



City of
Joondalup

**DRAFT AGENDA
FOR ELECTED MEMBERS'
BRIEFING SESSION
TUESDAY, 20 JUNE 2000**

PUBLIC QUESTION TIME

At the Ordinary meeting of Council held on 23 May 2000, it was resolved to allow a 15 minute public question time at each Briefing Session which is open to the public.

To enable prompt and detailed responses to questions, members of the public are requested to lodge questions in writing to the Committee Clerk at least two days prior to the Council meeting at which the answer is required.

The Mayor is responsible for the conduct of public question time and ensuring that each member of the public has an equal opportunity to ask a question. The Mayor shall also decide whether a question will be taken on notice or alternatively who should answer the question.

The following general rules apply to question time:

- *question time is not to be used by a member of the public to make a statement or express a personal opinion.*
 - *questions should properly relate to Council business.*
 - *question time shall not be used to require an Elected Member or an officer to make a personal explanation.*
 - *questions are not to be framed in such a way as to reflect adversely on a particular Elected Member or officer.*
- * Any queries on the Draft agenda, please contact Council Support Services on 9400 4369.*

REPORTS**POLICY****FINANCE AND COMMUNITY DEVELOPMENT**

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REPORT OF THE CHIEF EXECUTIVE OFFICER

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

DATE OF NEXT MEETING

CLOSURE

**ITEM 1 STANDING ORDERS REVIEW COMMITTEE - [01369]
[05885]**

WARD - All

SUMMARY

A meeting of the Standing Orders Review Committee was held on Tuesday 6 June 2000 and the unconfirmed minutes are submitted for noting by Council.

DETAILS

The unconfirmed minutes of the Standing Orders Review Committee held on Tuesday 6 June 2000 are included as Attachment 1 to this report.

No action is required from these minutes.

RECOMMENDATION

That Council NOTES the unconfirmed minutes of the Standing Orders Review Committee held on Tuesday 6 June 2000 and forming Attachment 1 hereto.

Attachment 1 refers – click here: [Attach1brf270600.pdf](#)

ITEM 2 REVIEW OF CORPORATE DELEGATED AUTHORITY MANUAL – [07032]

WARD - All

SUMMARY

As a result of the division of the former City of Wanneroo and the establishment of the new City of Joondalup, the former City of Wanneroo's delegated authority manual was adopted at the special meeting of the Council held on 1 July 1998. The Local Government Act, 1995, requires that at least once every financial year, all delegations are to be reviewed by the delegator.

BACKGROUND

The City of Joondalup adopted the former City of Wanneroo's delegated authority manual at a special meeting of the Council held on 1 July 1998. The former City of Wanneroo adopted its delegated authority manual in March 1998.

The Local Government Act 1995, requires that at least once every financial year, all delegations are to be reviewed by the delegator. In each case the delegator is the one who grants the power; the delegator is either the local government or the Chief Executive Officer.

DETAILS

The Local Government Act 1960 allocated powers to Council, the Town Clerk or officers appointed to specific positions. Council could delegate a power to the Town Clerk or any officer but delegated powers could not be on delegated.

The Local Government Act 1995 is structured on the philosophy that a local government may only delegate its powers to the Chief Executive Officer and that the Chief Executive Officer may on delegate those powers to a person who he/she wishes to be responsible for the exercise of the power or duty, with the exception of the power to delegate.

Because of the construction of the legislation it is not always clear what powers and duties need to be the subject of a delegation. To ensure compliance with the legislation, the existing manual has been prepared to include all powers and duties notionally assigned to a local government and which could be delegated have been included. Some recent discussions with the City's legal advisors indicated that the current manual has been prepared to the extreme and required further review. It is intended that this will be completed shortly.

As stated above, the Act requires the delegator to review its delegations once every financial year. Once the Council delegates a power to the Chief Executive Officer, the Chief Executive Officer then becomes the delegator of that power. In most cases the Chief Executive Officer has further delegated the power to various other employees. The Act requires the Chief Executive Officer to also review these delegations.

Attached to the report are the delegations that the Council had made to the Chief Executive Officer that have not been further delegated. The current list of delegations are working well and it is suggested that they remain.

COMMENT/FUNDING

The delegated authority manual has previously been reformatted and with the inclusion of the delegated authority arising from the policies of the Council, the City now has a complete manual by which to operate. The revised manual provides an up to date guide for staff required to exercise delegated power.

RECOMMENDATION

That Council NOTES that it has reviewed its delegations made in accordance with the Local Government Act 1995 and that no alterations are required.

Attachment 2 refers – click here: [Attach2brf270600.pdf](#)

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ITEM 3 REVIEW OF CORPORATE POLICY MANUAL – [18058] [26176] [13399]

WARD - All

SUMMARY

The corporate policy manual is required to be reviewed at least annually. The last review was undertaken in June 1999 when the Joint Commissioners adopted a much revised manual where policies were more at a strategic level and where the day to day issues were contained in a corporate procedures manual.

This report details the suggested changes to the manual and it is recommended that they be adopted.

BACKGROUND

The former City of Wanneroo's policy manual was adopted by the City of Joondalup at a special meeting of Council held on 1 July 1998.

The Local Government Act 1995, made some significant changes to the operations of a local government. A major change was that it clearly defined the roles of the council, Mayor, Deputy Mayor, Councillor and the Chief Executive Officer. The Act states that the Chief Executive Officer is responsible for the day to day operations of the local government, including the responsibility of employment, management, supervision, direction and dismissal of employees, other than those designated as senior employees.

An extensive review was undertaken of the City's policy manual. The review generally found that:

- a number of the policies were in fact corporate procedures;
- there were some statutory policies missing; and
- some of the policy statements were inconsistent with the Local Government Act 1995.

Following this extensive review, the Joint Commissioners adopted an extensively revised Policy Manual at its meeting held on 22 June 1999.

As stated within the 'Introductory Statement' of the manual, this report details the changes required as part of the annual review of the entire policy manual.

DETAILS

The policy manual is divided into five sections which reflect the corporate structure of the organisation. As part of the annual review, each directorate was required to review the sections that were relevant areas and suggest any appropriate changes.

In an effort to ensure that the development of future policies are in fact policies and not procedures, the following definition of the term ‘policy’ has been developed:

“Policy represents a statement of purpose to describe the overall intentions of the Council in relation to a broad issue. It does not address the mechanisms for implementation of the chosen direction.”

Attachment 1 to this report is a table that details those policies that require amendment or deletion and outlines the reasons for the amendment or deletion.

COMMENT/FUNDING

The new policy manual and the suggested amendments to it, focuses more on the strategic policies for the City of Joondalup and allows for the day to day operations to be captured within the corporate procedures manual.

In addition to the annual review of the corporate policy manual, the Act also requires the delegator (generally being the local government) to review its delegations once per financial year. This review is subject to a further report on the agenda. Both the policy manual and delegated authority manual are cross referenced to ensure easier referencing by officers.

RECOMMENDATION

That Council:

1 DELETES the following policies:

- Policy 3.1.9.1 - Variation to Policy 3.1.9**
- Policy 3.1.9.2 - Additions to Variations to Policy 3.1.9**
- Policy 5.2.1 - Advertising on Public Open Space**
- Policy 5.2.3 - Playground Equipment**

2 AMENDS the following policies as detailed in Attachment 2 hereto:

- Policy 2.3.3 – Use of Common Seal and the Signatories for Contract Execution**
- Policy 2.4.1 – Accounting Policy**
- Policy 2.4.3 – Setting Fees and Charges**
- Policy 4.2.1 – Library Services**
- Policy 5.1.1 – Waste Management**
- Policy 5.2.2 – Council Reserves and Parks**
- Policy 5.2.4 – Memorial Plaques**
- Policy 5.2.5 – Floodlighting**
- Policy 5.2.6 – Median and Road Reserve Landscaping Undeveloped Future Road Reserves.**
- Policy 5.3.1 - Verge Treatments – Protective Devices**

- Policy 5.3.2 - Sand Drift Control**
- Policy 5.3.3 - Vehicle Crossing – Construction and Maintenance**
- Policy 5.3.4 - Removal of Graffiti and Repair of Vandalism**
- Policy 5.3.5 - Roadworks – Opening up**
- Policy 5.4.1 - Tennis Court Lighting Standards**
- Policy 5.4.2 - Stormwater Drainage into Wetlands.**

Attachment 3 refers – click here: [Attach3brf270600.pdf](#)

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ITEM 4 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 MAY 2000 - [09882]

WARD - All

SUMMARY

This report details the cheques drawn on the funds during the month of May 2000. It seeks Council's approval for the payment of the May 2000 accounts.

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	021910-022775	6,159,649.10
Municipal	000205-000207	6,159,649.10
Trust		0
	TOTAL \$	12,319,298.20

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 May 2000, the amount was \$465,523.09.

The cheque register is appended as Attachment A.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$12,319,298.20 which is to be submitted to the Mayor and each Councillor on 27 June 2000 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.

DARRYL BROWN
Acting Manager Accounting Services

J B TURKINGTON
Director Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$12,319,298.20 submitted to Council on 27 June 2000 is recommended for payment.

.....
Mayor John Bombak

RECOMMENDATION

That Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 31 May 2000, certified by the Mayor and Director of Resource Management and totalling \$12,319,298.20.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	021166-021909	6,159,649.10
Municipal Trust	000201-000204	6,159,649.10
	TOTAL \$	12,319,298.20

Attachment 4 refers – click here: [Attach4brf270600.pdf](#)

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ITEM 5 FINANCIAL REPORT FOR THE PERIOD ENDING 31 MAY 2000 - [07882]

WARD - All

SUMMARY

The monthly reports for the 11 months ending 31 May 2000 are appended as Attachment A.

The May report indicates an overall surplus of \$16.3m on the City of Joondalup Revised Budget, an increase of \$1.7m on the previous period. This position can be analysed as follows:

- Operating Budgets show an overall surplus of \$2.9m at the end of May, an increase of \$1.3m on the previous month primarily due to the City receiving Grants Commission funding of \$0.9m earlier than budgeted and through Interim Rates of \$0.2m not budgeted.
- Capital Expenditure Budgets show a surplus of \$2.5m on budget, an increase of \$0.2m on the previous month. This is primarily due to surpluses arising on the vehicles & plant replacement programme of \$1.1m, furniture and equipment of \$0.3m and computer and communications equipment of \$1.0m planned in the adopted budget.
- Capital Works budgets show a surplus of \$10.9m on budget against \$10.7m in the previous month. Included in this figure is:
 - \$5.5m for the planned cost of the Joondalup Depot, which will not now proceed this year
 - \$1.5m of roadworks deferred to 2000/2001 for inclusion in the City of Wanneroo Service Agreement as per Council Report CJ045-03/00;

RECOMMENDATION

That the Financial Reports for the Period Ended 31 May 2000 be NOTED.

Attachment 5 refers – click here: [Attach5brf270600.pdf](#)

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ITEM 6 APPOINTMENT OF AUDITOR - 1 JULY 2000 TO 30 JUNE 2003 - TENDER 096-99/00 – [43831]

WARD - All

SUMMARY

The current appointment of Council's external auditors – Mr Graham McHarrie and Mr Peter Messer of Chartered Accountants Deloitte Touche Tomatsu expires on 30 June 2000.

In accordance with the provisions of the Local Government Act (Functions & General) Regulations 1996 tenders were called for the provisions of audit services for the city for the period 1 July 2000 to 30 June 2003. The City compiled an extensive Audit Scope Statement which required prospective tenderers to submit their proposals by close of business 25 May 2000.

Four tenders were received for the City's audit services from audit partners with the following Chartered Accounting firms:-

- BDO Nelson Parkhill
- Deloitte Touche Tomatsu
- Grant Thornton
- Haines Norton

The assessment and evaluation of the audit tenders was undertaken by an evaluation panel using a multi-criterion assessment system. These criteria included:

- knowledge and experience of auditing large local governments
- knowledge of City of Joondalup processes and systems
- method strategy and planning
- value for money
- capacity to value add

Following the evaluation and assessment of the tenders it is recommended that the City appoints Mr Graham McHarrie and Mr Peter Messer of Chartered Accountants Deloitte Touche Tomatsu as external auditors to the City of Joondalup for the triennial period 1 July 2000 to 30 June 2003.

BACKGROUND

Pursuant to the Local Government Act 1995 and the Local Government (Audit Regulations) 1996 the appointment of an auditor to undertake the audit of Local Governments requires that appointees be a registered company auditor or an approved auditor.

When appointing its auditor the local government must do so by an **absolute majority vote** in accordance with the provisions of Section 7.3(1) of the Local Government Act 1995 and such appointment is to be for a term of not more than five financial years.

The terms of the agreement between the local government and the auditor is to include:

- a) objectives of the audit;
- b) the scope of the audit;
- c) the plan of the audit;
- d) details of the remuneration and expenses to be paid to the auditor; and
- e) the method to be used by the local government to communicate with and to supply information to the auditor.

The auditor is to examine the accounts and annual financial report submitted for audit, and by no later than 31 December next following the financial year to which the accounts and report relate, prepare a report thereon and forward a copy of that report to:-

- the Mayor or President;
- the Chief Executive Officer; and
- The Minister for Local Government

The auditor's report forms an integral part of the Annual Report to the electors.

The City (or the former City of Wanneroo) has since 1985 appointed qualified auditors from Chartered Accountants, Deloitte Touche Tomatsu. Mr McHarrie has been external auditor to the City since 1990 and prior to his appointment, Mr Tom Lang (also from Deloitte Touche Tomatsu) was the City's appointed external auditor.

DETAILS

Tender No 096-99/00 for the supply of external audit services to the City for the triennium 1 July 2000 to 30 June 2003 closed at 3.00pm on Thursday 25 May 2000. Four tenders were received as follows:-

1 BDO Nelson Parkhill, 267 St George's Terrace, Perth

Nominated Auditors	Mr Brad McVeigh Ms Michelle Shafizadeh
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Mr Brad McVeigh is the nominated auditor for this tender. He has extensive experience in audit work as a partner at BDO. His experience in the audit field spans a period of thirteen years. Mr McVeigh is a registered company auditor and is a recognised auditor for the purpose of the Local Government Act 1995.

Ms Michelle Shafizadeh is the nominated audit manager, she has over seven years experience in the audit field and is a registered company auditor.

This firm currently undertakes external audits for the following local governments:-

Town of Claremont
 Shire of Broome
 Shire of Carnarvan
 Shire of Cue
 Shire of Gasgoyne Junction
 Shire of Kununurra
 Shire of Meekatharra
 Shire of Mt Magnet
 Shire Of Mukinbudin
 Shire of Murchison
 Shire of Sandstone
 Shire of Three Springs
 Shire of Yalgoo

The fees quoted are:-

Annual Fees	2000/2001	\$8,500	GST Exclusive
	2001/2002	\$9,000	GST Exclusive
	2002/2003	\$9,500	GST Exclusive
Disbursements	2000/2001	\$340	GST Exclusive
	2001/2002	\$360	GST Exclusive
	2002/2003	\$380	GST Exclusive
Schedule of Rates	Partner	\$180 per hour	
	Manager	\$100	
	Senior	\$ 70	
	Assistants	\$ 50	

Nominated tender reference:- Mr Terry Pearson Town of Claremont.

2 Deloitte Touche Tohmatsu, 152 St George's Terrace, Perth

Nominated Auditors Mr Graham McHarrie
 Mr Peter Messer

Mr Graham McHarrie is nominated auditor for this tender and is a Registered Local Government and Company Auditor and has substantial experience in leading the audit engagements of large organisations in both the private and public sectors. Mr McHarrie leads the Deloitte Touche Tomatsu Local Government group, which currently services eleven Western Australian municipalities. Mr McHarrie is one of the most experienced Local Government Auditors in Western Australia.

Mr Peter Messer is a Registered Company Auditor with over twenty years experience in auditing and corporate advisory services with Deloitte Touche Tohmatsu and other associated firms. Mr Messer acts as the second Partner for all Local Government audits in Western Australia. The second Partner review process provides "Quality Assurance".

Deloitte Touche Tomatsu currently undertakes audits for the following local governments:-

City of Joondalup
 City of Stirling
 City of Belmont
 City of Kalgoorlie/Boulder
 City of Swan
 City of Wanneroo
 East Metropolitan Regional Council
 Mindarie Regional Council
 Town of Vincent
 Town of Cambridge
 Town of Victoria Park

In addition it is the external auditor for Municipal Insurance Services - the local government self insurance schemes for Workers Compensation and Municipal Liability (public liability and professional indemnity).

The fees quoted are:-

	Annual Fees	2000/2001	\$29,000	GST Exclusive	
		2001/2002	\$30,000	GST Exclusive	
		2002/2003	\$31,000	GST Exclusive	
	Schedule of Rate	Partner	\$280 per hour	- estimated	20
hours		Director	\$170	- estimated	40
hours		IT Specialist	\$130	- estimated	20
hours		Analyst	\$ 90	- estimated	100
hours		Other Analyst	\$60	-estimated	110
Hours					

Nominated tender references -	Mr Stuart Cole	City of Belmont
	Mr Rodney Constantine	City of Stirling
	Mr Cliff Frewing	City of Swan

3 Grant Thornton, 256 St George's Terrace, Perth

Nominated Auditors	Mr Tom Wallace
	Mr Greg LeGuier

Mr Tom Wallace is the nominated auditor for this tender and is a Registered Local Government and Company Auditor with thirty eight years experience as an auditor. He has been auditing Local Governments for the past fourteen years in Western Australia.

Mr Greg LeGuier is a registered Local Government and Company Auditor with twelve years experience as an auditor and would be responsible for the overall conduct of the audit.

The fees quoted are:-

Annual Fees	2000/2001	\$16,500	GST Exclusive
	2001/2002	\$17,000	GST Exclusive
	2002/2003	\$17,500	GST Exclusive

Schedule of Rates	Partner	\$170-\$230 per hour
	Manager	\$110-\$130
	Senior	\$ 90-\$110
	Intermediate	\$ 70-\$ 90

Nominated tender references – Mr Ted Budzinski City of Bayswater
Mr Michael Archer Shire of Esperance

COMMENT/FUNDING

The Local Government Department, through the Local Government Financial Review Committee, has conducted a review of the system relating to the financial audit of local governments in Western Australia. It has made a series of recommendations in relation to auditing local governments. Prior to consideration of the implementation of the report the Department of Local Government has sought comment from local governments. The City of Joondalup compiled a response (Report CJ041-03/00 relates) to this committee which is currently reviewing those responses prior to formulating a decision.

The audit of the City of Joondalup will be carried out in accordance with the requirements of the Local Government Act 1995 and Local Government (Audit) Regulations 1996 in the provision of an effective financial and compliance audit of the City.

Interim audit procedures will be conducted during the financial year with the final audit timed to ensure internal and external deadlines are met, particularly regarding the conduct of the Annual General Meeting of Electors.

The assessment and evaluation of the audit tenders was undertaken by an evaluation panel using a multi-criterion assessment system. These criteria included:

- knowledge and experience of auditing large local governments
- knowledge of City of Joondalup processes and systems
- method strategy and planning
- value for money
- capacity to value add

Following an exhaustive assessment and comprehensive evaluation of each submission Mr Graham McHarrie and Mr Peter Messer from Deloitte Touche Tomatsu, Chartered Accountants, emerge as the outstanding applicants.

While Mr McHarrie and the Deloitte Touche Tomatsu submission was the most expensive it is to be recognised that with external audit, as with most services, you get what you pay for. The hourly rates and estimated number of hours for each of the “audit team” indicates that 290 team hours has been estimated for the interim and annual audits. This appears far in excess of the other tenderers and provides value for money given Mr McHarrie’s team’s knowledge of the City’s operations and systems.

Mr McHarrie and his predecessor Mr Tom Lang have held the responsibility for the audit of the former City of Wanneroo and the more recently the new City of Joondalup since 1 July 1985. Mr McHarrie is a partner in charge of audits in the Perth office of Deloitte Touche Tohmatsu. Both he and Mr Messer are registered company auditors and were registered local government auditors under the previous local government legislation. Each has over 20 years auditing experience.

Over the past 14 years Mr McHarrie has developed a comprehensive knowledge and understanding of Councils activities and was heavily involved with the split of the former City of Wanneroo assets and liabilities into the two new local governments of the City of Joondalup and Shire (and now City) of Wanneroo.

Mr McHarrie has been closely involved with the City’s change processes and he and his team have displayed interest and involvement in the recently installed core information systems, Rating Committee issues and Risk Management Identification. Deloitte Touche Tomatsu has also previously provided consulting services to the City and thus has a comprehensive understanding of the operations and aspirations of the City of Joondalup. This coupled with his professionalism, dedication and expert advice to Council and Officers, together with Deloitte Touche Tomatsu’s back up support suggests that he and Peter Messer be appointed as auditors to the City of Joondalup for the triennium 1 July 2000 to 30 June 2003.

Mr McHarrie’s audit approach will focus on:-

- Audit planning and risk identification.
- Testing and audit response to risks.
- Resolution of issues and reporting.

In the past Mr McHarrie has adopted the practice to meet with the Mayor and Chief Executive Officer at the conclusion of his audit at which time the results of the audit and the content of his Management Report are discussed. With the recent establishment of the Audit Committee, Mr McHarrie has offered his services to explain the role and responsibilities of both external and internal audit.

The fees quoted by Messrs McHarrie and Messer are:-

2000/01	\$29,000 + GST
2001/02	\$30,000 + GST
2002/03	\$31,000 + GST

These are quoted on the basis that all records including completed financial statements, prepared in statutory format and supporting trial balances and recommendations are completed and available at the time of audit.

Comparing with the current 1999/2000 fee payable of \$28,000 the fee schedule is considered competitive.

RECOMMENDATION

That Council:

- 1. BY ABSOLUTE MAJORITY in accordance with the provisions of section 7.3 of the Local Government Act 1995 APPOINTS Mr Graham McHarrie and Mr Peter Messer of Deloitte Touche Tohmatsu as auditors to the City of Joondalup for the triennium 1 July 2000 to 30 June 2003 at a fee of \$29,000 for 2000/2001, \$30,000 for 2001/2002 and \$31,000 for 2002/2003, plus GST, with the appointments to be in accordance with the terms and conditions outlined in the Local Government (Audit) Regulations 1996, and;**
- 2. AUTHORISES the affixation of the common seal to and endorses the signing of the contract documents.**

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ITEM 7 RATES WORKING GROUP - REPORT ON FINDINGS – [49653]

WARD - All

SUMMARY

As a consequence of various rating issues a Rates Working Group was established to examine options available to address such issues and to consider whether the City's current rating policies, principles and framework were adequate and relevant for the newly created City of Joondalup.

The group met on a 10 occasions and its findings are presented to the Council for consideration - refer Attachment 1.

BACKGROUND

The rates working party met on 10 occasions and worked within the terms of reference agreed by Council. As an integral part of its deliberations the group:-

- Sought submissions from ratepayers, local community groups, commercial/industrial owners.
- Received input from:-
 - the Valuer General's Office on valuation methodologies
 - the Local Government Department on rating matters generally;
- Sought input from Eastern States Local Government Departments in New South Wales, Victoria, South Australia on the rationale for the inclusion of a flat "municipal charge" within their respective Local Government Acts;
- Had input at a meeting for the review of the Local Government Act 1995;
- Discussed and compared rating matters with other local governments and individuals with an interest in local government rating issues.

Very early in its deliberations the group considered that there were aspects of the City's rating framework which could be categorised as "Short Term" Objectives and others which could be classified as "Longer Term" Objectives. These are adequately and fully addressed in the report.

DETAILS

A report from the working party details its suggested course of action via recommendations. This report is included in attachment 1 to this report.

COMMENT

While the general thrust of the Working Party's Recommendations are supported the increase of the commercial improved rate in the dollar from 90% to 100% of the residential rate in one year could be considered too great. It may receive adverse comment albeit that properties in that sector did have a rate reduction in the 1999/2000 year as a consequence of lower valuation increases and the reduction in the rate in the dollar.

In addition, whilst the differentiation of vacant and improved land may have merit in encouraging development and is practised in other local governments as shown below (refer Table 1) there could be an adverse reaction from vacant land owners as they may consider themselves 'hard done by' because they don't use the services and some will pay more than the lower valued properties in say Craigie and Heathridge, some of which are on the minimum payment of \$403. The impact of this is depicted in Table 2 below.

TABLE 1 Other Local Governments

	Vacant		Improved	
	Rate ¢	Minimum \$	Rate ¢	Minimum \$
Melville	7.16	475	5.52	365
Armadale	9.03	499	9.03	470

Note: Melville's Vacant Minimum and Rate in the \$ is \$130% of Improved, Armadale's is 106%.

TABLE 2 Vacant Land Rates in High Valued Suburbs

Number	Property Suburb	Rates		
		GRV	Current	Proposed
		\$	\$	\$
190677	Hillarys	14,250	950.38	1,092.93
145276	Ocean Reef	11,700	780.31	897.35
189565	Sorrento	18,250	1,217.15	1,399.72

It should be noted that if the City resolves to have a higher minimum payment on its vacant land:-

- 1 rates on lower valued vacant land will increase from currently \$403 to \$500 with the minimum applying to properties with a GRV of approximately \$6,500 or less;
- 2 such decision needs approval of the Minister for Local Government pursuant to the provisions of Section 6.35 of the Local Government Act 1995

RECOMMENDATIONS

The Rates Working Group's recommendations are:-

RECOMMENDATION

- 1 That Council ADOPTS the following as 'guiding principles' for the 2000/01 rating year:-**
 - (a) the 2000/01 rate in the \$ for commercial-improved rated properties be set at 100% of the residential rate in the \$;**
 - (b) (i) in accordance with the provisions of Section 6.33 of the Local Government Act 1995 a separate rating group be created for vacant land within each rating category; and**
 - (ii) the 2000/01 rate in the \$ for residential and rural vacant land in the GRV sector be set at 115% of the improved residential and rural rate in the \$ with a minimum payment of \$500 with further increases to 130% in 2001/02 and to 145% in 2002/03 and seeks the Minister's approval regarding the imposition of the minimum payment pursuant to Section 6.35(5) of the Local Government Act 1995;**
 - (c) the minimum payments (other than residential and rural vacant land) be increased in 2000/01 in line with movements in the CPI (Perth Index) at 31 March 2000;**
 - (d) the principle of offering incentives for early rates payment in the form of**
 - (i) prizes; and**
 - (ii) discount of 5% of rates only****be continued;**
 - (e) (i) the security charge be continued with funding to be via a universally applied charge as permitted by S6.38 of the Local Government Act 1995 and Regulation 54 of the Local Government (Financial Management) Regulations 1996; and**
 - (ii) a submission be compiled to the Minister for Local Government, WAMA and the Local Government Department with a view to broadening the powers of the Act in relation to the expenditure of funds raised from the Security Charge.**
- 2 that Council of the day considers the option of phasing in of valuations for the 2002/03 revaluation as permitted by Schedule 6.1 of the Local Government Act 1995.**

3 That Council:-

- (a) strongly encourages the State/Federal Governments to assist the ever growing numbers of self funded retirees with financial relief in regard to local government rates. Such assistance be in the form of a rate relief scheme along similar lines to the “eligible pensioner” entitlements and based on income and age testing;**
- (b) (i) advises both WAMA and the Department of Local Government that the City has a strong desire to effect changes to the Local Government Act 1995 to enable local governments in Western Australia the option and flexibility of implementing a two component rating system, which encompasses both a flat universally applied charge and a variable charge based on valuation, similar to that which is permitted in New South Wales, Victoria and South Australia; and**
 - (ii) allocates appropriate resources to enable rate modelling to be undertaken on a two component rating system which encompasses both a flat charge and a variable charge based on valuation; and**
- (c) establishes a Rates Working Group to meet on a regular quarterly basis to discuss rating matters with regular reporting to Council.**

Attachment 6 refers – click here: [Attach6brf270600.pdf](#)

ITEM 8 VEHICLE TENDER 89-99/00. PURCHASE OF UTILITIES. – [45745]

WARD - All

SUMMARY

This matter was deferred from the 13 June 2000 meeting of Council pending clarification of supply from Youngs Holden.

The City's 1999/00 budget provided for the purchase of vehicles, as detailed in the Light Vehicle Replacement Programme, the funding of which is from the Municipal Fund.

The CEO has delegated authority to accept tenders up to a figure of \$100,000. However, as this tender exceeds that figure, it requires approval of the Council.

The City's 1999/00 budget provided for the purchase of two 6 cylinder utilities, four 4 cylinder sedans and one 4 cylinder wagon with the trade of the following vehicles:

- Plant Number 99149 Daewoo Nubira Sedan allocated to Health Services
- Plant Number 99152 Ford Laser Sedan allocated to Health Services
- Plant Number 99100 Hyundai Lantra Sedan allocated to Infrastructure Management Services
- Plant Number 99154 Ford Laser Sedan allocated to Infrastructure Management Services
- Plant Number 99384 Hyundai Lantra Wagon allocated to Infrastructure Management Services
- Plant Number 95456 Ford Falcon Utility allocated to Operations Services
- Plant Number 99473 Ford Falcon Utility allocated to Operations Services

Ford Laser 99154 was not presented for inspection due to work commitments and consequently was excluded from the scope of this tender. It will be replaced by calling quotations from Tenderers.

Following a review of the business requirements within each Directorate, it was determined that in several instances it was more cost effective for the City to purchase utilities rather than sedans. Consequently the tender scope was altered prior to tenders being sought.

This report outlines the submissions received in relation to Tender 089-99/00.

It recommends:

- Accepting that Youngs Holden, which submitted the lowest tender but cannot secure sufficient stock, supply two of the six Holden Commodore Utilities and Phoenix Holden which submitted the second lowest tender, supply four Holden Commodore Utilities.
- The purchase of two 6 cylinder Holden Commodore Utilities and the disposal of Lantras Plant # 99100 and # 99384 with Youngs Holden.
- The purchase of four 6 cylinder Holden Commodore Utilities and the disposal of Nubira Plant # 99149 plus Falcon utilities # 95456 and # 95473 to Phoenix Holden
- The disposal of Laser Plant # 99152 to McInerney Sales Pty Ltd.

BACKGROUND

Council at its meeting held on 13 June 2000, resolved:

“that the matter pertaining to vehicle Tender 89-99/00 – Purchase of Utilities be DEFERRED to the Ordinary meeting of Council to be held on 27 June 2000 pending further clarification on supply problems.”

Tender number 089-99/00 pertaining to these acquisitions was advertised on Saturday 15th April 2000 and closed on Wednesday May 10, 2000. The six vehicles (from the original seven) to be traded were presented for inspection on April 20th, and were evaluated by all prospective tenderers.

Following a review of the business requirements it was determined that in the following instances it was more cost effective for the City to purchase utilities rather than sedans as savings in FBT would accrue and loads were required to be carried.

Plant #	Make	Business Unit
99149	Nubira	Community & Health Services
99152	Laser	Community & Health Services
99100	Lantra	Infrastructure Management Services
99384	Lantra Wagon	Infrastructure Management Services

DETAILS

There were ten submissions received for the supply and trade of six 6-cylinder utilities as per Tender 089-99/00, one submission for supply only and three submissions for outright purchase of the trade vehicles. Details of all submissions are shown on Attachment A.

Two makes of vehicles were offered by suppliers, the Holden Commodore VS III and the Falcon AU 2 XL utilities. A whole of life cost evaluation comparing the two makes of vehicles offered revealed that the Holden Commodore utility was the more cost effective vehicle after consideration of estimated resale prices at two years of age and estimated fuel consumption at 40,000 kms of travel. The whole of life costing evaluation is used to identify the best value vehicle make and then the lowest cost changeover is used to select the supplier.

References used for the comparative data were:

- Glasses Guide- Residuals March-May 2000
- R.A.C. Fuel Consumption figures May 2000

Due to the Holden factory shutdown and higher sales than expected, some Holden dealers have been left without sufficient stock. Youngs Holden have only been able to secure two Holden Commodore Utilities. Phoenix Holden are able to supply the remaining four vehicles.

COMMENT/FUNDING

The lowest cost changeover offered was from Youngs Holden, which also offered the lowest cost new supply on Holden Commodore VS III. Advice received from Youngs Holden indicated that it could only supply two of the six vehicles required.

The second lowest tender received was from Phoenix Holden. That organisation can supply the remaining requirement of four units.

The conditions of tendering allow for the selection of part of the tender submissions to achieve the best outcome for the City. The three submissions for outright purchase were compared to the trade valuations from Youngs Holden and it was determined that the City could achieve a higher disposal price by accepting the following purchase offers as highlighted:

Tenderer	Vehicle Number & Trade Valuations					
	99149	99152	99100	99384	95456	95473
Youngs Holden	\$13,000	\$12,000	\$14,000	\$13,750	\$15,000	\$15,000
Phoenix Holden	\$13,050	\$13,050	\$13,050	\$12,550	\$15,050	\$15,050
Fratella Pty. Ltd. (Melville Motors)	\$10,500	\$11,000	\$13,000	\$13,000	\$14,700	\$14,000
McInerney Sales Pty.Ltd.	\$11,500	\$13,100	\$12,500	No offer	\$14,333	\$14,333

The selection of the highest trade valuations indicated above will achieve an additional \$1,250 return for the City compared to accepting all the trade valuations from Youngs Holden.

Full consideration was given to local suppliers Phoenix Holden and Nuford, both based in Wangara. Under the City's Regional Purchasing Policy it is recommended that the City accept the outright purchase offer from Phoenix Holden for the three vehicles as highlighted above. The highest and hence recommended outright purchase offer for vehicle #99152, was from McInerney Sales Pty. Ltd. of Morley and is \$50 greater than the offer from Phoenix Holden.

The offer to **supply** from both local suppliers is not competitive with the offer from Youngs Holden in Victoria Park. However due to Youngs not being able to supply more than two vehicles it is recommended that the remaining four vehicles be purchased from the second lowest tenderer, which is Phoenix Holden.

Accepting the above the following is the financial scenario:

Youngs Holden

Supply Replacement	Price of Supply	Value of Trade	Changeover	Budget New Price	Budget Trade Price	Budget Surplus/(Shortfall)
Plant #99100	\$17,129	\$14,000	\$3,129	\$15,500	\$11,000	\$1,371
Plant #99384	\$17,129	\$13,750	\$3,379	\$16,500	\$12,000	\$1,121
Total	\$34,258	\$27,750	\$6,508			\$2,492

Phoenix Holden

Supply Only Against	Price of Supply	Value of Outright Sale	Changeover	Budget New Price	Budget Trade Price	Budget Surplus/(Shortfall)
Plant #99149	\$18,000	\$13,050	\$4,950	\$15,500	\$13,000	(\$2,450)
Plant #99152	\$18,000	N/A	\$18,000	\$18,500	N/A	\$500
Plant #95456	\$18,000	\$15,050	\$2,950	\$18,500	\$14,000	\$1,550
Plant #95473	\$18,000	\$15,050	\$2,950	\$18,500	\$14,000	\$1,550
Total	\$72,000	\$43,150	\$28,850	\$71,000	\$41,000	\$1,150

McInerney Sales Pty Ltd

Plant Number	Value of Purchase Trades	Budget Trade Price	Budget Surplus/(Shortfall)
99152	\$13,100	\$11,400	\$1,700
Total	\$13,100	\$11,400	\$1,700

Final result on Budget	\$5,342 Saving
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The overall net result for the City is a cash outflow of \$22,258 derived as follows:

Cost of Supply

- Youngs Holden \$34,258
- Phoenix Holden \$72,000

Trade/Outright Sale

- Youngs Holden \$27,750
 - Phoenix Holden \$43,150
- \$106,258**

• McInerney Sales Pty Ltd \$13,100	<u>\$ 84,000</u>
Net Cash Outflow	<u>\$ 22,258</u>

Accepting this, the overall 1999/00 budget surplus on tender 089-99/00 is \$5,342.

RECOMMENDATION

That Council, in accordance with the conditions of tendering, ACCEPTS the part tender from:

- 1 Youngs Holden for the supply of two 6 cylinder Holden Commodore utilities with the trade of Hyundai Lantra Sedan Plant # 99100 and Hyundai Lantra Wagon Plant # 99384, at a net change over figure of \$6,508 after trade in, as detailed in tender 089-99/00.**
- 2 Phoenix Holden for the supply of four 6 cylinder Holden Commodore utilities with the purchase of Daewoo Nubira Sedan Plant # 99149 plus Ford Falcon utilities Plant # 95456 and Plant # 95473 at a net change over figure of \$28,850 as detailed in tender 089-99/00.**
- 3 McInerney Sales Pty Ltd for the purchase of Ford Laser Sedan Plant # 99152 for \$13,100 as detailed in tender 089-99/00.**

Attachment 7 refers – click here: [Attach7brf270600.pdf](#)

ITEM 9 RALLY AUSTRALIA YOUTH PROJECT - [38245]

WARD - All

SUMMARY

The Office of Youth Affairs has offered the City of Joondalup and City of Wanneroo the opportunity to run a one-off project to develop and support a Youth Rally Team. It is proposed that the project be implemented as a regional project in cooperation with the City of Wanneroo. The aim is to provide the opportunity for a team of up to twenty five young people to participate in a series of activities and training programs, culminating in participation in the Telstra Rally Australia held in Perth, Western Australia, in early November this year.

BACKGROUND

Telstra Rally Australia Youth Project (TRAYP) aims to help young people to develop a range of skills including practical driving and mechanical skills, problem solving, planning and team building through the participation at a number of local rally events during the year.

The teams are trained in the maintenance and preparation of vehicles and undertake participation in club and State events culminating in their participation in Telstra Rally Australia. Participants are selected to develop their skills in either driving/navigating or support crew, servicing vehicles, catering/logistical support.

Currently TRAYP operates one team from the Kensington Police and Citizens Youth Club, which is situated south of the river. It is proposed that a second team operate north of the river and a third in Bunbury.

TRAYP endeavors to promote the benefits of the safety aspects of driving by raising the profile of road safety issues and demonstrating young people's role in addressing the issue at the local level.

Aspects of the project include:

- A focus towards mainstream young people and youth participation.
- Using the Project to promote the road safety message amongst young people.
- Demonstrating to the community the positive contribution that young people can make towards road safety issues.
- Linking the program with the Roadsmart road safety initiatives in the local area.

The Telstra Rally Australia takes place in WA in November of each year and attracts a world class field of competition. For the past 8 years, funding has been allocated by Family & Children's Services to develop a youth team to participate in this rally. In keeping with the mandate of Family and Children's services, the project was largely used as a tool to engage young people who were assessed to be "at risk". This year however the money is being provided by the Office of Youth Affairs and the aims and objectives changed to fit within part of their mandate which is increasing road safety and reducing road trauma amongst youth.

Whilst the TRAYP will continue in its existing format this year, steps are being taken to align the Project more closely with Office of Youth Affairs initiative and programs.

The Office of Youth Affairs is a key player in road safety for young people. In conjunction with the Road Safety Council the Roadsmart Road Safety Grants Scheme has been developed and is to be piloted in Joondalup, Cannington and the Southwest. The Youth Rally team project is to be linked to the Roadsmart Grants scheme with the aim of forming of a comprehensive approach to youth road safety in the northern suburbs.

The aim of Roadsmart is to assist in reducing youth road trauma by encouraging ownership of road safety issues within the youth population and encouraging positive road safety behaviour. It is a pilot project and will cover projects based in Joondalup, Cannington and the Southwest region. Grants of up to \$5,000 are available for road safety initiatives that benefit young road users aged between 16-25 years. Applications must be developed by young people and be integrated with other local services.

Opportunities exist to link the project with other initiatives in order to provide flow on benefit to the wider community:

- The Roadsmart Grants Program
- Existing Driver Education Programs
- The Blue Light Drag Races
- School Based Driver Education

The Office of Youth Affairs reports that the police have been very enthusiastic about the Project given that it aims to reduce youth driver road toll. Contact has been made with the local police who have given their full support to the idea and offered to invite the youth rally team to the Blue Light Drag races, held Wanneroo Raceway monthly during the summer months.

It is also seen as an opportunity to link with the local business community via sponsorship.

The project has the support and endorsement of both Youth Advisory Councils.

DETAILS

It is intended that the City of Wanneroo will be responsible for daily administration of the Project including the budget and employees. However it is intended that a steering committee for the project will be formed to guide the project, support to employees, oversee the budget and select the participants. It is intended that a member of City of Joondalup Youth Services staff will be an active member of this committee and other key stakeholders such as the local police, be identified to form the committee membership.

The Office of Youth Affairs will provide a budget of \$48,000 to run the project between now and December 31 2000. It will also assist in submitting an application for a Lotteries Grant of \$10,000 making a total of \$58,000 for the Project.

Details:

- \$15,000 to fund the employment of a Team Manager. Office of Youth Affairs has an experienced Team Manager available for the position.
- \$25,000 for the Project Consultant currently appointed to support the three Projects. The role of the Consultant is to advise on race requirements such as training, planning, insurance, licensing and sponsorship for the team.
- \$18,000 running costs

In addition, the Office of Youth Affairs will also supply:

- An operational, competitive vehicle.
- Tools, equipment and spare parts

A Program Coordinator is employed and based at the Office of Youth Affairs to support the Project.

In discussions with the City of Wanneroo it has been determined that whilst the Project will be a joint City Of Joondalup/Wanneroo project. The City of Wanneroo will take responsibility for the day to day management. This will include:

- Financial management (management of the funding provided by the Office of Youth Affairs)
- Provision of workshop venue

Financial Cost to City of Joondalup

Costs to the City of Joondalup will be dedicated staff hours of a Youth Services Officer to support the Project. It is also proposed that an estimated contribution of \$2,000 be made toward the administration costs of the project. It is anticipated that these funds will be able to be accommodated within the City's existing budget for Community and Health Services.

Legal Liability

An integral component of the program is the provision of a Consultant to advise the steering committee of steps to minimise any legal liability. This would include safety measures in the workshop and the acquisition of appropriate licenses for drivers.

Promotion

All promotions of the project will show that the Project is a joint City of Joondalup/Wanneroo Project.

COMMENT

The Youth Rally project has the potential to be a high profile youth activity in the region. It provides opportunities to directly influence the road safety attitudes and skills of young people in a positive way. When linked to other road safety initiatives, the Youth Rally Team project could provide a foundation for a comprehensive, community-based approach to youth road safety in the region.

It also provides the opportunity for a substantial numbers of young people in the area to develop practical skills and abilities whilst undertaking a fun recreational activity.

The Project builds on what has been a very successful project run for the last eight years and broadens its availability to the wider youth population. It will compliment and expand the existing youth services provided by the City and build on existing youth road safety initiatives operating in the region.

RECOMMENDATION

That Council ENDORSES the proposal to run a regional Youth Rally Team in cooperation with the City of Wanneroo in November 2000.

ITEM 10 TENDER NUMBERS 100-99/00, 101-99/00 & 102-99/00 FOR THE SUPPLY OF VARIOUS CLEANING SERVICES – [45843, 46843, 47843]

WARD - All

SUMMARY

Tenders for the annual contracts for the cleaning of various Council buildings closed on 7 June 2000. This report outlines the three contracts on offer, the tenders received for these contracts, the method used to assess the tenders, and recommends the acceptance of tenders from Reekie Property Services for all three contracts.

BACKGROUND

The cleaning of City buildings is divided between in-house cleaning and cleaning by external contractors. Contract cleaning is arranged by annual contracts. The term of each contract is one year with an option to renew the contract for a further year by mutual agreement. For the 2000/2001 financial year, the contracts have been arranged as follows:

Contract Number 100-99/00	Joondalup Administration Centre and Joondalup Library including the undercroft car parks and podium level paving around the Civic Chambers.
Contract Number 101-99/00	Sorrento/Duncraig and Craigie Leisure Centres.
Contract Number 102-99/00	Greenwood CHC; Greenwood Scout & Guide Hall; Toilet/Changerooms on Blackall Park, Barridale Park, Moolanda Park, Timberlane Park, Chichester Park, Ellersdale Park, Warwick Open Space, Hawker Park and Penistone Park; Clubrooms on Timberlane Park, Chichester Park, Ellersdale Park and Penistone Park; Woodvale Library; Greenwood/Warwick CCC and Warwick Community Hall; Dorchester Hall; and the Penistone Park Tennis Shelter.

In accordance with the Local Government (Function & General) Regulations 1996 (as amended) the City advertised statewide seeking tenders on Wednesday 24 May 2000.

Tenders for the above contracts closed on Wednesday 7 June 2000.

DETAILS**Contract No. 100-99/00 Joondalup Precinct Buildings**

Eight tenders were received:

Intercity Cleaning Services	\$132,226.00
GWC Total Management Pty Ltd	\$181,968.00
Reekie Property Services	\$110,200.00
Office Cleaning Experts Pty Ltd	\$112,800.00
Dominant Property Services	\$135,700.00
Mastercare Property Services (WA) Pty Ltd	\$214,982.70
RS Linfoot Investments Pty Ltd	
Trading as Linfoot Cleaning Services	\$124,190.00
Prestige Property Services	\$130,963.42

The contract for these buildings is currently held by Office Cleaning Experts Pty Ltd (\$99,960.00 or \$109,956 including GST).

Contract Number 101-99/00 Sorrento/Duncraig and Craigie Leisure Centres

Seven tenders were received:

GWC Total Management Pty Ltd	\$169,378.00
Reekie Property Services	\$98,810.00
Office Cleaning Experts Pty Ltd	\$111,005.00
Dominant Property Services	\$95,820.00
Mastercare Property Services (WA) Pty Ltd	(non-conforming tender)
RS Linfoot Investments Pty Ltd	
Trading as Linfoot Cleaning Services	\$103,702.00
Prestige Property Services	\$108,109.28

The current contract for the Sorrento/Duncraig Leisure Centre is held by the Charles Service Company (\$15,659 or \$17,245 including GST), which has not tendered for the new contract. The most recent contract for the Craigie Leisure Centre was held by Office Cleaning Experts Pty Ltd (\$96,274 or \$105,901 including GST). This contract's term expired, but has been renewed on a monthly basis pending the leasing of the centre's operation to a private operator.

The tender received from Mastercare Property Services was declared non-conforming as their submitted tender form proved ambiguous. This tenderer had altered the tender form which is against clause 8 of the General Conditions of Tendering.

Contract Number 102-99/00 Various Buildings in Warwick, Greenwood, Kingsley and Woodvale

Six tenders were received:

GWC Total Management Pty Ltd	\$133,180.00
Reekie Property Services	\$56,899.00
Dominant Property Services	\$58,923.00
Mastercare Property Services (WA) Pty Ltd	\$136,216.46
RS Linfoot Investments Pty Ltd	
Trading as Linfoot Cleaning Services	\$127,586.00
Prestige Property Services	\$58,157.98

The current contract (excluding Woodvale Library) is held by Reekie Property Services (\$58,230 or \$64,053 including GST). Woodvale Library is currently cleaned on a monthly order by Intercity Cleaning Services (\$803/month or \$9636 annually, being \$883.30/month or \$10,600 annually including GST).

COMMENT/FUNDING

All cleaning works are funded from the Building Cleaning Works account.

All tendered prices include a GST component.

Under the City's Contract Management Framework, all three tenders were assessed by an evaluation committee using a weighted multi-criterion assessment system. The criteria provided in the Tender Information Document were:

- Price offered for the services;
- Tenderer's demonstrated ability to attend site at short notice to rectify a site problem;
- Tenderer's resources including specialised equipment, skill inventory and financial capacity;
- Tenderer's previous experience in carrying out similar works;
- Safety management policy including safety records for the last two years.

All tenderers attended the mandatory pre-tender briefings and site inspections.

Scoring each tender submission against these criteria, the tender evaluation committee has determined that the best value for money will be achieved by accepting the tenders from:

- Reekie Property Services for the lump sum price of \$110,200.00 and price schedule for contract 100-99/00;
- Reekie Property Services for the lump sum price of \$98,810.00 and price schedule for contract 101-99/00; and
- Reekie Property Services for the lump sum price of \$56,899.00 and price schedule for contract 102-99/00.

Reekie Property Services operate from premises in Ballajura and currently hold contracts with the City of Joondalup, City of Wanneroo, City of Cockburn, Western Power and various other smaller clients. Whilst not strictly “local” employers, the nature of the contract cleaning is for the new contract to require some additional cleaning staff, which because of the unusual hours usually results in local employment. It is common in the cleaning industry for a new contractor to take over the previous contractor’s staff either wholly or in part, but to introduce their own supervisor.

Each contract contains the provision to terminate by giving 90 days notice by the Principal. All three contracts commence on 1 July 2000 for a 12 month term with the provision to extend for a further 12 months or part thereof subject to the Principal’s approval.

RECOMMENDATION

That Council:

- 1 ACCEPTS the tender from Reekie Property Services for:**
 - (a) \$110,200.00 and price schedule for contract 100-99/00 (inclusive of GST) for the supply of cleaning services to Joondalup Precinct Buildings;**
 - (b) \$98,810.00 and price schedule for contract 101-99/00 (inclusive of GST) for the supply of cleaning services to Sorrento/Duncraig and Craigie Leisure Centres;**
 - (c) \$56,899.00 and price schedule for contract 102-9900 (inclusive of GST) for the supply of cleaning services to various buildings in Warwick, Greenwood, Kingsley and Woodvale, and**
- 2 AUTHORISES the execution of contract documents.**

PW

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ITEM 11 TRAFFIC CALMING - WEST VIEW BOULEVARD - PETITION - [19140]

WARD - Whitfords

SUMMARY

In April 2000, the City received a petition from West View Boulevard residents seeking some form of traffic calming in their street. An investigation of traffic flow on West View Boulevard has not established a significant warrant for major traffic treatment. However, formalisation of parking bays adjacent to the Mullaloo Beach Primary School to reduce the overall pavement width and thereby vehicle speed, at this location is recommended for consideration.

BACKGROUND

In April 2000, the City received a petition from West View Boulevard residents seeking some form of traffic calming in their street. The petitioners are concerned with vehicle speed along West View Boulevard, in particular along the section adjacent to Mullaloo Beach Primary School.

The petitioners have requested that the City consider specific options such as roundabouts, speed humps or embayments (featuring red asphalt) to reduce vehicle speeds.

DETAILS

West View Boulevard functions as a local access road between Dampier Avenue and Oceanside Promenade, Mullaloo. As well as residential access, this road gives local street residents and non-local residents (east of Dampier Avenue) access to the Mullaloo foreshore area.

A plan showing West View Boulevard and its relationship to other roads in the local road network is shown on Attachment 1.

The majority of this road is 7.4m wide (standard residential road width) which widens to 9m adjacent to the Primary School to facilitate kerb side parking.

In view of the petitioners concerns, a traffic flow survey was undertaken in May 2000. The results were then compared to previous surveys undertaken on West View Boulevard in 1994, 1997 and 1998. The details of the traffic surveys are shown on the following table.

West View Blvd	1994	85th %	1997	85th %	1998	85th %	2000	85th %
West of Dampier	1820	54	2010	60	2230	64	2040	55
West of Key West	1510	55					1310	56
East of Oceanside	925	53	820	52	940	52	880	52

Traffic volumes expressed in vehicles per day (vpd). 85th percentile speed (km/h) is the speed at or below which 85% of vehicles travel.

Traffic Analysis

The data shows that traffic volume and speed on West View Boulevard have apart from perhaps seasonal variations, been relatively consistent since 1994. The data also suggests that in terms of both the volume and speed of vehicles, West View Boulevard is functioning well within the limits for a road of this type.

The section of West View Boulevard adjacent to the school is also subject to the 40km/h School Speed Limit between the hours of 7:30-9am and 2:30-4pm school days. Invariably the congestion caused by school peak traffic also limits vehicle speed at these times. Conversely during non-peak times when vehicle volumes are lowest, vehicle speeds tend to increase on most local roads.

West View Boulevard is no exception with the most incidence of excessive vehicle speed recorded after 6pm on Saturday night (May 2000 survey).

In the five-year period to December 1999, there has been one recorded vehicle crash at the intersection of West View Boulevard and Inlet Grove. Given that traffic volumes exiting Inlet Grove would be low, this type of crash is unusual, though indications are that it was only a minor incident.

Traffic Treatment Options

Generally, speed humps are not supported on local roads because they may generate other problems. While they can successfully reduce speed of most motorists at the device they tend to generate additional vehicle noise which negatively affects nearby residents. Secondly they can hinder emergency services and impact negatively on services such as Intensive Care Ambulance transfer of spinal patients. Unfortunately the use of speed humps can inappropriately transfer traffic onto other roads

Similarly, major treatment of this road such as installation of a roundabout is not warranted as the 85th percentile on West View Boulevard is below the current 60km/h speed limit.

While traffic calming treatments are successful in modifying driver behaviour in a majority of motorists (that is they can successfully reduce the 85th percentile speed), they are however, ineffective in modifying driver behaviour of those motorists who drive with little or no regard for their legal or social responsibilities. Invariably, these types of motorist see traffic treatments as a challenge, which may in some instances exacerbate problems associated with antisocial driver behaviour.

Notwithstanding, the use of red asphalt and kerb extensions adjacent to the school to formalise parking and reduce the overall pavement width at this location may have merit. Formalised parking will improve safety at the school during peak times while the reduced pavement width may also reduce the incidences of excessive vehicle speeds during non-peak periods, when they are currently most likely to occur.

A copy of the proposed strategy is shown on Attachment 2. The estimated cost to construct this treatment is around \$40,000.

In the past, the Education Department has contributed 50% of the total cost of providing parking embayments adjacent to schools. Co-funding arrangements may be initiated subject to adoption of a strategy.

COMMENT/FUNDING

While traffic volumes and the majority of vehicle speeds remain well within acceptable limits on West View Boulevard, the increased pavement width adjacent to the school may encourage isolated incidences of higher vehicle speeds during non peak times when vehicle volumes are lowest (e.g. late at night).

The investigation of traffic flow on West View Boulevard established no significant warrant for major traffic treatment of this road. However, formalisation of parking bays adjacent to the Primary School may maintain lower overall vehicle speeds at all times and also reduce the incidences of excessive vehicle speeds during non peak times.

On this basis, the strategy shown on Attachment 2 is recommend for adoption.

The construction of red asphalt kerbside parking embayments associated with the proposed strategy is listed for funding consideration as part of the City's Five-Year Capital Works Program. This project is currently listed as 1 of 4 projects currently listed for funding consideration as part of the 2001/02 School Parking & Safety Sub Program of the Traffic Management Program.

Unfortunately, excessive vehicle speed will always remain a concern on all local roads, due largely to the inability of standard traffic treatments to modify the behaviour of these type of motorists.

In the meantime, while major treatment of West View Boulevard currently has a low priority in comparison to other roads, monitoring of traffic flow will continue and its priority for traffic treatment reviewed accordingly.

RECOMMENDATION

That Council:

- 1. SUPPORTS funding in the Five-Year Capital Works Program on a priority basis, red asphalt kerbside parking embayments adjacent to Mullaloo Beach Primary School on West View Boulevard as shown on Attachment 2 to this report;**
- 2. CONTINUES to monitor traffic flow on West View Boulevard and review its priority for major traffic treatment accordingly;**
- 3. ADVISES the petitioners accordingly.**

Attachment 8 refers – click here: [Attach8brf270600.pdf](#)

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ITEM 12 BADRICK STREET, WARWICK - ROAD CLOSURE - [05378]

WARD - South

SUMMARY

In September 1999 the trial road closure of Badrick Street, Warwick for a period of six months was carried out to evaluate the possible impact on residents and the surrounding road network. The results of the trial and a recommendation to proceed with a permanent road closure for safety reasons is now presented for consideration

BACKGROUND

In December 1997, Main Roads WA advised that the District Police Office had highlighted its concerns with the number of serious vehicle conflicts at the four way, stop sign controlled intersection of Beach Road, Badrick Street and Belvedere Road, Warwick. As Belvedere Road and Badrick Street are not aligned, motorists 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.

At the time, the Police Service was prompted by the high rate and severity of crashes at this location. There had been fifteen recorded crashes injuries over a five year period to December 1997. Eight of these crashes involved serious injury to the vehicle occupants.

Despite this, Main Roads WA advised 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.

On this basis, the City, in conjunction with the City of Stirling considered several options to improve safety at this intersection.

The options included, 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 restriction to residential access. Notwithstanding this, safe alternative routes could be provided in each case.

The City of Stirling ruled out any option that would effect access to Belvedere Road as it is the main access to several community facilities. Main Roads WA supported closure of Badrick Street as the most suitable option.

In view of this, at the February 1999 meeting of the 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). At that time, while the concerns of those residents who opposed the road closure were noted, it was anticipated that the safety improvements by removing the four way intersection would more than compensate for the minor changes to the existing level of residential access.

Following the public notice period, a trial road closure for a period of six months was supported at the September 1999 meeting of the Joondalup Joint Commissioners (Item No. CJ329-09/99 refers).

The trial commenced on 13 December 1999 and has now concluded. The closure remains in place pending consideration of this report.

DETAILS

As previously indicated the trial closure of Badrick Street at Beach Road commenced on the 13 December 1999. A plan showing the location of the road closure and the surrounding local road network are shown on Attachments 1 and 2 respectively.

Traffic Flow

During the trial period, traffic flows and crash rates were monitored in and around the surrounding local road network. A comparison of traffic flows on key roads before and during the trial closure are shown below.

	Traffic Volume before (vpd)	Traffic volume during (vpd)	Change (vpd)
Springvale Dr	1240	1600	+360
Badrick Street	850	190	-660
Barnesbury Road	340	280	-60
Dorchester Ave	6300	6500	+200
Gendale Road (CoS)	1760	1830	+70

The traffic flow surveys indicated that there had been no adverse effect to the functionality of the local road network through redirection of traffic onto other roads.

The increase on Springvale Drive remains well within the capacity of the intended road function. In real terms, the increase recorded on Springvale Drive of 360 vpd (24 hours) equates to 15 vehicles per hour.

The reduction of Badrick Street clearly indicates the majority of vehicles prior to the closure were through vehicles. However, the lower volume (190 vpd) recorded during the closure is more in keeping with this roads intended road function.

Crash Statistics

Crash data prior to and during the trial closure was also obtained from Main Roads WA.

In the five year period prior to the trial closure (13th December 1999) there had been 16 recorded crashes at the 4-way intersection of Beach/Badrick/Belvedere. Twelve of these crashes were classified as right angle crashes. In terms of severity, right angle crashes are only second to head on crashes. In terms of cost to the community, crashes at this location have cost in the order of \$420,000 over a five year period.

A comparison of crash rates before and during the road closure has also been completed. Interestingly, prior to the road closure the existing four-way intersection had double the crash rate of the nearest three-way (T) intersection of Beach and Springvale.

Comparison Crash Rates

Roads	Before (Crash/year)	During (Crash/year)	Possible Crash Rate
Beach / Springvale	1.6	0	0.8
Beach / Belvedere /Badrick	3.2	0	1.6
Dorchester / Badrick	0	0	-
Dorchester / Barnesbury	0.2	0	0.1
Badrick / Barnesbury	0	0	-

Crash Rate of 1 = 5 crashes in five years.

During the trial closure period, there have been no crashes recorded at the subject or nearby intersections. Consequently the crash rate has remained at zero. Had the previous crash rate trend continued, a crash rate of 1.6 may have been expected (as shown in the table).

This positive result may be attributed to the reduction of potential vehicular conflicts brought about by the closure of Badrick Street. In terms of cost over the trial period, this reduction in crashes equates to a cost saving to the community of around \$55,000 or \$110,000 over twelve months..

Nearby improvements carried out on Beach Road (right turn lanes) at Springvale Drive and Belvedere Road by the City of Stirling and City of Joondalup may have also contributed to the improvements at these intersections.

Overall, the crash rate on this section of Beach Road has improved significantly since these works and the trial closure has been in place.

The estimated cost to permanently close Badrick Street including reinstatement of the verge and landscaping as shown on Attachment 2 is \$25,000. Under this proposal, the road reserve would remain and a dual use path would provide pedestrian and cyclist access.

Community Consultation

While the evidence suggests the closure has been successful, public opinion to the closure has remained divided. This had also occurred during the public consultation process prior to the closure.

Both street and local residents against the closure maintain that the closure has been an inconvenience through increased travel times. Those in support of the closure maintain that the inconvenience is far outweighed by the improved safety at the intersection and the reduction of non-local through traffic on Badrick Street.

The most responses were prompted by an independently distributed 'flyer' to households in the surrounding area. In total 51 of these signed letters has been received.

While receipt of these is acknowledged, some residents when prompted by the 'flyer', contacted the City directly to clarify the reasons behind the closure, subsequently indicated that they would no longer be sending their objections to the City.

Three residents of Springvale Drive have also formally objected to the closure. The main concern of these residents was an increase in traffic along this road and also the speed of traffic on this road. While these concerns are noted, these issues may be addressed by the future traffic management strategy for this road that is currently listed as parts of the City's draft Five Year Capital Works Program. The treatment of Springvale Drive is currently ranked 8 of 11 projects listed as part of the 2003/04 Precinct Traffic Management Program.

The City of Stirling has indicated that they remain in favour of maintaining the full road closure of Badrick Street.

COMMENT/FUNDING

In most instances road closures should only be considered if significant safety improvements can be established. In this instance, it had been anticipated that the safety improvements by removing the four way intersection would more than compensate for the minor changes to the existing level of residential access. Also while it is acknowledged that street residents gain additional benefits the overall safety benefits to the wider community are more significant.

Given that there has been no noticeable adverse effects in terms of traffic flow onto other roads and given that the initiative to close the road has reduced the previously high crash rate at the intersection of Beach Road, the permanent closure of Badrick Street to vehicular traffic is recommended.

Alternatively, while the implications of reopening of the road or perhaps trial of an alternative option are unknown, this may simply result in a return of the previously high crash rate. On this basis this course of action would need to be carefully considered.

If supported, the intention to close Badrick Street permanently to vehicular traffic will need to be advertised in accordance with Section 3.50 of the local Government Act 1995. The Act states that after a reasonable advertising period (normally 28 days), a report on any public submissions will be presented for consideration. If following this, the road closure is supported by Council; the recommended permanent road closure will be forwarded to the Minister for Lands for consideration. Final approval of a permanent road closure is subject to Ministerial approval.

In the interim, maintaining the current temporary road closure is also recommended for safety reasons.

The City may submit this project for funding as part of the 2001/2002 Federal Road Safety Black Spot Program. Officers are currently waiting for Main Roads WA crash data details to enable submission of this project in August 2000. An announcement on funding is not expected until March 2001. In view of this, the City may wish to proceed with this project without a funding contribution.

In this event, the funding for construction of the cul-de-sac can be listed concurrently for consideration as a high priority in the 2000/01 Traffic Management Program.

RECOMMENDATION

That Council:

- 1. INITIATES the permanent road closure of Badrick Street, Warwick at the intersection of Beach Road in accordance with Section 3.50 of the Local Government Act 1995;**
- 2. SUPPORTS maintaining the current road closure of Badrick Street, Warwick pending the outcome of the advertising period and further report to Council.**

Attachment 9 refers – click here: [Attach9brf270600.pdf](#)

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ITEM 13 REQUEST TO CLOSE PEDESTRIAN ACCESSWAY BETWEEN ECLIPSE CRESCENT AND TIFERA CIRCLE, KALLAROO - [38670]

WARD - Whitfords

SUMMARY

A request has been received from the four landowners whose properties adjoin the pedestrian accessway (PAW) that links Eclipse Crescent with Tifera Circle in Kallaroo. The adjoining landowners state that they endure frequent and various acts of anti-social behaviour that they feel is attributed to living by the above accessway and its closure would alleviate many of the problems being experienced.

This PAW provides access to the bus service on Dampier Avenue, the local delicatessen, Dampier Park (Reserve 39187) and the beach. (Please see Attachment 1). The location of the bus stops and the delicatessen on Dampier Avenue is such that if the PAW is closed, the additional walking distance to these facilities is not considered excessive. Only one public submission objecting to the proposal was received, and it stated that the PAW was regularly used by all members of the family to the various locations as mentioned above.

From a planning perspective this PAW is not in a critical location, as the key PAWS in the area are the two inter-linking PAWS leading from Tifera Circle to Alycon Place and Sulina Place, along with the PAW that leads directly from Tifera Circle to Dampier Avenue. The existence of the subject PAW in the network of accessways does not appear to be crucial and there has been very little public opposition in relation to this proposal. Lack of opposition would seem to indicate that this PAW is not regularly used by the community at large. Based on the foregoing, and the anti-social behaviour being experienced by adjoining landowners, closure of the PAW could be considered by Council.

DETAILS

The letter of application from the four adjoining landowners stated that their reasons for wishing this PAW closed were numerous. Graffiti on fences in the PAW; cans and stones being thrown onto roofs resulting in cracked and broken tiles; rubbish being thrown in the PAW; rowdy and drunken youths found lying in and around the PAW on week-ends.

The City referred this application to the service authorities, the Western Australian Planning Commission and the Department of Transport. Telstra, Alinta Gas and Western Power do not have any service plant within the PAW and therefore have raised no objections to the proposal.

The Water Corporation objected to the proposal due to having a sewer main located within the PAW. This objection will be withdrawn if the one adjoining landowner that is affected agrees to grant an easement, free of cost, to protect Corporation plant. The Water Corporation also required agreement to a condition regarding the location of new boundaries in relation to existing sewer manholes. The adjoining landowners concerned have agreed to the Water Corporation's conditions specific to their properties. Three of the applicants have agreed to pay the overall costs to closing the PAW.

The City has stormwater drainage plant within the PAW that will also require the protection of an easement. This would be at the expense of the three applicants' acquiring the land, and the City is awaiting written confirmation from the adjoining landowners concerned regarding this matter.

The Western Australian Planning Commission has not raised any objection to the proposal. The Department of Transport does not object to closure of the accessway, as it will have minimal impact on access to bus stops located on Dampier Avenue.

Public Advertising

The proposed closure was advertised for thirty days and during that time, the City received two submissions. One was an objection from a resident of Eclipse Circle who stated his family uses the accessway regularly. It is used for access both day and night, to the bus stop on Dampier Avenue, the local delicatessen, Mullaloo Beach and Northshore Beach areas and regular walking of their pet dogs. The objector states that his family has never noticed any excessive graffiti, litter or anti-social problems associated with the subject PAW.

The other public submission was from one of the adjoining landowners to the PAW, reiterating many of the concerns stated in the original letter requesting closure.

Site Inspection

A recent site inspection revealed the PAW to have very little rubbish although some broken glass was evident. There was graffiti on the adjoining fences that had been painted over. The PAW runs down towards Tifera Circle and daytime visibility was reasonable, though could be improved if the overhanging trees were cut back. It did not have any lighting so it is assumed night visibility is likely to be poor. (Please see Attachment 2).

COMMENT

The Water Corporation is the only service authority that has objected to this proposal, as it has service plant within the PAW that would affect two of the adjoining properties should the PAW be closed. However, this objection will be withdrawn if certain conditions are met and the affected landowners have agreed to these conditions. The Western Australian Planning Commission and the Department of Transport have not raised any objections to the proposal.

When there are a number of PAWS in proximity to each other, they often form a pedestrian network. This network usually offers convenience to pedestrians and cyclists by forming a link to various local amenities. The subject PAW's position in the small network of accessways in this area, does not appear to be so significant that its closure would have a dramatic impact in the PAW network overall.

During the thirty day public advertising period, only one objection was received, though it is stated that all six family members use the accessway on a regular basis. A single objection over a thirty day advertising period suggests that the subject PAW is not widely used by the community at large.

In addition, for the family that objected, the extra walking distance incurred does not appear to be excessive. Based on the above information, it is considered the application to close the pedestrian accessway between Eclipse Crescent and Tifera Circle, Kallaroo should be supported.

RECOMMENDATION**THAT Council:**

- 1 SUPPORTS the application to close the pedestrian accessway between Tifera Circle and Eclipse Crescent, Kallaroo, subject to the benefiting landowners meeting all of the necessary costs and conditions, including the granting of an easement to the City of Joondalup to protect drainage plant;**
- 2 REQUESTS the Department of Land Administration to formally close the accessway and dispose of the land to the adjoining landowners.**

Attachment 10 refers – click here: [Attach10brf270600.pdf](#)

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ITEM 14 PROPOSED PIGEON LOFT, ENCLOSURE AND KEEPING OF PIGEONS AT LOT 45 (9) SPOONBILL GROVE, KINGSLEY - [22430]

WARD - South

SUMMARY

An application has been received for keeping of pigeons within a pigeon loft, and pigeon enclosure on Lot 45 (9) Spoonbill Grove, Kingsley.

The pigeon loft and separate enclosure have been constructed without Council approval. The location of the loft does not conform to the provisions of Council's Town Planning Scheme No 1 (TPS1).

The City's Local Laws relating to keeping of pigeons allows up to 150 pigeons to be kept, (excluding young birds), if the applicant is a financial member of a registered incorporated racing pigeon body, as a registered pigeon fancier. The enclosures house between 100 and 120 pigeons.

The applicants have prepared a submission requesting that approval be granted for the loft and enclosure: The options presented include:

- Option 1 Slightly move the pigeon loft away from the rear boundary and retain 1.2 metre side setback.
- Option 2 Relocate the pigeon loft 10.0 metres from the rear boundary and 6.5 metres from the side boundary to comply with TPS1 setback requirements.

The proposal was advertised and objections were raised by an adjoining landowner regarding perceived environmental and health issues and the contravention of side setbacks within the Special Residential zone. Two additional submissions in support of Option 1 were received from the adjoining side landowners.

The keeping of pigeons is considered to be an integral component of the Residential use of the property. Approval for the proposal requires the Council to exercise discretion under Town Planning Scheme No 1 to vary the building setbacks within the Special Residential zone. It is recommended that Council approve Option 1 (described above). The preferred option will have the least impact on neighbouring owners in terms of residential amenity.

BACKGROUND

Lot	45
Street Address	9 Spoonbill Grove, Kingsley
Land Owner	Alfred and Gillian Scerri
Applicant	Alfred and Gillian Scerri
MRS Zoning	Urban
TPS Zoning	Special Residential
Land Use	Single House & keeping of pigeons
Permissibility of Use	Permitted 'P' – Single House (keeping of pigeons)
Lot Area	2,062m ²

The City has received previous complaints about the pigeons from one of the adjoining landowners relating to noise, health, privacy and lifestyle impacts associated with keeping of pigeons. Noise is caused by pigeons cooing at night and when they fly to and from the property. The health issues relate to the fine dust from the fluttering of the pigeons during flights, the burying of the bird litter and bird droppings. The rear landowners claim they are not able to open their bedroom windows, which face the above property to take advantage of natural ventilation in summer due to these impacts.

The owners were requested to submit an Application for Approval to Commence Development for the keeping of pigeons and lofts in a revised location. The City has received advice from its solicitors that it is not possible for the City to issue retrospective planning approvals for existing development under TPS1.

The proposal was referred to the adjoining landowners for comment. At the close of the submission period, one (1) objection and two (2) submissions in support of Option 1 were received from adjoining landowners.

The objection was considered in detail and is summarised as follows:

- Option 1 does not comply with setback requirements;
- The existing wire enclosure (stock pigeons) faces the objector's lot;
- Noise and dust emissions are directed towards rear house (bedroom) with Option 2;
- Health concerns exist relating to the keeping of pigeons. The applicant's house is well shielded from the loft.
- Under Option 1, the loft should be moved 10.0 metres from the rear boundary and the existing pigeon enclosure be bricked up on the north side; and
- Under Option 2, the opening should face south, not north.

The proposal was referred to the Director Planning and Development for determination under Delegated Authority on 4 May 2000 and 18 May 2000 where it was decided to defer the proposal pending further investigation of the:

- Approach to keeping pigeons in other Councils;
- Current approvals issued in the City for the keeping of pigeons.

These issues are discussed below.

Local Laws in City of Joondalup and other Local Governments

Prior to February 1998, a maximum of 75 pigeons were allowed under the former City Health By-Laws. The Health Department of WA set pigeon numbers at 150 and the City subsequently set its maximum at that figure within its recently revised Local Law. This figure was to cater for the start of the racing season and the annual depletion of pigeons over the season.

As part of the assessment process for the proposal, the following local governments were contacted to determine maximum number of pigeons allowed in their localities:

Local Authority	No of Pigeons Allowed As of Right	Total Number of Pigeons Allowed if Applicant is a Member of a Recognized Pigeon Association/Racing Pigeon Body
Shire of Swan	20	75
City of Canning	10	100
City of Stirling	30	75
City of Wanneroo	20	150
City of Joondalup	20	150

Approvals in the City of Joondalup

There are currently 9 properties (below) where the keeping of up to 150 pigeons has been approved. The City did not exercise any planning discretion in relation to the location of lofts for those approvals.

Property Address	Lot Area
Ricketts Way, Greenwood	751m ²
Warner Drive, Padbury	684m ²
Conidae Drive, Heathridge	747m ²
Smallman Way, Greenwood	740m ²
Cumberland Way, Beldon	725m ²
Seaflower Crescent, Craigie	683m ²
Dillenia Way, Greenwood	804m ²
Island Place, Heathridge	683m ²
Clontarf Street, Sorrento	706m ²

(There are currently no other pigeon keeping approvals in close proximity to the subject lot).

The applicant's submission in support of the proposal states that:

- *“The pigeon loft was erected in the current position as it is claimed no advice was given that planning approval and a building licence for the structures were required. These approvals are in addition to a licence for keeping pigeons under the Health Local Laws;*

- *Preference is for Option 1 as the opening would be to the East and not to the north which is the direction of the objector's property. This location is also conducive to the health of the pigeons and keeps the male pigeons furthest from the rear property.*
- *The earliest possible time to commence relocation and works is after the racing season (October) so that racing preparation is not affected and also allows the trapping of pigeons;*
- *According to the owner, the stock pigeons are kept in the existing enclosure (chicken coop) on the property. Pigeon numbers vary from between 100 to 120 and is dependant on the breeding season, racing season and loss of pigeons during flights;*
- *Pigeons are released daily for exercise and race preparation; and*
- *Pigeons require adequate sunshine to keep healthy."*

DETAILS

The development proposal consists of the following elements.

In the main pigeon loft (the female and male) racing pigeons are divided into compartments. A separate wire pigeon enclosure housing 15 stock birds is currently situated behind an existing garage facing the rear boundary. The racing pigeons are let out daily for exercise and training. Currently between 100-120 pigeons are kept, excluding young pigeons.

The applicant has lodged a proposal that includes two options, (plus a request for status quo) in an attempt to satisfy the City's requirements. In both the options the number of pigeons remains between 100-120.

Option 1 entails moving the pigeon loft further away from the rear boundary to achieve a rear setback (north) of approximately 4 metres with a side setback of 1.2 metres to the west. Option 1 requires a variation to setbacks as the required rear setback is 10.0 metres and the side setbacks are 5 metres for building structures within the Special Residential zone. The enclosure for the stock pigeons is to remain.

Option 2 includes relocating the existing pigeon loft to be setback 10 metres from the rear (north) boundary and 6.5 metres to the side (west boundary), and attach the enclosure for the stock pigeons to the loft.

COMMENT

The main issues to be considered are as follows:

- The reasonableness of keeping of pigeons under clause 5.37(f) of TPS1 within a Special Residential area;
- The total number of pigeons (100-120) allowed. The Health Local Laws enable the City to approve up to 150 birds and therefore a lesser amount could be approved given the residential location, size of lot and siting of loft and rear neighbour's residence.
- The City has discretion under TPS1 to vary setbacks requested under Option 1;

- The validity of the objection received from the rear landowner relating to environmental, health issues and variation to setback requirements. These concerns were investigated by the City and cannot be substantiated from the health viewpoint. Noise and health impacts have been investigated by the City according to the Environmental Protection (Noise) Regulations 1997 and Health Act and there are no proven impacts on any of the neighbours. While it is accepted there is some noise from “cooing” of pigeons, this is not to the extent that there is a detrimental impact off site to adjoining landowners, in terms of the Environmental Protection Noise Regulations. Further screening of the loft would help to reduce visual and noise occurring; and
- The relevance of the current Health Local Laws relating to the keeping of pigeons.

The current Health Local Laws relating to keeping of pigeons were relevant to the larger rural lots within the former City of Wanneroo, but may not be appropriate for suburban residential lots within the City of Joondalup. Residential lots within the City of Joondalup range in area from about 280m² to approximately 2000m², compared to the large range of lot sizes in the old City of Wanneroo.

On the above basis, there would seem reasonable grounds to consider the review of the Local Laws, taking into account the predominantly suburban nature of lots in the City.

While Option 2 would satisfy all the setback requirements of TPS1 and the Health Local Laws, the opening will face north and could increase the perception of intrusion to the neighbour. No openings are proposed to the south due the prevailing winds from the south.

Option 1 is preferred because it would, minimise visual intrusion and provide less noise emission to neighbouring lot to the rear. Reduced setbacks are therefore warranted in this instance.

Option 1 involves moving the existing pigeon loft 4.0 metres away from the rear (north) boundary. This option includes the retention of the separate existing wire enclosure to house stock birds.

Additional measures could also be introduced to attenuate amenity impact to the rear neighbour, such as:

- The loft should be fitted with louvres on the eastern side. Louvres could be hinged so that they could be removed during the day and replaced during the night. This would reduce the noise from male pigeons cooing at night during the breeding season. These measures would darken the loft and stop pigeons being active at night and also deflect noise away from objector’s property. Furthermore, the opening to the loft faces the east and not the north towards the objector’s property; and
- It is further recommended that screen fencing be erected along the northern side of the pigeon loft and stock pigeon wire enclosure to reduce the visual impact together with screen planting. This should also reduce noise;

In recognition of concern over the population of birds, the number of pigeons could also be limited to 120 for this season till December 2000, and thereafter reduced to 100 (excluding young birds) based on the location of the loft, the orientation of development and proximity to the rear residence. The reduction to 100 pigeons is considered reasonable as approvals issued

to other pigeon owners is currently 150 maximum, even though those lots are smaller when compared with the above site. As the Local Law licences are issued on a yearly basis, there would be opportunity to reduce pigeon numbers if the Local Laws were changed to reduce pigeon numbers at a later point in time.

RECOMMENDATION

That Council:

- 1 EXERCISES DISCRETION for the development of a pigeon loft and wire pigeon enclosure, described as Option 1 of the Development Application dated 8 February 2000 at Lot 45 (9) Spoonbill Grove, Kingsley, pursuant to clause 5.9 of the City of Joondalup Town Planning Scheme No 1 to relax the side setback from 5.0 metre to 1.2 metres and the rear setback from 10.0 metres to 4.0 metres on the basis that to require the proposal to comply with the setback requirements would have a greater adverse impact on the amenity of the rear landowner;**
- 2 APPROVES the application for a pigeon loft and wire pigeon enclosure described as Option One of the Development Application dated 8 February 2000 under clause 5.37(f) of TPS1 on Lot 45 (9) Spoonbill Grove, Kingsley, subject to the following conditions:**
 - (a) All stormwater to be collected on site and disposed of in a manner acceptable to the City;**
 - (b) Louvers being fitted to the pigeon loft;**
 - (c) The pigeon and stock pigeon enclosure both being screened from view of the rear property by fibre sheeting or similar and screen landscaping on the north boundary, within 60 days to the satisfaction of the City;**
 - (d) The number of pigeons to be limited to 120 till 31 December 2000 and further limited to 100 effective from 1 January 2001, excluding young birds; and**
 - (e) All works associated with the relocation of the loft to be commenced within 1 month of the completion of the pigeon racing season, ie October 2000;**
- 3 ADVISES the applicant that the approval in (2) above is subject to a building licence application being acquired and separate application for the keeping of pigeons under the City's Health Local Laws being submitted;**
- 4 REVIEWS the City's Health Local Laws relating to the maximum number of pigeons allowed to be kept on a property.**

ITEM 15 DELEGATED AUTHORITY REPORT - [07032]**WARD - All**

SUMMARY

This report provides a resumé of the development applications processed by Delegated Authority from 1 May to 31 May 2000.

RECOMMENDATION

That Council NOTES the determinations made under Delegated Authority in relation to the applications described in this report.

Attachment 12 refers – click here: [Attach12brf270600.pdf](#)

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ITEM 16 SUBDIVISION REFERRALS PROCESSED 1 MAY – 31 MAY 2000 – [05961]

WARD - All

SUMMARY

Overleaf is a schedule of the Subdivision Referrals processed by the Subdivision Control Unit (SCU), from 1 May to 31 May 2000. Applications processed via the SCU were dealt with in terms of the delegation of subdivision control powers by the Chief Executive Officer (DP247-10/97 and DP10-01/98).

DETAILS

The total number of subdivisions processed will enable the potential creation of 85 additional residential lots, and 7 additional strata lots. The average processing time taken was 11 days.

RECOMMENDATION

That Council NOTES the action taken by the Subdivision Control Unit in relation to the applications described in this Report.

Attachment 13 refers – click here: [Attach13brf270600.pdf](#)

**BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS –
click here:** [outstandingbusiness.pdf](#)

