



MINUTES OF COUNCIL MEETING
HELD ON 10 OCTOBER 2000

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NOTICE OF MOTION – CR ANDREW NIXON	85/13
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CITY OF JOONDALUP

MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER,
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY,
10 OCTOBER 2000

OPEN AND WELCOME

The Mayor declared the meeting open at 1900 hrs.

ATTENDANCES

Mayor:

J BOMBAK, JP

Elected Members:

Cr L A EWEN-CHAPPELL	Lakeside Ward	
Cr D S CARLOS	Marina Ward	
Cr S P MAGYAR	Marina Ward	
Cr A T NIXON	North Coastal Ward	<i>to 2045 hrs</i>
Cr J F HOLLYWOOD, JP	North Coastal Ward	<i>Absent from 1958 hrs to 2013 hrs</i>
Cr A A WALKER	Pinnaroo Ward	
Cr P ROWLANDS	Pinnaroo Ward	<i>from 1940 hrs</i>
Cr T BARNETT	South Ward	
Cr A W WIGHT, JP	South Ward	
Cr A L PATTERSON	South Coastal Ward	<i>Absent from 2050 hrs to 2053 hrs</i>
Cr G KENWORTHY	South Coastal Ward	<i>Absent from 2043 hrs to 2045 hrs</i>
Cr J A HURST	Whitfords Ward	<i>Absent from 2055 hrs to 2057 hrs</i>
Cr C MACKINTOSH	Whitfords Ward	<i>Absent from 2057 hrs to 2059 hrs</i>

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Planning & Development:	C HIGHAM
Director, Infrastructure Management:	D DJULBIC
Director, Community Development:	C HALL
Executive Manager, Strategic Planning:	R FISCHER
Manager, Strategic Finance:	A SCOTT
Manager, Executive Services:	K ROBINSON
Manager, Council Support Services:	M SMITH
Publicity Officer:	L BRENNAN
Committee Clerk:	J AUSTIN
Minute Clerk:	L TAYLOR

In Attendance

Ms Pat Tassell, Joondalup Lotteries House

The Mayor welcomed Ms Pat Tassell, Joondalup Lotteries House, as this evening's invited guest and advised this was part of an initiative he had introduced earlier this year.

Ms Tassell thanked the Mayor and Councillors for the opportunity to address elected members this evening, and also for the opportunity of sharing a meal.

Ms Tassell stated she was the Chairperson of Joondalup Lotteries House and advised the Annual General Meeting was to be held Thursday, 12 October 2000. She urged members of the community to participate in this worthwhile organisation.

Joondalup Lotteries House accommodates 12 community groups, such as Relationships Australia, Red Cross, Wanneroo Accommodation and a range of groups, providing services to people in the local community.

Ms Tassell advised she had served five years on the Steering Committee, and two years as Chairperson and stated she was looking forward to working on future projects and valued the support provided by the City of Joondalup.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved:

Cr P Kadak: 10 September to 13 October 2000

Late Apology - Cr P Rowlands

There were 24 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

The following questions, submitted by Mr D Davies on behalf of the Connolly Residents Association, were taken on notice at the Council meeting held on 26 September 2000:

Q1 Was there a needs survey required prior to the approval for this Civic Chamber building, which was approved and built during a time when it was common knowledge that the Wanneroo City was going to be split leaving vacant space in abundance in the old and new building?

A1 Yes. There was a major study and Master Planning exercise undertaken for the Civic and Culture precinct prior to the construction of the Civic Chambers. The project for the Civic Chambers and other facilities in the precinct involved extensive consultation with Councillors and public before the construction was approved. The planning for the project was undertaken long before any talk of a division was raised by the State Government.

- Q2 Was the \$638,000 for the Woodvale Community Centre jointly funded by the City?*
- A2 Funding was provided by the:-
- Lotteries Commission \$160,000,
 - Home and Community Care Program (a joint Commonwealth and State program) \$206,000 (60% by the Commonwealth and 40% by the State).
 - City of Joondalup provided \$282,000 and the land. The Council also has ongoing maintenance responsibility for the building and grounds.
- Q3 If so, did the Commissioners and Administration recommend the approval of joint funding?*
- A3 The funding for the Centre was approved as a major Regional Community Centre after a detailed human services planning exercise and approved by the elected Council in 1997.
- Q4. Were there any petitions from people of Woodvale for a community centre as is the case of Connolly?*
- A4 No. The Woodvale centre is a specialist facility providing services for aged and disabled persons. To qualify for funding the need for such a centre was assessed and agreed by the government funding providers in 1998, again after a detailed need assessment done in conjunction with Government Departments.
- Q5 If it was a jointly funded project, was the decision in any way related to the fact that Government appointed Commissioners were running the City at the time and Woodvale happens to fall in a Government Minister's electorate, bearing in mind the same Commissioners rejected joint funding for Connolly in a most undemocratic manner.*
- A5 No, the commitment for the project was made in 1997 before Commissioners were appointed.

The following questions were submitted by Mr M Sideris, Mullaloo:

- Q1 Can you please advise how many property owners/occupiers short paid the amount due in 2000/2001 rate notices and are now in arrears?*
- A1 At 26 September 2000 there were 6,052 properties that had outstanding rates/charges (including instalment amounts paid after the due date) levied in 2000/01.
- Q2 How many have written or contacted the Council as to why they short paid?*
- A2 26 ratepayers have written to the City to advise why they short paid.
- Q3 Can you please advise the current status of Bushplan – Appointment of Consultant (CJ106-05/00) Lot 1029 and Lot 1032 Ocean Reef.*
- A3 Consultant “The Planning Group” has been engaged, in conjunction with sub-consultants “Mattiske Consulting Pty Ltd”. A report on the botanical values of Lot 1029 has been prepared to support negotiations with the Bush Plan Reference Group. These negotiations are on-going. Lot 1032 is not impacted by Bush Plan.

- Q4 Can you please advise if discussions (formal or informal) have been held with Council officers and the owners of Mullaloo Tavern in the last six months as to the possibility of the rezoning of the adjacent lot/lots for commercial development.*
- A4 Discussions have been held with the owners of the Mullaloo Tavern within the last six months, on the future potential of the Tavern site. However, there have been no discussions on the possibility of rezoning of the adjacent land for commercial development.
- Q5 Can you please provide details of the City of Joondalup's current car parking requirements for commercial developments and when they were adopted as policy.*
- A5 Detailed carparking requirements adopted under Town Planning Scheme No. 1 are provided. Appendix 7 refers: To access this attachment on electronic document, click here: [Attach7min101000.pdf](#)

The following questions were submitted by Mr M O'Brien, Warwick:

- Q1 Did the City of Joondalup provide "measurable" property surveillance and security" to property No 140214, Lot 825, 45 Aberdare Way, Warwick 6024 during the period Thursday 1 July 1999 to Friday 30 June 2000 inclusive?*
- Q2 If such "prescribed service" was provided to our land during the period Thursday 1 July 1999 to Friday 30 June 2000, what were the specific dates and times of day of such "measurable provisions"?*
- Q3 If a "measurable prescribed service" was provided to our land between the dates mentioned in questions 1 and 2, did the officers of the City and/or its contracted private company's employees comply with the Statutory Provisions of the Surveillance Devices Act 1998 and the Surveillance Devices Regulations 1999 during any such "surveillance" operations?*
- Q4 Is there a specific "measurable" surveillance of Property No 140214 Lot 825, 45 Aberdare Way, Warwick, being undertaken at present by the City's officers and/or its contractors?*
- Q5 If there is a specific "measurable" surveillance activity being undertaken in regard to our land being Lot 825 aforementioned, what were the specific times and dates our land has been attended since Friday 30 June 2000 by way of a "surveillance service" either by the Council's officers and/or its contractors?*

These questions will be taken on notice.

The following questions were submitted by Mr M Baird, Duncraig:

- Q1 Why has the role of the Dry Parks Median and Verge Committee been restricted to only new applications, in regard to administering the implementation and application of the selection criteria. The motion passed by Council 13 June 2000 has no such restrictions, implied or stated, so why should the terms of reference for this committee introduce this limitation.*

- Q2 Why would the Committee choose to limit its role to new applications, given the obvious distortion of the selection criteria, in justifying the development of individual bores in Wanbrow and Killen Parks (total \$85,265) and the ever-changing justification for Cinque Ports (still budgeted for a bore and a total outlay of \$46,000).*
- Q3 When is the Dry Parks Median and Verge Committee going to report on the 2000/2001 budgeted development program, or does the Committee consider that it should be progressed as outlined?*
- Q4 When is the Council going to implement the procedures relating to establishing or changing policy in regard to the Dry Park and Median Verge selection criteria and the change in budget allocation share (from 50/50 to 30/70). It is my belief that the newly endorsed criteria and revised allocation of funds should come under the procedures set out in the Joondalup Town Planning Scheme, to enable public comment and submissions.*

These questions will be taken on notice.

Mr R De Gruchy, Sorrento:

- Q1 Would you please advise the current situation regarding construction of the new works depot? When and where will it be built, and the approximate cost?*
- A1 Response by Executive Manager, Strategic Planning: Construction of the works depot is dependent upon the City negotiating a suitable site. Those negotiations have commenced. There are various components to the cost, including land and the facilities themselves. The question of cost will be taken on notice.*
- Q2 When will the performing arts centre be built; what is the total cost, and what chance has the City of Joondalup have of financial assistance from the State or Federal governments?*
- A1 Response by Executive Manager, Strategic Planning: It has not yet been determined when the facility will be built. Consultants have indicated that the demands for a performing arts facility in Joondalup is quite high and are looking at the feasibility, including an assessment of the capital cost and operating cost of the building. Documentation is currently being prepared to help solicit funding from government and other sources for a performing arts centre.*
- Q3 What chance is there of obtaining State or Federal government assistance?*
- A3 Response by Mayor Bombak: That is unknown at this stage.*
- Q4 Why were instructions given to cease restocking of the shop at the reception area at Craigie Leisure Centre. Is management aware that many items are out of stock and do you believe that such a situation is a proper way of providing good service to ratepayers and users of the centre's facilities?*
- A4 Response by Director Community Development: I am unaware that restocking has ceased and will investigate the matter and advise Mr De Gruchy as soon as possible.*

Mr David Bignold, Connolly:

Q1 In relation to the Notice of Motion, did Cr Nixon draft this motion himself, and if not, who assisted in drafting the motion?

A1 Response by Cr Nixon: I drafted the motion myself.

Q2 In light of recent events to the Joondalup City Times, will the motion still proceed?

A2 Response by Cr Nixon: I still hope to move this motion.

Mr M Baird, Duncraig:

Q1 Who authorised the bringing forward of the development of Cinque Ports Park into the 2000/01 budget and authorised the changes associated with that development from those endorsed by the Council at its meeting on 23 May 2000?

A1 Response by Director Infrastructure Management: This question will be taken on notice.

Q2 In the draft Capital Works Programme there are three parks of .5 ha or less that would not qualify for bores to be installed under the current criteria, being Wanbrow, Killen and Cinque Ports Parks, yet they are costed at \$131,000. Does Council condone these 'flaky' budget figures?

A2 Response by Director Infrastructure Management: Budget figures were compiled by experienced staff and I am sure Council would not condone any 'flaky' figures but I do not consider they are 'flaky'.

Q3 I would ask Council to review the figures for these three parks.

A3 Response by Mayor Bombak: The Director Infrastructure Management will look at this request.

Mr M Sideris, Mullaloo:

Q1 With respect to the answer provided earlier in the meeting to Question 2, how many people have contacted Council, either in writing, verbally or in person, and complained on any issue related to the security charge?

Q2 With respect to the answer given at the last Council meeting indicating the orders of allocation of receipts, can you advise why I have been singled out and treated differently to any other ratepayer, because that order of allocation was not conveyed to me by Council?

Q3 Can you please provide me with a copy of the Council's cash hierarchy policy for the order of allocation of receipts.

A1-3 Response by Mayor Bombak: These questions will be taken on notice.

- Q4 There was a recent newspaper advertisement for Co-ordinator, City Watch; could you please advise as to what is proposed for this position and what would be the outcome if the forthcoming referendum does not support the continuation of the 34 patrol guards.*
- A4 Response by Director Community Development: The position has been established as a temporary position and developed as part of the restructuring of Ranger Services to bring about the changes to the City Watch service required through to the end of the financial year. The tenure of appointment will be negotiated with the successful applicant in view of Council's decisions regarding the proposed referendum in May 2001. I would be happy to provide Mr Sideris with a copy of the position description and to outline the objectives of the position.*
- Q5 I have copies of the service agreement and I find no reference to establishing this additional position.*
- A5 Response by Director Community Development: The service agreement referred to outlines the specifications for the delivery of the service under the revamped City Watch service. The administration is currently in the process of implementing that service level agreement, part of that implementation requires the sourcing of staff to run the internal component of the City Watch service which will be responsible for operating two of the six zones proposed in the specifications.*
- Q6 How much is this person being paid to manage two precincts and why doesn't the Strategic Coordinator take this responsibility?*
- A6 Response by Director Community Development: It is not only the two zones which will be co-ordinated; it is also the external contract that is currently out to tender. The position of Strategic Coordinator for the Safer Community programme is an entirely different position.*
- Q7 Can I have a copy of that position description also?*
- A7 Response by Director Community Development: This will be provided.*

Mr M O'Brien, Warwick:

- Q1 On 12 September the Chief Executive Officer in answer to a question said that in best practice in business it is considered to be fairer to issue a flat rate on a service, an example being a rubbish charge. On examination of the GRV system, and the system of adopting a flat tax as a way of a \$27 tax for the security and surveillance levy, it comes to light that Whitford City shopping centre gets a tax concession of \$51,797.65 per annum. Does the CEO consider that is best business practice for the shareholders of Whitford City centre or for the landowners who are taxed under the normal provisions for the GRV system, such as pensioners who pay more than they ought to pay for the tax levy as a flat charge?*
- A1 Response by Chief Executive Officer: As in the example of waste management, it is normal that, where everyone enjoys the same service, everyone is charged the same rate, hence the reason why the Act treats it that way. The Act also, within its Regulations, lays down a security charge and other charges under Clause 54 of Financial Management Regulations. The Department also feels it best practice that*

there is a flat rate, that those that enjoy the same service should pay the same fee. That does not prevent any Council giving a concession or reduction to any particular group within the community; some Councils give a discount to pensioners.

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Cr Carlos submitted the following questions at the Council meeting held on 26 September 2000:

Clause 3.2 of Standing Orders allows for Councillors to ask “Questions of which due notice has been given.” Accordingly I assert my right under this section of Standing Orders to ask the following questions.

On 07-09-1999, the Commissioners resolved, Item JSC30-08/99, “In accordance with the provisions of Section 6.32 and 6.38 of the Local Government Act 1995 impose for the 1999/00 financial year, a security levy of \$27.00, on each piece of land (rateable and non rateable).

Q1 How many non-rateable pieces of land were there in the City of Joondalup at the time when this resolution was passed?

A1 1,422

Q2 How many notices to collect the Security Levy were issued to the owners of the pieces of non-rateable land?

A2 130

Q3 How much money was collected from the owners of the non-rateable land?

A3 \$3,537 was billed. \$3,510 has been paid, \$27 remains unpaid.

Q4 How many pieces of non-rateable land does the City of Joondalup own?

A4 135

Q5 How many pieces of non-rateable land are vested in the City of Joondalup to the City of Joondalup?

A5 452

Q6 How much money was transferred from the Municipal Fund to the Security Levy Fund to comply with the Commissioners’ resolution JSC30-08/99?

A6 Nil. The City did not invoice itself.

Q7 Considering that on 2nd August 2000, this Council resolved through Item JSC27-08.00, to apply a Security Charge of \$27.00 on each piece of land (rateable and non rateable), can this chamber be informed of the following:

- Q7.1 How many non-rateable pieces of land were there in the City of Joondalup at the time when this resolution was passed?*
- A7.1 1,422
- Q7.2 How many notices to collect the Security Levy were issued to the owners of the pieces of non-rateable land?*
- A7.2 130
- Q7.3 How much money has been collected from the owners of the non-rateable land?*
- A7.3 \$3,429 was billed. \$2,781 has been paid, \$648 remains unpaid.
- Q7.4 How many pieces of non-rateable does the City of Joondalup own?*
- A7.4 135
- Q7.5 How many pieces of non-rateable land are vested in the City of Joondalup to the City of Joondalup?*
- A7.5 464
- Q7.6 How much money was transferred from the Municipal Fund to the Security Levy Fund to comply with the Council's resolution JSC27-08/00?*
- A7.6 Nil. The City did not invoice itself.

DECLARATIONS OF FINANCIAL INTEREST

Cr Hollywood declared an interest in Item C59-10/00 – Notice of Motion Cr Andrew Nixon as he has an interest in a local newspaper.

Cr Wight declared a non-financial interest in Item CJ279-10/00 as he has an association with the Beaumaris Sports Club.

CONFIRMATION OF MINUTES

C56-10/00 MINUTES OF COUNCIL MEETING – 26 SEPTEMBER 2000

MOVED Cr Wight, SECONDED Cr Kenworthy that the Minutes of the Council Meeting held on 26 September 2000, be confirmed as a true and correct record.

The Motion was Put and

CARRIED

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

CURRAMBINE COMMUNITY CENTRE

Representatives of Currambine's young people, seniors, residents, schools, the shopping centre and the City have met to discuss the proposed new community centre.

The meeting was to provide feedback on community consultation and to gain input for the finalisation of the design brief.

WOODVALE CONSULTATION

Further consultation is to be carried out on local needs for the Woodvale community centre.

The City wants to ensure the facility is meeting the needs of the community and establish a group of key stakeholders to be consulted on any changes in community use.

50 KPH SPEED LIMIT

Main Roads WA will consult with the City on which roads will be subject to the new 50 kph speed limit.

From 1 December 2000, all local access and distributor roads in the metropolitan area will be subject to the new limit.

Signage will be progressively installed between February and April 2001.

Main Roads WA will be responsible for the cost and will also conduct a comprehensive community education campaign.

HILLARYS ANIMAL EXERCISE AREAS

City Rangers conducted another special operation in the Hillarys animal exercise area on the long weekend.

126 people were cautioned for offences ranging from dogs not on a leash, to permitting dogs to foul in a public place.

Rangers will continue this operation for the next three weekends.

ENVIRONMENTAL PROTECTION – POLICY 2000

Environment Minister, Cheryl Edwardes has invited comment on three documents relating to the protection of wetlands.

The major one is the "draft Swan Coastal Plain Wetlands Policy".

This is of particular relevance to the City, given the presence of regionally significant wetlands such as Lake Joondalup (Yellagonga Regional Park).

People wishing to comment should contact the City's Local Agenda 21 officer, John Goldsmith.

YOUTH PARLIAMENT

Three members of the City's Youth Advisory Councils' took part in the annual State Youth Parliament at Parliament House. They were Natasha Newman, Viet Nguyen and Sara McMillan.

Participants elected Viet Nguyen Deputy Premier for the duration of the Youth Parliament.

Congratulations to all participants.

PETITIONS

C57-10/00 PETITIONS SUBMITTED TO THE COUNCIL MEETING – 10 OCTOBER 2000

1 PETITION IN RELATION TO TRANSFER OF COMMUNITY SERVICES TO THE COMMUNITY-BASED SECTOR AND NEW ROLE FOR COMMUNITY SERVICES – [40958]

Three petitions of 34-signatures, 158-signatures and 8-signatures respectively have been received from residents of the City of Joondalup requesting that the City consider the following points in discussion of this matter, as addressed in the submission by concerned carers and parents, City of Joondalup Family Day Care Scheme dated 21 September 2000:

- (a) carer/parent representation on the Board of the new organisation;
- (b) further study into the family day care component of a new organisation;
- (c) Commonwealth funding intended for family day care to be directed entirely to the new FDC scheme;
- (d) Quality of care currently provided to be maintained and improved upon through training and professional development.

These petitions will be referred to Community Development for action.

2 PETITION REQUESTING CONSTRUCTION OF A SKATEPARK AT LEXCEN PARK, OCEAN REEF – [06131]

Cr Carlos submitted a 167-signature petition from residents of the City of Joondalup requesting construction of a skatepark at Lexcen Park, Ocean Reef similar to those built at Margaret and Mandurah.

This petition will be referred to Community Development for action.

3 PETITION IN PROTEST OF INADEQUATE TREATMENT APPLIED TO STAGES 1-4 KINROSS AND DETERIORATION OF SUBURB

Cr Hollywood submitted a 240-signature petition from residents of the City of Joondalup in protest at the inadequate treatment applied to Stages 1-4 Kinross and also the deterioration of the suburb as a whole.

Cr Hollywood advised the Dry Parks, Median and Verge Committee would be conducting a tour of the City and would look at this as part of the tour.

This petition will be referred to Infrastructure Management for action.

4 PETITION REQUESTING REMOVAL AND RELOCATION OF BMX TRACK AT MENTEITH PARK, KINROSS – [41676] [51079]

Cr Hollywood submitted a 31-signature petition from Kinross residents requesting the removal of the BMX track situated at Menteith Park, Kinross and relocating it to a more appropriate site within the suburb.

This petition will be referred to Infrastructure Management.

MOVED Cr Hurst, SECONDED Cr Nixon that the petitions:

- 1 requesting that the City consider the following points in discussion of this matter, as addressed in the submission by concerned carers and parents, City of Joondalup Family Day Care Scheme dated 21 September 2000;
- 2 requesting construction of a skatepark at Lexcen Park, Ocean Reef similar to those built at Margaret and Mandurah.
- 3 in protest at the inadequate treatment applied to Stages 1-4 Kinross and also the deterioration of the suburb as a whole;
- 4 requesting the removal of the BMX track situated at Menteith Park, Kinross and relocating it to a more appropriate site within the suburb;

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

The Motion was Put and

CARRIED

C58-10/00 NOTICES OF MOTION, SECOND PUBLIC QUESTION TIME, MOTIONS FOR FURTHER ACTION AND QUESTIONS WITH/WITHOUT DUE NOTICE – [36589]

Cr Walker advised she wished to move a procedural motion under Section 3.2 of Standing Orders – “Order of Business at an Ordinary meeting of Council be amended to allow Notices of Motion to be dealt with prior to consideration of reports.

Also to allow a second public question time in order that members of the public gallery may seek clarification on any decisions made during this evening's Council meeting, in addition to allowing for Motions for further Action and Questions With/Without due Notice to be dealt with.

MOVED Cr Walker, SECONDED Cr Magyar that in accordance with Section 3.2 of Standing Orders – “Order of Business at an ordinary meeting of Council”, that the Order of Business be amended to allow Notices of Motion to be dealt with prior to consideration of reports.

The Motion was Put and

CARRIED

MOVED Cr Walker, SECONDED Cr Magyar that in accordance with Section 3.2 of Standing Orders – “Order of Business at an Ordinary meeting of Council”, that a second public question time be permitted at the end of this evening's Council meeting.

The Motion was Put and

CARRIED

MOVED Cr Walker, SECONDED Cr Ewen-Chappell that in accordance with Section 3.2 of Standing Orders – “Order of Business at an Ordinary meeting of Council”, the Order of Business be amended to allow for Motions for further Action.

The Motion was Put and

CARRIED

Cr Rowlands entered the Chamber, the time being 1940 hrs.

MOVED CR WALKER, SECONDED CR MAGYAR that in accordance with Section 3.2 of Standing Orders – “Order of Business at an ordinary meeting of Council”, the Order of Business be amended to allow for Questions With/Without due Notice.

The Motion was Put and

LOST

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

C59-10/00 NOTICE OF MOTION – CR ANDREW NIXON

In accordance with clause 3.12 of the Standing Orders Local Law, Cr Andrew Nixon has given notice of his intention to move the following motions at the Council meeting to be held on Tuesday 10 October 2000.

- 1 That Council publishes all elected members' election campaign statements on the City of Joondalup website on an ongoing basis.**

Cr Nixon provided the following reason for this motion: *“Elected Members' statements are an integral part of our election campaigns. Ratepayers make the choice between one candidate and another based on their belief that the person they vote for will best represent their interests. If the election campaign statements, as originally published during the November 1999 election, are available on the council web-site, then all elected members' performances will be better able to be scrutinised by any interested residents.”*

- 2 That Council divides its advertising, both statutory and non-statutory, evenly between the two or more local papers, subject to the costs quoted being within 10% of each other.**

Cr Nixon provided the following reason for this motion: *“Diversity of media ownership is one of the cornerstones of democracy. It is vitally important that no single paper, whether it be locally-owned or one of a chain of newspapers, be given exclusivity of advertising by Council. Competition, which is the motivating force of a dynamic economy, should be encouraged at all levels. By supporting this motion, we would be promoting this as a Council.”*

MOVED Cr Nixon, SECONDED Cr Walker that Council publishes all elected members’ campaign statements on the City of Joondalup website on an ongoing basis.

Discussion ensued.

AMENDMENT MOVED Cr Magyar, SECONDED Cr Hollywood that the following additional points be added to the Motion:

“That Council:

- 2 PUBLISHES on the City of Joondalup website an elected members’ self reporting page where the elected members report back to the electors on the progress and work that the Councillor has made towards achieving the Councillor’s published election campaign statements;**
- 3 REQUESTS the House Committee to establish the protocols for the self reporting page.”**

Discussion ensued.

The Amendment was Put and

CARRIED

The Motion as amended was Put and

CARRIED

It was requested that the votes of all members present be recorded:

In favour of the Motion: Crs Ewen-Chappell, Carlos, Magyar, Nixon, Hollywood, Walker, Rowlands and Mackintosh.

Against the Motion: Mayor Bombak, Crs Hurst, Kenworthy, Patterson, Wight and Barnett.

Cr Hollywood declared an interest in this item as he has an interest in a local newspaper. Cr Hollywood left the Chamber at this point, the time being 1958 hrs.

MOVED Cr Nixon, SECONDED Cr Magyar that Council DIVIDES its advertising, both statutory and non-statutory, evenly between the two or more local papers, subject to the costs quoted being within 10% of each other.

AMENDMENT MOVED Cr Magyar, SECONDED Cr Carlos that Council DIVIDES its advertising, both statutory and non-statutory, evenly between the two or more local community newspapers covering the whole of the City of Joondalup, subject to the costs quoted being within 10% of each other.

Discussion ensued.

The Amendment was Put and

LOST

It was requested that the votes on the Amendment of all members present be recorded:

In favour of the Amendment: Crs Carlos, Magyar, Nixon, Wight and Rowlands

Against the Amendment: Mayor Bombak, Crs Ewen-Chappell, Barnett, Wight, Patterson, Kenworthy, Hurst and Mackintosh

The Original Motion was Put and

LOST

It was requested that the votes on the Original Motion of all members present be recorded:

In favour of the Original

Motion: Crs Carlos, Magyar, Nixon, Wight and Rowlands

Against the Original Motion: Mayor Bombak, Crs Ewen-Chappell, Barnett, Wight, Patterson, Kenworthy, Hurst and Mackintosh

FINANCE AND COMMUNITY DEVELOPMENT

Cr Hollywood entered the Chamber, the time being 2013 hrs.

CJ264 - 10/00 CITY OF JOONDALUP MAY 2001 ORDINARY ELECTIONS - [58061] [29068]

WARD - All

CJ001003_BRF.DOC:ITEM 1

SUMMARY

The City has received a letter from the Western Australian Electoral Commission requesting notification on whether or not the City would be conducting a postal vote in the upcoming May 2001 elections.

The City's inaugural elections were conducted by post with a voter turnout of approximately 28%, which was a drastic increase on previous City of Wanneroo elections.

Funds have been made available in this year's budget and therefore this report recommends that the City of Joondalup conducts the May 2001 elections as a postal election and seeks the Western Australian Electoral Commissioners agreement to conduct the City of Joondalup elections.

BACKGROUND

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

One of the recommendations of the inquiry panel was that the former City of Wanneroo "take immediate steps to introduce postal voting for Council elections." As a result, the inaugural elections held in December 1999 were conducted according to the recommendation, as a postal election. The costs of the inaugural elections were \$174 064.35, which equates to approximately \$1.80 per elector. The costs associated with the inaugural elections were as follows:

	Description	Amount \$
1	Returning Officer fees	4,620.00
2	Staff costs (Includes, HO staff, and admin overhead)	33,643.50
3	Polling staff	9,720.00
4	Postage out	36,193.36
5	Postage reply paid	11,638.84
6	Roll print	1,072.01
7	Candidate manuals	190.00
8	Courier	54.55
9	Envelopes and security printed ballot paper stock, stationery	13,783.70
10	Scanning costs, computer hire programming	6,272.75
11	Payroll programming	462.36
12	Postal pack production (printing, folding, inserting)	54,956.87
13	Advertising (election notice, nominations, results)	1,456.41
	Total	\$174,064.35

DETAILS

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

Legislative Requirements

Section 4.61 of the Local Government Act 1995 enables the local government's elections to be held as either a "voting in person election" or a "postal election". The Act requires that prior to the 80th day before any election, the Council is to determine the mode by which the election will take place.

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

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

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

- “(2) The local government may decide to conduct the election as a postal election (special majority required);
- (3) A decision under subsection (2) has no effect if it is made after the 80th day before Election Day;
- (4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20 (4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration;
- (5) A decision made under subsection (2) on or before the 80th day before Election Day cannot be rescinded after that 80th day;
- (6) For the purpose of this Act, the poll for an election is to be regarded as having been held on Election Day even though the election is conducted as a postal election;
- (7) Unless a resolution under subsection (2) has effect, the election to be conducted as a voting in person election.”

Electoral Roll

Should the City decide to conduct its election by post, the City will be required to supply the Electoral Commissioner a copy of the owners and occupiers roll. The Electoral Commissioner will be responsible for co-ordinating all other aspects of the election. Past experience shows that staff here at the City would be invited in the issuing of replacement papers and other minor tasks.

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

Electoral Commission

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

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

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

As a result of the Council's decision to conduct a referendum on the future of the City's security service, a cost estimate was sought from the WAEC, for it to conduct a referendum as part of the May 2001 election. As previously advised, the only involvement the WAEC will have with the referendum will be the issuing and counting of the papers. The associated promotional material and community awareness would be undertaken by the City and has not been costed at this stage. A further report should be prepared to detail:

- wording of the question;
- relative promotional material.

The Western Australian Electoral Commission (WAEC) has given the City a cost estimate to conduct the May 2001 elections of \$205,000 to conduct the election, which includes a referendum. The cost is estimated on the following basis:

- 97,000 electors;
- 7 wards;
- response rate of 40%;
- 1 vacancy in each ward;
- 2 candidates in each ward; and
- count to be conducted at the City of Joondalup.

Included in the estimate is:

- statutory advertising;
- Returning Officer and staff;
- preparation of the mail out list;
- election packages (Instructions, ballot papers etc);
- Printing and supply of electoral rolls of residents for the use of candidates; and
- general admission.

Fixed costs such as advertising, printing, mail out and Returning Officer fees are the major costs. Variables are introduced by the number of wards, candidates and elector turnout.

Items not included in the estimate are:

- provision for the effects of GST;
- non-statutory advertising
- any legal expenses other than those that are determined to be borne by the WAEC in a Court of Disputed Returns; and
- one local government staff member to work in the polling place on election day.

There will be the need for the City to undertake some intense local advertising in an effort to promote the election and referendum. There will also be an associated cost in preparation of the owners/occupiers roll. These costs have not been included in the estimate provided by the Western Australian Electoral Commission.

COMMENT/FUNDING

There are now 34 Councils who exercise the right to conduct their elections as postal for the local government ordinary elections.

In 1999 the overall participation rate at postal elections was considerably higher than the statewide local government voter turnout figure. These higher turnout figures indicate that electors are more prepared to vote in postal elections. This was the case for the City's inaugural elections, which received 28.21% voter participation compared with the 6.51% recorded for the 1997 former City of Wanneroo elections.

It is therefore recommended to hold the 2001 elections for the City on 5th May and request the Western Australian Electoral Commission to conduct it by postal vote.

Account No:	11 05 05 056 4230 F114
Budget Item:	Elections
Budget Amount:	\$200,000
Actual Cost:	\$205,000

OFFICER'S RECOMMENDATION: That Council:

- 1 **AGREES** to hold the elections for the City of Joondalup on Saturday, 5 May 2001;
- 2 **REQUESTS** the Western Australian Electoral Commission to conduct the May 2001 elections and referendum on behalf of the City of Joondalup as a postal election;
- 3 **REQUESTS** a further report detailing more information relating to the proposed referendum on the City's security service proposed to be held in conjunction with the May 2001 elections.

MOVED Cr Magyar, SECONDED Cr Walker that Council:

- 1 **AGREES** to hold the elections for the City of Joondalup on Saturday, 5 May 2001.

The Motion was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Walker that Council:

- 2 **REQUESTS** the Western Australian Electoral Commission to conduct the May 2001 elections and referendum on behalf of the City of Joondalup as a postal election.

The Motion was Put and

**CARRIED BY A
SPECIAL MAJORITY**

MOVED Cr Magyar, SECONDED Cr Walker that Council:

- 3 FORMS a Referendum Committee, of seven Councillors, to oversee all matters relating to the proposed referendum on the City's security service proposed to be held in conjunction with the May 2001 elections;
- (a) the first meeting of the Referendum Committee is to be held before the end of October 2000;
- (b) the first meeting is to address the following matters:
- (i) the level of voter response required to make the referendum result morally binding on Council, reference being made to Schedule 2.1, clause 10 (2) of the Local Government Act 1995;
- (ii) the preparation of the cases for and against to be supplied with the referendum ballot paper;
- (iii) the preparation of any extra publicity for the referendum;
- (iv) a timetable for the completion of tasks required to ensure the referendum is successfully held in May 2001;
- 4 APPOINTS one Councillor from each Ward to the Referendum Committee, with the other Ward member serving as a deputy.

Discussion ensued.

The Motion was Put and

LOST

It was requested that the votes of all members present be recorded:

In favour of the Motion: Crs Rowlands, Walker, Hollywood, Nixon, Carlos and Magyar

Against the Motion: Mayor Bombak, Crs Ewen-Chappell, Barnett, Wight, Patterson, Kenworthy, Hurst and Mackintosh

MOVED Cr Patterson, SECONDED Cr Kenworthy that Council:

- 3 REQUESTS a further report detailing more information relating to the proposed referendum on the City's security service proposed to be held in conjunction with the May 2001 elections, with a view to the Council administration staff having responsibility for ultimately framing the referendum question.

Discussion ensued. During discussion Cr Kenworthy left the Chamber, the time being 2043 hrs and returned at 2045 hrs.

Cr Nixon left the Chamber, the time being 2045 hrs.

AMENDMENT MOVED Cr Hollywood, SECONDED Cr Walker that the following be added to Point 3:

“..... that a report be submitted to Council by the end of November 2000.”

The Amendment was Put and **CARRIED**

The Motion as amended was Put and **CARRIED**

Cr Patterson left the Chamber, the time being 2050 pm.

**CJ265 - 10/00 INSTITUTE OF MUNICIPAL MANAGEMENT -
[39386]**

CJ001003_GRN.DOC:ITEM 8

SUMMARY

The Chief Executive Officer has the opportunity to progress to the Presidency of the WA Division of the Institute of Municipal Management.

Prior to a commitment to this role and the responsibilities involved, the Chief Executive Officer wishes to seek the Council's endorsement for such a move.

BACKGROUND

The Institute of Municipal Management is the leading professional body in Local Government in Australia and enjoys a high profile in most states with the major stakeholders in the Local Government Industry.

The Institute has representation on many Industry Committees and has regular dealings with ministers at both the Federal and State level.

Other major areas of interest are the following areas: -

- Professional qualifications and development
- Ethical behaviour and professional conduct
- Image of Local Government
- Assist in the formulation of Policy and Legislation
- Promote effective Governance
- Leadership Development
- Training Opportunities
- International Relations

The WA Division of the Institute will celebrate its 50th Anniversary in the year 2000.

DETAILS

The Chief Executive Officer held the position of Senior Vice President in the past two years, which includes one of two state representatives on the National Council.

The role of President to a certain extent carries a similar role except for the following: -

- Media Statements
- Chair Divisional Council Meetings
- Minister Liaison Committee
- Various Deputations/Meetings on Industry issues
- Communication and direction to the State office in West Perth
- Visits to Branches

These commitments should not impose on the Chief Executive's normal work commitments and where this may occur, equivalent time will be made up as required by the Council.

COMMENTS

The role of President of the Institute will provide Joondalup with some recognition and prestige, and direct involvement with the latest issues in Local Government. There may also be opportunities for the Council to get in on the ground floor for Grant opportunities.

MOVED Cr Hurst, SECONDED Cr Wight that Council ENDORSES the Chief Executive's nomination for the office of President of the WA Division of the Institute of Municipal Management.

The Motion was Put and

CARRIED

CJ266 - 10/00 PROCLAIM AND GARTNER CONFERENCES - [09047]

WARD - All

CJ001003_BRF.DOC:ITEM 2

SUMMARY

It is recommended that the Manager Information Services and the Coordinator Land Information Systems attend the Proclaim Annual User Conference to be held on the Gold Coast 22-24 October 2000.

It is also recommended that the Manager Information Services attend the Gartner Symposium 25-27 October 2000 while in Brisbane.

The City has recently installed a new property and land information system, ProClaim, which manages all property related information for the City. ProClaim Software Pty Ltd is sponsoring a User Conference which provides a forum to discuss and guide the development of the system. Of special interest are new e-business functions to make information and services accessible to the public via the internet.

The Gartner Symposium presents information and trends on a wide variety of issues related to effective management of information technology across government and industry. A large number of the topics presented are highly relevant to the City of Joondalup and provide an opportunity to gather information and knowledge regarding information technology best practice. The information gained will be highly valuable in formulating future strategies for the City of Joondalup. Gartner is a recognised world leader in the provision of independently researched trends and knowledge for the information technology industry. A large number of the sessions are related to e-business development.

BACKGROUND

The *ProClaim* property and land information system was implemented in April 1999. The system consists of the following modules:

- Nucleus;
- Rates and Valuations;
- RAMS;
- Animals;
- Cash Receipting;
- PLUS;
- Electoral Roll;
- Infringements;
- Service Management;
- Leases; and
- Geographic Information System Interface.

The City is currently implementing a further module, the Action Request Module, to better manage customer referrals.

Gartner is a leading international research and consultancy firm specialising in the information technology industry. Gartner provide leading-edge advice and targeted insights to support competitive decision making across the IT spectrum including research, analysis, consulting, measurement, decision evaluation, and product and vendor selection.

DETAILS

Proclaim User Conference

The ProClaim User Conference is to be held at the Marriott Resort, Surfers Paradise October 22-24 2000. The conference will address:

- A company report;
- New customers profiles;
- Product directions for e-Proclaim (e-business and e-services);
- Migration to SQL 2000 and Office 2000;
- GIS for customers;
- New Works Planning and Control Module;
- Advanced Query and Reporting; and
- Integration with Document Management.

Attendance at this conference will benefit the City through our increased ability to influence the way in which the ProClaim suite of software is developed. Since the City of Joondalup and the City of Wanneroo are the only councils using ProClaim in Western Australia, the City needs representation to ensure that future development takes into account specific Western Australian requirements.

ProClaim is a relatively new suite of software and is still under very active development. It is crucial that the City uses this opportunity to influence the development. ProClaim Software Pty Ltd is very open to ideas and development which will improve the product. Currently it will often carry the cost of development if it is seen to be an enhancement that will benefit most of the user base or make it a more saleable product.

It is also important that the City develops relationships with other users of the software to allow the City to discuss operational problems that arise with them, this is very useful in solving problems which are not system related.

Expected benefits of the *Proclaim User Conference* are:

- The ability to influence the development of ProClaim;
- Gain an understanding of new modules, development plans and internet directions;
- Understanding of technical migration strategies for Windows 2000, Office 2000 and SQL Server 2000; and
- Make contact with other users to allow networking to solve problems.

Gartner Symposium

Gartner conduct an annual Symposium to present findings, trends and directions for information technology. The Australasian Symposium will be held in Brisbane 25-27 October 2000.

The Symposium consists of over 70 keynote presentations and tutorials covering all key areas of information technology. Attendees can select from multiple session streams dependent upon specific needs. The Symposium is designed to assist IT managers in:

- Managing effective use of IT investments
- Determining critical IT strategies
- Controlling IT costs
- Managing technological workplace change

Conference presentations are arranged in “streams”. Highly relevant streams to the City of Joondalup include:

- Application Integration and e-Business Platforms
- Business Intelligence and Data Warehousing
- E-business Management
- E-business Technology
- Networking: Building the e-Foundation
- Performance Management
- Strategic Sourcing to Optimise Value

Detailed information on the Gartner Symposium is available on the Internet.

Gartner Home Page: <http://www.gartner.com/>

Conference Home Page: http://www.gartner.com/symposium/static/00/au/au_home.html

Expected benefits of the *Gartner Symposium* are:

- An update on a wide variety of IT trends to assist with strategic planning;
- Information on the latest best practice within IT management;
- Gain highly current, cross industry knowledge and strategies on IT in specific areas of interest to the City of Joondalup including network management, e-business, service management, data warehousing, and total cost of ownership; and
- Access to world class expertise on specific IT issues facing the City of Joondalup via “one-on-one” Gartner analyst sessions.

COMMENT/FUNDING

Costs are estimated as follows:

Item	ProClaim Conference	Gartner Conference	Total
No of delegates	2	1	
Air Fares	\$1,800	not applicable	\$1,800
Accommodation	Inclusive	\$600	\$600
Conference Fees	\$1,800	\$2,395	\$4,195
Incidentals	\$300	\$200	\$500
Total	\$3,900	\$3,195	\$7,095

Funding for the conference is available from the 2000/2001 Information Services budget as follows:

Account No: 11-10-18-181-3302-0001 and 11-10-18-182-3302-0001
 Budget Item: Conference Expenses
 Budget Amount: \$8,500

MOVED Cr Rowlands, SECONDED Cr Magyar that Council APPROVES the attendance of the:

- 1 Manager Information Services and the Coordinator Land Information Systems at the ProClaim User Conference 22-24 October 2000 at an estimated cost of \$3,900, funds being allocated from the following accounts:**

11-10-18-181-3302-0001 Conference Expenses
11-10-18-182-3302-0001 Conference Expenses

- 2 Manager Information Services at the Gartner Symposium 25-27 October 2000 at an estimated cost of \$3,195, funds being allocated from Account No 11-10-18-181-3302-0001 – Conference Expenses.**

The Motion was Put and

CARRIED

**CJ267 - 10/00 VACANCIES - WESTERN AUSTRALIAN
MUNICIPAL ASSOCIATION - VARIOUS
COMMITTEES - [02011]**

WARD - All

CJ001003_BRF.DOC:ITEM 3

SUMMARY

The Western Australian Municipal Association (WAMA) has invited member Council to submit nominations to various committees.

Nominations are invited from elected member and officer representatives with experience, knowledge and an interest in the relevant issues.

Nominations for all vacancies close on Thursday 9 November 2000 at 4.00 pm.

DETAILS

The Western Australian Municipal Association has invited member Council to submit nominations to the following committees:

- Mosquito Control Advisory Committee
- Metropolitan Regional Cemeteries Working Group
- Housing Advisory Committee
- Swan Catchment Council Inc
- WAMA/IMM Joint Graduate Recruitment Committee
- Chamber of Commerce & Industry Extractive Industries Committee

Nominations are invited from elected member and officer representatives with experience, knowledge and an interest in the relevant issues.

Nominations for all vacancies close on Thursday 9 November 2000 at 4.00 pm.

Appointments are conditional on the understanding that nominees and delegates will resign when their entitlement terminates – that is, they are no longer elected members or serving officers of Local Government. This ensures that the WAMA representative is always active in Local Government as an elected member or serving officer.

Details of this vacancy can also be found at the Interaction section of the WAMA website at: <http://www.wama.wa.gov.au/interaction/index.html>.

1 WA PLANNING COMMISSION – WAMA METROPOLITAN MEMBER AND WAMA NON-METROPOLITAN MEMBER – MOSQUITO CONTROL ADVISORY COMMITTEE

Nominations are invited from elected members or serving officers experienced in or with a knowledge/interest in mosquito-borne disease and mosquito management.

The Committee will:

- oversee mosquito control methods and surveillance and monitoring in Western Australia;
- make recommendations to the Health Department of WA on funding of selected Local Governments for mosquito control;
- give advice on new research direction, directions on control mechanisms;
- play a role in contributing to planning mechanisms for limiting urban developments in areas prone to mosquito risk.

The term will commence on appointment for a period of two years. Meetings are held quarterly at the Health Department of WA Pest Control Unit, 1a Brockway Road, Mt Claremont. The day and time of the meetings are to be set by the committee, but are usually held on a weekday morning. Meetings run for approximately three hours.

There is no meeting fee.

The Committee will comprise of:

- Dr Richard Lugg, Environmental Health Consultant (ex-HDWA) – Chairman;
- Health Department of WA (2);
- Department of Conservation and Land Management;
- Ministry for Planning;
- Water and Rivers Commission;
- Department of Environmental Protection;
- Peel Development Commission;
- WA Municipal Association (2).

2 WAMA METROPOLITAN MEMBER – METROPOLITAN REGIONAL CEMETERIES WORKING GROUP

Nominations are invited from elected members or serving officers experienced in or with a knowledge/interest in planning for regional cemeteries.

The Working Group will provide whole of Government advice to assist in undertaking strategic planning, site identification, selection, funding and purchase arrangements to enable the provision of burial and memorialisation sites within or in close proximity to the Perth Metropolitan area, which is largely not environmentally constrained.

The term will commence on appointment for a period of two years. Meetings are held as required at the Ministry for Planning, 469 Wellington Street, Perth, for a duration of approximately three hours.

There is no meeting fee.

The Working Party will comprise:

- Australian Funeral Directors Association;
- Department of Environmental Protection;
- Department of Land Administration;
- Metropolitan Cemeteries Board;
- Ministry for Planning;
- Water and Rivers Commission;
- WA Municipal Association.

3 WAMA METROPOLITAN MEMBER AND DEPUTY MEMBER; WAMA NON-METROPOLITAN MEMBER AND DEPUTY MEMBER – HOUSING ADVISORY COMMITTEE

Nominations are invited from elected members with a broad perspective experience and/or interest in Homeswest operational policy matters, including the areas of welfare and investment.

The Committee will:

- advise the Minister for Housing and Managing Director, Ministry of Housing on State Government housing policy and other related matters;
- participate in the development of Ministry of Housing policy and program initiatives;
- advise on or recommend research and the development of new policies and guidelines in areas of perceived need;
- assist in identifying housing needs in the community.

The term will commence on appointment by the Minister for Housing, for a period of two years. Meetings are held bi-monthly, usually on the fourth Wednesday of the month, and run for 2 ½ hours. Meetings are held at the Office of Housing Policy, 605 Wellington Street, Perth.

There is no meeting fee, however travel expenses may be reimbursable.

The Committee will comprise of:

- Independent Chairperson appointed by the Minister for Housing;
- Minister for Regional Development representative;
- Aboriginal community representative, appointed by Minister for Aboriginal Affairs;
- Peak non-government housing sector representatives; WA Coalition of Social Service, Shelter WA, Tenants Advisory Service, Community Housing Coalition of WA;
- WAHURI;
- Peak housing industry organisation representatives; Housing Industry Association, Real Estate Institute of WA, Master Builders Association, Urban Development Institute of Australia;
- WA Municipal Association (metro and non-metro representatives);
- State and Commonwealth Government agency representatives; Ministry for Planning, Ministry of Housing, Commonwealth Department of Family and Community Services.

4 WAMA DEPUTY MEMBER – SWAN CATCHMENT COUNCIL INC

Nominations are invited from elected members or serving officers with experience in or a knowledge/interest in natural resource management in the Swan region. Experience in the area of environment and horticulture is especially important for this position.

The Council will:

- raise community awareness and involvement in Swan Integrated Catchment Management (ICM);
- bring together State and Local Government agencies and key community groups;
- raise and pursue priority issues to be addressed by the ICM process on behalf of peak community groups;
- ensure support of all Swan ICM activities;
- take issues of regional importance to the Swan-Avon ICMCG;
- pursue the integration of catchment management objectives into political agendas and into operational plans of Government at State and Local level.

The term will commence on appointment for a period of two years, with an option for reselection or reappointment on a rolling basis because of the complexity of the Council and its diversity of membership requiring new members a reasonable time to understand the process and individual roles of the Council and its members.

Meetings are held monthly on the third Wednesday of each month, commencing at 9.30 am for a period of 3 ½ hours. Meetings are held at Swan Catchment Centre, 108 Adelaide Terrace, East Perth. **There is no meeting fee.**

The Council will comprise of:

- WA Municipal Association;
- Swan representatives from the Swan-Avon ICM Coordinating Group;
- Sub-Catchment ICM Groups;
- Waters and Rivers Commission;
- Swan River Trust;
- Department of Environmental Protection;
- Agriculture WA;
- Ministry of Planning;
- Department of Conservation and Land Management;
- Peak community environmental groups.

5 WAMA MEMBERS (2) – WAMA/IMM JOINT GRADUATE RECRUITMENT COMMITTEE

Nominations are invited from elected members or serving officers experienced in or with a knowledge/interest in current issues relating to recruitment in Local Government.

The Committee will:

- oversee two LGDF-funded programs on graduate recruitment;
- oversee the development of a careers advisory package for secondary students.

The term will commence on appointment for one or two years.

Meetings are held as required at a date and time to be set, for a duration of two hours. Meetings are held at Local Government House, 15 Altona Street, West Perth.

There is no meeting fee.

The Committee will comprise:

- WA Municipal Association (2);
- Institute of Municipal Management (2);
- Ex-officio members from particular areas of expertise as required.

**6 WAMA MEMBER – CHAMBER OF COMMERCE AND INDUSTRY
EXTRACTIVE INDUSTRIES COMMITTEE**

Nominations are invited from elected members or serving officers experienced in or with a knowledge/interest in extractive industries, particularly in the development of policies on raw materials.

The Committee's mandate is to provide advice to CCI on all issues impacting on extractive industries. The Committee has been involved in a number of issues in recent times, including the development of the Basic Raw Materials Policy – Statement of Planning Policy No 10, investigation of measures to streamline the planning approval process for extractive industries, and Perth's Bushplan.

The term will commence on appointment for a period of two years.

Meetings are held quarterly, at a day and time to be set, for a duration of two hours. Meetings are held at CCI, 180 Hay Street, East Perth.

There is no meeting fee.

The Committee will comprise of:

- Alcoa World Alumina Australia;
- BGC Quarries;
- Boral Resources (WA) Ltd;
- Bristle Ltd;
- Chamber of Commerce and Industry;
- Cockburn Cement Ltd;
- CSR Construction Materials (WA);
- Department of Conservation and Land Management;
- Department of Environmental Protection;
- Department of Minerals and Energy;
- Department of Resources Development;
- Metro Brick, Malaga and Midland;
- Midland Brick Co Pty Ltd;
- Ministry for Planning;
- Pioneer Group of Companies;

- Rocla Quarry Products;
- WA Limestone Co;
- WA Municipal Association.

MOVED Cr Magyar, SECONDED Cr Hurst that Council NOMINATES for consideration of appointment as Western Australian Municipal Association representatives the following elected members:

- 1 Cr A Walker to the Housing Advisory Committee;**
- 2 Cr D Carlos to the WAMA/IMM Joint Graduate Recruitment Committee.**

The Motion was Put and

CARRIED

**CJ268 - 10/00 AUSTRALIAN INSTITUTE OF BUILDING
SURVEYORS 10TH AUSTRALASIAN
CONFERENCE– 12-15 NOVEMBER 2000 – [09047]**

WARD - All

CJ001003_BRF.DOC:ITEM 4

SUMMARY

The purpose of this report is to recommend the attendance of the Co-ordinator Building Approvals at the Australian Institute of Building Surveyors 10th National Conference to be held at the Marriott Resort Hotel on the Gold Coast from 12-15 November 2000.

The National Conference will cover a number of issues, focusing on topics such as accreditation and licensing, and future building code developments, with papers being presented by both Australian and international speakers. There is an ongoing need for the City to keep up to date with new practices and changing legislation in this area, in order to continue to play a major part in the health, safety and welfare of the community.

BACKGROUND

The Australian Institute of Building Surveying is committed to serving the Australian community by promoting the study and advancing the sciences and practice of building surveying and of all kindred matters. The chief aims of the Institute are to contribute to the safety, health and amenity of the built environment and to the quality of life of the Australian community.

The Institute is recognised nationally and internationally as the peak building surveying organisation in Australia.

In terms of the level of activity, the City of Joondalup is one of the top two building surveying authorities in WA. Building Surveying activities form a key part of the function of the Approval Services Unit. Typically, the Business Unit issues building licences with a value of works exceeding \$15 million per month

DETAILS

The Business Unit is the first point of contact for many ratepayers and potential ratepayers within the City of Joondalup. It is very important to share, collect and compare experiences and systems data to enhance service delivery and keep up to date with contemporary practices.

This year's conference will provide information based around five major topics:

- Fire Engineering;
- Disability Access;
- Energy Efficiency;
- New Legislation and Standards;
- New technologies.

COMMENT/FUNDING

The Building Approvals team plays a major part in the health, safety and welfare of the community. One of the roles of the Co-ordinator Building Approvals is to keep abreast of the shifting regulatory environment, as well as accreditation requirements, technological advances and national training reform which are creating an unprecedented era of change within the industry. The conference and workshops have been put together for Building Surveyors to keep them informed of developments affecting their practices and careers.

Provision was made in the 2000-01 budget for the attendance of one officer at the conference. It is recommended that the Co-ordinator Building Approvals attend on behalf of the City.

Account No:	11404242233020001
Budget Item:	Conferences
Budget Amount:	\$ 3,000
Actual Cost:	\$ 2,700 (approximate)

OFFICER'S RECOMMENDATION: That Council APPROVES the attendance of the Co-ordinator Building Approvals at the Australian Institute of Building Surveyors 10th National Conference to be held from 12-15 November 2000 at the Marriott Resort Hotel, Gold Coast, funds being allocated from Account No 11.40.42.422.3302.0001 – Conferences.

MOVED Cr Barnett, SECONDED Cr Hurst that Council APPROVES the attendance of Cr T Wight and the Co-ordinator Building Approvals at the Australian Institute of Building Surveyors 10th National Conference to be held from 12-15 November 2000 at the Marriott Resort Hotel, Gold Coast, funds being allocated from Account Nos 11.05.05.052.3521.0001 – Elected Members Conferences and 11.40.42.422.3302.0001 – Conferences.

Cr Wight expressed an interest in attending this Conference.

The Motion was Put and

CARRIED

Cr Patterson entered the Chamber, the time being 2053 hrs.

**CJ269 - 10/00 MINUTES OF THE ENVIRONMENTAL ADVISORY
COMMITTEE MEETING – 20 SEPTEMBER 2000 -
[00906]**

WARD - All

CJ001003_BRF.DOC:ITEM 5

SUMMARY

A meeting of the Environmental Advisory Committee was held on 20 September 2000 and the unconfirmed minutes of the meeting are submitted for noting by Council and endorsement of motions.

BACKGROUND

The Environmental Advisory Committee meeting held on 20 September 2000 achieved a quorum and considered a range of business arising items outstanding from the previous meeting held on 16 August 2000.

Discussions centered around the invitation of nominated community representatives at the next committee meeting as observers, the prospect of establishing Craigie Open Space as a sanctuary area and the purchase of LPG dedicated fleet vehicles in place of current petrol and diesel vehicles.

DETAILS

The minutes of the Environmental Advisory Committee held on 20 September 2000 are included as Attachment A.

The following recommendations to the Council were made by the Committee:

- 1 that the nominees for community representation on the Environmental Advisory Committee be invited to the next meeting as part of the selection process;**
- 2 that a report be prepared on the use of Liquefied Petroleum Gas (LPG) vehicles in the fleet in place of the current petrol powered vehicles.**

The Committee minutes also notes the resignation of Mr A Carman-Brown from the Committee. It would be appropriate to authorise the acceptance of Mr A Carman-Brown's resignation and the preparation of a letter thanking him for his involvement in and contribution to the Committee.

MOVED Cr Rowlands, SECONDED Cr Magyar that Council:

- 1 NOTES the unconfirmed minutes of the Environmental Advisory Committee meeting held on 20 September 2000 forming Attachment A to Report CJ269-10/00;**

2 ENDORSES:

- (a) as part of the selection process the nominees for community representation on the Environmental Advisory Committee be invited to the next meeting;
- (b) that a report be prepared on the use of Liquefied Petroleum Gas (LPG) vehicles in the fleet in place of the current petrol powered vehicles;

3 AUTHORISES:

- (a) the acceptance of the resignation of Mr A Carman-Brown from the Environmental Advisory Committee;
- (b) the preparation of a letter thanking Mr Carman-Brown for his involvement in and contribution to the Environmental Advisory Committee.

The Motion was Put and

CARRIED UNANIMOUSLY

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf031000.pdf](#)

**CJ270 - 10/00 REVIEW OF ANIMAL LOCAL LAWS RELATING TO
PIGEON NUMBERS - [22870]**

WARD - All

CJ001003_BRF.DOC:ITEM 6

SUMMARY

On 11 July 2000 Council approved a pigeon loft, enclosure and the keeping of pigeons at Lot 45 (9) Spoonbill Grove, Kingsley subject to certain conditions. Part 4 of the Council Resolution was to review the City's Health Local Laws relating to the maximum number of pigeons allowed to be kept on a property (Report CJ180-07/00 refers). This report recommends that no change be made to the Health Local Laws relating to the keeping of pigeons.

BACKGROUND

The City of Joondalup's Animal Local Law 1999 limits the number of pigeons for a financial member of a recognised incorporated racing body or a registered pigeon fancier to 150 pigeons, excluding young birds, in any residential area.

It is a requirement of the Animal Local Law that a person wishing to keep pigeons obtains a certificate of registration. To obtain a certificate of registration a person must consult adjoining landowners, keep and exercise pigeons in accordance with the Racing Federations' Code of Practice and local law.

There is provision in the Animal Local Law for Council to cancel, refuse or impose conditions on a certificate of registration if deemed necessary to minimise any nuisance from keeping of pigeons.

One of the adjoining landowners raised a number of objections to the application submitted to council to keep pigeons at lot 45 (9) Spoonbill Grove, Kingsley relating to noise, health, privacy and lifestyle impacts. More specifically, the following issues were identified as potential problems relating to pigeon keeping:

- Noise from birds cooing, especially during the mating season;
- Odour and dust from pigeon lofts;
- Health related concerns resulting from increasing amounts of bird faecal matter from pigeons circling neighbouring properties and roof sitting;
- A reduction of privacy and a right to the enjoyment of environment.

DETAILS

The following action plan was implemented to review the City's Health Local Laws relating to the maximum number of pigeons allowed to be kept on a property and to determine the validity of the concerns raised by the one of the adjoining landowners to lot 45 (9) Spoonbill Grove, Kingsley.

1. The properties listed in Report CJ180-07/00 as keeping up to 150 pigeons would be checked to ensure that they are still doing so.
2. The Racing Pigeon Association would be contacted to gain information relating to the flight patterns and keeping of pigeons.
3. Depending on the information gained from the Racing Pigeon Association, those residents within the flight paths of the current pigeon properties would be surveyed to gain their views of the current local laws.
4. The report would then be provided to the Urban Animal Management Committee for comment and to ensure that the pigeon issue would be included with any other proposed changes to the Animal Local Laws.

Consultation

There are currently seven pigeon keepers within the City who are registered with the Wanneroo Racing Pigeon Club. In addition, there are another three residents known to keep pigeons. It should be noted that these numbers do not take into account those pigeon fanciers who are not registered with a racing body or with the City. The known sites are in Greenwood, Heathridge, Padbury, Beldon, Craigie, Kingsley and Sorrento.

The City's Health Services' records indicate that to date only one complaint regarding noise emitted from a pigeon loft has been received. It has not been verified that the noise from cooing pigeons contravenes the Environmental Protection (Noise) Regulations 1997.

The combined Pigeon Racing Federations of WA was contacted to discuss proposed changes to the City's local laws regarding keeping of pigeons. The Pigeon Racing Federation of WA representative has had considerable experience in working with Local Councils to negotiate local laws that encourage a peaceful coexistence and expressed his concerns about reducing the maximum number of pigeons permitted because of a single incident.

The Pigeon Racing Federation of WA provided the following information pertaining to the keeping of racing pigeons.

Flight Paths

For six months of the year (May to September) neighbours should generally not see much of the pigeons because they do very little circling around the area. They fly up to a 5km radius before coming back after 40 – 50 minutes and go straight back inside the loft for feed and water. In hot weather the birds are more reluctant to fly because of the heat and can circle the neighbourhood.

Aerial Soiling

The birds are managed in accordance with a non-aerial soiling policy. This is achieved by not feeding the birds for between 8 – 10 hours before they are released for exercise.

Roof Sitting

Pigeons that alight anywhere other than directly at the entrance of a loft are ruined for racing purposes and are not retained. Top form racing pigeons are confined in their loft for up to 95% of a day.

Performance Based Pigeon Keeping Legislation

The combined Pigeon Racing Federations of WA are keen to see the introduction of performance based pigeon keeping legislation which would revolve around The Pigeon Keeping and Racing Code of Practice 1994. The principal effect of the code of practice is to ensure that the welfare of the pigeons is the prime consideration in all activities associated with the sport and focuses on:

- housing and environmental factors affecting health;
- racing and training practices, especially as they affect the chances of an individual pigeon returning safely to its loft;
- transport of pigeons to races and training flights; and
- control measures to enhance the ability of a pigeon to return safely to its loft.

The enactment of such legislation would benefit the community because the onus for responsible pigeon keeping would be placed on the fancier. A failure to demonstrate compliance with the code to a council officer may result in the fancier losing the right to keep pigeons or having conditions imposed on his or her registration.

The code also provides control measures for those key concerns that a neighbouring property may have, for example aerial soiling, roof sitting, odour and dust. These control measures would increase the community confidence in responsible pigeon ownership.

Disease Associated with Pigeons

Pigeons have been implicated in the transmission of several diseases including pigeon ornithosis (Psittacosis), histoplasmosis E.coli and salmonella food poisoning. The actual incidence of transmission of diseases from pigeons to humans is difficult to assess and although there are some cases of humans catching these diseases from direct or indirect contact the actual risk is slight. There are also external parasites of pigeons including various species of mites, fleas and tick. It should be noted that these diseases and parasites are associated mainly with feral pigeons and are usually a result of an accumulation of faecal matter over an extensive period of time. Well cared for domestic pigeons with roosts that are maintained are generally free of these problems.

Urban Animal Management Committee

To ensure that any survey distributed did not focus entirely on pigeons, singling out those fanciers who are following correct procedures and potentially instigating vexatious complaints, it was suggested that the survey should include questions regarding other issues related to the City's Animal Local Laws. This was put to the Urban Animal Management Committee to suggest what key animal issues should be included in the survey.

The survey and a reduction of the maximum number of pigeons permitted was discussed at the Committee meeting held on 31 August 2000. It was agreed that the issues relating to pigeons were already known and that to further reduce the number would not rectify problems encountered. The Committee agreed that the matter was a result of a one off incident and that, as the local laws relating to pigeons were only recently adopted, matters relating to pigeons should be reviewed on a case by case basis as they occur by the Local Laws Special Projects Officer.

COMMENT

In view of the deliberations by the members of the Urban Animal Management Committee outlined above, and the one off nature of the complaint received to date, it is suggested that no further action be taken to review the City's Health Local Laws relating to the maximum number of pigeons allowed to be kept on a property.

MOVED Cr Rowlands, SECONDED Cr Barnett that Council MAKES NO change to the City of Joondalup Health Local Laws relating to the keeping of pigeons.

Discussion ensued.

During discussion, Cr Hurst left the Chamber at 2055 hrs and returned at 2057 hrs. In addition Cr Mackintosh left the Chamber at 2057 hrs and returned at 2059 hrs.

The Motion was Put and

CARRIED

It was requested that the votes of all members present be recorded:

In favour of the Motion: Mayor Bombak, Crs Ewen-Chappell, Hollywood, Walker, Rowlands, Barnett, Wight, Patterson, Kenworthy, Hurst, and Mackintosh

Against the Motion: Crs Maygar and Carlos

CJ271 - 10/00 JOONDALUP/WANNEROO BICENTENNIAL TRUST FUNDING - [43652]**WARD - All**

CJ001003_BRF.DOC:ITEM 7

SUMMARY

This report seeks Council's endorsement of funding recommendations made by the Joondalup/Wanneroo Bicentennial Trust Working Party under the current funding round of the Bicentennial Trust.

The Bicentennial Trust Working Party has recommended that Council allocates \$37,494 to fund five projects and that the balance of \$20,113 be divided equally between the City of Joondalup and City of Wanneroo to commission an art work to commemorate the efforts of the Working Party be supported. These recommendations are supported although it is considered that Council should also consider purchasing an artwork if a suitable artwork can be found.

BACKGROUND

At its meeting on 25 July 2000 (Item CJ187-07/00 refers), Council resolved the following in regard to the City of Joondalup / City of Wanneroo Bicentennial Trust:

- 1 ENDORSES the continued operation of the Bicentennial Trust Working Party up to 31 December 2001 with the intention of conducting 1 or more funding rounds as necessary to wind the Bicentennial Trust up by this date;
- 2 NOTES that following the determination of the Joint Commissioners in relation to the division of assets of the former City of Wanneroo the funds held in the Bicentennial Trust Reserve Account by the City of Joondalup are held on behalf of the City of Joondalup and City of Wanneroo;
- 3 NOTES the minutes of the meeting of the Bicentennial Trust Working Party held 14 June 2000;
- 4 AMENDS by an ABSOLUTE MAJORITY the membership of the Bicentennial Trust and APPOINTS the following persons to be members of the Bicentennial Trust Working Party:

Mrs Ruth Reid
Mr Robert Augustin
Mrs Dawn Chivers
Mr Joe Hawkins
Mr Bill Jeffries
Mr Bob Fawcett
Mrs Jean Powell
Father Patrick Boyle

Mr Nick Trandos
Mr David Carvosso
Councillor Don Carlos City of Joondalup
Mr Kevin Robinson Manager Executive Services, City of Joondalup
Councillor Glynis Monks City of Wanneroo
Ms Helen Baron St John Director Community Development, City of Wanneroo

- 5 NOTES that any recommendation submitted to Council by the Bicentennial Trust Working Party will also be submitted for consideration to the City of Wanneroo;
- 6 ENDORSES the Bicentennial Trust being jointly funded by the City of Joondalup and City of Wanneroo with an equal contribution to costs associated with its operation;
- 7 ENDORSES the draft revised guidelines for the Bicentennial Trust subject to any amendments by the members of the Bicentennial Trust Working Party;
- 8 ENDORSES promotion of the Bicentennial Trust with larger grants being made available up to \$20,000 per project on a best project for the region basis, ie funds be available to groups based in either Local Authority; and
- 9 ACKNOWLEDGES the significant contribution of the Trust Members to the Community since the Trusts inception by way of an Appreciation Function in 2001.

Advertisements for the Joondalup/ Wanneroo Bicentennial Trust appeared in the Wanneroo Times on two (2) separate weeks, supplemented by a mail out to community, sporting and recreational organisations by both Cities advertising the availability of the Scheme.

DETAILS

Forty-four (44) applications plus one (1) late application were received under the current funding round. A brief summary of each application, noting the organisation, project title and funds sought is included in the minutes of the working party meeting held 13 September 2000 is attached to this report.

The total cost of these projects was \$340,245, with funding available to the Bicentennial Trust currently standing at \$57, 607 (\$51,847 given GST considerations).

The Bicentennial Trust Working Party met on Wednesday 13 September 2000 to consider all applications and made recommendations regarding the expenditure of Bicentennial Trust funds. The Working Party has recommended funding for a total of 5 projects, at a total cost of \$37,494 including GST. These projects are summarised below.

Application No.	Project Title and Organisation	Brief Description	Recommended Funding
2005	Rotary Wanneroo Heritage Wall Rotary Club of Wanneroo	<ul style="list-style-type: none"> • Funds are sought as a contribution towards the development of an historical wall in Rotary Park, Wanneroo, which will record advancements made by society over the past 100 years • Funds from the Bicentennial Trust will allow for the development of two bronze sculpture reliefs to be attached to the wall • Sculpture reliefs depicting “Industry and Commerce:” and “Education” will be developed by students from Wanneroo and Woodvale Senior High Schools 	\$16,000 (100% of amount sought)
2006	Restoration of Yanchep War Memorial Yanchep/ Two Rocks RSL Sub Branch	<ul style="list-style-type: none"> • Funds are sought to replace the original brass plaque fitted to the local war memorial with a plaque depicting the official badges of the Navy, Army, Air Force and Nursing Corps • The plaque will replace one that was removed and stolen some time after November 1979 • The new plaque will be unveiled on ANZAC Day 2001 	\$835.00 (100% of funds sought)
20010	Dolphin Memorial and Wishing Well Project Rotary Club of Carine	<ul style="list-style-type: none"> • Funds are sought for the construction of a memorial and wishing well dedicated to those dolphins that died at Underwater World, Hillarys Boat Harbour • Donations made at the Wishing Well would be used by the Rotary Club of Carine to fund future community projects 	\$12,500 (50% of total project cost – original amount sought \$20,000)

20012	A Multicultural Art Experience for the Aged Mercyville and Edgewater Hostels	<ul style="list-style-type: none"> • Funds are sought to host a series of workshops with hostel residents, that will provide them with the opportunity to watch artists from various cultures work and see a piece of art come to life • Residents will also be provided with the opportunity to explore their own artistic talents 	\$1,250 (100% of amount sought)
20013	Book Publication – “Recollections of Wanneroo Pioneers” Wanneroo Historical Society	<ul style="list-style-type: none"> • Funds are sought for the publication of a book entitled “Recollections of Wanneroo Pioneers” • The launch of this book in October 2001 will coincide with the Centenary of Local Government in Wanneroo 	\$3,500 (100% of amount sought)

In addition to the funding of these projects, the Working Party, given the impending closure of the group in 2001 and the Centenary of Federation which may reduce the relevance of Bicentennial funding to the community, has recommended to Council that:

“The remaining Bicentennial Trust funds (\$20,113) be divided equally between the two Cities and used by each City for the commission of a piece of artwork recognising the Bicentennial to be displayed in each of the two local government areas.”

COMMENT

It is considered that:

- Funding recommendations by the Working Party are for projects within the guidelines of the Bicentennial Trust;
- A clear and accountable procedure for funding recommendations was used by the Bicentennial Trust Working Party; and
- The allocation of Trust funds is reasonably equal between the Cities of Wanneroo and Joondalup, given that both the Rotary Wanneroo Heritage Wall and the book publication “Recollections of Wanneroo Pioneers” are relevant and involve residents from both Cities.

The recommendation from the Working Party that each Council commission a piece of artwork, to provide a permanent and lasting reminder of the efforts of the Bicentennial Trust since its inception has significant merit. An equally meritorious option is to purchase an artwork that has relevance to the Bicentennial to commemorate the work of the Bicentennial Trust if a suitable work is found. It is considered that this option should be referred to the Art Collection Working Party for consideration.

Approval by Council of the Working Party's funding recommendations will result in all of the Trust funds being exhausted and the disbandment of the Bicentennial Trust Working Party. It is considered that since the work of the Bicentennial Trust Working Party is complete a joint appreciation function with the City of Wanneroo be held for its members in November 2000 in conjunction with the presentation of the grants to the successful applicants. At its meeting 25 July 2000, Council resolved to host an appreciation function in 2001, this resolution now needs to be amended to host a function in November 2000.

A similar report is being considered by the City of Wanneroo recommending approval of the recommendations by the Bicentennial Trust Working Party.

OFFICER'S RECOMMENDATION: That Council:

- 1 NOTES the minutes of the Bicentennial Trust Working Party held on 13 September 2000 forming Attachment 1 to Report CJ271-10/00;
- 2 ENDORSES the grant funding from the Bicentennial Trust in 2000/2001 for the following projects:

Application No.	Project Title and Organisation	Recommended Funding
2005	Rotary Wanneroo Heritage Wall Rotary Club of Wanneroo	\$16,000
2006	Restoration of Yanchep War Memorial Yanchep/ Two Rocks RSL Sub Branch	\$835
20010	Dolphin Memorial and Wishing Well Project Rotary Club of Carine	\$12,500
20012	A Multicultural Art Experience for the Aged Mercyville and Edgewater Hostels	\$1,250
20013	Book Publication – "Recollections of Wanneroo Pioneers"	\$3,500
	TOTAL	\$37,494 (including GST provisions)

- 3 ACCEPTS the recommendation of the Bicentennial Trust Committee to not provide funding for the remaining applicants and their reasons for not doing so as recorded in the minutes, forming Attachment 1 to Report CJ271-10/00;
- 4 ENDORSES the recommendation of the Bicentennial Trust Working Party for the remainder of Bicentennial Trust funds (\$20,113) to be split equally between the Cities of Wanneroo and Joondalup and used to commission a piece of artwork recognising the Bicentennial and displayed in a prominent, appropriate position within both Cities;
- 5 REQUESTS the Art Collection Working Party to either recommend to Council purchase of a suitable artwork or develop tender specifications to commission an artwork;

- 6 DISBANDS the Bicentennial Trust Working Party and officially thank the members for their contribution by holding a Civic function for the members and funding recipients in late 2000.

MOVED Cr Ewen-Chappell, SECONDED Cr Magyar that Council:

- 1 NOTES the minutes of the Bicentennial Trust Working Party held on 13 September 2000 forming Attachment 1 to Report CJ271-10/00

The Motion was Put and

CARRIED

MOVED Cr Ewen-Chappell, SECONDED Cr Rowlands that Council:

- 2 ENDORSES the grant funding from the Bicentennial Trust in 2000/2001 for the following projects:

Application No.	Project Title and Organisation	Recommended Funding
2005	Rotary Wanneroo Heritage Wall Rotary Club of Wanneroo	\$16,000
2006	Restoration of Yanchep War Memorial Yanchep/ Two Rocks RSL Sub Branch	\$835
20010	Dolphin Memorial and Wishing Well Project Rotary Club of Carine	\$12,500
20012	A Multicultural Art Experience for the Aged Mercyville and Edgewater Hostels	\$1,250
20013	Book Publication – “Recollections of Wanneroo Pioneers”	\$3,500
	TOTAL	\$37,494 (including GST provisions)

The Motion was Put and

CARRIED

MOVED Cr Ewen-Chappell, SECONDED Cr Mackintosh that Council:

- 3 ACCEPTS the recommendation of the Bicentennial Trust Committee to not provide funding for the remaining applicants and their reasons for not doing so as recorded in the minutes, forming Attachment 1 to Report CJ271-10/00.

The Motion was Put and

CARRIED

MOVED Cr Ewen-Chappell, SECONDED Cr Mackintosh that Council:

- 4 ENDORSES the recommendation of the Bicentennial Trust Working Party for the remainder of Bicentennial Trust funds (\$20,113) to be split equally between the Cities of Wanneroo and Joondalup and used to commission a piece of artwork recognising the Bicentennial and displayed in a prominent, appropriate position within both Cities.

Cr Ewen-Chappell, with the approval of Cr Mackintosh advised she agreed to the withdrawal of Point 4 of the Motion.

MOVED Cr Magyar, SECONDED Cr Ewen-Chappell that Council:

- 4 ENDORSES the recommendation of the Bicentennial Trust Working Party for the remainder of Bicentennial Trust funds (\$20,113) to be split equally between the Cities of Wanneroo and Joondalup:
- (a) does not endorse the use of the City of Joondalup's half of the remainder of the Bicentennial Trust Fund being used to commission a piece of artwork recognising the Bicentennial and displaying the artwork in a prominent, appropriate position within the City of Joondalup;
 - (b) uses the \$10,056.50 to provide additional funds for the current Community Funding Grants Program to ensure that more worthwhile projects, activities or events are supported by Council.

The Motion was Put and

CARRIED

It was requested that the votes of all members present be recorded:

In favour of the Motion: Mayor Bombak, Crs Ewen-Chappell, Carlos, Magyar, Walker, Rowlands, Barnett, Hollywood, Wight, Hurst and Mackintosh

Against the Motion: Crs Kenworthy and Patterson

MOVED Cr Magyar, SECONDED Cr Mackintosh that Council:

- 5 WRITES to all unsuccessful applicants within the City of Joondalup for the Bicentennial Trust Fund Grants informing them of the current Community Funding Grants Program and request the applicants to reapply for the current round of Community Funding Grants Program.

Director, Community Development sought clarification as to whether Cr Magyar included organisations which were not based within the City and therefore not eligible for funding under the City's Community Funding Program.

The Motion was Put and

CARRIED

MOVED Cr Ewen-Chappell, SECONDED Cr Magyar that Council:

- 6 DISBANDS the Bicentennial Trust Working Party and officially thank the members for their contribution by holding a Civic function for the members and funding recipients in late 2000.**

The Motion was Put and

CARRIED

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf031000.pdf](#)

**CJ272 - 10/00 VOLUNTEER SERVICES AND COMMUNITY
TRANSPORT - [16813] [01075]**

WARD - All

CJ001003_BRF.DOC:ITEM 8

SUMMARY

The City currently operates two related but separate transport services – Community Transport and Volunteer Services Transport. Community Transport is funded by Council and Volunteer Services Transport is funded through the Home and Community Care Community (HACC) Program administered by the Health Department of WA (HDWA). Both services make use of volunteers and the City has received legal advice that the services should comply with the *Road Traffic (Drivers' Licences) Regulations 1975*, the *Road Traffic Act 1974*, the *Transport Co-ordination Act 1966* and the *Taxi Act 1994*.

It should be noted that this report deals only with the issue of the City's legislative requirements in relation to transport services and does not deal with the broader future directions of the services. The future directions of the services will be dealt with in a separate report to Council on 14 November 2000 which will provide details of a review of the City's Volunteer and Community Transport Services which was undertaken earlier in the year. The review makes recommendations on the management and operation of the transport services and addresses a range of issues in relation to volunteers, use of vehicles and eligibility for use of the community transport service.

On 11 July 2000 (Item CJ173-07/00 refers), Council agreed to the City's participation in the Home and Community Care (HACC) North Metropolitan Transport Brokerage Pilot Project subject to a number of conditions. These conditions were confirmation of the participation of the other proposed agencies in the pilot, reaching agreement with HACC on acceptable client fee levels for the new service and retaining two HACC vehicles that HACC had requested to be transferred to the project.

Participation in this project with effect from 1 October 2000 would have addressed the issues relating to compliance with the appropriate legislation for the HACC funded Volunteer Services Transport but would still have left the City with the need to address these issues in relation to Community Transport.

HACC has now withdrawn its request to take over the City's HACC volunteer transport service provision from 1 October 2000. It has indicated that it will not be in a position to take over the City's services until it has operated a smaller transport pilot, starting no later than 1 January 2001, and has evaluated the relative merits of both the pilot and the services currently being offered by the City and other participating agencies.

The withdrawal of the HACC request to take over the HACC transport services has significant legal and other implications for the City and for other local government authorities and community organisations involved in the provision of transport services. This report suggests solutions to the legal issues facing the Volunteer and Community Transport Services and recommends the adoption of the plan of action outlined within the report.

BACKGROUND

Current Situation

The City currently operates a volunteer transport service primarily aimed at Joondalup residents who are frail and aged, and younger residents who have a disability. The service is funded under the HACC Program and its service users must meet the eligibility requirements for the HACC Program.

The City also operates a Community Transport Service which is largely focused on providing services for some well seniors who are disadvantaged in their access to regular public transport. This service is funded by Council.

In both the HACC and Community Transport services there is a total of 19 volunteer drivers; of these, five have F Class Licences as do the paid drivers.

The following table presents the resources currently available in each transport service and a summary of the transport services provided.

	HACC TRANSPORT	COMMUNITY TRANSPORT
Vehicles	2 sedans 1 x 6 seater vehicle	1 station wagon, 1 x 6 seater wheelchair vehicle, 1 x 11 seater vehicle, 1 x 21 seater vehicle, 1 x 29 seater vehicle*
Staff	1.75 staff members at a cost of \$66,292	1.25 staff members* at a cost of \$45,078
Volunteers	6 volunteers	13 volunteers
Budgeted vehicle running and other expenses	\$39,622	\$57,762
Total expenditure excluding corporate, directorate and business unit overheads	\$105,914	\$102,840
Budgeted income from fees	\$6,400	\$12,500
Budgeted income from HACC	\$82,679	
Total income	\$89,079	\$12,500
Number of transports provided per annum	6,000	5,564
Number of residents assisted	166	214
Types of transports	Transport to hospital treatments, therapy and medical appointments	Transport to shopping centres and senior citizens centres for social activities

*The 29 seater vehicle was transferred to the Community Transport Service from the Marketing Business Unit in the last financial year. A bus driver was also transferred but the future of this position has not yet been determined.

In addition, eleven residents receive fortnightly shopping visits or a further 275 transports per year. Eleven volunteers use their own vehicles to provide this service. The shopping visits are resourced under the HACC Home Support Program and not under the HACC Transport Service but are affected by the *Road Traffic (Drivers' Licences) Regulations 1975*, the *Road Traffic Act 1974*, the *Transport Co-ordination Act 1966* and the *Taxi Act 1994*.

Health Department Review of HACC Transport

In 1997, HDWA commissioned a review into HACC transport services in the North Metropolitan Region. The region encompasses the local government authorities of the Cities of Wanneroo, Joondalup and Stirling, and the Towns of Cambridge and Vincent. The review was completed in 1998. It identified risk management issues for services particularly in the areas of:

- Specific transport standards for HACC consumers;
- Assessment of the driving history and capabilities of paid and volunteer drivers; and
- Assessment of the roadworthiness of vehicles.

The review recommended the establishment of the HACC North Metropolitan Transport Brokerage Pilot, which would make use of taxis rather than volunteer drivers. This was seen as a way to improve duty of care and safety, provide greater flexibility in service delivery and remove the significant risk management issues associated with current service delivery methods.

The City's participation in this project with effect from 1 October 2000 would have addressed these significant risk management issues together with the issues relating to compliance with the appropriate legislation for the City's HACC funded volunteer transport service. HACC's withdrawal of its request to take over the City's HACC volunteer transport service provision has significant legal and other implications for the City which now must be addressed.

Legal issues associated with transport

The City recently sought advice on the legality of the operations of the City's transport services. The legal advice received was that the majority of the transport services provided by the City infringe against the *Transport Coordination Act*. It suggested that it may be possible to gain an exemption from the Minister for Transport for certain services. However, if the City is unable to gain an exemption then it will be necessary to either cease charging for the transport services or to licence the relevant vehicles as omnibuses. This would then require the drivers to have F class driver's licences or be in breach of the *Road Traffic Act*.

The advice also indicates that if the City either ceases charging for the transport services which infringe against the *Transport Coordination Act* or licences the relevant vehicles as omnibuses under the *Transport Coordination Act*, then the City will not be infringing against the *Taxi Act*. If the City is successful in its approach to the Minister to gain an exemption under the *Transport Coordination Act*, then because the vehicles will not be licenced as omnibuses there will be an infringement against the *Taxi Act*. To overcome this problem, the legal advisers suggest that the City would also need to apply to the Director General of Transport for an exemption under the *Taxi Act*.

There is no guarantee that exemptions will be granted by the Minister and Director General nor is it possible to state a timeframe for gaining such approvals.

Further advice has been received from the Department of Transport and from HACC. This advice is different from that provided by the City's legal advisers in that it suggests that an F class licence **is not** required by the driver where a vehicle has less than nine seats but **is** required by the driver where the vehicle has more than eight seats and is used to carry passengers for separate fares. The letters also advise that, "as a management policy", the licensing of "community type services" vehicles as omnibuses has traditionally not been required because these services have not been considered to fall within the "spirit" of the Transport Coordination Act 1966. However, no formal exemption exists. In addition, proposed amendments to the Road Traffic (Drivers' Licence) Regulations require an F class endorsement on drivers' licences irrespective of the carrying capacity of the vehicle. Transport has not yet decided whether it will take a more flexible approach in the case of community service drivers.

The City's legal advisers have been contacted for comments on these letters. In relation to the F Class Licence issue, the legal advisers agree with the distinction drawn by the Department of Transport between vehicles with less than nine seats or more than eight seats under the Road Traffic Act 1974.

In relation to the licensing of vehicles, the legal advisers make the point that while the Department of Transport may construe the Transport Coordination Act in a particular way because of its own management policy, a court is not likely to construe the Act in the same way.

In relation to the proposed amendments to the Road Traffic (Drivers' Licence) Regulations, the advice is that when a person is driving a vehicle and is carrying passengers for reward, then an F class endorsement will be required, irrespective of the carrying capacity of the vehicle. In those circumstances, the vehicle will also require an omnibus public vehicle licence under the Transport Co-ordination Act as well as a motor car licence under the Road Traffic Act.

While the Department of Transport may seek to take a more flexible approach to this legislation, if this flexible approach is not in accordance with the legislation as adopted, and is merely based on Department Policy, then the City and the drivers will be exposed inasmuch as breaches of the legislation may be committed but not (apparently) enforced.

Consequently, it would seem that the majority of the City's transport services are currently, or would be under proposed amendments, breaching relevant legislation.

The City of Wanneroo

It should be noted that the City of Wanneroo has ceased to use volunteers who do not possess F class licences and has ceased to use volunteers' vehicles. The City has employed two full time drivers on a temporary basis until its volunteers have acquired F Class licences. It will not be licensing its vehicles as omnibuses at this time. In relation to its shopping service, the City of Wanneroo has, wherever possible, changed to "list shopping" so that the volunteer does the shopping and the client stays home. This means that the volunteer's vehicle can still be used because a client is not being carried. It has also negotiated with the stores to deliver groceries where possible and will use taxis in an emergency.

DETAILS

In order for the City to ensure that its transport services are not infringing against the *Road Traffic (Drivers' Licences) Regulations 1975*, the *Road Traffic Act 1974*, the *Transport Co-ordination Act 1966* and the *Taxi Act 1994*, it is suggested that the City write to the Minister and Director General of Transport to seek exemptions under the *Transport Co-ordination Act* and the *Taxi Act*. Given the uncertainty about the timeframe required to gain such exemptions, the following action plan is also suggested:

1. Cease charging fees for a period of 6 weeks to enable the licencing requirements to be put in place at an approximate cost of \$2,216.
2. Cease using volunteers without F Class Licences for HACC and Community Transport Services at the end of 6 weeks.
3. Make arrangements for the 14 volunteer drivers in the HACC and Community Transport Services to gain F Class Licences at an approximate cost to the City of \$2,678 for the licences and \$900 for medicals giving a total of \$3,578. The cost of acquiring licences includes an RAC appraisal of each volunteer as a first step. The aim would be to achieve this within a timeframe of one month for thirteen of the drivers and two months for one driver who must go from an A class to an F class Licence.
4. Make arrangements for the City's transport vehicles to be licenced as omnibuses at an approximate cost of \$6,000. The cost to licence each vehicle is \$1,200. The City uses 6 vehicles in its transport services but one is already licenced as an omnibus. The timeframe for this would be between 3 and 6 weeks.
5. Immediately cease using volunteers' vehicles for the one on one shopping service and arrange for taxis to take the volunteers and the shoppers to their destinations at an approximate cost of \$120.00 per fortnight or \$3,120 per annum.
6. Increase the volunteer out of pocket expenses from \$3.00 to \$5.00 to cover the existing gap at an approximate cost of \$1,620 per annum.
7. Increase the volunteer kilometre reimbursement from 30 to 40 cents per kilometre. This will not increase the overall cost because of the lower kilometres that volunteers will travel in their own vehicles once taxis have been introduced.

COMMENT/FUNDING

The implementation of this action plan will ensure that the City's transport services are not infringing against the *Road Traffic (Drivers' Licences) Regulations 1975*, the *Road Traffic Act 1974*, the *Transport Co-ordination Act 1966* and the *Taxi Act 1994*. It will also result in additional recurrent expenditure of approximately \$14,318 per annum and a one off loss of income of approximately \$2,216. HACC will be contacted with a view to providing financial support for this change in relation to the HACC component. It is estimated that the HACC component will be approximately \$8,602 of the \$14,318. If HACC does not agree to provide additional funding, the action plan will still need to be implemented and the necessary funds found from within the Community and Health Services budget. It will also be necessary to gain HACC's approval to the cessation of fee collection for the six week period.

MOVED Cr Rowlands, SECONDED Cr Mackintosh that Council:

- 1 **NOTES** the Home and Community Care (HACC) decision to defer taking over the City's HACC volunteer transport service provision until it has operated a smaller transport pilot and evaluated the relative merits of both the pilot and the services currently being provided by the City and other participating agencies;
- 2 **APPROVES** an approach being made to the Minister and Director General of Transport to seek exemptions under the *Transport Co-ordination Act* and the *Taxi Act*;
- 3 **APPROVES** the implementation of the action plan outlined in Report CJ272-10/00;
- 4 **NOTES** that an approach will be made to Home and Community Care for financial support to implement the action plan.

The Motion was Put and**CARRIED****CJ273 - 10/00 NEEDLE & SYRINGE EXCHANGE VAN LOCATED
AT JAMES COOK RESERVE IN HILLARYS - [42270]****WARD** - Whitford

CJ001003_GRN.DOC:ITEM 5

SUMMARY

The WA Aids Council currently operates a Needle Exchange Van at James Cook Reserve in the suburb of Hillarys. Since the Needle Exchange Van began operating in Hillarys in August 1999, Council has received two letters of complaint, one letter of support and neither the local police nor the Hillarys Safer WA Committee has received any complaints about the van. However, following a number of articles in the local paper, the location and operation of the van has become a contentious issue within the community. In the latest letter of complaint, a ratepayer has requested that this issue be placed before Council for discussion and raises a number of concerns that he wishes Council to consider:

- abandoned needles have been seen in the area;
- suggestions that the Needle Exchange Van will attract addicts and dealers or increase criminal activities in the area;
- statements that the City of Joondalup has compromised its duty of care to the community by allowing the operation of the Needle Exchange Van.

The City does not have any role to play in the location or operation of the Needle Exchange Van. It does provide a collection and disposal service for used injecting equipment.

At the request of this ratepayer this briefing paper provides background information from both sides of the debate so that Elected Members can be fully informed of the issues.

BACKGROUND

The Needle Exchange Van is operated by the WA Aids Council. The Health Department of Western Australia currently provides funds to the WA Aids Council for education and support programs through needle exchange. The City does not have the legal jurisdiction to require the removal of the van and has no local laws or regulations that require an approval for the operation of the van, or to have the van relocated, or the operation times changed.

The Needle Exchange Van originally began operating in the Joondalup CBD in 1999. In August/September of that year the WA Aids Council chose to move the van due to the low number of clients accessing the service at that location.

On 25 August 1999 the City received a letter from the WA Aids Council notifying that the Needle Exchange Van was to be relocated from the Joondalup CBD to a new site at James Cook Park in Hillarys adjacent to the Whitfords Shopping Centre.

Concerns were raised regarding the suitability of the area due to the close proximity of residential properties and facilities such as pedestrian access ways. A letter was sent to the WA Aids Council on 5 October 1999 raising these concerns but noting that there were no Council approvals required for the operation of the van or any Council legislation to prohibit the van from operating at any location. However, the letter stated that the City did not support the relocation of the needle exchange van to James Cook Reserve in Hillarys.

Despite this the van was relocated to James Cook Park in Hillarys in November 1999. The WA Aids Council advised that it chose this site after extensive surveillance of the area. This area was also suitable as it met the requirements of easy access, discretion and safety. At the time of the relocation, the WA Aids Council received support from the Health Department of Western Australia and from the Hillarys Police Station.

The Needle Exchange Van operates at James Cook Park on Thursday nights for a period of two hours from 7:00 – 9:00pm. The van provides clients with an opportunity of disposing of used injecting equipment safely by offering needles at no cost in exchange for used needles on a 'one for one' arrangement. Should there be no 'exchange' then needles and syringes are sold at an affordable price. An appropriate disposal container is provided with all needles distributed by the van, whether sold or exchanged. The service also gives clients access to information on safe disposal, referral to treatment option and education on the transmission of HIV, Hepatitis C and B.

Since the relocation of the Needle Exchange Van, Council has received two complaints and a letter supporting the Needle Exchange Van.

DETAILS

Recognising the concerns raised in the latest letter of complaint, and at the request of this ratepayer, the City sought advice on these issues from the following organisations:

- The Australian Family Association;
- WA Aids Council;
- Health Department of Western Australia.

A copy of this letter was attached for their information. The City received replies from all three authorities and was forwarded publications from the Australian National Council on Aids, Hepatitis C and Related Diseases and a book published by Dr Joseph Santamaria, founder and former National President of the Australian Family Association.

The Australia Family Association

The State Secretary for The Australian Family Association forwarded a copy of a book that The Australian Family Association has just released called *Drugs Dilemma – A Way Forward*. The book deals with a number of key drug issues including Needle Exchange Programs. This publication does not support Needle Exchange Programs. The majority of information provided relates to findings from studies conducted in the United States and Canada where communities no longer support the setting-up of these exchange programs.

The book states that needle exchange programs have not been proven to prevent HIV/Aids and that outreach and education programs have been shown to be just as effective on their own without the provision of needle exchange. The publication refers to studies conducted in the USA and Canada finding that needle exchange programs did not reduce needle sharing and other risky injecting behaviour among participants.

This book refers to needle exchange programs as buyers clubs and suggests that they facilitate drug use by providing a network of contacts for drug users. It states that by cutting down on the search time, that is, the time necessary to find drugs, an addict again is able to inject more frequently, resulting in increased drug use, dependency, and exposure to HIV/Aids through needle sharing or sexual behaviour.

The book also states that by providing needles to addicts, needle exchange programs enable the addict to continue self-destructive illegal behaviour. Further, it suggests that, with regard to treatment outcomes, needle exchange programs should be compared to mandatory treatment programs, such as drug courts, which serve to force addicts into treatment whether they are ready or not. The book makes the assumption that an addict under the influence of a mind-altering drug does not think clearly and may overdose before he/she concludes that treatment is the best choice. It states most persons in treatment are there because of an encounter with the criminal justice system and that studies show that involuntary treatment works as well as voluntary treatment. Thus addiction specialist, Dr Sally Satel writes, 'for addicts force is the best medicine'.

The chapter on needle exchange programs then concludes with the statement that Needle Exchange Programs should be discontinued as they are not safe or effective and they result in increased drug use and HIV/Aids.

WA Aids Council

The Community Education Manager for WA Aids Council states in his reply that the Needle Exchange Van acts as a harm reduction and health promotion strategy and is concerned that there is considerable misinformation in the community regarding needle and syringe exchange programs.

In regard to the issue of abandoned needles in the area, Mr Farmer states that the Needle Exchange Van offers an incentive for people to dispose of their needles responsibly by providing a 'one for one' exchange. The return rates of used injecting equipment for the last financial year averaged 95%.

The Needle Exchange Van is also used to provide consistent education messages on safe disposal and the WA Aids Council has a policy that users who engage its service cannot buy, sell or use drugs in the immediate vicinity of the service. If they do so they are banned from accessing this service. The Needle Exchange Programs work with, not against, the law in assisting the community deal with the complex issues of drug use.

In the Community Education Manager's letter he states that recently the Hillarys Police have confirmed that they have not received any complaints from local residents about the Needle Exchange Van and have affirmed they have no evidence to support any claims of increased drug related crime in the Whitfords/Hillarys area.

The WA Aids Council states the Needle and Syringe Exchange Program plays a key role in the prevention of the spread of communicable diseases such as HIV, Hepatitis C and Hepatitis B through providing:

- new and clean equipment for injecting;
- removing old and used equipment from the community and disposing of it appropriately;
- providing advice to people who inject about safe disposal options available to them;
- providing information on safer ways of using for people who inject drugs;
- providing referrals for people who inject drugs to health, medical, detoxification, treatment and welfare services;
- providing information regarding resuscitation techniques and overdose prevention;

The WA Aids Council agrees that the City has a duty of care to enhance the health, well being and safety of its citizens. Mr Farmer states that the facilitation of the safe disposal of used injecting equipment is one aspect of this responsibility, as is the provision of access to appropriate health services to prevent the spread of blood borne viruses in the community. The WA Aids Council is committed to working with the community, through the Needle Exchange Van, to assist in being part of the solution to a difficult and complex illicit drug problem and its associated health problems.

Health Department of Western Australia

The Medical Co-ordinator of Sexual Health Program from the Communicable Disease Control Branch states that needle and syringe programs are a crucial public health strategy for preventing the transmission of blood borne viral infections among and from people who inject drugs. These programs have been extremely effective in limiting the transmission of HIV amongst people who inject drugs and are a major preventive strategy in the further transmission of Hepatitis C.

In regard to the issue of attracting addicts to the Hillarys area, the Medical Co-ordinator of Sexual Health Program states that there is no evidence that enabling access to sterile injecting equipment encourages injecting drug use. The programs do not condone illicit drug use but do recognise that despite prevention initiatives, people continue to use injecting drugs.

The Health Department supports the Needle Exchange Van operation of a ‘one for one’ exchange of needles to aid the problem of irresponsible disposal of used injecting equipment. The Medical Co-ordinator of Sexual Health Program states that in WA two thirds of needles and syringes are sold through local pharmacies that can only offer a minimal education service to these clients. In the Hillarys area, this figure is substantially higher with 79% of needles and syringes sold through the local pharmacies and only 21% distributed through the WA Aids Council exchange van in the last financial year.

The Medical Co-ordinator of Sexual Health Program also states that moving the van to an alternative site is unlikely to alleviate problems related to drugs and crime that exist in the Hillarys community. Rather, this would have the potential to create a range of health problems that would be of long-term detriment to the community as a whole. These include risk of transmitting Hepatitis C and HIV, not only among people who inject drugs, but also to the wider community. The community bears the social and economic costs associated with these infections, so strategies to reduce transmission need ongoing support.

The Medical Co-ordinator of Sexual Health Program asks that the City support the invaluable service that the WA Aids Council provides the Hillarys community by offering education, a means of safe disposal, referral to treatment and access to clean equipment to an often hard to reach client group.

COMMENT

This report has provided information from both sides of the debate so the Elected Members can be fully informed on this issue. Whilst, the City can play no role in the location or operation of the Needle Exchange Van, it does perform a valuable role in the collection and disposal of used injecting equipment.

OFFICER’S RECOMMENDATION: That the information in relation to the Needle and Syringe exchange van located at James Cook Reserve in Hillarys be NOTED.

MOVED Cr Mackintosh, SECONDED Cr Ewen-Chappell that Council URGES the WA Aids Council to discontinue the practice of locating the Needle & Syringe Exchange Van in residential areas such as James Cook Park in Hillarys.

AMENDMENT MOVED Cr Magyar, SECONDED Cr Hollywood that the Motion be amended to read:

“RECOGNISES the community concerns regarding the Needle & Syringe Exchange Programs being conducted in residential areas and accordingly requests the WA Aids Council to discontinue the practice of locating the Needle and Syringe Exchange Vans in residential areas such as James Cook Park in Hillarys.”

The Amendment was Put and

CARRIED

The original Motion as amended was Put and

CARRIED

MOVED Cr Magyar, SECONDED Cr Hollywood that an additional Point 2 be added to read:

“2 SUPPORTS programs that reduce the risk of diseases being transmitted within the Western Australian community.”

AMENDMENT MOVED Cr Mackintosh, SECONDED Cr Walker that the following words be added to the end of Point 2:

“....., such as the Naltrexone program.”

The Amendment was Put and

CARRIED

The Original Motion was Put and

CARRIED UNANIMOUSLY

MOVED Cr Magyar, SECONDED Cr Hollywood that an additional Point 3 be added to read:

“3 WRITES to the WA Aids Council requesting them to relocate the Needle & Syringe Exchange Van venue to the carpark of City of Joondalup Administration Centre, Boas Avenue, Joondalup or the Joondalup Health Campus.”

The Motion was Put and

CARRIED

It was requested that the votes of the of all members present be recorded:

In favour of the Motion: Mayor Bombak, Crs Hurst, Kenworthy, Patterson, Wight, Rowlands, Walker, Hollywood and Magyar

Against the Motion: Crs Ewen-Chappell, Carlos, Barnett and Mackintosh

INFRASTRUCTURE MANAGEMENT

CJ274 - 10/00 ON-STREET PARKING STRATEGY - JOONDALUP CITY NORTH – [41569] [07190]

WARD – Lakeside

CJ001003_BRF.DOC:ITEM 9

SUMMARY

In November 1999 the City formed a consultative working party to address residents' concerns in relation to on street parking in the Joondalup City North area. A comprehensive parking survey of parking patterns in the Joondalup City North area has been completed and a strategy to address these concerns is now presented for consideration.

BACKGROUND

Joondalup City North residents first raised their concerns in regard to on-street parking in the form of a 56 signature petition in May 1998. In June 1998, another 11-signature petition was received from Beacontree Way residents. In each instance, residents' concerns centered on a perceived lack of adequate parking in City North.

In response to these petitions, a report was presented at the 28 July 1998 meeting of the Joint Commissioners. The following statement which set out the basis for planning of City North and its difference to conventional suburban housing was given in this report.

Joondalup City North has been developed by Landcorp as a unique inner city environment. This has been achieved through the interconnected gridded street pattern with rear lane access and servicing to all lots. Parking is provided on site, accessed from the laneways, in accordance with the requirements of the Residential Planning Codes and it has always been accepted (Concept Plan 1991) that visitor and short stay parking would occur on the streets.

Car parking on the streets is not only to be expected as part of the natural functioning of Joondalup City but is to be encouraged as it keeps the streets active and safe for all.

After consideration of this report, it was resolved to inform the residents of the basis of parking provisions (in City North) and to monitor the situation and take appropriate measures to control parking if required (Item No CJ49-07/98 refers).

Subsequently while monitoring of parking patterns was taking place, another 40-signature petition was received in November 1998. The petitioners requested the installation of embayment parking to alleviate parking problems on the north side of Nottingham Street, east of Regents Park Road.

At the May 1999 meeting, a report (generated by the July 1998 resolution) on the ongoing problems associated with rear laneway parking was presented to the Joint Commissioners for consideration.

After consideration of this report it was resolved to approve installation of 'NO PARKING' signs in the laneways of Joondalup City North (Item No CJ190-05/99 refers) to effectively ban laneway parking.

It had been intended that the 'NO PARKING' areas be delineated by way of pavement marking, however it was later established that this may conflict with the Australian Standard.

To implement the intention of the resolution and to satisfy the Local Laws, trial use of pavement marking to delineate the laneway parking ban using 'NO STOPPING' was initiated. This wording complies with the Australian Standard. An initial trial area was chosen and pavement marking with a yellow unbroken line bounded by the words 'NO STOPPING' was carried out during December 1999.

During the trial this form of treatment was generally regarded as a success. In view of this, arrangements have been made to extend this form of treatment throughout the remaining laneways in the City North area. The extent of the laneways in City North covered by the 'NO STOPPING' restriction is shown on Attachment I.

While some of these laneways are yet to be completed (work is due to be completed shortly), it is felt that as a whole, the issue of laneway parking has been successfully resolved.

In the meantime, at the 12 October 1999 meeting the Joint Commissioners considered a detailed report (Item No CJ360-10/99 refers) in relation to issues in the Joondalup City North. After consideration of this report the Joint Commissioners resolved to;

AGREE to carry out a consultative process involving the Joondalup City North community, to investigate the resolution of parking issues in the area, recognising:

- (a) the objectives of Joondalup City Centre and of the contribution of City North to creating a complete inner city community; and*
- (b) complaints received about parking, access and use of public access ways throughout City North;*

In accordance with this resolution, in November 1999 the City formed a consultative working party to address a number of residents concerns in the Joondalup City North area. The working party was made up of local resident/landowner representatives and Council Officers from Urban Design, Rangers and Infrastructure Management.

The aim of the working party was to work with local residents and landowners in the context of the planning intentions for the Joondalup City North area as a whole and to determine measures that may be recommended to Council for action.

While other issues were discussed during this process, the main issue for discussion was on street parking within the City North area. Residents highlighted their two main areas of concern for which they felt the City could resolve. These were laneway parking and on street parking.

Monitoring of parking patterns has been ongoing since the inception of City North several years ago. However, it was decided that a comprehensive parking survey be undertaken and that a parking strategy be recommended to address any perceived parking deficiencies identified through this process.

The main aim of the parking survey was to:

- *Evaluate the operation of existing on street embayment parking;*
- *Determine the impact of on street parking (in streets without embayment parking);*

DETAILS

Details of the parking survey findings are as follows.

During the survey, the number of existing on street parking bays and the number of private (off street parking provisions) were noted. There are presently 248 shared residential and commercial on street parking embayments provided in the City North area. Parking patterns throughout the City North area and the use of the on-street parking bays was then monitored on a regular basis over a period of 6 weeks (Dec 1999-Mar 2000).

Existing On-Street Embayment Parking

Generally the survey showed that the on street parking provisions (embayed parking) within the City North area were adequate and that parking patterns were in line with the planning intentions of the area.

On occasion however, the survey identified one particular area of high on street parking demand. This occurs on Regents Park Road during business hours, due mainly to the mixed nature of the adjacent land uses.

In particular, the southern section of Regents Park Road between Queenbury Road and Plaistow Street has the highest demand for on street parking due to the proximity of the Hospital and Aged Care Units. At other times demand for resident and visitor parking is low in these areas.

Essentially the conflict between all day staff/visitor/resident parking on Regents Park Road can easily be regulated through the use of time limited parking restrictions similar to those already implemented in the Joondalup City Central Business District (CBD). These restrictions are intended to limit parking to short term and thus create a higher turnover of business orientated parking during business hours. Adequate off street parking for staff, visitors and patients is provided for the Hospital and Aged Care Units.

Outside of business hours these areas revert back to normal residential/visitor parking. This type of restriction will ultimately be common throughout the Central Business District and City North and can be 'fine tuned' to suit the adjacent land use. For instance parking adjacent to Banks and Medical facilities can be limited to 15 minutes (or less) to allow set down and pick up and also to ensure regular turnover in high on street parking demand areas. It is important to note however that perceived ownership of certain parking embayments by businesses or residents should actively be discouraged.

Given the mixed land use along Regents Park Road it had been envisaged that time limited parking restrictions be introduced at some stage.

In this instance the type (initially 2 hours parking) and ultimate extent of the proposed parking restrictions on Regents Park Road are shown on Attachment 2.

Additional or modified restrictions may be presented for consideration at a later stage to meet community or adjacent landowner expectations.

On-street Parking

The demand for parking on streets without formal on street embayment parking was also determined during the survey.

To a large extent, the concept of on street parking is used to regulate vehicle speed within City North. The on street parking is utilised as a traffic calming strategy on low volume roads. This was a feature of the 'model' street layout on what is now Plaistow Street during the initial stage of City North.

Alternatively, roads that are expected to carry larger traffic volumes or are adjacent to public open space have been constructed to include on street parking embayments. Examples of this are Regents Park Road, Algate Street and Nottinghill Street (west). The higher traffic volumes or proximity to Public Open Space dictated that on street embayed parking be provided on these roads.

Unfortunately this has led to a misconception by some City North residents that all City North roads should have on-street parking embayments.

However, if roads such as Nottinghill Street (east) that have an existing width of 5.5m were widened to accommodate embayed on street parking, the likely result would be a significant increase in traffic volume and speed on these roads.

On this basis, the construction of embayments on these roads is not supported at this stage.

Additional On-Street Embayment parking

While the strategy to promote on street parking as an effective traffic calming method is supported, the parking survey also established that construction of parking embayments in some roads may not significantly alter the roads function or adversely increase traffic speed.

In particular, construction of embayed parking on St. Pauls Road (east) and adjacent to the Aged Units in Kyle Court may benefit street residents without adversely effecting the roads intended function.

During the parking survey it was also noted that there may also be an opportunity to develop addition 90 degree angle parking bays at the rear of Regents Park. This area currently has 10 parking bays with potential to develop an additional 10 bays.

In total the construction of these bays on St Pauls, Kyle Court and adjacent to Regents Park would create an additional 45 parking opportunities in the City North area.

In these instances, consideration of providing formalised parking embayments on these roads is supported. The priority for the provision of additional parking bays is currently medium-low priority. The location of these additional embayments is shown on Attachment 3.

COMMENT/FUNDING

The monitoring of parking patterns has been ongoing since the inception of City North several years ago. While some parking problems occurred during the early development of City North, analysis of parking trends now suggests that what had been a problem during the concentrated construction and development period may have now generally been resolved.

This may largely be attributed to the anticipated 'settling' in period required for new residents and landowners to adjust to the concept of 'inner city' style living, but also to measures already undertaken by the City to address some concerns.

While the parking survey established that the majority of parking is accommodated in accordance with the planning intentions of City North, implementation of a staged parking restriction strategy would address some perceived existing and future potential parking demand conflicts.

At this stage however, it is only intended to install the restrictions on the southern section of Regents Park Road, between Queensbury Road and Nottinghill Street. The extension of the parking restrictions to include the remaining section would follow, depending on the establishment of a warrant through additional monitoring of parking demand in this area. Other time limited restrictions are also planned in the future adjacent to the Aged Care Units in Aldwych Way.

On this basis, implementation of the parking restriction strategy shown on Attachment 2 is supported. Implementation of the strategy on a staged basis allows a degree of flexibility to implement restrictions based on actual demand or on a 'needs' basis. Cost associated with installation of signs and sign posts in City North can be carried out under the Parking and Signage Maintenance account.

In the meantime, funding consideration can be given to the provision of on street parking embayments on Kyle Court and St Pauls Road in the City's Five-Year Capital Works Program, as a medium priority. Final construction of these embayments would be subject to further consultation with street residents

Further monitoring of parking patterns will continue and the requirement for additional action reviewed accordingly.

Notwithstanding, it is imperative that the original planning intentions of City North remain. In view of this, reiteration of the previous statement that;

Joondalup City North has been developed by Landcorp as a unique inner city environment. This has been achieved through the interconnected gridded street pattern with rear lane access and servicing to all lots. Parking is provided on site, accessed from the laneways, in accordance with the requirements of the Residential Planning Codes and it has always been accepted (Concept Plan 1991) that visitor and short stay parking would occur on the streets.

Car parking on the streets is not only to be expected as part of the natural functioning of Joondalup City but is to be encouraged as it keeps the streets active and safe for all.

is also supported.

MOVED Cr Ewen-Chappell, SECONDED Cr Magyar that Council:

- 1 ADOPTS the parking restriction strategy for Joondalup City North as shown on Attachment 2 to Report CJ274-10/00;**
- 2 LISTS for consideration on a medium priority, construction of on street parking embayments in Regents Park, Kyle Court and St Pauls Road east as shown on Attachment 3 to Report CJ274-10/00;**
- 3 SUPPORTS the statement outlining the basis for the planning of City North and its difference from conventional suburban housing;**

4 ADVISES the residents of City North accordingly.**The Motion was Put and****CARRIED***Appendix 3 refers**To access this attachment on electronic document, click here: [Attach3brf031000.pdf](#)***CJ275 - 10/00 FORREST ROAD - TRAFFIC CALMING TREATMENT - [16172]****WARD - Pinnaroo**

CJ001003_BRF.DOC:ITEM 10

SUMMARY

A 34-signature petition has been received from Padbury residents seeking the installation of traffic calming devices to control traffic speed on Forrest Road, Padbury.

Evaluation of the traffic situation on Forrest Road indicated that the traffic treatment of this road is a medium priority for funding in the Five-Year Capital Works Program. This project can be listed for funding consideration in the 2002/2003 5 Year Capital Works Program.

BACKGROUND

In June 2000, Council received a 34-signature petition from Padbury residents seeking the installation of traffic calming devices to control traffic speed on Forrest Road, Padbury.

The petitioners concerns relate to excessive vehicle speed and antisocial driver behaviour such as 'burn outs', 'fish tails' and 'doughnuts'.

A summary of these incidents has been submitted by the petitioners that also includes information on vehicles losing control and crossing onto verges, difficulties experienced by pedestrians trying to cross Forrest Road and vehicles being observed traveling "in excess of 100km/h".

The petitioners are also concerned that Forrest Road is being used by motorists as a high-speed short cut to avoid the existing traffic signals at Marmion Avenue and Whitfords Avenue.

DETAILS

Forrest Road is a 10 metre wide local collector road in Padbury. Its main function is to collect traffic and distribute it to the surrounding distributor roads such as Marmion Avenue and Whitfords Avenue.

A survey of traffic flow on Forrest Road in July 2000 indicates that the current traffic volume is between 2200 to 2600 vehicles per day (VPD).

The recorded 85th percentile speed of vehicles during peak flow periods on Forrest Road varies along the length of the road and is lowest (50km/h) approaching the roundabout at Alexander Road, while higher vehicle speeds (75km/h) were recorded near Bannister Road and Macdonald Ave (east). Whilst incidences of excessive speed were recorded, they are more likely to occur during non-peak time when vehicle volumes are lowest. Typically these occur between 10pm and 5am. The recorded speed data suggests however that the majority of motorists travel within a range of plus or minus 10km/h of the 60km/h speed limit. A summary of the traffic survey is shown at Attachment 1.

Previous traffic surveys carried out by the City in 1995 and 1998 on Forrest Road show comparatively similar results for both traffic volume and speed.

Over the three-year period to December 1999, there have been 4 recorded vehicle crashes on Forrest Road. These were recorded at the intersections with Macdonald Avenue (1), Alexander Road (2) and Gregory Avenue (1). This suggests that many of the 'antisocial' incidents go unreported.

While the traffic survey data suggests that Forrest Road is functioning similar to other roads of this type, in accordance with the City's current strategy to undertake traffic treatment of 10 metre wide local collector roads throughout the municipality, the treatment of Forrest Road Avenue is currently listed in the Five-Year Capital Works Program.

The priority for treatment of these roads was established as part of the 2000/01 budget deliberations. Forrest Road is one of 45 projects (roads) listed in the Five-Year Works Program for completion over the next five years as part of the Precinct Traffic Management Sub Program.

The traffic treatment of Forrest Road is currently ranked first of nine projects listed in priority order for funding consideration as part of the 2002/03 Precinct Traffic Management Sub-Program.

The current treatment proposal features a flush red asphalt central median with intermittent landscaping. Raised traffic islands are provided at junctions to regulate vehicle-turning movements and at high pedestrian crossing points to improve safety at these locations. The central landscaping allows existing residential access to be maintained while creating a boulevard effect and improving the visual amenity for a given length of road.

The reduced carriageway width in combination with the change in the road environment through central landscaping, effectively reduces overall vehicle speeds and impacts on residential access are significantly reduced. The restricted intersection widths may also lessen the likelihood of some antisocial driver behaviour such as 'burnouts'.

This proposal is designed to complement the existing roundabout previously constructed at the intersection with Alexander Road.

The traffic treatment of the connecting Giles Avenue to a similar standard and construction of a roundabout at Giles and Forrest are also currently listed in the Five-Year Capital Works Program.

COMMENT/FUNDING

It is envisaged that the area wide treatment of 10m wide roads in Padbury such as Forrest Road and Giles Avenue will assist to achieve an area wide reduction in overall vehicle speed amongst a majority of motorists. The ultimate objective being improvements to safety of all road users and amenity of the area for the local community.

When completed, the proposed traffic treatment of Forrest Road may be expected to conservatively achieve an overall reduction in vehicle speed by around 5-10km/h. This would have the desirable outcome of reducing the current 85th percentile speed equal to or below the current built up area limit of 60km/h.

The proposed future improvements to Forrest Road and Giles Avenue are expected to address the majority of the petitioners concerns.

However, it is important to note that given the nature of a majority of incidents reported by the petitioners, it is difficult to address what is essentially a driver behavioural problem with traditional traffic treatment methods.

Experience has shown that while traffic calming treatments are generally successful in modifying driver behaviour in a majority of motorists, they are ineffective in preventing incidents of excessive speed or modifying driver behaviour in motorists that drive with little regard for their legal or social responsibilities. These type of motorists invariably see traditional forms of traffic treatment as a challenge, which may simply exacerbate problems, associated with antisocial driver behaviour.

In view of this, incidences of excessive speed or antisocial driver behaviour should be referred to the local Police service for action.

This type of driver behaviour highlights the importance of the State Government supporting initiatives such as the proposed lowering of the local area speed limit to 50km/h, with a comprehensive driver education and enforcement campaign.

MOVED Cr Ewen-Chappell, SECONDED Cr Walker that Council:

- 1 LISTS the traffic treatment of Forrest Road in the 2002/03 Five-Year Capital Works Program;**
- 2 ADVISES the petitioners and residents of Forrest Road accordingly.**

The Motion was Put and

CARRIED

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf031000.pdf](#)

**CJ276 - 10/00 BADRICK STREET, WARWICK - PERMANENT
ROAD CLOSURE - [05378]****WARD - South**

CJ001003_BRF.DOC:ITEM 11

SUMMARY

In view of traffic concerns at the Badrick Street, Warwick intersection with Beach Road, a trial road closure has been initiated. Following the success of this trial a now permanent road closure is proposed. The public notice period for the proposed permanent road closure of Badrick Street at the intersection of Beach Road Warwick, has been completed. After consideration of the public submissions and in accordance with Section 3.50 of the Local Government Act 1995, Council's endorsement on seeking the Minister for Lands approval for the permanent road closure is recommended.

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.

At that time there had been fifteen recorded casualty crashes over a five year period to December 1997. Eight of these crashes involved serious injury to the vehicle occupants.

On this basis, the City, in conjunction with the City of Stirling considered several options to improve safety at this intersection. Main Roads WA had advised that it had no plans to install traffic signals.

The options included, intersection realignment, full or partial median closure, banning right turns from Badrick Street and 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 affect access to Belvedere Road as it is the main access to several community facilities. Main Roads WA supported the full 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).

At the conclusion of the trial period a report on the impact of the closure was presented for consideration at the 27 June 2000 meeting of Council.

Accident Statistics

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.

It was reported however that during the trial closure period, there have been no crashes recorded at the Badrick Street or nearby intersections.

This positive result has been 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 equates to a cost saving to the community of around \$55,000 over six months.

On this basis, after consideration of this report, Council resolved to initiate the permanent road closure of Badrick Street at the intersection of Beach Road (item No.CJ158-06/00 refers).

In accordance with Section 3.50 of the Local Government Act 1995, the intention to permanently close Badrick Street at Beach Road was advertised for a period of not less than 28 days. Written submissions on the proposal were invited and closed on 17 August 2000. The permanent road closure proposal is shown on Attachment 1.

DETAILS

At the closing of the submission period three individual submissions had been received. Two submissions were made in support of the permanent road closure and one against. A 19-signature petition opposing the permanent road closure has also been received.

A summary of the comments received during the submission process is shown below.

Location of Submission	Comments
Barnsbury Road (resident)	Since the closure; <ul style="list-style-type: none"> • We have not witnessed a single accident along Beach Road near Badrick Street or Belvedere Road. • We have not been awoken at night by motorists burning out tyres at the corner of Barnsbury and Badrick. • The incidence of graffiti on walls near the corner of Barnesbury and Badrick has almost ceased. These three points more than compensate for the minor inconvenience of having to drive up Barnesbury and then Dorchester to get to Beach Road. Very happy to see the closure made permanent.
Badrick Street (resident)	I am very much in favour of the road remaining closed. Badrick Street is much safer and I have not heard of any accidents at the crossroads during this time.

Badrick Street (resident)	While the closure has reduced through traffic, it has proven to be very inconvenient and created a dangerous situation. The original problem of through traffic speeding in Badrick Street was of concern and the closure at Beach Road obviously solves this problem. However it has forced the use of two dangerous T-junction. Strongly object to the permanent road closure.
Barnsbury Road Churton Way (petition)	The danger inherent in forcing all local traffic out onto Dorchester Avenue. We propose that a left turn slip access from Badrick into Beach be given consideration.

The petitioners against the proposal have suggested allowing limited access from Badrick Street to Beach Road. The petitioners main concern is that they are directed to use Dorchester Avenue.

While this comment is noted, the redirection of non-local traffic away from Badrick and Barnsbury has resulted in significantly less traffic and lower overall vehicle speeds on these roads.

The impact of the road closure, in terms of traffic volumes is shown on Attachment 2. The data clearly shows significantly less traffic at the intersection of Dorchester Avenue and Badrick Street and also that there has been no change in traffic at the intersection of Dorchester Avenue and Barnesbury Road since the trial closure was initiated. In addition, motorists exiting onto Dorchester Avenue from either Badrick or Barnesbury Road would enter a significantly lower speed environment than Beach Road.

In regard to the left out only proposal, this option had been previously considered together with several other partial road closure options, including a median closure as part of the original investigation. At that time however, it was established that all other options apart from the full closure could conceivably allow some motorists to perform undesirable movements which would ultimately compromise the safety of all other road users.

In particular, even with a restricted left turn out treatment, the offset alignment of Badrick Street to Belvedere Drive may make it difficult to prevent undesirable movements by motorists. The offset alignment and potentially hazardous movements are shown on Attachment 3.

Experience of similar intersection arrangements suggests that this type of driver behaviour is potentially hazardous at locations where 'limited' access is provided. On this basis, the left out only option was not supported.

It is acknowledged that there would be some members of the community that regard the closure as an inconvenience in terms of travel time, and perceived transfer if problems to the intersections of Badrick Street and Barnsbury Road with Dorchester Avenue.

While these concerns are noted, there is no evidence to suggest the operation of these intersections is compromised by the road closure. Vehicle speed and volume on Dorchester Avenue is significantly lower than on Beach Road and therefore the risk or severity of crashes at these intersections is significantly reduced. The perceived increase in travel time or restricted access is a minor inconvenience and is not considered significant enough to warrant reopening Badrick Street.

As part of the overall traffic strategy associated with the road closure, the installation of traffic islands can be considered on a priority basis, at the intersection of Badrick Street and Barnsbury Road with Dorchester Avenue.

The initiation of the permanent road closure has also provided an opportunity for this project to be submitted for funding of \$25,000 as part of the 2001/2002 Federal Road Safety Black Spot Program.

The submitted full closure of Badrick Street rates highly, with a Benefit Cost Ratio (BCR) of 10. As a guide projects with a BCR of 5 or greater ranked highly in the 2000/01 round of funding approvals.

If successfully funded, municipal funds which had been allocated for this project (\$25,000) in 2000/01 may be reallocated to fund the installation of traffic islands at the intersection of Badrick Street and Barnsbury Road with Dorchester Avenue.

Should any vehicle movements not currently permitted by the full closure be allowed, there would be a significantly increase in the risk of crashes involving these additional movements. This would be reflected in a reduced BCR value and therefore lessen the projects ability to attract Black Spot funding.

COMMENT/FUNDING

While consideration may been given to reinstating certain vehicle movements at this intersection, to do so may significantly increase the risk of crashes at this location. In addition the reopening of Badrick Street would be likely to re-attract additional high speed non-local through traffic that wish to avoid the signals at Dorchester Avenue.

On this basis, any consideration to re-open Badrick Street or allow certain vehicle movements would need to be very carefully considered.

The trial closure was used to establish the effects of such a closure on the local road network. In terms of reducing the number of crashes at the former four-way intersection, the trial closure can be regarded as successful.

In addition to the intersection safety improvements the trial closure has also established a number of other amenity and social improvements for local residents. Reduced non-local traffic, vehicle speed and reduced incidents of antisocial driver behaviour have been positive outcomes for local residents.

In view of this, progression to finalise the permanent road closure of Badrick Street is supported.

Following Councils support for this road closure, approval for the permanent road closure will be required from the Minister for Lands.

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

MOVED Cr Ewen-Chappell, SECONDED Cr Barnett that Council:

- 1 SEEKS approval for the permanent road closure of Badrick Street, Warwick from the Minister for Lands;**
- 2 CONSIDERS the installation of traffic islands on a priority basis at the intersections of Badrick Street and Barnsbury Road with Dorchester Avenue, subject to the 2001/2002 Federal Road Safety Black Spot Program submission being successful, otherwise these works to be considered for inclusion by Council as part of the 2001/2002 Draft Budget deliberations.**
- 3 ADVISES the community accordingly.**

Cr Wight sought clarification on what additional steps could be undertaken to alleviate problems for traffic attempting to exit Dorchester Avenue.

Director, Infrastructure Management advised “black spot” funding had been applied for to undertake the closure works and it should be known during the first quarter of 2001 whether this submission was successful.

The Motion was Put and

CARRIED

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf031000.pdf](#)

CJ277 - 10/00 CONTRACT EXTENSIONS - 006-99/00 SUPPLY & DELIVERY OF VARIOUS SIGNS AND 004-99/00 SUPPLY OF PAVEMENT MARKINGS - [34614] [32614]

WARD - All

CJ001003_BRF.DOC:ITEM 12

SUMMARY

The above contracts form part of the City of Joondalup maintenance contracts and, in accordance with the General Conditions of Contract Clause 23 Extension of Contractual Period, the City has negotiated the appropriate extensions with each tenderer.

The contracts are subject to minor variation following written agreement between the Contractor and the City of Joondalup.

DETAILS

Contract 006-99/00 Supply & Delivery of Various Signs

The existing contractor is De Neeffe Signs.

Contract extension - 1 September 2000 to 31 August 2001.

All rates remain as per the original tender quotations, with the application of 10% GST.

Contract 004-99/00 Supply of Pavement Markings

Contract extension - 1 September 2000 to 31 August 2001.

A rate reduction applies for various categories of pavement marking. No increase applies, other than the application of 10% GST. The Contractor, Country Linemarking Pty Ltd, has negotiated the minor variations with Council.

COMMENT/FUNDING

All contractors have complied with the Contract Period clause, which states:-

- (a) The Contractor shall notify the Principal in writing at least 120 days prior to expiry of this contract, expressing its intentions to be considered for the renewal of the contract.
- (b) Subject to the satisfactory performance of the contract, and under the provisions of following sub clause 1, the Principal may consider to extend the contract further for two periods each of 12 months or part thereof. Such extensions of this contract shall be in accordance with the same terms and conditions, or with negotiated price adjustments.

MOVED Cr Rowlands, SECONDED Cr Hurst that Council:

- 1 AUTHORISES the extension of Contract 006-99/00 to De Neeffe Signs for Supply & Delivery of Various Signs, for a period of 12 months, from 1 September 2000 to 31 August 2001, with the application of 10% GST;**
- 2 AUTHORISES the extension of Contract 004-99/00 to Country Linemarking Pty Ltd for Supply of Pavement Markings, for a period of 12 months, from 1 September 2000 to 31 August 2001, with the application of 10% GST (rate reduction applies for various categories)**

Cr Ewen-Chappell queried the suburb location of the successful tenderers.

The Motion was Put and

CARRIED

CJ278 - 10/00 CONTRACT NO 107-99/00 SWEEPING OF URBAN & ARTERIAL ROADS - [45910]**WARD** - All

SUMMARY

Council awarded Tender 107-99/00 Sweeping of Urban & Arterial Roads to Town Property Maintenance in August 2000. That company has advised the City that it is unable to comply with the contract conditions and cancellation of the contract is therefore recommended.

The second tenderer, Clean Sweep, has confirmed it is available to undertake the works, in accordance with its Schedule of Rates.

BACKGROUND

Town Property Maintenance was awarded the above contract for the sweeping of urban and arterial roads (Report CJ221-08/00 refers). The contract was executed on 28 August 2000 and work commenced in early September 2000. Sweeping was undertaken in Greenwood and Duncraig.

DETAILS

On 20 September 2000, Operations Services received a facsimile from Town Property Maintenance advising that due to circumstances beyond its control, it had no choice but to immediately withdraw sweeping services which were to take place.

Town Property Maintenance was advised the following by facsimile from the City dated 21 September 2000:-

- (a) *The City of Joondalup entered into a contract with you for the sweeping services for a period of 12 months, commencing 1 September 2000 until 31 August 2001.*
- (b) *The Contract, which is a legally binding agreement, was signed by you accepting the terms and conditions of the Contract to provide the services of Sweeping of Urban & Arterial Roads.*
- (c) *Under Clause 11 "Default" and its sub clauses of the General Conditions of Contract, failure by you to carry out the services which you agreed to provide to the City places you in default under the terms and conditions of the Contract.*
- (d) *Termination of the Contract may only occur upon one of the events as stipulated under Clause 25 "Termination" and its sub clauses.*

Until a further course of action can be taken by the City to continue the level of service and maintain the Sweeping of Urban and Arterial Roads, you are legally bound by the agreement to maintain the services according to the terms and conditions specified under the Contract at your own expense.

The following information was received on 25 September 2000 from Town Property Maintenance:-

“In response to your fax 21 September 2000, with regards to my withdrawal to the above tender.

I was unable to secure two machines as planned, one is now involved in a court case and will no longer be purchased by myself. My second machine has only just arrived in Perth, after being three weeks late and was placed in quarantine on arriving. It will be at least another week before being ready for working.

I have been attempting to sweep three shires with only one machine, which is impossible, and impractical. Also the approx 30% increase in fuel prices could not have been prepared for in the tender.”

During this period of discussion with Town Property Maintenance, confirmation was sought from the only other tenderer, Clean Sweep, that its tender submission would remain current for the 45-day period from date of signing. Clean Sweep confirmed in writing that the tender prices remained current and would be available if required to undertake the work.

The options available to the City to enforce compliance of the contract with Town Property Maintenance would involve legal representation and the outcome would not achieve the desired street sweeping performance.

Therefore, it is recommended that Contract 107-99/00 Sweeping of Urban and Arterial Roads, awarded to Town Property Maintenance, be cancelled and awarded to Clean Sweep, in accordance with the tender price schedules attached (refer Attachment 1).

COMMENT/FUNDING

Report CJ221-08/00 identified that the tender evaluation process supported Town Property Maintenance over Clean Sweep. The prices submitted by both companies were competitive for suburb sweeping, however the hourly rate from Clean Sweep for special work was higher, ie. Clean Sweep hourly rate - \$144.00; Town Property Maintenance hourly rate - \$80.00.

This is a significant variation and control of the special works sweeping will be implemented to minimise expenditure. The Operations Services' in-house sweeper will be utilised where possible for this work.

Funding is via the Annual Maintenance Budget.

Call for Support of one-third of members of the Council

The Local Government Act 1995, under regulations prescribed to deal with Section 5.25 (e), lays down the following procedure for dealing with revoking or changing decisions made at Council or Committee meetings:

If a decision has been made at a Council meeting, then any motion to revoke or change the decision must be supported by at least one-third of the number of officers (whether vacant or not) of members of the Council.

If supported by one-third of the members, then any decision to revoke a resolution of the Council if required to be passed by an Absolute Majority.

Prior to giving consideration to the following recommendation, elected members are required to give the **support of one-third of their members**, and such support is to be recorded in the minutes of this meeting.

The Mayor called for support from one-third of the members of Council. Support for this Item was given by Crs Ewen-Chappell, Rowlands, Wight, Mackintosh and Barnett.

MOVED Cr Ewen-Chappell, SECONDED Cr Walker that Council:

1 RESCINDS its resolution CJ221-08/00 dated 22 August 2000, viz:

“1 ACCEPTS the tender (including the price schedule) submitted by Town Property Maintenance for Tender No 107-99/00 Sweeping of Urban and Arterial Roads, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council’s approval;

2 AUTHORISES signing of the contract documents.”

2 ACCEPTS the tender (including the prices schedule) submitted by Clean Sweep for Tender No 107-99/00 Sweeping of Urban and Arterial Roads, in accordance with the Conditions of Tender, for a period of 12 months from 1 September 2000 to 31 August 2001, with an option to extend for 2 x 12 month periods or part thereof, subject to satisfactory performance and Council’s approval;

3 AUTHORISES signing of the contract documents.

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6ag101000.pdf](#)

Cr Wight declared a non-financial interest in Item CJ279-10/00 as he has an association with the Beaumaris Sports Club.

CJ279 - 10/00 TURF WICKET FACILITIES AT BEAUMARIS SPORTS COMPLEX - [02046]

WARD - North Coastal

CJ001003_BRF.DOC:ITEM 13

SUMMARY

The City has received a request from the Joondalup District Cricket Club, formerly North Perth Cricket Club, seeking support of a one off amount of \$15,000 from the City to help offset the maintenance costs for turf wicket facilities at the Beaumaris Sports Complex oval for the 2000/01 summer season.

Provision of the turf wicket facilities at the complex was authorised by Council and undertaken by the club on the understanding that all associated maintenance would be the responsibility of the club.

BACKGROUND

In October 1990, the former City of Wanneroo received Report No F10835 Turf Cricket Wicket Facilities. This report outlined to Council the current procedures and expenditure regarding turf wicket maintenance. The report also outlined the progress being made with the Chief Executive of the WACA regarding the dependence of senior cricket clubs on local authorities for turf wicket maintenance.

Officers from the City of Melville, City of Perth and the former City of Wanneroo met with WACA and club representatives to identify options for shared maintenance, or club/Council leasing agreements. The current agreements with the Whitfords & District Cricket Club and the Wanneroo Cricket Club (with the City of Wanneroo) resulted from these discussions.

Council resolved the following:-

1. To retain the turf wicket facilities at Kingsway Sporting Complex in Madeley and MacDonald Park in Padbury.
2. That clubs be responsible for all turf maintenance of these facilities via a five year maintenance agreement.

In August 1995, Report No TS248-08/95 recommended that the Whitfords & District Cricket Club and Council enter into a five year maintenance agreement, for a fixed sum of \$25,000 per annum, for the maintenance of the turf wicket facility at MacDonald Park Padbury. This agreement is currently being renegotiated and the club is currently considering a draft document.

Council's contribution to the maintenance has been structured to achieve an annual reduction from \$25,000 to \$20,000 over the period of the new agreement.

The club continues to have use of the wickets for match play and the storage shed at MacDonald Park.

In November 1995 the Whitfords & District Senior Cricket Club approached Council for approval to install turf wickets at Flinders Park in Hillarys (formerly Whitfords Park). This park was a new park and had minimal utilisation for general sports.

Report No TS356-11/95 recommended and Council adopted the following:-

That Council -

1. advises the Whitfords and Districts Senior Cricket Club that the proposal will be investigated;
2. requests the Recreation Department to identify the impact of installation of turf wickets on other park users; and
3. requests the Whitfords and Districts Senior Cricket Club to submit cash flow statements and budget assessment to substantiate its ability to undertake total funding of development and maintenance without Council contributions.

The Whitfords and District Senior Cricket Club installed the turf facilities and continue all maintenance without a subsidy from the City. The club has purchased additional plant and equipment to utilise at this site, in accordance with the initial agreement for maintenance.

The City of Joondalup Corporate Procedure Manual Section 7 Infrastructure Management & Operations, Clause 7.30 Turf Wicket Facilities, states:-

***Type 1** - Turf wicket training and match facilities will be provided at Kingsway Sports Complex, Landsdale and MacDonald Park, Padbury. Maintenance of turf facilities will be the user clubs' responsibility with assistance from Council to a maximum of \$20,000 per wicket area per annum.*

***Type 2** - Concrete base overlaid with a selected synthetic to Council specifications will be provided by Council to active areas of Public Open Space, as identified by Council.*

These facilities will be maintained by Infrastructure Management.

All concrete wickets will be overlaid with rubberised matting for the period of winter sports for sports user safety.

Installation and removal of safety surface will be the responsibility of Infrastructure Management.

Joondalup District Club are members of the Beaumaris Sports Association who are based at the Beaumaris Sporting Complex. The members clubs of the Association are:

Joondalup Lakers Hockey Club
Beaumaris Bowling Club
Joondalup District Cricket Club

The City has made a significant contribution to the development of the Clubrooms and park facilities at Beaumaris Sporting Complex. Funding arrangements for the project were as follows:

Community Sport and Recreation Facilities Fund	\$600,000
Former City of Wanneroo	\$600,000
Beaumaris Beach Estate	\$800,000
West Australian Cricket Association (Turf Wickets)	\$80,000
Participating Clubs (voluntary labour)	\$20,000
TOTAL	\$2,100,000

As part of the half year budget review for the 1999/2000 financial year, Council provided funds to the Joondalup Districts Cricket Club totalling \$9,000 to assist with fencing of the Clubs practice wicket facilities.

DETAILS

The Joondalup District Cricket Club has submitted a written request for support from the City of Joondalup to offset the maintenance costs for turf wickets installed by the club at the Beaumaris Sports Complex.

The Joondalup District Cricket Club (formerly North Perth Cricket Club) relocated to Iluka during 1999 and installed dual turf wicket and practice facilities at the oval. Approval was given by the City for the club to install the wickets, subject to all installation costs and ongoing maintenance being the responsibility of the club.

In April 1999 the club submitted a written request for financial assistance to maintain the turf facilities and was advised that the initial agreement regarding its relocation to the Iluka complex remains. The City will continue to maintain the oval area and the surrounds and the cricket club is responsible for any turf wickets or practice wickets installed.

Preparation of the dual match wicket areas and practice wickets has been undertaken by the club and it is anticipated that they will be utilised for match play during the 2000/2001 summer sports season.

At its annual general meeting on 27 June 2000, the club resolved to change its name to the Joondalup Districts Cricket Club to identify with its new location within the City.

The club seeks support from the City of Joondalup to help offset the cost of maintaining the turf wickets, which they estimate to be \$30,000 per season. The club is aware of the support given by the City to the Whitfords & District Cricket Club and requests consideration of similar support.

Justification

1. The club is the only WACA District Club located within the City of Joondalup.
2. The club has the largest number of junior players of any WACA District Club.
3. Current capital expenditure by the club to develop the turf wickets.
4. Provision of top level cricket facilities for all clubs within the City.

COMMENT/FUNDING

The costs associated with turf wicket maintenance were of concern and this factor alone was the reason that Councils approached the WACA to achieve a consistent approach within the metropolitan local authorities.

Clubs playing within the WACA competition had various funding options and local governments were being asked for additional funds and a higher standard of facilities.

The former City of Wanneroo adopted a similar approach to the City of Stirling, City of Melville and City of Perth regarding maintenance funding and at the time, it was envisaged that the Whitfords & District Cricket Club would be elevated from the existing suburban turf competition into the WACA competition. This failed to occur and the relocation of the North Perth Cricket Club to Iluka was identified and supported by Council.

This has led to a situation where the City provides funding support for a Suburban Turf grade club for maintenance of its wickets but does not provide support to the WACA District Club through which all young people playing cricket will need to play if they aspire to play State or National cricket.

This is inconsistent with a rational approach to supporting young people to accessing the opportunities to develop and excel in cricket. In terms of sports development and the standard of provision of facilities, it would be more appropriate for funding support to be provided to Joondalup Districts Cricket Club for turf wickets because of the opportunities that exist through playing cricket with a first grade club rather than a suburban turf club.

It is considered however that the Club has had significant support from the City to establish itself in the region and form a strong financial base from which to develop. Despite this inconsistency funding from the City for turf wicket maintenance for Joondalup District Cricket Club is not supported.

Cricket was viewed as an ideal, high profile sport to utilise the high quality sports facility being constructed at Iluka, in conjunction with the developer, Beaumaris Land Sales. The bowling club, hockey club and cricket club all require similar turf conditions.

The estimate of \$30,000 submitted by the club appears low when compared to known costs for MacDonal Park, Kingsway and the City of Swan Lilac Hill complex. The estimates range from \$25,000 to \$38,000 per area of match wickets, eg. Kingsway has dual match wickets with maintenance costs of \$50,000; Lilac Hill estimates \$38,000 per wicket area.

Council allocated \$12,000 for the provision of dual concrete practice wickets in the 1998/99 capital works program and these are available for club and general public use.

Council continues to maintain the oval and surrounds for the POS. The bowling club is totally maintained by the club. Previous requests for maintenance subsidies from bowling and cricket clubs have been rejected by Council.

Costs**Existing Maintenance Agreements -**MacDonald Park - Whitfords & District Cricket Club & City of Joondalup

Turf wicket area to be maintained by the club;
Practice wicket area to be maintained by the club;
Plant, equipment & storage shed to be maintained by Council and utilised by the club;

Council Component

1999/2000 - \$25,000 towards the above maintenance areas;
2000/2001 - to be determined
new agreement under discussion
\$24,000 reducing to \$20,000 by 2005.

The current Operations' maintenance budget for Iluka Sports Complex 2000/2001 of \$36,198 is for oval, surrounds, all reticulation. Funds for turf wicket maintenance are not included within the 2000/2001 maintenance budget.

As the request for support is a one off request, it has been assessed against the Community Funding criteria to determine whether the application could be referred for consideration through the Sport and Recreation category of the Community Funding Programme. It is considered that it is ineligible for funding under this programme as it is for funding for what is recurrent operational funding, despite being a one off request.

OFFICER'S RECOMMENDATION: That Council:

- 1 ACKNOWLEDGES receipt of the request for funding;
- 2 ADVISES the Joondalup District Cricket Club that the agreement negotiated between the former City of Wanneroo and the North Perth Cricket Club remains in place and that the turf wicket maintenance is the responsibility of the club.

MOVED Cr Wight, SECONDED Cr Ewen-Chappell that the matter pertaining to the request for funding from the Joondalup District Cricket Club be DEFERRED to the ordinary meeting of Council scheduled to be held on 14 November 2000, pending a further report to be presented in relation to various matters.

The Motion was Put and

CARRIED

**CJ280 - 10/00 PETITION - REMOVAL OF PLAY EQUIPMENT AT
BEAUMARIS SPORTS COMPLEX - [02046]****WARD** - North Coastal

CJ001003_BRF.DOC:ITEM 14

SUMMARY

Council, at its meeting held on 12 September 2000, received a petition containing 97 signatures (89 residents of Iluka, 5 residents from other areas within the City and 3 residents from the City of Wanneroo), requesting reconsideration of the proposal to relocate the playground equipment from the Beaumaris Sports Complex to Sir James McCusker Park in Iluka.

The current location of the play equipment at the sports complex is close to the new turf cricket practice wickets. Relocation to an alternative site within the complex has been assessed, however the safety problem remains due to limited surrounding passive areas.

Relocation of the play equipment to Sir James McCusker Park is preferred due to its high community use and central location within Iluka.

DETAILS

The City received advice from the Joondalup District Cricket Club that it was to commence cricket training in September/October 2000 and that the location of the play equipment was of concern.

The original POS design identified both facilities, however the total passive area was reduced on the northern side by the developer and this has significantly increased the hazard.

The predominant sports type at the complex is "small ball" sports, eg. cricket and hockey, and these sports require an additional buffer zone for public safety. The existing play structure location is 22 metres from the practice area and 68 metres from the match play wicket and a ball could strike children playing on the equipment at any time.

Australian Standards determine the specific requirements for the structure, but offer no guidance for distance from a sports area. The hazard is clearly accepted by residents, sporting groups and Council officers.

A site meeting between Residents and Operations Services staff was held on Monday, 11 September 2000 and resolved the following:-

1. The existing location was unsuitable and the proposal to relocate the equipment to Sir James McCusker Park was agreed with, to comply with public safety requirements.
2. The park area was assessed to determine whether an option to install small items on the northern embankment was practical.

3. Operations Services is to proceed with the relocation program and meet with play equipment suppliers to prepare design options for discussion. This work is progressing and the designs will be discussed with residents, when completed,

It should be noted that Operations Services contacted Beaumaris Beach Homeowner's Association and Beaumaris Land Sales on 8 August 2000 to advise of the requirement to relocate the equipment and requesting comments. Beaumaris Beach Homeowner's Association relayed this information at its Annual General Meeting in mid-August 2000. No response was received by Operations Services regarding the proposal.

A sign was installed at the park on 4 September 2000 to further advise residents of the relocation proposal.

COMMENT/FUNDING

Funds were allocated in the Operations Services Maintenance Budget for this work to proceed, following confirmation that cricket would be played at the park during the 2000/2001 summer season.

The provision of smaller units on the northern embankment appears possible and designs are being pursued. Optional equipment includes two spring critters, one slide (utilising the land contour) and one carousel. Various small items of play equipment currently located at Sir James McCusker Park may be utilised.

The embankment will be modified to accommodate the items, if accepted, by the installation of small sand pits and limestone walls.

Retention of the existing large play structure is not possible within the POS area at the Beaumaris Sports Complex.

Work has commenced at Sir James McCusker Park to enlarge the sand pit area to accommodate the relocated equipment.

MOVED Cr Ewen-Chappell, SECONDED Cr Rowlands that COUNCIL ADVISES petitioners that the relocation of the play equipment from Iluka Sports Complex to Sir James McCusker Park is to proceed.

Cr Ewen-Chappell queried the possibility of an appropriate cover being constructed over the play equipment.

The Motion was Put and

CARRIED

REPORT OF THE CHIEF EXECUTIVE OFFICER**C60-10/00 ENGINEERING SUBDIVISIONS STANDARDS
REVIEW - [333176]****WARD - All**

SUMMARY

The City has a key role in having infrastructure delivered more efficiently and cost effectively. The use of “uniform” national codes and appropriate standards has ultimate customer benefits in terms of lower costs and improved industry performance and allows for benchmarking across authorities.

A comprehensive review has been completed of the City’s previous engineering subdivision standards which were originally published in 1985. It is now proposed to release this new guideline document and supporting standard drawings to the Subdivision Industry and for general engineering use within the City of Joondalup.

BACKGROUND

In 1985, the former City of Wanneroo published its Policy, Standard and Specifications which were endorsed by Technical Review committees comprising representatives of the development industry and Engineering Consultants.

While the standards had been progressively amended, it was considered that a comprehensive review was required to reflect current Industry Best Practices and Standards. The review was to be co-ordinated with the Institute of Municipal Engineering (WA) Subdivision Guidelines and the Aus-Spec #1 Standard Specifications Documents as amended for WA.

It was considered appropriate that an independent consultant be appointed to undertake this review. The Consultants role was to establish and lead a Steering Committee including representatives of the City, UDIA, private urban design consultants and industry representatives to undertake and complete the review.

DETAILS

With changes to Industry Best Practice and Standards together with the new Western Australian Planning Commission Community Design Code, there was a need to review the previous Engineering Standards (as amended). This was supported by the WA Urban Development Institute of Australia (UDIA) and was one of the recommendations of the Peer Planning Review Group’s (November 1998) evaluation of the City’s subdivision process.

The Institute of Municipal Engineering WA (Division) had published a general uniform standard on Local Government Subdivision Guidelines. In addition the Institute had also awarded a contract to undertake the conversion for WA use of the (NSW Division IMEA and State Wide Roads) Aus-Spec #1 Standard Specifications for construction works for Local

Governments in Australia. This specification comprises of the Development Design and Construction Specification which relates to Land Development and Subdivision Work.

It was considered that the use of uniform documentation would be cost effective and has the benefit of benchmarking.

The City of Joondalup (formally City of Wanneroo) has since 1985 specified technical and development standards for the subdivision of land within the City., These standards have also been used by other Authorities throughout Western Australia and in particular the metropolitan area. As the major subdivision development activity has been in the City, it was considered appropriate that the City initiate the Engineering Standards Review.

Process

In January 1999 Shawmac Pty Ltd was contracted to undertake a review of the documents with the object of producing a guideline that would meet the requirements of the industry while maintaining the City's interests.

On this basis the review process considered the various published standards noting that the relevant Town Planning, Australian Standards, Austroads and other Guideline documents provide overall guidance on design and construction activities for the industry and should be referenced wherever possible:

As national standards had been recently published, such as the AusSpec Subdivision Development Specifications Documents, the adoption of this national and other uniform standards and specifications (appropriate to WA) was the basis of the Subdivision Standards Review.

Steering Committee

The City of Joondalup was keen to have industry input to the standards to encourage a representative review and ownership and as such required Shawmac Pty Ltd to undertake the Review with a Committee of key stakeholders.

Committee Membership

Following invitations to the development industry, the key membership of the committee comprised of the following:

Representative Organisation

Mr Charles Tucak	Association of Consulting Engineers Australia (ACEA)
Mr Glen Hall	Urban Development Institute Australia (UDIA)
Mr David Brown	Public Utilities Group
Mr Neil Foley	Ministry for Planning
Mr Mike Myres	Civil Contractors Association
Mr Benny Chang	City of Wanneroo (formerly City of Joondalup)
Mr Peter Pikor	City of Joondalup

With the split of the former City of Wanneroo, both new Councils have been jointly represented on the Committee to progress the standards.

Other special interest group representatives such as the Landscape Architects Institute were also part of the liaison process when those particular issues were being considered.

There were 10 meetings of the Review Committee held over the period between March 1999 and June 2000. There was a 15 week comment period between December 1999 and March 2000 where consultants and key industry associations were requested to make comment on the Draft document developed by the Committee.

Key Committee Issues

There were some technical issues raised by the review committee concerning the various standards contained within the AusSpec documents. The following schedule highlights the key issues and comments raised by the committee throughout the process.

Issues	Comments
The ability of the AusSpec Documents to reflect Western Australian practice.	While the AusSpec document was developed in NSW, in 1998, the IMEA (WA) contracted a local consultant to adjust the documentation to suit local practice. The Joondalup review process has revealed further adjustment of the documentation is required, however these adjustments are generally considered of a minor nature.
The availability of the AusSpec document to development practitioners at a reasonable price. Concern was expressed that if consultants and/or developers were required to purchase the document from each local authority in WA, then it would be prohibitive and the process would not be a significant improvement on the current situation.	The availability of AusSpec #1 is a key element to the success of any process that uses this document as its foundation. The current licence agreement allows Joondalup to sell hardcopy of the document to consultants. Given the minor alterations to the AusSpec document that have come from the Review process, it is likely that if other Local Authorities follow the same process as Joondalup there will be no need to purchase the AusSpec document from each local authority. This was a key strategy adopted to ensure a uniform standard was applicable for the industry.

<p>The structure of the proposed document relies heavily on the consultant process between Council officers and consultants in the early stages of design development. Concern was on whether these resources will be available to ensure the process is not prolonged or stalled.</p>	<p>The proposed standards document has moved away from the prescriptive approach previously adopted. The proposed standards provide the designer with the flexibility to adopt traditional standards or present different standards that will be accepted provided they meet certain performance criteria. In excess of 80% of the design criteria would be industry accepted standards. This would require minimal consultation and improve the approval time process.</p>
<p>Whether the Council was going to adopt the quality Assurance requirements laid down in the AusSpec document.</p>	<p>Quality assurance principals were supported.</p>

Consultation Process (Draft Document)

In order that the draft document could be reviewed by a representative sample of key stakeholders, eight engineering consultant firms and various industry associations (UDIA, ACEA, Institute of Landscape Architects, Ministry of Planning and the Institute of Municipal Engineers) were requested to provide comment.

The review committee considered the comments received and these were generally incorporated in the final document as appropriate.

COMMENT/FUNDING

The new guidelines outline the City of Joondalup's standards and expectations for the development and subdivision of land within the City.

In adopting the AusSpec #1 Design Guidelines as the foundation document and assimilating traditional standards used throughout the Municipality, the City has sought to provide subdividers with a comprehensive set of specifications for the development of land that will:

- Be based on recognised industry design standards and technical guidelines
- Provide uniformity across the Western Australian land development industry, and
- Allow flexibility for designers to incorporate unique features into their subdivisional layouts.

These guidelines recognise both current design practice and industry standards as outlined in:

- Recognised Design Guidelines such as Austroads and Australian Rainfall and Runoff Australian Standards
- WA Guidelines and Codes of Practice such as
 - IMEA (WA) Guideline to Subdivisional Development
 - Bikewest's Guidelines for the Design of Bicycle Facilities and
 - Utility Provider, Code of Practice
- Planning Policies and Codes of Practice such as Livable Neighbourhoods (Draft)

- Technical Reports such as John Argue – Australian Road Research Board Special Report 34 “stormwater drainage design in small urban catchments: a handbook for Australian practice”

These Guidelines do not seek to re-establish or alter the requirements of the above documents which arguably represent current industry best practice, but seek to refer designers to these documents as a primary means of establishing uniformity of design across the industry.

The City of Joondalup and former City of Wanneroo have been the subject of continuous and intense subdivisional activity for many years and has successfully applied subdivisional standards that have stood the test of time in terms of their design life and ongoing economic maintenance.

Whilst major subdivision activity within this City is lessening as the area becomes more developed, the standards will still be applicable for general engineering projects, refurbishment and precinct planning.

Designers and developers need to be aware that the community has an ongoing interest and commitment to the economic maintenance of infrastructure provided by developers. As such, the Council being the management authority for the infrastructure needs to be completely satisfied with the long term performance of the subdivisional design presented to it for approval. The standards will ensure that the City’s management of infrastructure reflects the community needs.

Ongoing Review

Given the complexity and the comprehensive nature of information provided in the Guidelines, and the cross referencing to other documents, standards and policies it is like that amendments will occur from time to time. The City encourages innovation and improvement in all aspects of the development process and it is proposed that future adjustments to the Guidelines reflect this approach. A user working party of Local Authorities and industry stakeholders are proposed to review the Guidelines. The Guidelines have been formatted for ease of amendment. In addition, the City will receive national updates as part of the AusSpec Service Agreement.

To encourage the uniform use of the document within the City, it is proposed to provide a complimentary copy to Consultant firms working within the City of Joondalup.

A copy of the Guidelines has been placed in the Councillor’s reading room for information.

MOVED Cr Magyar, SECONDED Cr Rowlands that Council:

- 1 NOTES the release of the new City of Joondalup Guidelines to the Subdivision industry;**
- 2 THANKS the Committee Members for their input.**

The Motion was Put and

CARRIED

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR ANDREW NIXON

This Item was heard earlier in the meeting following Petitions.

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 24 OCTOBER 2000** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

SECOND PUBLIC QUESTION TIME

Mr V Cusack, Sorrento:

Q1 Has each Councillor been fully briefed on the different legal opinions relating to the security charge as supplied by the City of Joondalup?

A1 Councillors present indicated they had been briefed.

Q2 What measures will be put in place to prevent redundancy payments should the security service be rejected at the referendum?

A2 *Response by Chief Executive Officer:* This issue will need to be considered at such time. An outside company has been hired to allow flexibility and we are currently redeploying existing workforce to cover two of the six zones. If the referendum result is in the negative Council will have to reassess the ability to redeploy some or all officers into other positions and will at that time be able to make a judgement.

Q3 Can something be put into place prior to the referendum regarding employing these persons?

A3 If the result is in the affirmative, then depending on the direction of Council, more staff may be employed. There is currently 14 staff and it difficult to say how we would redeploy these and will rely on the result of the referendum.

Mr M O'Brien, Warwick:

Q1 On 4 October I visited the administration building and requested access under Section 5.94(m) of the Local Government Act to the rate record but was refused access, with the officer claiming I was prohibited by Section 5.95(2). Will Council change its approach in regard to Section 5.95(2) in regard to ratepayers under Section 5.94(m) to inspect the rate record?

A1 *Response by Chief Executive Officer:* I will investigate the matter and notify Mr O'Brien accordingly.

Mr V Harman, Ocean Reef:

- *Mr Harman requested improvements to the sound system in the Chamber.*

Mr M Sideris, Mullaloo:

Q1 Is there an overall programme for attendance at conferences?

A1 Response by Mayor Bombak: I advocate the attendance of elected members at conferences as this provides valuable experience to instigate required change.

Q2 How are the benefits communicated back to Council?

A2 Response by Chief Executive Officer: Senior officers are normally allowed one interstate conference each year, providing they make a submission and outline benefits of the conference. They are required to provide a written report on their return.

- *Cr Hurst outlined the benefits of the conference she recently attended.*

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The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 24 OCTOBER 2000** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 2203 hrs; the following elected members being present at that time:

J BOMBAK, JP
L A EWEN-CHAPPELL
D S CARLOS
S P MAGYAR
J F HOLLYWOOD, JP
A A WALKER
P ROWLANDS
T BARNETT
A W WIGHT, JP
A L PATTERSON
G KENWORTHY
J A HURST
C MACKINTOSH