courier Utility	9 May 97	\$20,814
			Total	\$39,686

St John Ambulance Wanneroo Operations Division

Plant Number	Registration Number	Description	Purchase Date	Written Down Value 30 June 1999
95044	WN618	Ford Econovan Ambulance	9 Feb 95	\$11,474
95057	WN617	Ford Econovan Ambulance	3 Mar 95	\$11,655
95083	WN28507	Toyota Landcruiser	27 Jun 91	\$1,345
95175	WN30913	Ford Econovan Ambulance	2 Dec 96	\$14,809
98082	WN21535	Modern Caravan – 1 st Aid	15 Aug 79	\$0
			Total	\$39,283

The City of Joondalup's 1999/2000 budget includes the above totals represented as a loss on disposal of asset of the written down value of the vehicles.

The above proposed arrangements for the transfer of these assets has been agreed by officers of the City of Wanneroo.

3. Proposed Funding Levels and Arrangements for 1999/2000

As a result of discussions between the consultant and the Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division, the emergency services have accepted the principles contained in the Emergency Services Guidelines for the City of Joondalup.

The consultant also worked with key personnel from each of the emergency services to develop applications for funding in accordance with the guidelines. These applications have now been received by the City of Joondalup and City of Wanneroo.

The consultant has recommended that each of the emergency services should seek sponsorship funding from local businesses, Lotteries Commission, agency sponsored funding and other fund raising to assist them in meeting their operating expenses. The actions of each of the services in respect of this recommendation will be monitored so as to determine future levels of financial assistance provided by the City.

Building and Leases

The building lease documents for both the Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division need to be finalised. The City of Joondalup will take responsibility for finalising the lease document with the Wanneroo State Emergency Service and the City of Wanneroo will take responsibility for finalising the lease document with St John Ambulance Wanneroo Operations Division.

In accordance with an assessment of rental values conducted by the Valuer Generals Office for properties owned by both the City of Joondalup and City of Wanneroo, the following annual rental charges have been applied to the buildings owned by the emergency services:

Wanneroo State Emergency Service	\$10,000	per annum
St John Ambulance Wanneroo Operations Division	\$ 5,000	per annum

The officers of the City of Joondalup and City of Wanneroo have reached agreement that based on both pro rata population figures for each City and the estimated amount of time spent by each of the services in servicing the needs of each of the Cities, the rental charges be represented as donations by the Cities as follows:

Wanneroo State Emergency Service

Contribution by City of Joondalup	\$7,000	(70%)
Contribution by City of Wanneroo	\$3,000	(30%)

St John Ambulance Wanneroo Operations Division

Contribution by City of Joondalup	\$2,500	(50%)
Contribution by City of Wanneroo	\$2,500	(50%)

The above amounts have been included in the 1999/2000 budgets of each City and are represented as donations in the City of Joondalup's Health Services and Ranger Services Business Units budgets.

In the current financial year the City of Joondalup is also providing funds to the value of \$43,000 for the extension of the building currently occupied by the Wanneroo State Emergency Service.

4 Vehicle Replacement Program

Under current arrangements with the Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division, the City takes full financial and administrative responsibility for the vehicle replacement programme for each service.

Under the new funding arrangements, the administrative responsibility for the vehicle replacement programme will be transferred to each emergency service in the current financial year. In the first year of this new arrangement, Council staff will assist the emergency services with administering the replacement programme.

Funds would be provided by the City to each service for the replacement of vehicles (a contribution either to full or part replacement costs), and for operational expenses associated with licensing, registration and insurance. These funds would be provided on the basis the emergency services agree that:

1. The City only considers assisting with funding the difference between the trade in price and the new purchase price, less any funding from other sources.
2. The replacement program for the vehicles be based on agreed procedures that will ensure best value for money and the appropriate vehicles are purchased to the satisfaction of the City and the emergency service.

In consultation with the City's officers, the following vehicle replacement program has been proposed by the consultant:

Wanneroo State Emergency Service

- 99/00 – 1985 International Van to be replaced with a Toyota Personnel Carrier.
 00/01 – 1996 Ford Trader Truck be replaced with Ford 3 tonne truck or similar.
 01/02 – 1997 Ford Courier Utility to be replaced with Ford Courier Utility or similar

St John Ambulance Wanneroo Operations Division

- 99/00 – 1991 Toyota 4x4 Landcruiser Ambulance be replaced with similar vehicle.
 99/00 – 1995 Ford Econovan Ambulance WN618 replaced with similar vehicle.
 00/01 – 1995 Ford Econovan Ambulance WN617 replaced with similar vehicle.
 01/02 – 1996 Ford Econovan Ambulance WN26068 replaced with similar vehicle.

In the 1999/2000 financial year, the vehicle replacement programme was represented as follows:

	Plant Number	Purchase Price \$	Trade \$	Changeover \$
State Emergency Service				
International Van	95077	*35,000	1,000	34,000
Ford Trader 3 tonne Truck	95198	35,000	20,000	15,000
St John Ambulance				
Toyota Landcruiser	95083	40,000	15,000	25,000
Ford Econovan	95044	18,500	15,000	3,500

**secondhand/\$45,000 new*

The officers of the City of Joondalup and the City of Wanneroo have reached agreement that based on both the pro rata population figures for each City and the estimated amount of time spent by each of the services in serving the needs of each of the Cities, the vehicle replacement costs be represented as donations by the Cities as follows:

Wanneroo State Emergency Service

Contribution by City of Joondalup	\$33,342	(70%)
Contribution by City of Wanneroo	\$15,568	(30%)

St John Ambulance Wanneroo Operations Division*

Contribution by City of Joondalup	\$7,125	(50%)
Contribution by City of Wanneroo	\$7,125	(50%)

(* It should be noted that 50% of the vehicle replacement costs for St John Ambulance Wanneroo Operations Division are met by the central St John Ambulance Operations)

The above amounts have been included in the 1999/2000 budget for each City and are represented as donations in the City of Joondalup's Health Services and Ranger Services Business Units budgets.

5. Operating Budgets

With the assistance of the consultant, both the Wanneroo State Emergency Service and St John Ambulance Wanneroo Operations Division have submitted funding applications to the City of Joondalup and the City of Wanneroo in accordance with the Emergency Services Funding Guidelines. The applications include detailed operating budgets for the 1999/2000 financial year.

The budgets include provision for each service to engage administrative services to support their operations and to ensure accountability in accordance with the guidelines. Provision is also made to enable each service to secure the necessary insurance cover for their assets and operations.

The 1999/2000 operating budgets for each service are reproduced below, together with comparisons with the 1998/1999 budget figures and year to date figures to 31 May 1999:

St John Ambulance Wanneroo Operations Division

Operating Costs	Budget 1998/99	Actuals 31-5-99	Budget 1999/2000
Building Maintenance cleaning	1230	613	1200
Building Rental	10000	9167	5000
Vehicles and Travelling (98/99 Actual)	14540	13488	12332
Insurance Special Risks	360	360	1895
Operating & Maintenance including Caravan	0	435	1500
Utility Charges – Gas, Electricity, Water	200	0	500
Office Expenses	0	0	500
Garden Maintenance	0	0	300
Volunteer Appreciation	500	500	500
Administration Services 3hrs/wk x 52 = 156hrs @ \$18/hr	0	0	2808
Total	26830	24563	26535

Wanneroo State Emergency Service

Operating Costs	Budget 1998/99	Actuals 31-5-99	Budget 1999/2000
Building Operating (Cleaning)	2090	6690	6250
Building Rental	10000	9167	10000
Office Expenses (Fax, Pagers, Telephone)	5030	5964	6400
Vehicles & Travelling	8070	7290	9500
Insurance	180	160	3100
Plant & Equipment Replacement – Fridge , Rescue Equipment	0	100	2600

Plant & Equipment	3950	3549	3200
– General Maintenance			
– Operating on fleet group SV & SW			
– Cleaning			
Materials/Contractors/Suppliers			
Sundry Expenses – Consumables	8570	5670	5000
Appreciation to Volunteers	2500	1133	2500
Administrative Costs			
- 7 1/2 hrs p/w x 52 weeks = 390 hours annually			
- @ \$18 per hour = \$7020	0	0	7020
Volunteer Training	0	0	5000
Total	40390	39723	60570

The budget for 1999/2000 for the Wanneroo State Emergency Service shows an approximate 50% increase in overall expenditure when compared to the previous financial year. The main areas of additional budget expenditure relate to expenses for administrative services, volunteer training, plant and equipment replacement and insurance. On the basis of the information provided by the consultant, these expenses are considered as appropriate and necessary in the 1999/2000 financial year.

It should be noted that the above budgets have been developed for the full financial year. Some pro rata adjustments may need to be made to reflect the operations for the first quarter of the financial year. This may result in a reduction in the actual amount of the City's donation to support the operating costs of the services.

In submitting their funding applications, the emergency services have also provided forward estimates of expenditure for the financial years 2000/2001 and 2001/2002. This information will be taken into consideration in negotiating funding levels for future financial years.

6. Acknowledgment of Council Support

The consultant reported that "Other than where other major sponsors have exclusive advertising rights, Council's insignia and "Proudly sponsored by ..." are printed on all stationery, display materials, newsletters and letterheads. All units were prepared to have insignias "Proudly sponsored by ..." on their vehicles, trailers and other major items of equipment that are on public display. Councils are happy to supply information and decals. The Wanneroo State Emergency Service is prepared to wear Council's insignia on badges on their operational overalls when supplied by Council".

These matters will be further addressed as part of the process of finalising the funding agreements with each of the emergency services.

7. Volunteer Support to the Community

The consultant noted the important contributions made to the local community by each of the services. Attention is also drawn to the mutual aid support which is provided by the services to communities outside of the boundaries of the City of Joondalup, particularly in circumstances where local resources cannot cope with an incident/emergency. This agreement is a reciprocal one between all emergency service groups which results in support being provided to the City by other groups from time to time.

The consultant draws attention to the need to ensure that all mutual aid support, whether provided or received by the City, be clearly documented and recommends the keeping of appropriate records in this regard, including the use of log books in motor vehicles.

These matters will be addressed as part of the process of finalising the funding agreements with each of the emergency services.

COMMENT/FUNDING

In addressing the consultant's brief, the consultant undertook a benchmarking exercise to compare the level of financial and other support provided by other relevant metropolitan local government authorities. The findings of this exercise are included below:

- **City of Gosnells.**

Volunteer SES.

98/99	99/00
\$32000	\$46000 proposed.

Funding covers operational expenses such as office stationary, cleaning, vehicle maintenance, training of volunteers, first aid training, telephone accounts, insurance, building maintenance and security. The Unit has a Falcon Van, Toyota landcruiser personnel carrier, 14 seater bus (second hand) and 2 trailers. The City of Gosnells licenses and maintains the vehicles and assisted financially in their purchase. The vehicles are not a Council asset and are not committed to fully funding their replacement.

A co-located building (SES/Bush Fire Brigade) is owned and maintained by Council and is utilised by the SES/Bush Fire Brigade at no charge.

St John Ambulance

No financial support is given to St John Ambulance.

- **City of Stirling**

Volunteer SES

98/99	
Operational Expenditure	\$50,000
Capital Expenditure	\$12,040 includes vehicle replacement.

St John Ambulance.

No financial support is given to the St John Ambulance.

- **Shire of Kalamunda**

- Volunteer SES

- 98/99

- Operating Expenditure \$24,600

- Capital improvement building lighting \$600

Collocated building shared with SES/Bush Fire Brigade, owned and maintained by Council.

- St John Ambulance.

No financial support is given to St John Ambulance.

- **Shire of Swan**

- Volunteer SES

	98/99	99/00
Outside Labour Costs	\$27,300	\$26,600
Office Expenses	\$6,057	\$5,400
Operating Expenses	\$26,041	\$26,800
Total	\$59,398	\$58,800

- St John Ambulance.

No financial support is given to St John Ambulance.

- **Shire of Mundaring**

- Volunteer SES

	98/99	99/00
Operating Expenses	\$12,150	\$ 31,010 *
Capital Expenses	\$2,500	\$27,500 **
Total	\$14,650	\$58,510

* Includes \$15,00 rental for MSES Unit until permanent co-located accommodation is finalised.

** Includes \$25,000 for replacement vehicle.

- St John Ambulance.

No financial support is given to the St John Ambulance.

Based on the above, and other information obtained, it would appear that the level of financial support provided to the Wanneroo State Emergency Service by the Cities of Joondalup and Wanneroo on a regional basis is comparable in relative terms with the support provided by other local government authorities to State Emergency Service operations.

The structure and operations of the St John Ambulance Wanneroo Operations Division as a special division of the St John Ambulance Incorporated is an arrangement unique to the region of the City of Joondalup and City of Wanneroo. It is understood that there is no other arrangement in the metropolitan area which parallels this arrangement. There appears to be well founded historical reasons for this arrangement, but with the imminent establishment of a major regional service by the St John Ambulance service in Joondalup CBD, the current structure and operation of the St John Ambulance Wanneroo Operations Division warrants further examination. This will be undertaken.

There is also a need to further examine the benefits of collocating emergency service facilities within the region. Further work will be undertaken on this matter by the City's officers.

To facilitate the implementation and further development of the new funding arrangements for emergency services between the City and the emergency services and the City of Joondalup and the City of Wanneroo, the consultant has made a number of suggestions. These suggestions have already begun to be implemented.

Upon approval of the recommendations and proposed courses of action detailed in this report, action will be taken to meet with each of the emergency service groups to progress the implementation of the new funding arrangements including the drawing up of the relevant funding agreements in accordance with the Emergency Services Funding Guidelines.

It is the view of the City's officers that the funding arrangements outlined in this report will enable the emergency services to assume full responsibility for the self-management of the organisations, and will also be in the best interests of both the City and the services. In particular, the transfer to the services of the administrative responsibilities currently undertaken by Council staff will provide a better picture of the true cost of operating the services within a clearer purchaser-provider arrangement.

It is recognised that the current financial year will be a significant year of transition to the new arrangements for both the City and the emergency services. Council officers will continue to provide every support necessary to the emergency services to enable them to operate as independently incorporated organisations.

A summary of the proposed funding arrangements for the emergency services in the current financial year is represented below:

	City of Joondalup	City of Wanneroo	Total Donation
	\$	\$	\$
1. State Emergency Service			
Donation-Operating Expenses	41,503	19,066	60,569 *
Donation-Replacement of Vehicles	33,432	15,568	49,000
Total Donation	74,935	34,634	109,569
Write off of Current Vehicles	39,686		

	City of Joondalup \$	City of Wanneroo \$	Total Donation \$
2. St John Ambulance			
Donation-Operating Expenses	13,265	13,265	26,530 *
Donation-Replacement of Vehicles	7,125	7,125	14,250
Total Donation	20,390	20,390	40,780
Write off of Current Vehicles	39,283		

* To be pro rated for the remainder of the financial year following further negotiations with the emergency services

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

1 transfer ownership of the:

- (a) minor assets listed as Table 1 to Report CJ327-09/99 to Wanneroo State Emergency Service and require the Service to take full responsibility for the ongoing maintenance and replacement of the assets;
- (b) motor vehicles listed as Table 2 to Report CJ327-09/99 to Wanneroo State Emergency Service and St John Ambulance Wanneroo Operational Division and require each service to take full responsibility for the ongoing replacement and maintenance of the vehicles;

2 WRITE OUT of the City of Joondalup financial records the written down value of the assets as follows:

- (a) Assets transferred to Wanneroo State Emergency Services \$39,686
- (b) Assets transferred to St John Ambulance Wanneroo Operational Division \$39,283

3 NOTE arrangements to be put in place between the City and the emergency services regarding current building and lease arrangements and ongoing vehicle replacement programs; and

4 APPROVE donations to:

- (a) Wanneroo State Emergency Services up to \$74,935
- (b) St John Ambulance Wanneroo Operational Division up to \$20,390

Cmr Buckley spoke in support of the motion.

The Motion was Put and
Appendix 2 refers

CARRIED

FOR APPENDIX 2, CLICK HERE: [Att2.pdf](#)

CJ328-09/99 RECOMMENDATIONS FROM BUSH FIRE ADVISORY COMMITTEE MEETING HELD ON 24 JUNE 1999 [02499]

SUMMARY

A meeting of the Bush Fire Advisory Committee was held on Thursday 24 June 1999, from which there were recommendations which require the endorsement of the Joint Commissioners. These recommendations relate to the appointment of Fire Control Officers and the adoption of the firebreak inspection procedure. Furthermore, clarification has been sought from the District Manager within the Fire and Emergency Services Authority and it is also recommended that a Chief Bush Fire Control officer and one Deputy Chief Bush Fire Control be appointed in accordance with the Bush Fires Act 1954.

It is also recommended that, as a result of the division of the City, the City of Joondalup no longer requires to maintain a Bush Fire Advisory Committee. This Committee became the responsibility of the City of Wanneroo from 1 July 1999. At the July 1999 Council meeting of the City of Joondalup the Joint Commissioners adopted the recommendation to discontinue the Bush Fire Advisory Committee (Report CJ260-07/99 refers).

BACKGROUND

The Bush Fires Act 1954 provides that a local government may at any time appoint such persons as it thinks fit to form a Bush Fire Advisory Committee. The purpose of this Committee is to advise the local government regarding all matters relating to the prevention, control and extinguishing of bush fires, the planning of the layout of firebreaks in this district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control.

DETAILS

Fire Control Officers are appointed under the Bush Fires Act 1954, and these appointments are only valid for 12 months or for a bush fire season. It is therefore necessary for these officers as well as a Chief Bush Fire Control officer and a Deputy Chief Bush Fire Control officer to be appointed by Council. These appointments need to be made to fulfill the obligations of the Act.

Fire Control Officers are required by Council for the following reasons:

1. All vacant land within the City is to be inspected by a Fire Control Officer immediately after 30 November each year to ensure the property has the relevant firebreaks as required under the Bush Fires Act 1954;
2. Infringement notices are issued by Fire Control Officers for offences under the Bush Fires Act 1954, such as failure to plough or clear a firebreak, setting fire to bush during the prohibited burning period, and many other offences; and
3. Permits to burn are issued by Fire Control Officers within the restricted burning period.

It is the third point listed above that requires the appointment of officers in accordance with the provisions of the Bush Fires Act 1954.

COMMENT/FUNDING

The City of Joondalup no longer has a need for a bush fire service, as the whole Council is within the Metropolitan Fire District, which is covered by the Fire and Rescue Service. Bush fire control and the volunteer bush fire brigades have therefore become the responsibility of the City of Wanneroo.

Each year Council adopts a firebreak inspection procedure, with minor changes as required. The firebreak procedure is a set of guidelines that authorised officers follow when administering the requirements of the Bush Fires Act for firebreak and fire hazard inspections. It is recommended that the adoption of a firebreak inspection procedure be done on an administration basis each year.

For the purposes of fulfilling the requirements as set out within the Bush Fires Act 1954 Council is required to appoint a Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Fire Control Officers.

In accordance with Section 17(10) of the Bush Fires Act 1954, Council has previously resolved to delegate to the Mayor and the Chief Bush Fire Control Officer, jointly, its powers and duties under subsection (7) and (8) to vary the prohibited burning times in its district, if it is considered that seasonal conditions warrant the variation. For this reason Council needs to appoint a Chief Bush Fire Control Officer. It is recommended that the Team Leader Ranger Services be appointed as the Chief Bush Fire Control Officer to meet the requirements of the Bush Fires Act 1954.

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

- 1 NOTE the minutes of the Bush Fire Advisory Committee meeting held on 24 June 1999, shown as Attachment 1 to Report CJ328-09/99;**
- 2 APPOINT the following people as Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers and Fire Control Officers for the 1999/00 fire season, and cancel all other appointments:**

J L Edwards – Chief Bush Fire Control Officer

T W Heinze – Deputy Chief Bush Fire Control Officer

Fire Control Officers:

R D Mansfield

R Bone

G. Smith

M P Hrovatin

D C Hoath

A Cave

S Evans (Permit Issuing Only)

B Daniels (Permit Issuing Only)

I S Whyborn

S Brewer

M.N. Haddock

D W Middleton

P Ross

R Grygorcewicz

- 3 **NOTE that the same firebreak inspection procedure as in previous years has been adopted and will be modified administratively as required;**
- 4 **APPROVE the future adoption of the firebreak inspection procedure being made on an administration basis only;**
- 5 **NOTE that the City of Joondalup no longer requires to maintain a Bush Fire Advisory Committee.**

The Motion was Put and

CARRIED

Appendix 3 refers

FOR APPENDIX 3, CLICK HERE: [Att3.pdf](#)

INFRASTRUCTURE MANAGEMENT

Items CJ329-09/99 to CJ332-09/99 inclusive were Moved by Cmr Morgan and Seconded by Cmr Rowell. Cmr Morgan stated his intention to speak on Item CJ331-09/99 and CJ332-09/99.

CJ329-09/99 BADRICK STREET - ROAD CLOSURE - [05378J]

SUMMARY

In December 1997, Main Roads WA requested the City to consider modification of the four way intersection of Beach Road, Badrick Street and Belvedere Road in order to improve safety at the intersection. At the February 1999 meeting, it was resolved to initiate the road closure of Badrick Street at the intersection of Beach Road. In accordance with Section 3.50 of the Local Government Act 1995, notice of the proposed road closure has been given and a trial road closure for a six month period, is now recommended for approval.

BACKGROUND

In December 1997, Main Roads WA advised that the District Police Office, Joondalup had highlighted its concerns with the number of vehicle conflicts at the four way, stop sign controlled intersection of Beach Road, Badrick Street and Belvedere Road, Warwick. Belvedere Road and Badrick Street are not aligned. Drivers turning right from Badrick Street into Beach Road face a head on conflict with vehicles that travel north on Belvedere Road and wish to continue straight ahead into Badrick Street.

This intersection is the only four way intersection on Beach Road not under traffic signal control. In the past five years there have been fifteen recorded crashes of which eight involved injuries. Main Roads WA advise that it has no plans to install traffic signals, and it is unlikely that this intersection would ever be ranked a high enough priority to be considered for the installation of traffic signals.

The City, in conjunction with the City of Stirling, has considered several options to improve safety at this intersection. The options include, intersection realignment, full or partial median closure, banning right turns from Badrick Street, full or partial closure of either Badrick Street or Belvedere Road. All but the intersection realignment option would involve some restrictions to residential access, however safe alternative routes could be provided in each case.

Main Roads WA considers that the closure of Badrick Street is the most suitable option. A plan showing the proposed road closure is shown on Attachment 1.

In view of the possible impact of a road closure on local residents, a copy of the plan has been circulated to all residents on Badrick Street, Barnsbury Road, Churton Crescent and Beck Place for comment. At the close of the comment period, 15 submissions had been received. The submissions were split 8-7 in favour of the proposed road closure.

In view of this, at the February 1999 Meeting of Joint Commissioners, it was resolved to initiate the road closure of Badrick Street at the intersection of Beach Road (Item No CJ14-02/99 refers). The Local Government Act 1995 requires that the proposed trial closure be advertised for comment prior to taking place. This has now been completed.

DETAILS

In accordance with Section 3.50 of the Local Government Act 1995 notice seeking submissions on the proposed closure has been given. At the close of the advertising period, a total of 5 responses have been received including that of the City of Stirling. The responses range from strong support of the proposal (3) through suggesting an alternative (1), to strong objection of the proposal (1). The trial road closure is strongly supported by the City of Stirling.

While the comments received as part of the recent notification period have been noted, the full road trial closure option remains the preferred option.

COMMENT/FUNDING

While the concerns of those residents who oppose the road closure are noted, it is anticipated that the safety improvements by removing the four way intersection will more than compensate for the minor changes to the existing level of residential access.

The trial closure for a period of six months will allow for a reasonable traffic assessment to be made. Results of the impact of the road closure can be reported on after the trial period.

In accordance with Section 3.50 of the Local Government Act 1995, notice of a road closure in excess of four weeks must be given. As the proposed closure is for a period of six months, residents will be notified and an advertisement will be placed in the local newspaper circulating in the district.

MOVED Cmr Morgan, SECONDED Cmr Rowell that:**1 the Joint Commissioners:**

- (a) APPROVE the temporary road closure of Badrick Street at the intersection of Beach Road for a period of six months as shown on Attachment 1 to Report CJ329-09/99;**
- (b) ADVISE the residents accordingly;**

2 a detailed report to be submitted to Council at the end of the six month trial.**The Motion was Put and****CARRIED**

Appendix 4 refers

FOR APPENDIX 4, CLICK HERE: [Att4.pdf](#)**CJ330-09/99 REMOVAL OF BUS SHELTER - WEST COAST DRIVE, SORRENTO -[15045; 08069J]**

SUMMARY

A request has been received from the property owners of 104 West Coast Drive, Sorrento regarding the removal of the bus shelter adjoining their property, due to sight line concerns. The proposed removal of the concrete bus shelter has been investigated and recommendations made based on patronage figures, public comments and inspection details of the area.

BACKGROUND

The existing concrete bus shelter adjoining 104 West Coast Drive, was installed as part of the 1996/97 Bus shelter installation programme, after the previous brick bus shelter, was demolished by a vehicle in 1996. Patronage figure obtained from the bus service operator at the time indicated that an average of twenty-six (26) passengers were boarding daily at this stop.

At that stage, the property owner of 104 West Coast Drive objected to a replacement shelter due to sight line concerns and increased anti-social behaviour. A different type of concrete shelter was installed to reduce the impact on sight lines considering the number of patrons that were using the stop.

The City received a letter from the property owners of 104 West Coast Drive, Sorrento on 4 February 1999 requesting the removal of the bus shelter due to the sight line obstruction the shelter was causing to view oncoming traffic. Patronage figures were requested from the bus service operator and public comment was invited on the proposed removal.

DETAILS

An inspection of the bus shelter by officers revealed that the bus shelter obscures the vision of traffic traveling north on West Coast Drive from the driveway access of 104. Vision of the southbound lane of West Coast Drive from 104 is not obstructed and sight lines are clear.

To ascertain how many passengers would be inconvenienced by its removal, patronage figures were requested from the bus service operator. Advice received from Path Transit on 2 March 1999 indicated that an average of 3 passengers board the bus at this location on a daily basis.

Advertising signs for submissions on the proposed removal were erected at the shelter to gauge the views of local residents. At the end of the advertising period, 14 objections and one letter of support were received from local residents and commuters on the proposed removal.

In addition, a 27-signature petition was tabled at the meeting of the Joint Commissioners on 8 June 1999, requesting the removal of the bus shelter from that location. Signatories to the petition requested the removal of the bus shelter due to safety and sight line concerns. The signatories reside in various addresses both within and outside the City of Joondalup district.

COMMENT

The installation of bus shelters is determined by patronage figures obtained from the bus service operator and on site inspection from officers of Infrastructure Management to ensure that the installation does not affect nearby residents and motorists.

The bus shelter in front of 104 West Coast Drive, Sorrento obstructs the view of oncoming traffic traveling north along West Coast Drive, however sight lines for the south bound carriageway are clear.

Recent patronage figures obtained from Path Transit have indicated that the number of commuters using this bus stop has decreased significantly since 1996. However public comment received from residents within the area suggests that the shelter is of some use to nearby residents.

Due to the possible traffic hazard that may occur and the reduced patronage figure, it is recommended to remove the shelter adjoining 104 West Coast Drive and relocate the concrete shelter to an alternative site.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners AUTHORISE the removal of the bus shelter adjoining 104 West Coast Drive, Sorrento.

The Motion was Put and

CARRIED

**CJ331-09/99 PROPOSED ROAD CLOSURE - MILLPORT DRIVE,
WARWICK [49176J]**

SUMMARY

A 64-signature petition has been received from Warwick residents in relation to vehicle speed on Millport Drive. The majority of petitioners are seeking that Millport Drive be made into a cul-de-sac.

While the petitioners concerns are noted, road closures are generally only considered to alleviate significant traffic flow problems. As this is not the case, the proposal to cul-de-sac Millport Drive is not supported.

BACKGROUND

A 64-signature petition from Warwick residents was presented to the meeting of the Joint Commissioners held on 10 August 1999. The petitioners are concerned with the speed of vehicles along Millport Drive and the majority (43 petitioners) are seeking the City's consideration of a proposal to cul-de-sac Millport Drive.

Of the remaining signatories, seven favoured some form of traffic calming device while eight indicated that they were in favour of maintaining the existing road configuration on Millport Drive.

Several of the petitioners also wrote to the City individually to express their concerns in regard to speeding vehicles and to express support of the cul-de-sac option. The petition is also supported by a detailed submission.

DETAILS

Millport Drive, the surrounding road network and the proposed cul-de-sac are shown on Attachment 1.

Millport Drive has an existing 7.4m wide carriageway. Traffic volumes on this road have remained relatively stable with approximately 465 vehicles per day (VPD) recorded mid-block in December 1992 and 420 VPD in August 1999. Mid-block peak hour traffic flows are typical of a local road and do not indicate a high proportion of non-local through (commuter) traffic.

The 85th percentile speed of vehicles (*the speed at or below which 85 percent of vehicles are traveling*), mid-block along Millport Drive is 63km/h.

For the three year period to December 1998, there had been two recorded crashes at the intersection of Millport Drive with Dorchester Avenue and one crash recorded at the intersection of Millport and Fairlisle Place.

In comparison, Hawker Avenue (North) carries approximately 2900 VPD and has a 85th percentile of 61 km/h, Hawker Avenue (South) carries approximately 730 VPD and has a 85th percentile of 54 km/h. Previous studies into traffic flow along Hawker Avenue have established that the majority of traffic generated by the Warwick Rail Station uses Hawker Avenue (North).

In terms of traffic flow, both roads function normally as local roads with traffic volumes and vehicle speed well within acceptable limits.

A preliminary cost estimate for the proposed cul-de-sac shown on Attachment 2 is \$15,000.

Effectively, the location of the proposed cul-de-sac would divide Millport Drive into two equal sections. Based on the existing traffic flow, the redirection of traffic caused by a mid-block road closure may increase traffic by around 200 VPD at the intersection of Dorchester Avenue. Increases of around 100 VPD could also be expected at the Raasay Place, Springfield

Drive, Millport Drive, Hawker Avenue intersections. Some variations may occur depending on the desired origin destination of local residence.

The majority of this would occur during the morning and afternoon peak periods and likely increase in turning movements at these intersections may lead to an increase in delays and crashes at these intersections. This is of particular concern at the Dorchester Avenue Millport Drive intersection that has had two crashes in the last three years.

Generally priority for traffic treatment is given to roads that carry over 4,500 vehicles per day and have a high number of mid-block or junction crashes, a high component of non local traffic and significant pedestrian movements related to schools, shopping centres or recreational facilities.

Traffic calming treatments are successful in modifying driver behaviour in a majority of motorists. That is they can successfully reduce the 85th percentile speed of vehicles. They are however, ineffective in modifying driver behaviour in motorists who drive with little regard for their legal or social responsibilities. These motorists invariably see these treatments as a challenge and in some instances, traffic treatments can exacerbate problems associated with antisocial driver behaviour.

COMMENT/FUNDING

Unfortunately, the concerns expressed by the petitioners are symptomatic of many local streets throughout the municipality.

Given the existing road alignment only motorists who are familiar with the road would feel comfortable traveling in excess of 60km/h. This trend would ultimately reduce the effectiveness of a road closure and or traffic treatments as driver familiarity leads to an increase in vehicle speed over time.

Road closures are generally only considered to alleviate significant traffic flow problems. Notwithstanding the effects of a road closure are not limited to the immediate area and the impact on the wider community must be carefully considered. It is likely that the redistribution of traffic onto other roads and intersections caused by a road closure may transfer traffic problems elsewhere in the area. A road closure proposal would have to be advertised to the wider community for comment prior to it proceeding further.

While the petitioners concerns are noted, the existing traffic flow on Millport Drive is within acceptable limits for a road of this type. On this basis, the proposal to cul-de-sac Millport Drive is not supported.

In addition, given the low traffic volumes and the nature of speeding motorists on Millport Drive, traffic calming of this road would also have a low priority in comparison with other roads throughout the municipality.

The current strategy that incidences of excessive vehicle speed or unruly driver behaviour should be referred to the local Police Service for action should be supported. The community can assist the Police Service in apprehending these motorists by indicating particular times when incidences of speeding are most likely to occur and completing Traffic Incident Report Sheets.

The City can also offer assistance to the local school to establish safe crossing points along Millport Drive through the RoadWise Safe Routes to School Program. It is anticipated that feedback from the Joondalup Police Service action in this area may be available at the next RoadWise Committee meeting which is to be held in October.

The City may continue to liaise with the Police Service through the RoadWise Committee and distribute Traffic Incident Report Sheets to the local community.

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

- 1 DO NOT SUPPORT the petitioners request for a road closure in Millport Drive;**
- 2 Continue to LIAISE with the Police Service through the Roadwise Committee and distribute Traffic Incident Report Sheets to the local community;**
- 3 LIAISE with the local school to establish safe crossing points on Millport Drive as part of the Safe Routes to Schools program;**
- 4 ADVISE the petitioners accordingly.**

Cmr Morgan spoke in support of the motion.

The Motion was Put and

CARRIED

CJ332-09/99 PROPOSED ROUNDABOUT - HEPBURN AVENUE AND GLENGARRY DRIVE, DUNCRAIG [14276J, 01116J]

SUMMARY

BSD Consultants on behalf of St Stephens School have submitted a proposal to consider construction of a roundabout at the intersection of Hepburn Avenue and Glengarry Drive, Duncraig. The proposal is linked to the provision of an additional access to the school on Hepburn Avenue and would negate the need for construction of a link road through the school grounds.

The proposal is supported in principle, as it will improve the overall efficiency and level of safety at this intersection. However, construction of a roundabout at the intersection of Hepburn Avenue and Glengarry Drive is subject to additional funding. A funding contribution is recommended for inclusion in the 2000/01 Draft Capital Works Budget.

BACKGROUND

In 1993, St. Stephens school requested the former City of Wanneroo to consider the provision of an additional access/egress point from Hepburn Avenue. The request was made to address increasing concerns among the school and local community in regard to traffic congestion

during peak times at and around the existing access to the school on Doveridge Drive. At that time the City did not support this proposal.

In November 1998, due to increasing safety concerns from the school community, BSD Consultants on behalf of St. Stephens School, submitted a proposal for an additional access/egress from Hepburn Avenue that incorporated a link road through the school to Doveridge Drive. However subsequent discussions with the City and local residents have made the link road option less desirable. As a result BSD investigated alternative solutions to facilitate return east west vehicle movements via the access on Hepburn Avenue from the school.

In July 1999, BSD Consultants on behalf of St Stephens School submitted a detailed proposal to the City to consider construction of a roundabout at the intersection of Hepburn Avenue and Glengarry Drive, Duncraig.

The proposal is linked to the provision of an additional access to the school on Hepburn Avenue. By allowing westbound motorists to travel around the roundabout and return in an east bound direction, the proposal would negate the need for construction of a link road through the school grounds. It is unlikely that approval for the access onto Hepburn Avenue would be granted by the City without construction of a roundabout at the intersection of Hepburn Avenue and Glengarry Drive. A copy of the school access proposal is shown on Attachment 1.

The construction of a roundabout at this intersection also has implications for the possible Hepburn Heights Community Purposes access road.

DETAILS

The location of the subject intersection in relation to the surrounding road network and the possible access points into St. Stephens School and Hepburn Heights are shown on Attachment 2.

To support the proposal, the consultants have carried out a detailed analysis of traffic flow at the intersection including turning movements during peak periods. The survey showed a significant delays and queuing of right turn vehicles during this period. Over time the delays have prompted some motorists to turn left then U-turn at the intersection with Walter Padbury Boulevard in order to travel east along Hepburn Avenue. While it is not illegal to do so this is an undesirable movement for this intersection.

Main Roads WA crash data indicates that 20 crashes have occurred in the five year period from 1994 to 1998 at this intersection. Of these, 7 crashes involved right turn movements, 5 of these resulted in injuries requiring hospitalisation or medical attention. The delays during peak period may be a causal factor leading to the high incidence of right turn crashes at this intersection.

This intersection is one of several throughout the municipality that currently meet the black spot casualty crash criteria for funding as part of the Federal Road Safety Blackspot Program.

The estimated cost to construct a roundabout shown on Attachment 3 is \$200,000.

An analysis of existing and possible traffic flows if a roundabout were constructed at the intersection has also been undertaken by BSD. The analysis indicated that the provision of a

roundabout would result in a reduction in delays of critical movements at the intersection. Overall the operational performance of the roundabout would be satisfactory with significant capacity during AM and PM peak periods. These improvements would ultimately lead to an overall improvement in level of safety at this intersection.

Main Roads WA has advised that studies have shown that this form of treatment is successful in raising the efficiency and level of safety at intersection of this nature and agrees in principle to the installation of a roundabout at this location. The Ministry for Planning also has no objection to the proposal.

COMMENT/FUNDING

Federal Road Safety Blackspot Funding Program 2000/01 to partly fund this project (\$150,000) closes on the 30 September before being presented to the State Panel meeting in December 1999. If successful, approval of funding sought as part of the 2000/01 Federal Road Safety Blackspot Program is granted in March 2000.

The significant contribution by the St. Stephens School to address the concerns of the local community by way of initiating a feasibility study including preliminary investigation and design of the roundabout and access options by BSD Consultants is acknowledged. If successful, the school has also given in principal agreement to contribute by way of final detailed design of the project.

In the detailed submission to the City, the consultants have stated that provision of a roundabout at this location would be an improvement on the existing intersection layout from both a traffic operation and safety viewpoint.

It has also been established that the proposed roundabout will also benefit the wider community by facilitating additional traffic movements associated with the possible Hepburn Heights Community Purposes access road and improve safety by reducing the number of U-turns at the intersection of Hepburn Avenue and Walter Padbury Boulevard.

The proposal would also impact positively on traffic flow in Doveridge Drive by providing school generated traffic the opportunity to approach and return from school via the Hepburn Avenue proposed access. By allowing westbound motorists to travel around the roundabout and return in an east bound direction, the proposal would negate the need for construction of a link road through the school grounds.

In view of these benefits, the construction of a roundabout at the intersection of Hepburn Avenue and Glengarry Drive is supported.

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

- 1 AGREE in principle for the construction of a roundabout at the intersection of Hepburn Avenue and Glengarry Drive, Duncraig;**
- 2 SEEK Federal Road Safety Blackspot Funding contribution for this project as part of the 2000/01 Federal Road Safety Blackspot Program;**

3 ADVISE all interested parties accordingly.

Cmr Morgan spoke in support of the motion.

The Motion was Put and

CARRIED

PLANNING AND DEVELOPMENT

CJ333-09/99 CENTRES STRATEGY - [20454]**SUMMARY**

A Centres Strategy is needed to comply with the Metropolitan Centres Policy and to provide a basis for provisions to be incorporated into District Planning Scheme No 2 (DPS2). Planwest (WA) Pty Ltd and Belingwe Pty Ltd were appointed as the successful tenderers of the Centres Strategy project and have now produced a series of working papers and a draft report.

The timeline prepared for the strategy nominates that a draft report is required to be considered by the Commissioners at the Council meeting of 28 September 1999 for adoption and to be made available for advertising for public comment.

The strategy covers the period to 2006 and identifies it as a consolidation period for the City with respect to commercial activity, in its broadest sense, recognising that such land uses provide a service to the community and create employment.

The major implementation focus of the strategy is the preparation of structure plans, which require the endorsement of the Western Australian Planning Commission to enable delegation of development control to the City of Joondalup.

The strategy ensures that changes to the shopping and commercial centres occur in an orderly manner and benefit the community as a whole. It is recommended that the Draft Centres Strategy be made available for public comment for a period of 42 days and adopted as a draft planning policy.

BACKGROUND

The preparation of a Centres Strategy to determine the location, size, land use mix and related matters of all existing and planned future commercial centres within the City of Joondalup was initiated in August 1998, with Planwest (WA) Pty Ltd and Belingwe Pty Ltd being appointed as the successful tenderers of the project.

The Metropolitan Centres Policy statements of 1991 and 1999 (draft) both require local governments to prepare local commercial strategies and centre plans to guide development at the local level.

The only Commercial Strategy that has been prepared for the former City of Wanneroo is the North-West Corridor Structure Plan – Retail Strategy (Department of Planning and Urban Development 1991). It was intended that the hierarchy of centres included in that strategy, subsequently reflected in the North West Corridor Structure Plan, also be reflected and further developed in a local commercial strategy.

It had been intended to complete this strategy in 1998/99 for incorporation into DPS2 prior to final approval, but it is now intended to work towards the following timeline for adoption of the strategy.

ACTION	DATE
Consultant to finalise draft and re-submit	18 September 1999
Adoption of draft for advertising	28 September 1999
Advertise draft Strategy for public comment for 42 days commencing	30 September 1999
Advertising period closes	11 November 1999
Adoption of Strategy	7 December 1999
Adoption of Amendment to DPS2	February 2000

DETAILS

Objectives and Principles

The Strategy examines the planning context, population, employment and commercial activity including the retail requirements as background to develop the strategy. The objective of the strategy is to interpret, apply and implement the draft 1999 Metropolitan Centres Policy, in the context of the City of Joondalup and to promote incremental expansion of existing low order centres with shopping and related development throughout the City as part of a consolidation strategy until 2006.

The main principles are listed below:

The Centres Hierarchy

- Promote Joondalup City Centre as the primary centre in the North West Corridor and the preferred location for major offices and retailing as well as a rich mix of leisure, entertainment, recreation and community facilities;
- Maintaining regional centres as significant regional nodes - Whitfords and Warwick;
- Promote district centres more actively – encourage mixed business to establish adjacent to district centre sites;
- Maintain existing structure and distribution of neighbourhood centres – allowing for minor expansion and extensions as part of the redevelopment/renewal process.

Mixed Business Area/Community Business Parks

- Promote initiatives to establish new mixed business areas and technology parks and community business parks.

The Nature and Form of Centres

- Promote evolution, revitalisation and re-modelling of existing centres, where practicable, along ‘main street’ principles;
- Promote greater diversity of land use and community activity in and close to centres;
- Promote expansion or redevelopment of selected centres.

Employment

- Promote job growth and employment self-sufficiency in the city.

Community Infrastructure

- Make the best use of existing and planned community infrastructure.

Attitude and Approach to Centre Development

- Promote a flexible, open and innovative approach to centre development, providing for individual initiative and enterprise, wherever appropriate and encourage the emergence and implementation of new ideas.

Hierarchy of Centres

The hierarchy of Centres in the City of Joondalup is as follows:

Strategic Regional Centre (1)
Regional Centres (2)
District Centres (3)
Village Centres (25)
Local Centres (11)
Other Centres (5)

Recommendations

The strategy offers recommendations for specific centres for the strategy period according to the hierarchy and including mixed business areas/community business parks and other centres such as Hillarys Marina (Tourist) Centre.

Generally the City is currently under-supplied with retail and commercial floor area in particular categories, relative to its population, in comparison to the metropolitan region as a whole, or the more well established urban areas immediately to the south of the City.

The strategy identifies the period to 2006 as a ‘consolidation’ period for the City with respect to commercial activity, in its broadest sense and recognition that such land uses provide a service to the community and create employment.

Implementation

It is proposed that the development of existing and proposed regional, district and traditional ‘main street’ centres and the redevelopment and expansion of all centres take place in the context of a structure plan.

Structure plans are therefore required to be prepared for:

Regional Centres - Whitfords
Warwick
District Centres - Currambine
Greenwood
Other Centre - Hillarys

The structure plans require the endorsement of the Western Australian Planning Commission to enable delegation of development control to the City of Joondalup.

COMMENT

It is considered that the Draft Centres Strategy as proposed is acceptable. The strategy ensures that changes to the shopping and commercial centres occur in an orderly manner and benefit the community as a whole. It is recommended that the Draft Centres Strategy proceed to advertising.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners in accordance with Clause 5.11 of Town Planning Scheme No.1 ADOPT the Draft Centres Strategy prepared by Planwest-Belingwe as a draft planning policy, and make it available for public submissions for a period of 42 days.

Cmr Rowell spoke in support of the motion.

The Motion was Put and

CARRIED

Items CJ334-09/99 to CJ336-09/99 inclusive were Moved by Cmr Rowell and Seconded by Cmr Morgan.

**CJ334-09/99 CLOSE OF ADVERTISING - CURRAMBINE
STRUCTURE PLAN - [11160J]**

SUMMARY

Council has advertised an amendment to the agreed Currambine Structure Plan which proposes to relax setbacks for an additional area of small lot housing. The provisions, prepared by Mitchell Goff & Associates on behalf of LandCorp were advertised for public comment for a 30 day period which closed on 13 September 1999. One submission was received and its proposals have been incorporated into the amended document. The amended Structure Plan complies with the requirements of the Scheme and is recommended to be adopted.

BACKGROUND

Site History

The subdivision of part of Lot 998 which includes small lots was considered by Council on 24 September 1998 and approved by the Western Australian Planning Commission (WAPC) on 11 August 1998. The Structure Plan for Currambine Local Centre was adopted by the WAPC on 28 June 1999.

Previous Council Decisions

At their meeting on 24 November 1998, the Joint Commissioners adopted the Structure Plan for Currambine Local Centre as satisfactory. On 28 June 1999 it was adopted and certified by the WAPC.

On 13 July 1999, the Joint Commissioners determined that the draft amendments to the document, renamed the Currambine Structure Plan, were satisfactory and to make the amended structure plan available for public comment.

DETAILS

Current Proposal or Issue

Mitchell Goff & Associates on behalf of LandCorp have proposed an amendment to the Structure Plan for Currambine Local Centre to extend the area to include 65 small lots east of the Local Centre with modified setbacks. The lots concerned range from 363 to 561 sq metres in area and most are oriented north-south. The permitted front setback is proposed to be reduced from 6 metres average with a minimum of 3 metres as set out in the Residential Planning Codes to 3 metres minimum. The permitted rear setback is proposed to be reduced from 6 metres average with a minimum of 3 metres to 4 metres minimum.

The draft amendments to the agreed Currambine Structure Plan were advertised for public comment for a 30 day period which closed on 13 September 1999. One submission was received, from the submitting consultants, who requested that four additional lots be included within the new Small Lot Residential Precinct (see Plan 1, Structure Plan Map in Attachment 1) and that the permitted maximum site cover for development on small lots should be increased from 50% to 70 % as a result of the reduced setbacks.

Relevant Legislation

Under the provisions of Part 10.7 of the Scheme, Council may amend a Structure Plan and may advertise the changes for a minimum of 21 days. Council may apply those provisions of Clause 10.6 regarding consideration of a Structure Plan which are considered to be appropriate.

Under the provisions of Clause 10.6.1 of the Scheme, Council shall consider all submissions received and shall either refuse to adopt the Structure Plan or resolve that the Structure Plan is satisfactory with or without modifications and shall submit three copies to the Commission for adoption and certification.

COMMENT

Issues

The amendment extends the area of the Structure Plan to include a precinct of small lots within which front setbacks are proposed to be relaxed so that more of each house can be built between 3 and 6 metres from the street. This has the potential to increase the amenity of houses by maximising use of the land and permitting north-facing outdoor private space to be created where it is most useful within the lot.

The submission from the original proponents to include four additional small lots is supported, as is the proposal that the permitted maximum site cover should be increased to 70%. The reduced setbacks will permit houses that are a larger percentage of these small lots to be constructed and, in order to provide design flexibility, the percentage site cover should therefore be increased. It is considered that the permitted plot ratio should also be increased to 0.7 to bring it into line with the increase in permitted site cover, whilst not including the space within the profile of a roof in the plot ratio calculation which is considered to be incidental.

Similar relaxations have been applied to other developments, notably in Joondalup City North and are considered to have produced a range of spatially efficient houses that take full advantage of their lots and provide good standards of amenity.

It is therefore considered that the following clauses should be added to the criteria for the Small Lot Residential Precinct:

notwithstanding the provisions of the Residential Planning Codes, the maximum permitted site coverage shall be 70%; and

notwithstanding the provisions of the Residential Planning Codes and Council Policy 3.1.9, the maximum permitted plot ratio shall be 0.7:1 (as defined in the R Codes, with the exception that habitable floorspace within the roof profile shall be excluded from the calculation).

These modifications have been incorporated into the amended Structure Plan (Attachment 1).

Assessment and Reasons for Recommendation

The Structure Plan, as modified, conforms with the requirements of Part 10 of the City of Joondalup Town Planning Scheme and is acceptable for the control of development within the Structure Plan area. It is considered to be suitable for adoption.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners, pursuant to clause 10.6 of Town Planning Scheme No 1:

1 MODIFY the agreed Currambine Structure Plan by the addition of the following clauses to 5.4.3 Criteria for the Small Lot Residential Precinct:

notwithstanding the provisions of the Residential Planning Codes, the maximum permitted site coverage shall be 70%; and

notwithstanding the provisions of the Residential Planning Codes and Council Policy 3.1.9, the maximum permitted plot ratio shall be 0.7:1 (as defined in the R Codes, with the exception that habitable floorspace within the roof profile shall be excluded from the calculation).

2 RESOLVE that the amendments to the agreed Currambine Structure Plan are satisfactory with modifications and submit the amended Structure Plan to the Western Australian Planning Commission for adoption and certification.

The Motion was Put and

CARRIED

**CJ335-09/99 HEPBURN HEIGHTS COMMUNITY ACCESS ROAD
PETITION [08801J, 12028J, 10105J]**

SUMMARY

On 19 July 1999, a petition was received from residents of Hepburn Heights, expressing concern over any proposition to relocate the Mosque to the public open space at Fernwood Park. The petition contained 103-signatories, made up mostly of residents within the Hepburn Heights estate.

The proposal to relocate the Mosque to the public open space was one of many propositions considered to resolve the problem of traffic from the community purpose sites filtering through the residential roads within the estate. An alternative proposal for a road around the perimeter of the community purpose sites and the public open space has been supported as the preferred option, and the petitioners can therefore now be advised that Council has taken note of their concerns and will not proceed with any proposal to relocate the Mosque to Fernwood Park.

BACKGROUND

The community in Hepburn Heights has been concerned for some time that the growing problem of traffic from the community purpose sites is having a detrimental impact on the residential streets within the estate. The estate has only one access point from Hepburn Avenue, and the most direct route to the community purpose sites is via Walter Padbury Boulevard. The Council had earmarked funds to construct a second connection to Hepburn Avenue from the avenue at Chadlington Drive. At the meeting of the Joint Commissioners on 14 September 1999, the Council resolved to use those funds as contribution to the construction of a proposed perimeter road connecting the community purpose sites with Hepburn Avenue.

DETAILS

A petition containing 103 signatures was received by the Council on 19 July 1999, objecting to the proposed relocation of the Mosque to the public open space, known as Fernwood Park, Hepburn Heights.

COMMENT

A number of proposals to resolve the problem of traffic generated by the community purpose sites has been considered. In view of the strong opposition to such a move, and the loss of public open space, the proposal to relocate the Mosque to the public open space was not pursued. The Council resolved to contribute to a proposal to provide a perimeter road to the community purpose sites. It is therefore recommended that the petitioners be advised that the Council has taken note of their concerns, and will not pursue any option which involves the relocation of the Mosque to the public open space.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners ADVISE the petitioners, through Mr R M McKinley, that the Council has noted the concerns of the local residents in the petition, and will not support any proposal to relocate the Mosque to the public open space known as Fernwood Park.

The Motion was Put and

CARRIED

CJ336-09/99 PROPOSED SUBDIVISION OF LOTS 7 AND 18 HALLIDAY GROVE, HILLARYS [41 279J & 35853J]

SUMMARY

Koltasz Smith & Partners seek Council's comments in respect to the green title subdivision of Lots 7 and 18 Halliday Grove, Hillarys into 4 and 5 lots respectively (Attachments 1, 2 and 3) prior to submitting a formal application for subdivision with the Ministry for Planning.

Commission Policy No DC 2.2 (3.6.5) states that a minimum effective lot size (which excludes the area of the battleaxe leg) of 400m² will apply in areas with a density coding of R25 and above. The proposed battleaxe lots are not in accordance with the 400m² minimum effective lot size requirement.

With respect to the subdivision of Lot 18 into 5 lots (Attachment 2) this may be supported even though an effective lot area of 400m² has not been achieved as the proposed lots are considered to have adequate outlook, being oriented towards either Flinders Avenue or Halliday Grove.

With respect to the subdivision of Lot 7 into four lots (Attachment 3) it is considered that the same level of outlook has not been provided. On this basis a battle-axe leg arrangement is not acceptable nor is an underwidth road, as an adequate turning area (9-meter radius) may not be accommodated. On this basis it is preferred that the land be retained as a grouped dwelling site.

BACKGROUND

Koltasz Smith & Partners seek Council's comments in respect of the green title subdivision of Lots 7 and 18 Halliday Grove, Hillarys into 4 and 5 lots respectively (Attachments 1, 2 and 3) prior to submitting a formal application for subdivision with the Ministry for Planning.

Lot No	7 and 18
Street Address	15 and 45 Halliday Grove, Hillarys
Land Owner	Whitfords Beach Pty Ltd
MRS Zoning	Urban
TPS Zoning	Residential Development
R Code	R40
Lot Area	1283m ² and 1529m ²

Site History

The Western Australian Planning Commission granted planning approval for the subdivision of Pt Lot M1362 Flinders Avenue, Hillarys on 13 July 1997. The subdivision resulted in the creation of 21 lots ranging in size from 281m² to 288m² and four grouped dwelling sites, Lots 7, 18, 19 and 25 (Attachment 1).

On 25 August 1999 the City supported the subdivision of one of the grouped dwelling sites, lot 19 Halliday Grove, Hillarys, into eight single residential lots (Attachment 4).

DETAILS

Current Proposal or Issue

It is proposed to subdivide:

- Lot 18 Halliday Grove, Hillarys into two lots of 241m² and a lot of 300m² with direct road frontage and two battle-axe lots of 408m² and 337m² (Attachment 2); and
- Lot 7 Halliday Grove, Hillarys into two lots of 343m² each and two lots of 228m² and 230m² with direct road frontage onto a proposed underwidth road measuring 21 meters in length, 6 meters at the narrowest point and 9.8 meters at the widest point (Attachment 3).

Relevant Legislation

In assessing a subdivision application, the Town Planning and Development Act (1928 as amended) requires the Western Australian Planning Commission to seek comment from the relevant local government authority, prior to making its decision on the subdivision proposal. In this case comments are being sought prior to the submission of a formal application.

Relevant Policies

- Commission Policy No DC 2.2 Residential Subdivision (3.6.5)

States that a minimum effective lot size of 400m² will apply in areas with a density coding of R25 and above. The Commission will not apply its policy permitting reductions in the minimum or average lot sizes set by the Residential Planning Codes in respect of battle-axe subdivisions.

- Commission Policy No DC 2.2 Residential Subdivision (3.6.13)

States that “The Commission may permit variations to the policy (3.6 Battle-axe Subdivision) in particular circumstances upon the advice of the relevant local government, public bodies and government departments, and where it is satisfied that such variations would be consistent with orderly and proper planning.”

COMMENT

Issues

- The proposed subdivision of Lot 18 does not comply with the Commission’s Policy No. DC 2.2 Residential Subdivision (3.6.5) which requires a minimum effective lot size of **400m²** in areas with a density coding of R25 and above. The proposed battle-axe lots are not in accordance with this requirement.

- It should be acknowledged that the subject lots are zoned R40 where a minimum lot size of **200m²** and an average lot size of **220m²** applies to the creation of single residential lots. Application of the Commission’s policy in effect reduces the density.

- The following forms of access are available:

Battle-axe access legs – privately owned land forming a part of a lot and being on the one certificate of title;

Rights of carriageway – land that is not dedicated, forms a common access to lots and requires easements in gross to facilitate reciprocal vehicular access;

Private rights of way – the balance of a title from a subdivision held in private ownership over which adjacent owners have an implied right of access; and

Underwidth roads - designed to provide access to a small number of lots.

- Battle-axe access legs are the preferred form of access arrangement as unlike other forms they do not encourage the parking of vehicles resulting in accessway blockages and there is not a community expectation that rubbish bins will be collected from the front of dwellings. Further underwidth roads are required to be designed with turning areas (a minimum radius of 9 meters) to accommodate larger service type vehicles and enable vehicles to exit the road in forward gear. This cannot be accommodated adequately in the subdivision design as proposed.
- With respect to the subdivision of Lot 18 into 5 lots (Attachment 2) this may be supported even though an effective lot area of 400m² has not been achieved as the proposed lots are considered to have adequate outlook, the lots are oriented towards either Flinders Avenue or Halliday Grove.

- With respect to the subdivision of Lot 7 into four lots (Attachment 3) it is considered that inadequate outlook has been provided. On this basis a battle-axe leg arrangement is not acceptable and not consistent with orderly and proper planning. Further the proposed underwidth road is also unacceptable, as an adequate turning area cannot be accommodated.

Assessment and Reasons for Recommendation

- With respect to the subdivision of Lot 18 into 5 lots (Attachment 2) this may be supported even though an effective lot area of 400m² has not been achieved as the proposed lots are considered to have adequate outlook, the lots are oriented towards either Flinders Avenue or Halliday Grove.
- With respect to the subdivision of Lot 7 into four lots (Attachment 3) it is considered that the same level of outlook has not been provided. On this basis a battle-axe leg arrangement is not acceptable nor is the underwidth road, as an adequate turning area cannot be accommodated. On this basis it is preferred that the land be retained as a grouped dwelling site.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners ADVISE Koltasz Smith & Partners that:

- 1 the subdivision of Lot 7 Halliday Grove, Hillarys:**
 - (a) as depicted on the plans attached to the letter dated 1 September 1999 is not supported because it would not provide for through movement or an adequate turning area for service vehicles;**
 - (b) the alternative of incorporating battleaxe leg access is also not supported as the Commission's Policy No. DC 2.2 Residential Subdivision (3.6.5) requires a minimum effective lot size of 400m² in areas with a density coding of R25 and above and insufficient outlook would be provided to justify relaxation of the policy requirement.**
- 2 the subdivision of Lot 18 Halliday Grove, Hillarys as depicted on the plans attached to the letter dated 1 September 1999 is supported. Relaxation of the Commission's Policy No. DC 2.2 (3.6.5) is applied in this case as a high level of outlook is to be provided.**

The Motion was Put and

CARRIED

**CJ337-09/99 PROPOSED SUBDIVISION – LOTS 48 & 49
CURRAMBINE BOULEVARD, CURRAMBINE (WAPC
REF: 111172) [40143J]**

SUMMARY

The Western Australian Planning Commission seeks the City's comment on a proposal to subdivide the above-mentioned land to create seventeen (17) residential lots ranging in size from 360m² to 489m² (Attachments 1 & 2).

The subject land is located within the Currambine Railway Station Precinct. The original subdivision (WAPC Ref:90838) of the precinct was supported by the City in 1994 on the understanding that the subject land would be developed as a "Shopping and Mixed Use Area".

The resulting letter of approval issued by the Ministry for Planning in March 1994, stated that an amendment to the City's Town Planning Scheme would be required to accommodate the commercial oriented land uses, prior to any further subdivision of the "Shopping and Mixed Use Area".

The "Shopping and Mixed Use Area" is intended to support and take advantage of the nearby Currambine Railway Station. As this current subdivision proposal will not facilitate the nature of development considered essential for the long-term success of the locality, it is recommended that Council not support the proposal.

BACKGROUND

At the meeting of Joint Commissioners held on 14 September 1999, it was resolved that consideration of the proposed subdivision of Lots 48 and 49 Currambine Boulevard, Currambine, as depicted on the plan dated 28 June 1999 (WAPC REF: 111172) be DEFERRED. (CJ320-09/99 refers)

Lot No	48 & 49
Street Address	Currambine Boulevard, Currambine
Land Owner	Adderley Bay P/L
MRS Zoning	Urban
TPS Zoning	Residential Development (R80)
Land Use	Vacant land
Lot Area	2770m ² & 4591m ²

Site History

The subject land is located within the Currambine Railway Station Precinct. The original application to subdivide this land was preceded by a structure plan which denoted the subject land as a "Shopping and Mixed-Use Area".

The subdivision application was supported by the Council in February 1994 on the understanding that the subject land would be developed as a “Shopping and Mixed-Use Area”.

It was as part of this original subdivision application that the land was zoned “Residential Development” and allocated a density code of R80.

Throughout the life of this development, it was always understood (as reflected in plans, design guidelines, correspondence and subdivision approval conditions), that the subject land was intended to be developed as a shopping precinct, in order to support and take advantage of the nearby Currambine Railway Station.

The Western Australian Planning Commission in its letter dated 23 March 1994 (WAPC Ref: 90838) issued approval for the Currambine Railway Station Precinct, which included the following condition:

“16. The provision of design guidelines for all those lots abutting Currambine Boulevard, those facing/abutting the public open space and those less than 450m²...”

The subdivision approval letter also included the following advice notes:

“In respect to Condition 16, the guidelines should be in accordance with the City of Wanneroo’s Small Lot Subdivision Manual and should also specifically address the following objectives:

- *Ensure access is limited to the rear of those lots which front onto Currambine Boulevard and are serviced by a rear access lane.”*

“The applicant is advised that many of the commercial oriented land-uses for the ‘Shopping and Mixed-Use Area’ cannot be accommodated under the current “Residential Development” zoning and an amendment to Council’s Scheme is therefore required. In addition, details of servicing arrangements and customer and staff parking, will need to be addressed prior to the further subdivision of the shopping precinct.” (Emphasis added).

DETAILS

Current Proposal/Issue

This subdivision proposal intends to create seventeen (17) residential lots, varying in size from 360m² to 489m². The subject land is zoned Residential Development and has a density coding of R80, which permits a minimum lot size of 125m².

Relevant Legislation

In assessing a subdivision application, the Town Planning and Development Act (1928 as amended) requires the Western Australian Planning Commission to seek comment from the relevant local government authority, prior to making its decision on the subdivision proposal.

Relevant Policies/Structure Plans/Guidelines

- Currambine Railway Station Structure Plan and Development Guidelines.

The Currambine Railway Station Structure Plan identifies the subject land for Shopping and Mixed-Use purposes and the Development Guidelines provides guidelines for the residential lots, however does not provide guidelines for the subject land.

- WAPC Policy 1.6 - Development Near Metropolitan Railway Stations.

Specifically aims to ensure that development and subdivision of land near railway stations should maximise the potential for providing high density mixed-use/service/commercial uses for commuters and residents.

COMMENT

Issues

- The parent 1994 subdivision application was supported by the Council in February 1994 on the understanding that the subject land would be developed as a “Shopping and Mixed-Use Area”.
- The establishment of a mixed-use area consistent with the approved structure plan is critical to the proper planning of the Currambine Station Precinct. This subdivision proposal fails to make efficient use of the core station area.
- Throughout the life of this development, it was always understood (as reflected in plans, design guidelines, correspondence and subdivision approval conditions), that the subject land was intended to be developed as a shopping precinct, in order to support and take advantage of the nearby Currambine Railway Station.
- A condition of the parent subdivision application was that no lot should have direct access to Currambine Boulevard. The current application clearly fails in this regard and would result in an inappropriate streetscape to Currambine Boulevard.
- It was the intention of the WAPC subdivision approval dated 23 March 1994 that the subject land be rezoned prior to subdivision and later development as a “Shopping and Mixed-Use Area”.

Assessment and Reasons for Recommendation

- Any development of the subject land should recognise the potential and need for high density/mixed-use/service/commercial uses near the Currambine railway station.
- The proposed subdivision does not accord with the conditions of approval imposed on the original subdivision approval letter dated 23 March 1994 (WAPC 90838).
- Regard should also be given to the Western Australian Planning Commission Policy DC 1.6 (Development Near Metropolitan Railway Stations), which specifically aims to ensure that development and subdivision of land near railway stations should maximise the potential for providing high density mixed-use/service/commercial uses for commuters and residents.
- It was always envisaged that the subject land would be developed in a main street fashion, where residential accommodation is located above the mixed-use/service/commercial premises operating at street level.

- The establishment of a mixed-use area consistent with the approved structure plan is critical to the proper planning of the Currambine Station Precinct. This current subdivision proposal fails to make efficient use of the core station area.
- The developer has always stated that it was intended to establish a Shopping/Mixed Use Precinct on the subject land. Had the developer not committed to develop the Shopping/Mixed Use precinct on the subject land in the previously endorsed structure plan, then it is questionable as to whether the 1994 subdivision application would have been supported.
- A rezoning to facilitate the shopping/mixed-use development has not preceded this subdivision application. Supporting this application is likely to result in pure residential development, with no provision for retail, commercial or office space.
- The development of pure residential lots will fail to provide the services and facilities essential to commuting railway patrons and residents of the area.
- The proposed lot configurations do not provide the ability for a change of use over time.

OFFICER'S RECOMENDATION That the Joint Commissioners ADVISE the Western Australian Planning Commission the application by Development Planning Strategies P/L on behalf of Adderley Bay P/L for the subdivision of Lots 48 & 49 Currambine Boulevard, Currambine, as depicted on the plan dated 28 June 1999 (WAPC REF: 111172) is not supported for the following reasons:

- 1 the subject land is located within the Currambine Railway Station Precinct. Any subdivision should provide for the long term use of the land for public transport orientated development;
- 2 the proposed subdivision is contrary to the Currambine Railway Station Structure Plan;
- 3 there are inadequate controls in place to ensure the land is developed in accordance with WAPC Policy DC 1.6. The approval of this application would prejudice the overall planning of the area by facilitating the development of residential lots in a location that is uniquely suited to mixed-use development.

MOVED Cmr Rowell SECONDED Cmr Morgan that the Joint Commissioners:

- 1 ADVISE the Western Australian Planning Commission that consideration of the application by Development Planning Strategies P/L on behalf of Adderley Bay P/L for the subdivision of Lots 48 & 49 Currambine Boulevard, Currambine, as depicted on the plan dated 28 June 1999 (WAPC REF: 111172) has been deferred to allow investigation of an alternative proposal that will recognise the subject land is located within the Currambine Railway Station Precinct and provide for the long term use of the land for public transport orientated development;**
- 2 REQUEST the Western Australian Planning Commission to defer determination of the application until the City of Joondalup has had the opportunity to consider any alternative put forward by the applicant.**

Cmr Rowell spoke in support of the motion.

The Motion was Put an

CARRIED

Items CJ338-09/99 to CJ339-09/99 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

CJ338-09/99 APPLICATION TO CLOSE A PEDESTRIAN ACCESSWAY BETWEEN SHEPPARD WAY AND CHARLSLEY CRESCENT, MARMION [33195J]

SUMMARY

All four of the adjoining landowners to the pedestrian accessway (PAW) between Sheppard Way and Charlsley Crescent, Marmion seek its closure due to incidents of anti-social behaviour that they feel are attributed to residing next to an accessway. They state that the PAW is under used in the day and acts as a shortcut at night when parties turn out on to the streets and inebriated guests make their way to the local park.

This PAW provides a link to Braden Park and also provides a direct access to the local shopping centre. The alternative route to these facilities, should this PAW be closed, is longer and objectors state less safe for local children accessing the shopping centre, Braden Park and Marmion Primary School. Due to this PAW providing a significant link to local facilities and the number of local objections, it should remain open.

BACKGROUND

On submission of a PAW closure application, applicants are advised that all costs associated with the closure are to be borne by the adjoining landowners that acquire the land within the PAW, should closure be the outcome. To ascertain these costs the City contacts the servicing authorities to establish if there is any service plant within the PAW that requires modification or relocation and requests the Department of Land Administration (DOLA) to provide a purchase price for the land. Also, the City examines its records to find out if there is a drainage facility within the PAW that requires the protection of an easement. An estimate is also provided to the applicants for footpath and bollard removal.

As part of the process applications are referred to the Western Australian Planning Commission (WAPC) and the Department of Transport (DOT) for their comments and these are passed on to DOLA for assessment. Should Joint Commissioners resolve to support an application, the final determination on an application rests with the Minister for Lands.

DETAILS

All four adjoining landowners have applied for this closure stating that over the years they have had to endure graffiti, theft from vehicles, a car being turned over on its roof causing major damage and a brick thrown through a window. Further, when police are called to incidents in the shopping centre, if the offenders do not leave in cars, they make their escape through this PAW. Instances of police chasing criminals across the adjoining landowners' gardens are further alleged.

Contact with the servicing authorities revealed that Western Power, Telstra and Alinta Gas do not have any service plant within the PAW and therefore do not object to the proposal. As the Water Corporation has a sewer main within the PAW it has asked that if closure takes place,

consideration for new property boundaries is given in relation to existing manholes. The City has a drainage facility located within the PAW and has requested its protection by an easement. Three of the adjoining property owners have agreed to meet all associated costs and conditions in respect of closure. The WAPC has no objection to the proposal and the DOT advised that it had no comments to make.

Public Advertising Period

During the thirty-day public advertising period the City received twenty-seven letters of objection, one of the objectors is not shown on Attachment 1 due to being outside of the area of the plan.

One submission of support was received from one of the adjoining landowners to the PAW who advises that he felt this PAW is dangerous. This is due to the fact that the PAW has a steep slope down towards Sheppard Way. The adjoining landowner feels that there is a very real danger that children on bicycles or small children on wheeled toys using the PAW may be placed in the position of losing control on the slope and consequently speeding towards Sheppard Way and end up in the road.

The main objection raised is that the PAW is claimed to be used regularly as a safe route to the local shopping centre and Braden Park. It is also alleged that local school children use the PAW to access Marmion Primary School avoiding the walk down Charsley Crescent, which does not have a footpath.

A recent site inspection revealed that the PAW did have some litter but there was no great evidence of graffiti. There is a light pole on the Charsley Crescent end of the PAW only. The PAW does have a steep gradient towards Sheppard Way, so much so that when five cyclists were witnessed using it, four had to get off their bikes and push them up the PAW. Two ladies used the PAW to access the shopping centre during the inspection.

The officer who conducted the site inspection carried it out at the time children were leaving Marmion Primary School. Numerous children, mainly cyclists, leaving the school exit on to Sheppard Way chose to cross at the pedestrian crosswalk at the corner of Sheppard Way and Rountree Way and walk or ride up Rountree Way on the footpath. This would appear to be the safest route for these school children. To go via the PAW and stay on the side of Sheppard Way that has the footpath, the school children would have to negotiate crossing Whiley Road which was quite busy, as well as the two crossovers into the service station. Failing that, if the children crossed on the crosswalk to avoid Whiley Road and the traffic to and from the service station to access the PAW, they are likely to be walking or riding in the road due to there not being a footpath on the northern side of Sheppard Way.

COMMENT

It would appear from the number of objections raised that many local residents use this PAW as the pedestrian route to the local shopping centre and park. It is also stated by many of the objectors that it is the direction taken by local school children attending Marmion Primary School, this was not observed during the afternoon site inspection. However, this PAW does form a convenient link to the local park and shopping centre and due to this factor and the level of objection received, the proposal to close this accessway should not be supported.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners DO NOT SUPPORT the closure of the pedestrian accessway between Sheppard Way and Charsley Crescent, Marmion.

The Motion was Put and

CARRIED

CJ339-09/99 APPLICATION TO CLOSE PEDESTRIAN ACCESSWAY CLOSURE BETWEEN SLOOP PLACE AND CRUISE COURT, HEATHRIDGE [30448J]

SUMMARY

One of the adjoining landowners to the pedestrian accessway (PAW) between Sloop Place and Cruise Court, Heathridge made the request to close the PAW stating it is a haven for young people using drugs and taking part in underage drinking late at night during the week-ends. The applicant states that for the safety of children and security of properties all PAWs should be closed throughout the City.

This PAW links to a further PAW which provides a direct route to Heathridge Park and its facilities and by the amount of objections received is well used. Based on the link this PAW provides and the level of objection received from local residents, this application should not be supported.

BACKGROUND

On submission of a PAW closure application, applicants are advised that all costs associated with the closure are to be borne by the adjoining landowners that acquire the land within the PAW, should closure be the outcome. To ascertain these costs the City contacts the servicing authorities to establish if there is any service plant within the PAW that requires modification or relocation and requests the Department of Land Administration (DOLA) to provide a purchase price for the land. Also, the City examines its records to find out if there is a drainage facility within the PAW that requires the protection of an easement. An estimate is also provided to the applicants for footpath and bollard removal.

As part of the process applications are referred to the Western Australian Planning Commission (WAPC) and the Department of Transport (DOT) for their comments and these are passed on to DOLA for assessment. Should Joint Commissioners resolve to support an application, the final determination on an application rests with the Minister for Lands.

DETAILS

The letter received from the applicant requested closure due to claims of drug taking and underage drinking. The applicant also advised that closure of all PAWs within the City would lessen Council's responsibility and help to reduce maintenance costs with regard to the removal of graffiti. Further, the suggestion is made that if there is objection to closure due to the PAW's proximity to the park, the increase in walking distance is not too great and the PAW is hardly ever used for this purpose. During school holidays especially, the applicant alleges to be continually clearing the PAW of liquor bottles and syringes.

Advice received from Western Power, Telstra and Alinta Gas states they do not have any service plant within the PAW and therefore do not object to the proposal. The Water Corporation has objected due to having a water main within the PAW. If adjoining landowners agree to modify the main at their cost, the Water Corporation will withdraw its objection. Two of the adjoining property owners have agreed to meet all associated costs and conditions in respect of closure.

The WAPC has objected to the proposal stating that closure of the pedestrian access will result in longer and less convenient pedestrian and cycle access to the nearby recreation reserve, health clinic, sports centre and school. The DOT's advice strongly supports maintaining this PAW stating its closure would inhibit cyclist and pedestrian access to local public amenities.

Public Advertising Period

During the public advertising period the City received three letters of support for closure, with two submissions coming from the same residence. Support for closure from these local residents suggests closure would add to the security of the area. One supporter claims that the position of PAW constantly causes the congregation of youths at the end of the cul-de-sac making it difficult for cars in the area to manoeuvre. Any requests for these people to move are greeted with abuse. The supporter, who is a parent of young children, also feels that the PAW encourages 'strangers' walking around the area during the day and night.

A letter of objection was received from one of the adjoining landowners stating that in the five years of residing next to this PAW, it has never caused her any concerns. Children play in the PAW which she feels is a safe alternative to playing outside the house, due to cars travelling at excessive speeds along Cruise Court. It also provides a safe route to visit friends in Sloop Place and vice versa.

A petition objecting to closure was also received containing forty-seven signatures representing twenty-four local households. The letter attached to the petition advises that the PAW is used regularly by many people for different reasons. Its closure will result in inconvenience to many especially local children whose walk to school will be much longer and more difficult.

A site inspection revealed the PAW to be clean with good daytime vision. There is one light pole, which is not actually over the PAW but the street itself, and it is likely that this accessway is quite dark during the evening. Two school children were seen to use the accessway during the site inspection.

COMMENT

Some sympathy must go to the three adjoining landowners and supporters of this application who claim to be experiencing anti-social behaviour. However, by the level of local objection received, this accessway does appear to be well used. Closure would especially impact on the residents living in Sloop Place, as it would deny them the further link to the PAW between Cruise Court and Siren Road, leading to the park and its facilities. Based on the foregoing, this accessway should remain open.

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners DO NOT SUPPORT the closure of the pedestrian accessway between Cruise Court and Sloop Place, Heathridge.

The Motion was Put and

CARRIED

CJ340-09/99 APPLICATION TO CLOSE THE PEDESTRIAN ACCESSWAY BETWEEN THE RISE AND TIMBERCREST RISE, WOODVALE [36387J]

SUMMARY

The original letter applying for the closure of the pedestrian accessway (PAW) between The Rise and Timbercrest Rise, Woodvale was submitted by one of the four adjoining landowners stating that all four adjoining landowners were in support of the closure. The justification for this action was security for properties in the area. One of the adjoining landowners has since been in contact with the City to advise that they in fact, were not in agreement and actually object to the closure.

Due to the number of objections to closure raised by local residents and the fact that this pedestrian accessway appears to be regularly used by primary school aged children, the Joint Commissioners should not support this proposal.

BACKGROUND

At the meeting of Joint Commissioners held on 14 September 1999, it was resolved that consideration of the closure of the pedestrian accessway between The Rise and Timbercrest Rise, Woodvale be DEFERRED until such time as all Commissioners have had an opportunity to view this public accessway. (CJ317-09/99 refers)

When an application is submitted to the City for closure of a PAW, applicants are advised that all costs associated with the closure are to be borne by the adjoining landowners that acquire the land within the PAW, should closure be the outcome. Applicants are also informed that the Minister for Lands makes the final determination of a PAW closure application.

With regard to ascertaining the costs, the City requests the Department of Land Administration to provide a land purchase price, refers the proposal to the servicing authorities to ascertain if there is any service plant within the accessway and establishes the City's costs for bollard and footpath removal. The application is also referred to the Western Australian Planning Commission (WAPC) and the Department of Transport (DOT) for their comments.

DETAILS

With regard to this proposal, AlintaGas and Telstra advised they have no objection to closure as they do not have any service plant within the PAW. The Water Corporation has a water main located within the PAW that requires to be cut, capped and the reticulation system modified. Western Power has plant that requires modification and it also requires an easement being registered over the length and width of the PAW. The City's footpath and

bollards require removal also and the three adjoining landowners involved in this application have agreed to meet all associated costs and conditions.

The WAPC advised that it does not support the closure of this accessway due to it resulting in longer and less convenient pedestrian and cyclist access to the nearby school, recreation reserve, library and commercial centre. The WAPC also stated that this PAW forms part of the pedestrian/bicycle network of the area.

The Department of Transport (DOT) stated that it strongly supports maintaining pedestrian and bicycle access through this PAW. Its closure would inhibit cyclist and pedestrian access to the public amenities by increasing distances to these services by more than 500 metres.

Public Advertising Period

This application was advertised for public comment for a thirty-day period. In that time the City received five letters of objection, one including a petition with the signatures of 56 people representing 46 households. Two letters of support for closure from landowners adjoining the PAW were also received and one of those adjoining landowners also provided the City with a petition of support. Thirty-five people representing twenty-five households signed this. In the case of both petitions, some petitioners cannot be shown on Attachment 1 due to either not living in the City of Joondalup or outside of the area of Woodvale that Attachment 1 covers.

In four cases, two different members of the same household each signed a petition hence those residences shown on Attachment 1 as being for and against. One person signed both petitions and again this is shown in the same way on the attached plan.

The objections to closure were that residents used the PAW to access the local shopping centre, library and walking to friends' homes. Objectors also stated they had not witnessed or heard of any anti-social behaviour in connection with the accessway and any intruder is just as likely to enter or exit properties over back fences as use the PAW.

All objectors raised the issue of the difference closure of this PAW would make to schoolchildren living locally. This was from the perspective of the extra distance the children would need to walk, often having heavy bags to carry and the safety aspect due to the alternative route being along Trailwood Drive. It was stated that the alternative route along Trailwood Drive has a dangerous bend in it and at that point the footpath is quite narrow.

The two adjoining landowners' submissions stated that due to the PAW they allege to endure vandalism such as graffiti, litter being strewn in the PAW and their yards and people peering over fences. Other complaints are noise related such as offensive language from youths at various times of the night and day, noisy skateboarders and people banging on fences. Applicants claim to have had a rubbish bin set alight and fence damage. Also, it is alleged that recently a would be car thief who was disturbed escaped through the PAW.

The supporting submissions stated that closure of the PAW would offer the neighbourhood peace and security and reduce the risk of home and car invasion and robberies.

A recent site inspection by a City officer revealed it to have very little rubbish or graffiti. It is straight and clear with good vision. The Rise end of the accessway has a power pole and there is also a power pole at the Timbercrest Rise end, though this is over the road rather than the PAW itself. During the site inspection one young man walking his dog used the PAW along with ten primary school aged children. The officer also acknowledged the concerns the objectors have for young children using the route along Trailwood Drive.

COMMENT

The objectors living locally to the PAW advised the City that they have never heard of or witnessed any anti-social behaviour associated with the pedestrian accessway. In fairness, most of these people are probably far enough away for actions such as graffiti on PAW fences, litter in the PAW, banging on the PAW fences to annoy one of the adjoining landowner's dog etc., not to be a continual annoyance to them. For adjoining landowners such actions can quite disruptive.

It would appear from the number of objections raised that local residents access a number of facilities through this pedestrian accessway and closure would add a significant increase in walking distance. It also seems to be regularly used by primary school age children for access to the local primary school. Should this PAW be closed the alternative route is again longer and less safe due to the narrow footpath on the bend of Trailwood Drive. Based on the foregoing this pedestrian accessway should remain open.

MOVED Cmr Rowell, SECONDED Cmr Morgan that the Joint Commissioners DO NOT SUPPORT the closure of the pedestrian accessway between The Rise and Timbercrest Rise, Woodvale.

Cmr Rowell spoke in support of the motion, and stated that whilst Commissioners had taken into consideration the views of all parties, Commissioners had in the past viewed many accessways and did not consider this particular accessway warranted closure.

Cmr Ansell stated that, should conditions within the accessway deteriorate at a later date, or if the accessway was no longer required, the opportunity would exist for its closure at such time.

The Motion was Put and

CARRIED

Items CJ341-09/99 and CJ342-09/99 inclusive were Moved by Cmr Rowell and Seconded by Cmr Buckley.

**CJ341-09/99 UNTIDY OPEN STORAGE ON SWAN LOC 11493 (6)
FOURTH AVENUE, BURNS BEACH - [02602J]**

SUMMARY

Concerns have been raised with the City by local residents in Burns Beach regarding the open storage of washing machines and other materials within the front setback area of a property in Fourth Avenue, Burns Beach, which is considered to be having a detrimental effect on adjoining properties.

In August 1999, the owner of No.6 Fourth Avenue, Burns, Mr G Tomlin, was requested to remove the materials from the front setback of his property within a three week period, however, Mr Tomlin did not comply with the City's request.

Council's solicitors have advised that action may be successfully mounted against this activity under Section 10 of the Town Planning and Development Act. It is therefore recommended that Council initiates legal action against the owner of No.6 Fourth Avenue, Burns Beach, should the activity not cease within a 14 day period from final notification.

BACKGROUND

Lot No	Swan Location 11493
Street Address	6 Fourth Avenue, Burns Beach
Land Owner	Mr George B Tomlin
MRS Zoning	Urban
TPS Zoning	Residential Development (R20)
Land Use	Residential
Lot Area	617m ²

In early August 1999 the City received complaints from residents in Fourth Avenue, Burns Beach concerning the untidy condition of the front setback area of No 6 Fourth Avenue, Burns Beach.

The property was inspected on 19 August 1999 by the Approval Services Liaison Officer and it was observed that the entire front setback of the property was being used for the open storage of washing machines, general rubbish and other materials. The Liaison Officer spoke with the owner of the property, Mr Tomlin, and requested that the items be removed within 21 days.

Action may be mounted under Section 10 of the Town Planning and Development Act, based on the storage of goods/materials being to an extent considered to be separate from the "residential" land use. The Act provides for the enforcement of the Town Planning Scheme, if matters of non-compliance cannot be resolved by other means (eg by negotiation). Under the Act, the storage of materials would be categorised as a separate land use to that which is allowed as Residential land use.

On 20 August 1999, the City wrote to Mr Tomlin requesting that the washing machines and other materials be removed from the front setback area of the property no later than 9 September 1999, however, further inspections carried out on 6, 7 and 9 September 1999 by the Approval Services Liaison Officer revealed that only a minor amount of the material had been removed.

COMMENT

The owner of Swan Location 11493 (6) Fourth Avenue, Burns Beach, Mr G Tomlin has been given sufficient time (ie 21 days) to remove the materials being openly stored on the front setback area of his property. Inspections carried out on 6 and 7 September 1999 revealed very little, if any, of the materials removed from the site, and it is recommended that a final notification be sent to Mr Tomlin allowing him 14 days to clean up his property, failing which it is suggested that legal action be taken.

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

- 1 ADVISE Mr Tomlin that the open storage of washing machines and other materials is to cease and the items are to be removed from the front setback area of Swan Location 11493 (6) Fourth Avenue, Burns Beach within a 14 day period from final notification. Failure to remove the items on a permanent basis within the time period requested will result in legal action being initiated;**
- 2 AUTHORISE the Chief Executive Officer to initiate legal action against the owner of Swan Location 11493 (6) Fourth Avenue, Burns Beach in the event that the property is not cleaned up so as to conform to the provisions of Town Planning Scheme No 1.**

The Motion was Put and**CARRIED****CJ342-09/99 AUTHORISATION FOR APPROVAL SERVICES LIAISON OFFICER, MR TONY EASTERBY, TO ISSUE INFRINGEMENT NOTICES UNDER LOCAL GOVERNMENT ACT 1995 (MISCELLANEOUS PROVISIONS) - [09492]****SUMMARY**

The City of Joondalup Approval Services Liaison Officer is an Authorised Officer pursuant to clause 8.7 of the City of Joondalup Town Planning Scheme No 1. The officer, however, is not an authorised officer pursuant to section 9.10 and 9.16 of the Local Government Act 1995 (Miscellaneous Provisions).

Mr Tony Easterby requires authorisation under section 9.10 and 9.16 of the Local Government Act 1995 (Miscellaneous Provisions) to carry out his duties for the City and to issue infringement notices under the Act.

This report recommends that authorisation be granted to facilitate necessary action under the Act, including enforcement where necessary.

BACKGROUND

The following Local Laws have now been gazetted:

- (i) Private Property Local Law 1998 (March 8 1999)
- (ii) Signs Local Law 1999 (27 August 1999)
- (iii) Trading in Public Places Local Law 1999 (27 August 1999)

To enforce provisions under the abovementioned Local Laws, certain officers of the City of Joondalup require authorisation under section 9.10 of the Local Government Act (Miscellaneous Provisions). Mr Easterby requires the authorisation to administer provisions of the Local Government Act.

Section 9.10 and 9.16 of the Local Government Act 1995 (Miscellaneous Provisions) state:

“Local Government Act 1995

Division 2	Enforcement and legal proceedings
Subdivision 1	Miscellaneous provisions about enforcement

Appointment of Authorised Persons

- 9.10 (1) The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
- (2) The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

Giving a Notice

- 9.16 (1) An authorised person who has reason to believe that a person has committed a prescribed offence against a regulation of Local Law made under this Act may, within 28 days after the alleged offence is believed to have been committed, give an infringement notice to the alleged officer.
- (2) A local government can only prescribe an offence for the purposes of subsection (1) if a prosecution for the offence could be commenced by the local government or any of its employees and the local government is satisfied that:
- (a) a commission of the offence would be a relatively minor matter; and
 - (b) only straightforward issues of law and fact would be involved in determining whether the offence was committed, and the facts in issue would be readily ascertainable.”

MOVED Cmr Rowell, SECONDED Cmr Buckley that the Joint Commissioners APPOINT the Approval Services Liaison Officer for the City of Joondalup, Mr Tony Easterby, as an Authorised Officer for the purposes of enforcing the City's Private Property Local Law 1998, Signs Local Law 1999 and Trading in Public Places Local Law 1999 under the provision of section 9.10 of the Local Government Act (Miscellaneous Provisions) 1995.

The Motion was Put and

CARRIED

DATE OF NEXT MEETING

The next meeting of the Joint Commissioners has been scheduled for **7.00 pm** on **TUESDAY, 12 OCTOBER 1999** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup.

CLOSURE

There being no further business, the Chairman declared the Meeting closed at 1845 hrs; the following Commissioners being present at that time:

COMMISSIONERS: ANSELL
MORGAN
ROWELL
BUCKLEY