



City of
Joondalup

NOTICE IS HEREBY GIVEN that the next Ordinary Meeting of the Council of the City of Joondalup will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on Tuesday, 24 October 2000 at 7.00 pm.

LINDSAY DELAHAUNTY
Chief Executive Officer
18 October 2000

PUBLIC QUESTION TIME

Council allows a 15 minute public question time at each Council meeting which is open to the public.

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

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

The following general rules apply to question time:

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

DEPUTATION

Elected Members will conduct an informal session on the same day as the meeting of the Council in Conference Room 1, Joondalup Civic Centre, Boas Avenue, Joondalup, commencing at 5.00 pm where members of the public may present deputations by appointment only.

A time period of fifteen (15) minutes is set aside for each deputation, with five (5) minutes for Elected Members' questions. Deputations shall not exceed five (5) persons in number and only three (3) of those persons shall be at liberty to address the Elected Members and to respond to questions raised. Deputation sessions are, however, open to the public and other persons may attend as observers.

MOBILE TELEPHONES

PERSONS ATTENDING MEETINGS are reminded that the use of Mobile Telephones during meetings is not permitted.

PLEASE ENSURE that mobiles are switched off before entering the Council Chamber.

** Any queries on the agenda, please contact Council Support Services on 9400 4369.*

CITY OF JOONDALUP

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **TUESDAY, 24 OCTOBER 2000** commencing at **7.00 pm**.

LINDSAY DELAHAUNTY
Chief Executive Officer
18 October 2000

Joondalup
Western Australia

AGENDA

OPEN AND WELCOME

Invited Guest

Mr Ron Privilege, Wanneroo/Joondalup RSL

APOLOGIES AND LEAVE OF ABSENCE

PUBLIC QUESTION TIME

The following questions, submitted by Mr M O'Brien of Warwick, were taken on notice at the Council meeting held on 10 October 2000:

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?

A1 Yes. Normal patrols of the suburb of Warwick were conducted during the 1999/2000 financial year. A total of 567 different graffiti tags were reported in 64 graffiti reports, 28 field reports of suspicious activities were recorded and a total of 59 requests for service for security related matters were made by the community. In addition, 217 infringements for various matters were issued in this area.

The City is in the process of evaluating a new recording system that will produce detailed information on the times and dates that a Security vehicle is in any particular street or location within the City of Joondalup.

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”?

A2 Refer to answer to question 1.

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?

A3 The City has contacted the Commercial Agents Department of the West Australian Police Service which has confirmed that there is no requirement to comply with the “Statutory Provisions of the Surveillance Devices Act 1998 and the Surveillance Devices Regulations 1999” in relation to the City’s provision of mobile security patrols service.

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?

A4 No, currently, there are no specific requests or referrals for service in relation to this property. Normal patrols of the suburb of Warwick have been conducted since 30 June 2000. Security Ranger patrols have recorded some 70 incidents in the Warwick area since this date.

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?

A5 Refer to answer to question 4.

Q6 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?

A6 At the time of the request, the City’s Officers were uncertain whether the particular information sought was able to be provided without impinging on the confidentiality of outstanding debts of other ratepayers. The officers subsequently received clarification from the Department of Local Government that the type of information you requested can be made available to the general public, with certain confidentiality conditions being respected in certain areas.

Mr O’Brien was provided with the information requested on 12 October 2000.

The following questions, submitted by Mr M Baird of Duncraig, were taken on notice at the Council meeting held on 10 October 2000:

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.

A1 The role of the Dry Parks Median and Verge Committee has not been restricted to new applications only, as the committee is currently reviewing the program and its criteria for future consideration by Council.

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).

A2 The selection criteria was supported by Council for budgeting purposes and the parks listed were considered by Council in the Capital Works Program. As previously advised, Wanbrow Park will connect to the existing bore located in Marri Park and the Budget allocation provides for completion of irrigation at the northern end of Marri Park also.

Killen Park will connect to Sycamore Park via a single bore. The bore location will be determined by water and power supply.

Cinque Ports Park connects to the Hodges Drive median and existing bores at St Michael's Park and Baltusrol Park in Connolly supply this water. Ground water availability again determined the bore to be utilised.

The above examples are in keeping with the criteria guidelines, on the basis that these small parks are in close proximity to a large park and therefore a shared bore is appropriate.

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?

A3 The 2000/2001 Dry Park Development Program is being considered by the committee and a report will be presented in due course.

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.

A4 There is no proposal current to specify Budget expenditure for dry parks and medians via a percentage split. Funds are allocated according to project requirements. There is no provision for dry park and median development within the Joondalup Town Planning Scheme. The areas are designated Public Open Space and provision of reticulation is not covered within the Town Planning Scheme.

Public comment is available via written submission to the Dry Parks Committee and ultimately, Council.

Q5 *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?*

A5 Cinque Ports Park was irrigated in conjunction with the Hodges Drive duplication project.

Q6 *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?*

A6 Wanbrow Park, Cinque Ports Park and Killen Park will all connect to other supply bores, ie.-

Marri Park - Wanbrow Park

Baltusrol Park - Cinque Ports Park

Sycamore Park - Killen Park

In accordance with the criteria, smaller parks must connect to a larger area of Public Open Space.

Q7 *I would ask Council to review the figures for these three parks.*

A7 The costs listed for Wanbrow Park, Killen Park and Cinque Ports Park are calculated in accordance with previously known irrigation costs. These costs include the provision of a reticulation mainline to an adjacent larger park containing a bore, and also residential verge reinstatement costs. If surplus funds become available at the end of these projects, they will be utilised to irrigate the next park listed in the Capital Works Program, or as determined by the Dry Park & Median Committee.

The following questions, submitted by Mr R De Gruchy of Sorrento, were taken on notice at the Council meeting held on 10 October 2000:

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 The current scope of works for the depot including land and buildings is budgeted to cost \$6.5 million. *(Other components of this question were answered at the Council meeting held on 10 October 2000).*

Q2 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?

A2 Instructions have not been given to cease restocking the shop at the reception area at Craigie Leisure Centre. As stock levels have run down, they have been restocked as required.

The following questions, submitted by Mr M Sideris of Mullaloo, were taken on notice at the Council meeting held on 10 October 2000:

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?

A1 70 formal complaints regarding the property surveillance and security charge have been received and logged on the City's customer complaint system since August 2000. The City has not kept records of all comments made regarding the property surveillance and security charge unless these were formally registered at the request of the ratepayer at the time.

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?

A2 The 2000/2001 payments have been allocated in accordance with the specific instructions to the City by Mr Sideris.

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

A3 The City of Joondalup does not have a formal policy regarding the cash hierarchy of rate payments however the cash hierarchy described is reflected in the set-up of the City's cash allocation system.

The hierarchy previously described is an industry standard, and is based on the principle that rates are a charge on the land, while services charges are a charge against the owner.

General rates remain as a debt against the land, and are collectible from subsequent owners of the property if unpaid.

Service charges are a charge against the current owner of the property, and are not recoverable from subsequent owners of the property if unpaid. The collection of service charges therefore have a higher priority than the payment of general rates.

DECLARATIONS OF FINANCIAL/NON FINANCIAL INTEREST

Cr Kenworthy stated his intention to declare a financial interest in CJ283-10/00 – Reimbursement of Travel Advance – Cr Kenworthy as this relates to expenses he has incurred.

Cr Mackintosh stated her intention to declare a financial interest in CJ291-10/00 – Community Sport and Recreation Facility Fund 2000/01 Funding Round as she is a Gold Certificate holder of North Shore Country Club.

Cr Wight stated his intention to declare a non-financial interest in CJ291-10/00 – Community Sport and Recreation Facility Fund 2000/01 Funding Round – Submission Prioritisation 00 as he has an association with the Beaumaris Sports Club.

CONFIRMATION OF MINUTES

MINUTES OF COUNCIL MEETING, 10 OCTOBER 2000

RECOMMENDATION

That the Minutes of the Council Meeting held on 10 October 2000 be confirmed as a true and correct record.

ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

PETITIONS

PETITION OPPOSING MOBILE TELECOMMUNICATION FACILITY (30 METRE HIGH SLIMLINE POLE AND EQUIPMENT) – PERCY DOYLE RESERVE, WARWICK ROAD, DUNCRAIG – [02056]

A 40-signature petition has been received residents of the City of Joondalup opposing the proposed mobile telecommunications facility to be installed at Percy Doyle Reserve, Warwick Road, Duncraig.

This petition will be referred to Planning and Development for action.

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DATE OF NEXT MEETING

CLOSURE

CJ281 - 10/00 REGISTER OF DELEGATED AUTHORITY - [07032]**WARD - All**

CJ001017_BRF.DOC:ITEM 1

SUMMARY

Section 5.46 of the Local Government Act 1995 requires the Chief Executive Officer to maintain a Register of Delegated Authority. This report documents the delegated authority exercised by the Chief Executive Officer for the months of September and October 2000.

BACKGROUND

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

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

Register of, and records relevant to, delegations to Chief Executive Officer and employees

- 5.46** (1) *The Chief Executive Officer is to keep a register of the delegations made under this Division to the Chief Executive Officer and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

DETAILS

The Register documenting the delegated authority exercised by the Chief Executive Officer for the months of September and October 2000 are attached.

RECOMMENDATION

That Council NOTES the Register documenting the delegated authority exercised by the Chief Executive Officer, for the months of September and October 2000 forming Attachment 1 to Report CJ281-10/00.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf171000.pdf](#)

**CJ282 - 10/00 AUDIT COMMITTEE – MEMBERSHIP - [40738]
[50068]****WARD - All**

CJ001017_BRF.DOC:ITEM 2

SUMMARY

At the Council meeting held on 14 March 2000 an Audit Committee was established which comprised the Mayor, Deputy Mayor, Councillors Kenworthy and Magyar as well as the Chief Executive Officer. At the same meeting the Council received a report relating to a review of the Local Government Financial Management Advisory Committee and the financial audit of local government. The Advisory Committee report to the Department of Local Government recommended that Audit Committees be established with their membership limited to elected members and the CEO (or their nominee).

Advice has now been received from the Department of Local Government indicating that the Department intends to introduce regulations requiring all Councils to establish Audit Committees. The Department however has not agreed with the proposed inclusion of the Chief Executive Officer on the Audit Committee.

This report recommends that the composition of the City's Audit Committee be amended by deleting the Chief Executive Officer as a voting member. It should be noted that the Chief Executive Officer was included on the current Audit Committee by virtue of the fact that he was also a member of the Audit Committee established by the former Commissioners.

BACKGROUND

At the Council meeting held on 14 March 2000 it was resolved that: -

- (i) an Audit Committee be established with the role of overseeing the internal and external Audit and Risk Management and Compliance functions of the City;
- (ii) appoints the following as members of the Audit Committee: -
 - Mayor
 - Deputy Mayor
 - Cr S Magyar
 - Cr G Kenworthy
 - Chief Executive Officer
- (iii) sets the quorum for the Audit Committee at three members.

At the same meeting the Council considered a report relating to a review of the Local Government Financial Management Advisory Committee and the financial audit of local government. The Advisory Committee report to the Department of Local Government recommended that Audit Committees be established with their membership limited to elected members and the CEO (or their nominee).

Advice has now been received from the Department of Local Government indicating that the Department intends to introduce regulations requiring all Council's to establish Audit Committee's the text of which is set out below: -

As you are aware, the local government audit system has been under review for some time. The review is now complete and the Minister has agreed to the following recommendations: -

- 1 Local Governments continue to appoint their auditor with contracts up to five years duration.*
- 2 Minimum specifications for local government audit contracts be provided to local governments via a guidelines with a strong Department of Local Government (the Department) recommendation that such specifications be used, as a minimum, by all local governments. The Department require that all audit contracts be supplied to the Department as a responsibility of the audit committee.*
- 3 The audit regulations be amended to require each local government to have an audit committee. The following rules to apply to such committees;*
 - (i) Membership of the audit committee may range from three to full council and it may be a separate committee or it may be an adjunct to any other committee of council but its role will be as established below.*
 - (ii) Audit Committees comprise only elected members and members of the community, if the council wants them to be on the committee. Community members may not constitute a majority of the committee. The Chief Executive Officer of the local government or his/her nominee cannot be members but may be advisers to the committee.*
 - (iii) The role and responsibilities of the audit committee: -*
 - The process of selecting the auditor;*
 - Recommending the auditor to council;*
 - Managing the audit process from the council perspective;*
 - Meeting with the auditor at least once each year to discuss the process and/or outcomes of the audit;*
 - Monitoring the administration's actions on, and responses to, any significant matters raised by the auditor in the report referred to in s7.9 of the Local Government Act 1995 and the management report;*
 - Submitting a copy of the audit contract to the Department each time a new one is entered into or the contract is amended;*
 - Submitting an annual report on the audit function to the council and the Department, and;*
 - Considering the completed Statutory Compliance Return and monitoring the administration's corrective action on matters of non-compliance.*
- 4 A series of training workshops be conducted around the State with content designed to assist the establishment and proper functioning of audit committees.*

- 5 *In addition to the report on the accounts and the annual financial report required by s7.9 of the Local Government Act 1995, the auditors of each local government be required to submit a further report on any issues which have been identified in their processes as needing to be addressed. This second report, termed the “Managing Report” is to be submitted to the Chief Executive Officer of the respective local government. The Chief Executive Officer must be obliged to advise the audit committee on the action that has been taken with regard to the Management Report. The audit committee must advise the Council regarding its level of satisfaction with the Chief Executive Officer’s response to the Management Report.*
- 6 *The Local Government Financial Management Advisory Committee undertake a project of examining whether, and if so how, mandatory internal audit should be introduced to Western Australian local governments.*
- 7 *The local government audit system be subjected to a further examination in 2003 to assess whether the changes implemented as a result of this review have led to an improved system in which all relevant parties can have confidence.*

These recommendations are in the process of being implemented. Regulations are being drafted and plans are being put in place to present the required training programmes.

COMMENT

It is considered that in many respects the Audit Committee established by the Council in encompassing both the internal audit, external audit and risk management functions of the City is preferable to an Audit Committee that largely focuses on the financial management provisions.

The Chief Executive Officer was included on the Audit Committee as a continuation of his role as a previous member of the Audit Committee and Risk Management Committee established by the Joint Commissioners.

As the advice received indicates that it is intended that the Chief Executive Officer will not be able to be a member of the Audit Committee it is recommended that he be excluded from the Committee.

RECOMMENDATION

That Council AMENDS BY AN ABSOLUTE MAJORITY the membership of the Audit Committee by deleting the Chief Executive Officer.

Cr Kenworthy stated his intention to declare a financial interest in CJ283-10/00 – Reimbursement of Travel Advance – Cr Kenworthy as this relates to expenses he has incurred.

CJ283 - 10/00 REIMBURSEMENT OF TRAVEL ADVANCE - CR KENWORTHY - [44688]

WARD - South Coastal

CJ001017_BRF.DOC:ITEM 3

SUMMARY

Cr Kenworthy recently returned from the Elected Members Course held in Canberra. Prior to departing Cr Kenworthy received a travel allowance in accordance with Council Policy 2.2.3 – Travel Accommodation Elected Members and Staff of \$90.00 per day. Clause 6 of the policy requires documentary evidence in the form of receipts for the acquittal of all advances. There is no discretion under the policy and as such approval is sought to vary the policy by authorising expenses incurred amounting to \$82.95 for which there are no associated receipts.

BACKGROUND

Cr Kenworthy recently returned from an Elected Members course facilitated by the Centre for Local Government Studies at the University of Canberra. Prior to departing Cr Kenworthy received a travel allowance in accordance with Council Policy 2.2.3 – Travel - Accommodation Elected Members and Staff of \$90.00 per day.

DETAILS

Council Policy 2.2.3 relating to Travel Accommodation – Elected Members and Staff states that:

Council recognises the importance of Elected Members and staff participating in interstate and overseas conferences where they are relevant to the good government of the City. The Council will therefore support, within budget limitations, such participation. To govern the standards associated with interstate and overseas travel, the following standards have been set: -

- 1 Approval for travel must where possible, be sought two months prior to departure.*
- 2 Travel and accommodation for Elected Members and Staff will be arranged by the Chief Executive Officer with the appropriate Council discount for travel and accommodation being arranged by that officer. Where possible, all airfares, registration fees and accommodation will be paid direct by the City.*

- 3 *Air travel standards will apply as follows unless varied with the prior approval of the Council:*

	Overseas	Inter & Intra State
<i>Elected Members, Chief Executive Officer & Directors</i>	<i>Economy Class</i>	<i>Business Class</i>
<i>Other Staff Members</i>	<i>Economy Class</i>	<i>Economy Class</i>

If Business Class is not available, Economy Class is to be used. Where Elected Members, Chief Executive Officer and Directors travel with other staff members, these other staff members will be upgraded to the appropriate standard of travel class.

- 4 *Accommodation costs should be approved by the Council prior to booking. Where available, accommodation shall normally be booked at the conference venue.*
- 5 *An advance of \$90 per day for interstate travel and \$140 per day for overseas travel shall be made available for food, drink and incidental expenses. The administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer. Where appropriate, a corporate credit card may be issued to meet these incidental expenses. Meal claims will not be recognised where meals are provided at a conference.*
- 6 *Documentary evidence in the form of receipts is required for the acquittal of all advances. All advances must be acquitted within one week of the Elected Member or Staff member returning to Perth. Amounts not acquitted shall be refunded to the City.*
- 7 *If accommodation is at the conference venue or in close proximity, taxis should be utilised. Where necessary, a hire car can be arranged for the conduct of Council business.*
- 8 *Where in particular circumstances Elected Members or staff desire to travel interstate by private motor vehicle, they will be reimbursed for actual accommodation costs which are receipted and vehicle costs in accordance with local government mileage allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.*
- 9 *Amounts specified in these guidelines will be reviewed in accordance with the Australian Taxation Office determination of reasonable travelling allowances.*

Cr Kenworthy received a travel advance of \$90 per day totalling \$540.00 associated with his attendance at the Elected Members Training Course in Canberra. Of the amount advanced an amount of \$238.08 has been acquitted with the necessary receipts. Cr Kenworthy has claimed a further \$82.95 for which no receipts are available. The expenses are minor in nature and relate to expenses associated with hospitality, camera film and tours.

COMMENT/FUNDING

Currently there is no discretion under the City's current policy for officers to authorise expenditure without appropriate documentary evidence arising from elected members' attendance at interstate training sessions and conferences.

It is considered that the policy is overly restrictive and that some discretion should be allowed to authorise reasonable claims where the elected member or member of staff certifies that the allowance was expended for Council related purposes. It is considered that this matter should be further reviewed in association with the budget workshops reviewing policy.

In the interim it is recommended that the expenses be authorised.

Account No:	0523523
Budget Item:	Governance Elected Members - Training
Budget Amount:	\$15,000
Actual Cost:	\$6,494

RECOMMENDATION

That Council APPROVES Cr Kenworthy's claim associated with his recent attendance at the Elected Members Training Course held in Canberra totalling \$82.95, for which there are no receipts.

**CJ284 - 10/00 MINUTES OF MEETING OF HOUSE COMMITTEE -
[59064]****WARD - All**

CJ001017_BRF.DOC:ITEM 4

SUMMARY

A meeting of the House Committee was held on 11 October 2000 and the minutes are submitted for noting by Council and endorsement of the recommendations contained therein.

DETAILS

The Minutes of the House Committee meeting held on 11 October 2000 are included as Attachment 1.

The House Committee recommends changes to the day of Citizenship Ceremonies and to the commencement time of Briefing Sessions, and the approval of the Christmas function.

RECOMMENDATION**That Council:**

- 1 NOTES and ADOPTS the recommendations contained within the unconfirmed Minutes of the House Committee Meeting held on 11 October 2000, forming Appendix 1 to Report CJ284-10/00;**
- 2 as from November 2000, HOLDS Citizenship Ceremonies on Wednesday evenings;**
- 3 ALTERS starting time for the following briefing sessions to commence at 6.00pm, with buffet dinner to be served at approximately 8.00 pm:**

Tuesday 6 February 2001
Tuesday 20 February 2001
Tuesday 6 March 2001
Tuesday 20 March 2001
Tuesday 3 April 2001
Tuesday 17 April 2001
- 4 in accordance with the Local Government Act 1995, GIVES local public notice of the meeting dates as detailed in (3) above;**

- 5** **HOLDS one Christmas function at an external venue capable of accommodating approximately 150 guests, with the preferred date being Friday 15 December 2000;**
- 6** **further INVESTIGATES a suitable venue and cost per head for the function as detailed in (5) above;**
- 7** **APPROVES the guest list for the function detailed in (5) above as follows:**
- **The Mayor, Councillors, Chief Executive Officer, Directors and their partners, Executive Manager Strategic Planning and partner. Each Councillor be permitted to invite two guests and partners from the community;**
 - **The Mayor may invite 4 guests;**
 - **Local, Members of Parliament, both upper and lower house, and partners;**
 - **Elected heads of Council and Chief Executive Officers from Cities of Wanneroo, Stirling and Bayswater, and Shires of Gingin and Swan.**

Appendix 10 refers

To access this attachment on electronic document, click here: [Attach10ag241000.pdf](#)

For House Committee Terms of Reference, click here: [Attach10aag241000.pdf](#)

**CJ285 - 10/00 WARRANT OF PAYMENTS FOR THE PERIOD
ENDING 30 SEPTEMBER 2000 - [09882]**

WARD - All

CJ001017_BRF.DOC:ITEM 5

SUMMARY

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

BACKGROUND

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	025264-026064	4,805,743.34
Municipal	000217-000221	4,805,743.34
	TOTAL	\$ 9,611,486.68

It is a requirement pursuant to the provisions of Regulation 13(4) of the Local Government (Financial Management) Regulations 1996 that the total of all other outstanding accounts received but not paid, be presented to Council. At the close of September 2000, the amount was \$818,307.27.

The cheque register is appended as Attachment A.

CERTIFICATE OF THE DIRECTOR RESOURCE MANAGEMENT

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$9,611,486.68 which is to be submitted to each Councillor on 24 October 2000 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

RHONDA HARDY
Manager Accounting Services

J B TURKINGTON
Director Resource Management

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$9,611,486.68 submitted to Council on 24 October 2000 is recommended for payment.

.....
 Mayor John Bombak

RECOMMENDATION

That Council APPROVES for payment the following vouchers, as presented in the Warrant of Payments to 30 September 2000, certified by the Mayor and Director of Resource Management and totalling \$9,611,486.68.

FUNDS	VOUCHERS	AMOUNT
		\$ c
Director Resource Management Advance Account	025264-026064	4,805,743.34
Municipal	000217-000221	4,805,743.34
	TOTAL \$	9,611,486.68

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf171000.pdf](#)

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CJ286 - 10/00 FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2000 - [07882]

WARD - All

CJ001017_BRF.DOC:ITEM 6

SUMMARY

The monthly financial report for the 3 months ending 30 September 2000 is appended as Attachment A.

The September report is the second financial report for the 2000/2001 financial year. The report reveals an overall surplus of **\$32.2m**, a surplus of **\$4.4m** when compared to budget for the year to date. This surplus position can be analysed as follows:

- Operating Budgets show an overall surplus of **\$2.3m** at the end of the month as compared to budget due to underspending in Employee Costs of **\$0.6m** and Materials & Contracts of **\$1.4m** and Utilities of **\$0.2m**.
- Capital Expenditure Budgets show a surplus of **\$1.2m** at the end of the month as compared to budget primarily due to purchases of Computer and Communication Equipment and Plant & Light Fleet which had not been undertaken by the end of the month.
- Capital Works budgets show a surplus of **\$0.9m** at the end of the month as compared to budget. Included in this figure is:
 - **\$0.1m** relating to roadworks at West Coast Drive, Hepburn Avenue and Whitfords Avenue. These works commenced in September 2000 and will be brought to account as the works are completed;
 - **\$0.1m** relating to Traffic Management works which have been delayed due to pending funding agreements for the Black Spot program and expenditure will be brought to account as the works are completed;
 - **\$0.3m** relating to Dual Use and Footpaths and ;
 - **\$0.4m** relating to Parks related works which are currently in progress and will be brought to account on completion of the works

RECOMMENDATION

That the Financial Reports for the Period Ended 30 September 2000 be NOTED.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf171000.pdf](#)

CJ287 - 10/00 AMENDMENT TO BUDGET PAPERS - [43629]**WARD - All**

CJ001017_GRN.DOC:ITEM 1

SUMMARY

The Budget 2000/2001 Corporate Summary incorrectly describes the organisation as having 6 Directorates, including Strategic Planning as a directorate in its own right. This situation in fact describes the internal functional processing and management responsibilities which is mirrored by the City's accounting system and not the staff structure. The Strategic Planning Unit remains as part of the CEO's area with no proposal to change this structure at this stage. To correct this position the following needs to occur:

- replace Budget Overview page 1 with Page 1 as attached herewith
- replace Budget Overview page 24 with Page 24 as attached herewith

These changes do not change the financial or management responsibilities of the 2000/2001 budget.

DETAILS

The City of Joondalup uses a number of systems in conducting its business and in recording and reporting of financial transactions. The major financial and operational systems include Oracle Financials, Oracle Projects, Maximo Maintenance and the Proclaim Property systems.

In order to facilitate the processing of financial transactions and the preparation of meaningful financial and management information, the City has adopted an appropriate Chart of Accounts. The Chart of Accounts is a listing of income, expense and balance sheet accounts used to categorize financial transactions. The Chart of Accounts is reviewed regularly and particularly as a function within the formulation of the annual budget.

The Chart of Accounts comprises of a 17-digit string which facilitates reporting of the operations by taking a number of different "reporting views" of the same information.

The 2000/2001 Chart of Accounts reflects this grouping and the Budget 2000/2001 Corporate Summary "Budget Overview" describes this new grouping. The establishment of new groups does not reflect the creation of a new formal Directorate (Strategic Planning) but merely communicates the classification of the new grouping for processing and reporting purposes.

It has become obvious that the information provided in the City of Joondalup's Budget 2000/2001 issued in September 2000 does not clearly reflect the City's organisation structure. Consequently amendments to pages 1 and 24 of the Budget Overview in the City of Joondalup's Budget 2000/2001 Corporate Summary are recommended to correctly outline the number of Directorates and the Organisation Structure. These amendments reflect that the "Strategic Planning" activities fall within the Directorate of the Office of the CEO.

In order to reflect the organisation structure, it is recommended that the City of Joondalup's Budget 2000/2001 Corporate Summary be amended as follows:

- replace Budget Overview page 1 with Page 1 as attached herewith
- replace Budget Overview page 24 with Page 24 as attached herewith

RECOMMENDATION

That Council NOTES the City of Joondalup's Budget 2000/2001 Corporate Summary be amended as follows:

- **replace Budget Overview page 1 with Page 1 as attached herewith**
- **replace Budget Overview page 24 with Page 24 as attached herewith**

Appendix 11 refers

To access this attachment on electronic document, click here: [Attach1grn171000.pdf](#)

CJ288 - 10/00 SERVICE AGREEMENT BETWEEN ELECTED MEMBERS AND INFORMATION SERVICES UNIT – [06574]

WARD - All

CJ001017_BRF.DOC:ITEM 7

SUMMARY

In accordance with Council Policy 2.2.1, Elected Members have all been issued with computer equipment and network privileges to enable them to effectively communicate electronically with the public, the Administration and other parties.

Support for these computer systems is coordinated by Information Services Unit and Council Support Services Unit. In order to clarify specific service arrangements to Elected Members such that service can be consistently delivered by the Administration to an agreed standard, a service agreement has been prepared.

The benefits to Elected Members from the agreement are a clear understanding of the services provided, a commitment from Information Services to provide these services and a defined process for modifying the agreement when necessary. The benefits to Information Services from the agreement are a clear definition of services, a standard of performance to be met and defined roles, responsibilities and obligations.

BACKGROUND

Elected Members have all been issued with computer equipment and network privileges to enable them to effectively communicate with the public, the Administration and other parties. As part of the induction process, Elected Members have also been provided with training on using these systems.

Support for these computer systems is coordinated by Information Services Unit and Council Support Services Unit. In order to clarify specific service arrangements to Elected Members such that service can be consistently delivered by the Administration to an agreed standard, a service agreement has been prepared. Such an agreement will provide benefits to both Elected Members and Information Services.

DETAILS

A service agreement has been prepared which documents:

- Guiding Principles
- Obtaining Support
- Response Times
- Hardware and Software Supported

- ❑ Pickup and Delivery of Equipment
- ❑ Preventative Maintenance
- ❑ Dial Up Network Facilities and Limitations
- ❑ Training
- ❑ Obligations under the Online Services Code of Practice
- ❑ Roles and Responsibilities
- ❑ The Process of Varying the Agreement

The approach of Information Services in providing support to Elected Members has been based on the following framework:

- ❑ Ensuring that Elected Members notebook computers are very reliable for conducting Council business; this being conducting electronic Council meetings, conducting electronic briefing sessions, communicating via email with the Administration, residents and other parties, and information exchange via the Internet and Corporate Intranet.
- ❑ Adhering to the prevailing Corporate standards and policies for information technology.
- ❑ Providing support within the confines of Information Services resources.

The benefits to Elected Members from the agreement are a clear understanding of the services provided, a commitment from Information Services to provide these services and a defined process for modifying the agreement when necessary.

The benefits to Information Services from the agreement are a clear definition of services, a standard of performance to be met and defined roles, responsibilities and obligations.

COMMENT/FUNDING

There are no funding implications for this recommendation. It is recommended that the Council adopts the Service Agreement as attached to this report, and amends existing Policy 2.2.1 to reflect the agreement and to ensure there is a clear understanding of the services provided by parties concerned.

RECOMMENDATION

That Council:

- 1 ADOPTS the Service Agreement between Elected Members and the Information Services Business Unit forming Attachment 1 to Report CJ288-10/00;**
- 2 AMENDS Policy 2.2.1 – Issue and Return of Council Related Equipment to Elected Members to incorporate reference to the Service Agreement as detailed in (1) above.**

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf171000.pdf](#)

CJ289 - 10/00 MINUTES OF JOONDALUP YOUTH ADVISORY COUNCILS MEETINGS – SEPTEMBER, 2000 - [45637]

WARD - All

CJ001017_BRF.DOC:ITEM 8

SUMMARY

Meetings of the Joondalup North and South Youth Advisory Councils were held on 18 and 20 September, 2000 and the unconfirmed minutes of both meetings are submitted for noting by Council.

DETAILS

The minutes of the Joondalup North Youth Advisory Council held on 18 September, 2000 at Joondalup Library are included as Attachment 1.

The minutes of the Joondalup South Youth Advisory Council held at Joondalup Library on 20 September, 2000 are included as Attachment 2.

No action is required from these minutes.

RECOMMENDATION

That Council NOTES the:

- 1 unconfirmed minutes of the Joondalup North Youth Advisory Council meeting held on 18 September, 2000 forming Attachment 1 to Report CJ289-10/00;**
- 2 minutes of the informal meeting of the Joondalup South Youth Advisory Council meeting held on 20 September, 2000 forming Attachment 2 to Report CJ289-10/00.**

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5abrf171000.pdf](#)
[Attach5bbrf171000.pdf](#)

**CJ290 - 10/00 TENDER 072-99/00 - OPERATIONAL MANAGEMENT
AND LEASE, CITY OF JOONDALUP LEISURE
CENTRES - [46492]**

WARD - All

CJ001017_BRF.DOC: ITEM 9

SUMMARY

The City received two tenders in response to a statewide invitation of tenders from RANS Management and YMCA Perth for the operational management and lease of the City's Leisure Centres: Craigie Leisure Centre, Ocean Ridge Leisure Centre and Sorrento Duncraig Leisure Centre. In accordance with the conditions of tendering the tender evaluation committee for Tender 072-99/00 has concluded its evaluation of the tenders received from the YMCA and RANS Management Group. An independent market test has also been conducted comparing an enhanced in-house operation versus the proposed operation from the preferred tenderer.

The tender evaluation committee has recommended that Council nominates RANS Management Group as the preferred tenderer, and authorises the Director Community Development, , to complete the process of due diligence and negotiate under the provision of Regulation 20 for a minor variation with RANS Management Group to refine:

- Fees and Charges and Rental Return rates for the contract
- Insurance cover and other risk protection measures
- An appropriate transmission of business strategy
- A detailed program of activities for each centre
- A revised budget to reflect the above items
- Other issues as necessary

with a view to presenting a final agreement to Council for execution by the Mayor and Chief Executive Officer.

The independent market test has concluded that in almost every aspect RANS offers a competitive or superior position to that projected for an enhanced Council operation. Council stands to be relieved of any operating risk and can look forward to an improved financial position by firstly not incurring the trading deficit currently experienced and secondly by enjoying a guaranteed income stream from both base and percentage rentals.

The tender submission from RANS provides Council an opportunity to reinvest in the leisure centres at no additional expense as the upgrades can be funded through the contribution by RANS and allocation of base rent received to capital works at the Centres.

It is considered that Council should nominate RANS as preferred tenderer and negotiate to refine the terms because of the following reasons:

- RANS tender is compliant with the tender specification;
- RANS offers \$1.18million in capital works;
- RANS guarantees total revenue of \$2,255,000 to the City over the life of the lease ;
- There is no potential financial risk to the City for operating losses;
- RANS is an aggressive marketing company with a very impressive track record;
- RANS proposes better options for the transfer of existing staff to the new operator

BACKGROUND

At the Council meeting of 13 July 1999, it was resolved to endorse the commencement of the process to call competitive tenders for the services provided at Craigie Leisure Centre, Ocean Ridge Leisure Centre and Sorrento Duncraig Leisure Centre in accordance with the City's Umbrella Enterprise Agreement 1999 (Item CJ252-07/99 refers).

Rationale for calling Tenders

There had been considerable discussion and speculation within Council for a number of years regarding the most effective and efficient means by which the City's leisure centres should be managed.

Historically, the centres have been managed 'in house' but there have been frequent suggestions that an independent management contractor would better operate the centres, particularly Craigie Leisure Centre.

Additionally, it is considered there is considerable benefit in market testing the leisure centres to benchmark their social and financial performance in comparison to the management options available through an independent management contractor. It is anticipated that this strategy would provide a clear basis to determine future management strategies for the leisure centres.

Financial Performance

The actual financial performance of the Leisure Centres over the last five years indicates that this is a timely and appropriate action.

City of Joondalup Leisure Centres

	94/95	95/96	96/97	97/98	98/99	99/00
Craigie Leisure Centre						
Income	2,300,430	2,553,807	2,545,353	2,352,060	2,406,126	2,297,656
Expenditure	2,522,696	2,665,779	2,491,365	2,442,460	2,506,236	2,562,411
Surplus/Deficit	(222,266)	(111,972)	53,988	(90,400)	(100,110)	(264,755)
Sorrento Duncraig Leisure Centre						
Income	273,045	273,592	242,516	253,979	273,334	342,781
Expenditure	347,044	350,448	332,953	401,585	388,297	620,752
Surplus/Deficit	(73,999)	(76,856)	(90,437)	(147,606)	(114,963)	(277,971)
Ocean Ridge Leisure Centre						
Income	268,117	283,206	274,778	280,716	223,575	235,985
Expenditure	360,253	339,687	335,162	414,606	371,038	512,860
Surplus/Deficit	(92,136)	(56,481)	(60,384)	(133,890)	(147,463)	(276,875)
Total Revenue	2,841,592	3,110,605	3,062,647	2,886,755	2,903,035	2,876,422
Total Expenditure	3,229,993	3,355,914	3,159,480	3,258,651	3,265,571	3,696,023
Total Deficit	(388,401)	(245,309)	(96,833)	(371,896)	(362,536)	(819,601)

With the exception of the 1996/97 financial year, which saw a small surplus at Craigie Leisure Centre, the leisure centres have experienced static revenue streams and increasing expenditure and have always operated at a deficit. In addition to the operating subsidy, Council has frequently injected funds for capital improvements and equipment.

Some of the increase in subsidy in the last three years can be ascribed to the introduction of corporate overheads. Corporate overheads are real costs that all businesses incur. These costs stem from other business units in the City, which provide services necessary for the operation of the Centres.

Other factors that have impinged on the financial performance of the leisure centres have been the opening of the ARENA Aquatic Facility and the Edith Cowan University Sports Centre, the delay in launching "LifeZone" the strategic marketing strategy developed to increase the profile and marketability of the centres and the deferral of proposed facility improvements pending the resolution of the Leisure Centre tender process.

Leisure Services Performance Strategies

There have been a number of strategies implemented over the last few years to improve the financial performance of Leisure Services in general. These initiatives include as follows:

- Restructure of Recreation Services into a zone approach;
- Management agreement with Warwick Churches of Christ to assume management of the City's section of Warwick Leisure Centre;
- Introduction of a centralised community facility booking service;
- Introduction of Centaman Leisure Centre management software;
- Restructure of Unit Administration; and
- Restructure of Heritage Services.

In total savings estimated at over \$600,000 have been achieved along with enhancements to customer service.

It is worth noting that the Centre for Environment and Recreation Management benchmarks (nationally recognised Leisure Centre management performance benchmarks) indicate that the median performance for Centres across Australia similar to Craigie Leisure Centre has dropped from breakeven to 91% of full cost recovery during the last 5 years.

It is considered that this decline in cost recovery is a reflection on the increase in accounting standards including depreciation and overheads in accounting records of leisure centres.

Leisure Services - Strategic Role

Leisure Services, as a business unit, is taking a regional and community development focus to meet the goals outlined in the City's Strategic and Principal Activities Plans. Operating the leisure centres, through a management contractor, is expected to better position Leisure Services to achieve these wider objectives. Such an arrangement would eliminate the need to become involved in day to day centre operational issues which currently takes up considerable staff time and which could be better utilised in working with stakeholders to ensure a broad range of leisure programmes, services and events are available to the community.

Approaches by other Local Governments

This approach is consistent with practices adopted by the following local authorities, which have outsourced facilities, viz:

City of Belmont - Belmont Oasis;
City of Bayswater - Morley Recreation Centre and Bayswater Waves
Town of Vincent - Loftus Leisure Centre
Town of Victoria Park – Park Recreation Centre
City of Armadale - Aquatic facilities
City of Kalgoorlie Boulder - Regional Aquatic Centre.

Trends in the Eastern States also reinforce that many Councils are adopting an outsourced management model for the operation of Leisure Centres.

All of these Local Authorities have reported it to be financially advantageous to manage their major leisure facilities in this manner.

The financial performance of Craigie Leisure Centre demonstrates that it is underachieving in relation to what the facility is potentially capable of realising.

Cleaning Services at Craigie Leisure Centre and the Centre kiosk were originally advertised for tender in 1996 (Item CS143-08/96 refers) by the former City of Wanneroo. These areas were outsourced in an effort to improve the financial viability of the Centre and have proven to be successful.

To achieve these goals, it was considered that engaging a Consultant with a commercial background was desirable to help realise the potential that exists, particularly at Craigie Leisure Centre. This background provided an ability to view the Centres from a commercial financial and management perspective that challenged the traditional framework in which Leisure Centres operated by Local Government usually operate.

Council's Umbrella Enterprise Agreement requires that affected Business Units are consulted prior to Council determining which, if any component of a Business Unit services is subject to Competitive Tendering. A minimum of three months notice to staff is required prior to determining which services are to be subject to competitive tender. During the period of notice appropriate and professional assistance is to be made available to affected business units to enable them to prepare, submit and administer a quality tender.

Staff at the three leisure centres were invited to consider preparing and submitting a competitive tender for the operational management and lease of the centres. This would have entailed support from the City in terms of training and professional advice to prepare a competitive bid. Staff at the three leisure centres advised in writing that they would not be preparing or submitting a tender submission.

In accordance with the requirements of Part IV of the Local Government (Functions and General) Regulations 1996 (amended in 2000) the City provided a statewide public notice inviting a tender for the operational management and lease of its three leisure centers, which was published in the West Australian on 10th June 2000. Six prospective tenderers visited the site on 20th June 2000.

Tender Evaluation

Tenders for the Operational Management and Lease of the City's three leisure centres closed on 20 July 2000. Tenders have been received from the YMCA and RANS. Due to the complex nature of the business operation and the issues involved the Executive decided to evaluate the tenders not only through the City's framework of contract management but also under the supervision of an independent assessment to reinforce the transparency and audit requirements.

The following process has been used and demonstrates the following:

- The market testing and evaluation of the leisure centres meets the probity requirements in the evaluation procedure;
- That a due process has been followed; and
- The tender submissions have been evaluated independently for the purpose of market testing the performance of the centres.

The Tender Evaluation Committee comprised the following members:

Barun Dutta	Manager Contract Management
Chris Hall	Director Community Development
John Turkington	Director Resource Management
Mark Stanton	Manager Leisure and Ranger Services
Colin Bell	Consultant, Bell Solutions
Fiona Strutt	Manager Administrative Services, City of Stirling
Mark Casserly	Consultant, CCS Strategic Management

Fiona Strutt has extensive experience in recreation management in Local Government and has worked for the Cities of Stirling and Perth. Prior to her current appointment as Manager of Administrative Services with the City of Stirling, Fiona Strutt was that City's Manager of Recreation Services.

The Manager Contract Management did not participate in the scoring of the tenders. His role was as follows:

- ensured that a due process was followed;
- ensured the Tender Evaluation Committee operated in an ethical manner;
- ensured that all commitments and clarifications between the tenderers and the City has been documented and included in the final contract;
- ensured the tender evaluation process follows the City's contract management framework; and
- to prepare the contract documents.

Mark Casserly of CCS Strategic Management had an additional role during the tender evaluation process. His role was as follows:

- to act as leader of the Tender Evaluation Committee; and
- to conduct reference and financial checks.

The evaluation included assessment by the Tender Evaluation Committee against a weighted multi criteria matrix to assess tender responses, presentations by the tenderers to the Committee and interviews.

CCS Strategic Management was also required, independent of the tender evaluation, to conduct a market testing exercise of the Leisure Centres as follows:

- conduct an independent assessment and comparison of the current operation of the Leisure Centres, their potential performance if operated in house against the tender submissions received from the YMCA and RANS;
- liaise with the Manager Contract Management to comply with legislative requirements under tender regulations and the City's contract management framework; and
- prepare the report to Council evaluating the tender submissions and the outcomes of his independent assessment and make recommendations to Council on the proposed action in relation to the market testing of the Leisure Centres.

A copy of the executive summary of CCS Strategic Management's report is attached (Attachment One refers). Other documents in CCS Strategic Management's report that are not included are the market testing section and the notes from the three meetings held by the technical evaluation committee and the reference check responses. Due to the commercial nature of the information contained in the market testing section of the report by CCS Strategic Management, this document has been forwarded to elected members under separate cover.

DETAILS

Philosophical Approach

The overarching philosophical approach to the future management of the leisure centres, as reflected in the Leisure Centre tender specifications, is as follows:

- Commercial approach;
- Establish key operating parameters at the beginning of the lease, ie programme content and facility use allocation, schedule of fees, equipment standards and then allow Lessee to operate the facilities without constant involvement from the City at an operational level, provided these issues are being properly addressed;
- The City to work with the Lessee at a strategic level to ensure facilities continue to be well maintained, meet community needs and expectations and that there is a financial return to Council.

Tender Outcomes

The outcomes that any contractor managing the Leisure Centres would be required to achieve are as follows:

- Innovation and creativity in the range of leisure opportunities available to users to meet community needs;
- Good business acumen and best practice;
- Maximum use of the Leisure Centres;
- Provide a return on the capital cost of the facilities while maintaining a high quality, affordable service;
- Provide an environment that is functional and safe while at the same time being flexible and exciting;
- Manage facilities in an efficient and effective manner;
- Encourage and support ratepayers and visitors to participate in a range of recreational activities;
- Adopt open communication and consultation with its customers, Lessor and ratepayers;
- Motivate and assist other organisations and groups to undertake a range of recreational activities; and
- Provide a high quality service that is committed to customer care.

An outline of the specific lease and management conditions is attached to this report as Attachment Two. The intent has been to link any commitments made in the tender submissions to specific clauses in the lease to ensure an enforceable but financially viable legal framework. For example there is flexibility in the lease in relation to proposals to sub let parts of say Craigie Leisure Centre for commercial activities such as beauty clinic, sportswear and other merchandising. Such proposals would still require Council approval before they could be implemented.

Tender Evaluation

The Tender Evaluation Committee has recommended that Council:

1. Declares the YMCA bid non-conforming in accordance with the conditions of tendering issued by the City and not delivering best value for money for the best interest of the City;
2. Nominates RANS Management Group as the preferred provider in accordance with the conditions of tendering, the tender submission and subsequent information provided to the City; and
3. Authorises the Director Community Development, in association with the tender evaluation team, to complete the process of due diligence and negotiate with RANS Management Group to refine:
 - Fees and Charges and Rental Return rates for the contract
 - Insurance cover and other risk protection measures
 - An appropriate transmission of business strategy
 - A detailed program of activities for each centre
 - A revised budget to reflect the above items
 - Other issues as necessary

with a view to presenting a final agreement to Council for execution by the Mayor and Chief Executive Officer under the common seal.

Market Testing

CCS Strategic Management, in concluding the independent market testing, has recommended that Council:

- Nominates RANS as the preferred provider and negotiate with them a suitable deed of agreement for the operation, management and lease of the City's leisure centres; and
- Continues the process of due diligence commenced by the tender evaluation team with a specific focus on:
 - Evaluation of the company's audited financial statements
 - Exposure the company may experience as a result of both current and previous operations

The main reasons for this recommendation are as follows:

- RANS tender is compliant with the tender specification;
- RANS offers \$1.18 million in capital works;
- RANS guarantees total revenue of \$2,255,000 to the City over the life of the lease ;
- There is no potential financial risk to the City for operating losses;
- RANS are an aggressive marketing company with a very impressive track record;
- RANS proposes better options for the transfer of existing staff to the new operator

RANS Management Group is a Victorian based company which operate some 30 recreation, sporting and entertainment facilities in Australia and New Zealand with a turnover of approximately \$23M. RANS have recently been appointed by the City of Armadale as the preferred tenderer for its two aquatic facilities. Two of the higher profile facilities managed by RANS are as follows:

Windy Hill Fitness Centre: This facility is owned by the Essendon Football Club and a major upgrade is about to be undertaken by RANS. Its membership is expected to be 2,500.

Harold Holt Swim Centre: This aquatic centre attracts over 500,000 visitors per annum.

COMMENT/FUNDING

Tender Evaluation

The Bids offered the following:

Item	RANS	YMCA
• Acceptance of deed	Yes	No
• Performance bond	\$184,000	Nil
• Management fee	\$100,000	\$178,000
• Capital works contribution	\$1,180,000	Nil
• Major works responsibility	CofJ	CofJ
• Operating loss responsibility	RANS	CofJ
• Rentals see below		

A comparison of the Rental Income is listed below.

The YMCA offered no base rental or percentage rental. They did however, offer a “depreciation” sum which satisfies the intent of the base rental.

		RANS		YMCA	
Year 1	\$0	1.0	\$31,000	\$80,000	0.0
Year 2	\$130,000	1.5	\$53,634	\$80,000	0.0
Year 3	\$150,000	1.5	\$55,779	\$80,000	0.0
Year 4	\$175,000	2.0	\$58,011	\$80,000	0.0
Year 5	\$200,000	2.0	\$60,331	\$80,000	0.0
Years 6-10	\$200,000	2.0	\$62,744	\$80,000	0.0
Total	\$1,655,000		\$600,000	\$800,000	
GRAND TOTAL	\$2,255,000			\$800,000	

YMCA Tender Submission

The Tender Evaluation Committee considered that the tender submission by the YMCA was non-conforming because it did not complete all of the tender documentation. In particular the YMCA did not complete the base rental and percentage rent of revenue sections of the tender and would not agree to pay the required performance bond.

The Tender Evaluation Committee, having acknowledged the non-conforming nature of the YMCA's tender, continued to assess the YMCA's proposal with RANS against the tender specification to explore the competitive merits of the YMCA's proposal. The Tender Evaluation Committee determined that in almost every aspect the RANS tender submission was more advantageous to the City than the YMCA's submission.

It was considered that RANS offered a "better deal" in terms of the following:

- Compliance with the tender specification
- Compliance with the requirement to submit a performance bond
- Offer of \$1.18million in capital works
- Total guaranteed revenue of \$2,255,000 to the City over the life of the lease
- No financial risk to the City for operating losses
- An aggressive marketing company with a very impressive track record
- Better options for the transfer of existing staff to the new operator
- Being a dynamic and growing company showing operating profits

Fees and Charges

RANS have proposed that in its first year of operation the fees would remain the same as what has been set by the City. In the second year of operation RANS proposes fee increases that exceed fee increases if set by Council. (Attachment Three refers)

The current fee schedule for the 2000/01 financial year reflects the impact of the Goods and Services Tax on fees at the leisure centres and a consumer price index increase. To provide a meaningful comparison between the fees proposed by RANS versus those which would be charged by Council, the current fee schedule was extrapolated to 2001/2002, being the second year of operation, using a 4% increase being a consumer price index increase. The fees that would be charged following this treatment have been used to facilitate a meaningful comparison.

Attachment Three provides this comparison and shows the proposed changes in fees for the various activities as proposed by RANS.

In general, RANS have indicated about a 10-15% increase across the board. This "real price increase" reflects a moderate adjustment to market rates as perceived by RANS.

RANS have nominated that the maximum annual percentage increase in the scale of fees and charges for the third and subsequent years will not exceed 5%.

The Tender Evaluation Committee has recommended that the City negotiates with RANS concerning its proposed fees and charges and, as a consequence, the Rental Return rates for the contract. RANS considers that the City's current Schedule of Fees and Charges is below market rates and should be increased.

A comparison with other metropolitan leisure centre venues suggests that the City's fee schedule is at the bottom end of the market for a facility such as Craigie Leisure Centre and that RANS proposed fee schedule is consistent with fees being charged at the upper end of the market at facilities such as the ARENA Joondalup.

In 1998 a Competition Policy assessment of the operation of Craigie Leisure Centre was conducted by Economic Research Associates to determine whether the Centre was competing fairly with the private sector. The process ensures that all relevant costs applicable to the operation of the Centre, including the cost of capital, are included and that ultimately this has an impact on the pricing of available services.

Economic Research Associates concluded that, in comparison to private sector fitness centre operators, the membership fees of the Fitness Centre at Craigie Leisure Centre could be adjusted over time by approximately \$50 per member per annum to ensure competitive neutrality.

In other areas, such as the pool and the creche, there was no need to increase entry charges to meet competitive neutrality requirements.

Economic Research Associates considered that the nominated price adjustments gave some indication of the prices that would need to be charged if a user pays approach was adopted.

It is considered that while a one off increase may be the most financially advantageous means to introduce fees that are in line with market rates for facilities such as Craigie Leisure Centre, it may cause a backlash from the public. Accordingly, it is proposed that the City negotiate with RANS to graduate the price increases by increasing fees over a number of years. It is important to note that any changes to the proposed fee schedule will impact on the financial return to the City.

Council can conditionally accept the tender from RANS subject to an acceptable outcome from negotiations for a minor variation under the provision of Regulation 20 of the Local Government (F & G) Regulations 1996 and authorise the Director Community Development to conduct the negotiations before entering into a contract for a minor variation.

RANS have proposed that the fees for use of Ocean Ridge and Sorrento Duncraig Leisure Centre remain consistent with the current fees set by the City.

Reference Checks

RANS were routinely reported in the reference checks as professional, customer driven, innovative and aggressive marketers of leisure centres and associated services. The reference checks were extremely favourable with very little comment, if any, to indicate cause for concern.

Transmission of Business

Recent Federal Court decisions have given the transmission of business provisions of the Workplace Act 1996 very wide application. Essentially, even if an external contractor is engaged to manage the Leisure Centres, there will be a transmission of the City's industrial awards and agreements to bind any new operator.

RANS have indicated they are aware of this issue and do not consider that transmission of business is an issue as they believe the conditions of service that they would offer under their Australian Workplace Agreement to be equal to or superior to existing employment conditions of Council. RANS have also indicated they would interview and appoint selected members of the existing staff, as required on merit.

The issue for Council in this matter is that RANS have tendered on a basis where their labour cost structures will satisfy transmission of business provisions and achieve the nominated financial returns. The risk and responsibility lies with RANS not Council.

Financial Capacity

The financial capacity and competency of the tenderers to operate the leisure centres on behalf of Council has been assessed by the Tender Evaluation Committee. Based on the information provided by both organisations the Tender Evaluation Committee was satisfied that each had the financial capacity required to operate the leisure centres.

RANS presents as a solvent and dynamic organisation with a track record of demonstrated business acumen. The Tender Evaluation Committee concluded that RANS was the preferred bidder from a financial perspective and total perspective in accordance with the tender specification and selection criteria with potential to undertake some refinement in RANS's offer through negotiation.

The risk to Council in awarding the tender for the operational management and lease of the leisure centres to RANS is no greater or different than for any other service provider to the City.

Should Council award the operational management and lease of the leisure centres to RANS a contingency plan will be developed to cover the circumstances that may eventuate should RANS fail to complete its lease term. This would be based on utilising the performance bond of \$184,000 to engage another management contractor short term until the longer term management arrangements could be resolved.

Programme of Activities

Neither RANS or the YMCA fully completed the required programming schedule, each provided a selection of the potential programming opportunities available that they would implement. It was considered that it would only be appropriate to make changes to the programming mix once they had been operating the Centres for a period.

This view is reasonable. It is considered important, however, that before the City accepts a tender a fully detailed programming schedule for each Centre should be developed.

Capital Contribution

RANS have identified two major capital works projects that they would undertake if awarded the tender. They propose to commit \$1.18M, inclusive of interest charges, towards an extension of the gym and a soft toy play area. RANS also seek a guarantee from Council for capital contributions to enhance the leisure centres.

This offer is extremely significant for the City. There are a number of initiatives needing to be implemented to enhance the appearance and performance of Craigie Leisure Centre. The City would normally be expected to fund these improvements and this offer will mean that there will be \$1.18 million less to fund by the City. To receive a guaranteed commitment of capital funding decreases the requirement for capital funding from the City and will assist in ensuring the Centre remains competitive in the market place.

The capital improvement proposed by RANS will have a beneficial impact on the performance of the Centre in terms of broadening the range of leisure opportunities available and access to the Fitness Centre as well as improving the City's financial return from the percentage rent component of the lease fees.

Market Testing

CCS Strategic Management independently conducted a market testing exercise and concluded that in almost every aspect RANS offers a competitive or superior position to that projected for an enhanced Council operation. Council stands to be relieved of any operating risk and can look forward to an improved financial position by firstly not incurring the trading deficit currently experienced and secondly by enjoying a guaranteed income stream from both base and percentage rentals.

The exercise included preparing a mini tender (identifying a series of opportunities and strategies and then preparing an operating budget on those assumptions) to determine what could be done if the operation was kept in-house and comparing this result against the bid from RANS. The study also sought to address the service to the community including customer service, innovation, flexibility in approach and the resource base to support the operation.

RANS are able to out perform an in house operation for the following reasons:

- An enhanced customer focus due to the commercial imperative;
- An ability to innovate more quickly due to greater flexibility in its operation by not having to follow the same governance processes of Council;
- An ability to make decisions more quickly and hence respond to changing customer needs;
- A network of 30 other leisure centres ensures that new trends and opportunities are identified early in the lifecycle of the product if not innovated in its own Centres whereas the City has a much more limited network.

Financial Performance

RANS have tendered that they will pay a base rent and percentage rent of revenue to the City for the lease of the three leisure centres according to the following schedule.

	Base Rent	Percentage Rent	Percentage Rent	Total
First Year		1%	31,511	31,511
Second Year	130,000	1.50%	53,364	183,364
Third Year	150,000	1.50%	55,779	205,779
Fourth Year	175,000	2%	58,011	233,011
Fifth Year	200,000	2%	60,331	260,331
Option Period				
First Year	200,000	2.5%	62,744	262,744
Second Year	200,000	2.5%	65,254	265,254
Third Year	200,000	3%	67,864	267,864
Fourth Year	200,000	3%	70,578	270,578
Fifth Year	200,000	3%	73,402	273,402
Total	1,655,000		598,838	2,253,838

The rent proposed by RANS excludes depreciation, which would continue to be a cost allocated against the business unit. A financial comparison was conducted against both submissions and “in house management”. This projection is included in the executive summary. This reveals, assuming a best case scenario for the in house management model, that the City would save \$2.25 million over the life of the lease by accepting the RANS tender.

It is considered that the base rent should be put aside into reserve to be used towards capital improvements at the Centres. This, together with the capital injection proposed by RANS will significantly enhance the competitiveness of the Leisure Centres and meet the needs of the community.

Customer Service

RANS have the capacity to draw on specialist experience from almost 30 venues nationally. An in-house operation has less scope to draw in new ideas and problem solving options as they primarily relate to the personal network of the appointed facility manager.

Contract Management

The proposed management model for the operational management and lease of the leisure centres is a direct management relationship. The contractor will liaise directly with the City's representative. It is proposed that the City's representative be the Manager Leisure and Ranger Services. In addition to this, it is proposed that a Reference Group be established comprising representatives from the City and the Contractor. The role of this group will be to consider strategic and policy issues relating to the operation of the leisure centres.

This management model is the preferred option as there is no financial risk to the City and hence no need to be involved in the day to day operation of the Centres.

The City will receive monthly reports on the performance of the Centres and it is proposed that these reports will be distributed to elected members on a quarterly basis.

Corporate Overheads

In the 2000/01 budget \$214,417 is allocated in corporate overheads to the three centres. These costs are real costs, and are typical business support costs applicable to the operation of any business. They are allocated via a cascading process to reflect the true cost of operating any particular Council service.

It is estimated that if Council awards the tender to RANS this would reduce the corporate overheads allocated to the leisure centres by \$169,417 to \$45,000 per annum in the first year. The Executive Management Group considers that, as a consequence of transferring operational management responsibility of the leisure centres to an external contractor, the anticipated savings in corporate overheads at the Business Unit level may not be realised corporately as there may be additional costs associated with managing the leisure centre contract.

This is due to not being able to optimise of economies of scale across the organisation. The Executive will however pursue savings that can be effected without any loss of organisational efficiency to maximise the potential savings.

Staff

Should Council award the tender to RANS this would result in the employment of leisure centre staff being terminated by Council resulting in redundancy payments estimated at \$340,000. Annual leave and long service leave are not included in this sum. These entitlements have already been accrued to cover this eventuality. Funds for this purpose have been budgeted in the 2000/01 budget.

The current number of staff working at the three centres that are employed on a permanent basis either full time or part time is approximately 18 FTE's.

RANS have indicated they would interview and appoint selected members of the existing staff, as required on merit. Scrutiny of the draft salary budget allocations proposed by RANS indicates that RANS anticipate more expenditure on salary and wages than currently budgeted by the City.

General

Should Council not award any tender, it is important to note that there would be a need to restructure the operation of the leisure centres, as the current performance of the Centres is not acceptable. It will be necessary for Council to fund major capital improvements previously detailed to Council and other proposals outlined by CCS Strategic Management in his report to enhance the competitiveness of the Centres and meet community needs.

The overarching philosophical approach to the future management of the leisure centres outlined in the tender specifications is as follows:

- Commercial approach;
- Establish key operating parameters at the beginning of the lease, ie programme content and facility use allocation, schedule of fees, equipment standards and then allow Lessee to operate the facilities without constant involvement from the City at an operational level provided these issues are being properly addressed;
- The City to work with the Lessee at a strategic level to ensure facilities continue to be well maintained, meet community needs and expectations and that there is a financial return to Council.

It is considered that the tender submitted by RANS Management Group meets this philosophical approach and will achieve the required outcomes.

RECOMMENDATION

That Council:

- 1 DECLARES the YMCA bid for Tender 72-99/00 non-conforming in accordance with the conditions of tendering issued by the City and not commercially viable for the City's business operation;**
- 2 NOMINATES RANS Management Group, subject to a successful outcome of the negotiation for a minor variation, as the preferred Tenderer in accordance with the conditions of tendering, the tender submission and subsequent information provided to the City;**

3 AUTHORISES the Director Community Development, in association with the tender evaluation team, to complete the process of due diligence and negotiate with RANS Management Group for a minor variation as allowed under Regulation 20 of the Tendering Regulations, to refine:

- Fees and Charges and Rental Return rates for the contract
- Insurance cover and other risk protection measures
- An appropriate transmission of business strategy including appointment of staff based on merit
- A detailed program of activities for each centre
- A revised budget to reflect the above items
- Other issues as necessary

with a view to presenting a final agreement to Council for execution by the Mayor and Chief Executive Officer for a term of 5+5 years;

4 AGREES, subject to a successful outcome of the negotiation for a minor variation, that any funds accruing to Council through the base rent payable be used to undertake capital improvements at the City's Leisure Centres.

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6brf171000.pdf](#)

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Cr Mackintosh stated her intention to declare a financial interest in CJ291-10/00 – Community Sport and Recreation Facility Fund 2000/01 Funding Round as she is a Gold Certificate holder of North Shore Country Club.

Cr Wight stated his intention to declare a non-financial interest in CJ291-10/00 – Community Sport and Recreation Facility Fund 2000/01 Funding Round – Submission Prioritisation 00 as he has an association with the Beaumaris Sports Club.

CJ291 - 10/00 COMMUNITY SPORT AND RECREATION FACILITY FUND 2000/01 FUNDING ROUND - SUBMISSION PRIORITISATION - [22209]

WARD - All

CJ001017_BRF.DOC:ITEM 10

SUMMARY

The Minister for Sport and Recreation has allocated \$8 million from the Community Sport and Recreation Facility Fund (CSRFF) for the 2000/01 round of applications. Council is requested to assess, rank and rate all applications that fall within its boundaries.

Applications have been received from seven community groups. The following is the recommended assessment of priority ranking and project ratings for all applications to be submitted to the Minister for Sport and Recreation:

Rank	Applicant	Rating
1	Mullaloo Surf Lifesaving Club	Well planned and needed by City (high)
2	Warwick Bowling Club	Well planned and needed by applicant (medium/high)
3	Beaumaris Sports Association	Well planned and needed by applicant (medium/high)
4	Sorrento Soccer, Sports and Social Club	Well planned and needed by applicant (medium/high)
5	North Shore Country Club	Well planned and needed by applicant (medium/high)
6	Kingsley Tennis Club	Needed by applicant, more planning required (medium/low)
7	Warwick Churches of Christ Sport and Recreation Association	Needed by applicant, more planning required (medium/low)

BACKGROUND

Local Government bodies and legally constituted, not for profit sporting clubs and community groups have been invited by the Ministry for Sport and Recreation to submit applications for funding to make modifications and additions to existing facilities or to construct new ones. A third of the total cost of the project may be funded by the State Government that must be matched by the applicant's own cash contribution to the project, with other funding bodies being sourced as required.

CSRFF grants are available in one of two categories:

1. Annual grants, and
2. Forward Planning grants.

Annual grants will be given to projects of a less complex nature, which have a total project value between \$3,000 and \$150,000. Grants in this category must be claimed in the next financial year.

Forward Planning grants will be given to projects of a more complex nature, requiring a period of between one and three years to complete, and which have a total project value of \$150,000 and over. Grants given in this category can be claimed in either the first, second or third year of the triennium in which the funds were allocated.

Council is required to assess, rank and rate all applications from organisations that fall within the boundaries of the City and forward these rankings and ratings to the Ministry for consideration against all other submissions in the State. To assist in this process each submission is assessed administratively via the City's Formal Facilities Assessment Process.

The Minister for Sport and Recreation will announce the successful applications in February 2001. The grants will become available in the 2001/02 financial year or in another financial year nominated by the applicant.

DETAILS

All applications were assessed by the Council's Formal Facilities Assessment Group consisting of Mark Stanton, Manager Leisure and Ranger Services; James Kirton, Manager Organisation and Strategic Development; Wayne Grimes, Recreation Development Officer, and Martine Baker, Project Officer Strategic Development.

All projects were assessed against the following key principles of the formal facilities assessment process:

- Project justification
- Planning approach
- Community input
- Management planning
- Access and opportunity
- Design
- Financial viability and
- Co-ordination.

The local government authority in which the project is to be built is requested to place a priority ranking and rating on all applications within its local government area. The ratings are to be assessed on the following criteria:

- Well planned and needed by Local Government (high)
- Well planned and needed by applicant (medium/high)
- Needed by Municipality, more planning required (medium)
- Needed by applicant, more planning required (medium/low)
- Idea has merit, more preliminary work needed (low)
- Not recommended

COMMENT/FUNDING

Applications were received from seven community groups within the City of Joondalup with details as follows:

Mullaloo Surf Lifesaving Club

This application is for the redevelopment of the Mullaloo Surf Lifesaving Club. It is proposed to extend decking to enhance the social function areas, develop additional office space, expand the gymnasium, relocate toilets and a boat shed. The project will cater for the increasing demands that have been placed on the Club, including growth of membership and the need to expand the public life saving patrols to the northern reaches of the Mullaloo Beach while maintaining existing patrolling capacities.

The extensions will enable the Club to provide adequate training for its members with greater ability to deliver integrated programs across all areas of the Club's membership. This development will also increase the capacity of the Club to forge partnerships and affiliations with other community organisations, in particular allowing greater utilisation of the Club's halls and facilities. Current community groups utilising the facility, apart from internal members include Aquamotion Swimming Club, Mullaloo Long Boarders, the City's Coast Care Committee, local Lion Clubs and the Ocean Reef High School Surf Cadet Program.

In addition, the Club will continue to be involved in the proposed development of the Mullaloo Precinct Plan, ensuring an ongoing partnership with Council. It is considered that this application should be supported by Council, subject to the statutory approvals processes in relation to land ownership and staging the construction of the project over a two-year period. It is considered that staging the project will increase its chances of receiving grant funding. The work could commence in say April 2002 of the 2001/2002 financial year and be completed early in the following financial year.

Funding details are as follows:

State Government Contribution (CSRFF)	\$120,000
Local Government Contribution	\$120,000
Applicant Cash Contribution	\$60,000
Voluntary Labour	\$40,000
Donated Materials	\$20,000
Total Project Cost	\$360,000

As the clubrooms are a Council asset, the labour and donated materials commitments will need to be assessed to confirm that it can meet its contribution to the total cost of the project.

The current lease for the Surf Club clubrooms is out of date in terms of its terminology, and in the division of responsibilities between the Lessor and the Lessee. It is also vague in relation to allocating responsibility for maintenance of the building and equipment. It is considered that renegotiation of the lease should be a condition for the Surf Club to be allocated funds by Council for this project.

This proposal is similar to that which occurred when the Sorrento Soccer, Sports and Social Club was allocated funds from Council for extensions to its clubrooms on the proviso that its lease arrangements was renegotiated and in the Soccer Club's case pay a lease fee rather than the peppercorn rent that had previously applied. (Item FA192-11/97 refers)

It is proposed that Council list \$60,000 for consideration in the 2001/02 draft budget and \$60,000 in the five year forward plan for 2002/03 subject to the Mullaloo Surf Lifesaving Club is granted \$120,000 from the Ministry of Sport and Recreation's CSRFF, the necessary statutory approvals are obtained and the successful renegotiation of the lease.

Warwick Bowling Club

This application is for extensions to Warwick Sports Club on Warwick Regional Open Space. The Sports Club is occupied by the Warwick Recreation Association, which consists of three member clubs; Warwick Bowling Club, Greenwood Tennis Club and Perth Outlaws Softball Club. The Warwick Recreation Association supports this project proposed by the Warwick Bowling Club. The project includes an extension to the building to construct an internal office/meeting room, upgrade of kitchen for commercial use, installation of associated greasetrap, and an extension of the current greenkeepers'/machinery shed to incorporate toilets, shower and a chemical store.

The office will be utilised as a 'Match Committee Room' for the bowlers, as well as a private meeting room enabling office equipment to be stored in a safe and secure environment. The kitchen upgrade and greasetrap installation will assist the Club to generate income, as well as cater for the increased numbers of members. The toilets, included in the extension of the greenkeepers'/machinery shed, will cater for the bowlers as well as users of the adjoining oval, incorporating softball, baseball and cricket. The shower and chemical store will enable the Club to meet Worksafe regulations.

It is considered that Council should financially support the office and kitchen proposals by contributing up to one-third of the costs. It is considered, however, that Council should not financially support the machinery shed extensions, as it has not been a practice of Council to fund storage extensions in existing facilities. This is seen as the responsibility of the Club concerned.

Funding details are as follows:

State Government Contribution (CSRFF)	\$26,892
Local Government Contribution	\$15,396
Applicant Cash Contribution	\$38,389
Total Project Cost	\$80,677

It is proposed that Council list \$15,396 for consideration in the 2001/02 draft budget on the proviso that the Warwick Bowling Club is granted \$26,892 from the Ministry of Sport and Recreation's CSRFF, and the funding provided by the City is used specifically for the office and kitchen proposals only.

Beaumaris Sports Association

Beaumaris Sports Association is located at the Iluka Sports Complex and consists of three member clubs; Joondalup District Cricket Club, Joondalup Lakers Hockey Club and Beaumaris Bowling Club.

Currently there are four lights on the sports oval of which two are suitable for hockey training, one for rugby training and one that the Association considers is dangerously situated in a position too close to Marmion Avenue. The Association requires the additional lighting to accommodate the increased numbers of juniors that use the ground. There will also be increased demand with a summer night-time Touch Rugby competition to commence at this venue.

This application is well planned and needed by the applicant. It is, however, contrary to Council procedure in relation to the provision of floodlighting on active parks, as stated in "Corporate Procedures Manual 7.25.2 Floodlights" to fund additional lighting:

"The maximum number of floodlights provided and maintained by the City of Joondalup on any one sports field shall be four on two standards. Any additional floodlighting on any one sports field, and the operating costs and maintenance of same, shall be the responsibility of the club or clubs allocated the facility and shall be subject to the prior consent of Council."

Other sporting groups have recently installed floodlights at their respective training venues, at their own costs. Due to Council procedure on Floodlights, as well as the above precedent of sporting groups funding their own capital for lighting, the Beaumaris Sports Association should seek funding for one-third of costs through CSRFF and two-thirds to be funded by the applicant.

Funding details for Beaumaris Sports Association is as follows:

State Government Contribution (CSRFF)	\$10,000
Local Government Contribution	NIL
Applicant Cash Contribution	\$10,000
Voluntary Labour and Donated Materials	\$10,000
Total Project Cost	\$30,000

The Iluka Sports Complex is regarded as a "district facility" and as such offers broader benefits to the community in terms of usage all year round by numerous sporting groups playing a range of large and small ball sports eg soccer and hockey. The establishment of this facility has seen three sporting groups work together to manage clubrooms. It is proving to be a financially and socially viable exercise. The Beaumaris Sports Association is in the process of leasing the facility from the City and will be paying a lease fee based on 1% of the current replacement value of the building as well as being responsible for operating and maintenance costs of the complex.

It is considered that under this type of management arrangement and mix of large and small ball sports, financial support from Council for additional lighting could be appropriate without creating an undesirable precedent. It is in Council's interest to encourage sporting groups to share Clubrooms and pay ongoing operating and maintenance costs. Additional lighting will enhance the safety of people playing small ball sports, in particular, by improving visibility at night. It will also expand the ability of the Clubs to use the park and increase use and patronage of the Clubrooms. This will assist in making the Association and its member clubs more financially viable and more able to fund future needs themselves without support from Council.

It is proposed that the Council procedure in relation to Floodlighting ovals be reviewed in relation to sporting clubs operating under the type of management arrangement and mix of large and small ball sports that are in place at the Iluka Sports Complex and a further report be submitted to Council.

Sorrento Soccer, Sports and Social Club

Sorrento Soccer Club considers that Soccer Field No.2, located at Percy Doyle Reserve, Duncraig, requires additional floodlighting for night-time training, especially in bad weather conditions. This field is the major training venue for juniors, women and men soccer players, as the No.1 field is exclusively utilised for the Club's Premier League team matches. Increased floodlights on this field will align with the Club's objectives of assisting to enhance an improved safety environment and also achieve an increased area for training, all resulting in more participants to play soccer.

This application is well planned and needed by the applicant, however it is against Council procedure, as stated in "Corporate Procedures Manual 7.25.2 Floodlights" to fund additional lighting:

"The maximum number of floodlights provided and maintained by the City of Joondalup on any one sports field shall be four on two standards. Any additional floodlighting on any one sports field, and the operating costs and maintenance of same, shall be the responsibility of the club or clubs allocated the facility and shall be subject to the prior consent of Council."

Other sporting groups have recently installed floodlights, at their respective training venues, at their own costs. Due to Council procedure on Floodlights, as well as the above precedent of sporting groups funding their own capital for lighting, the Sorrento Soccer Club should seek funding for one-third of costs through CSRFF and two-thirds to be funded by the applicant.

Funding details for Sorrento Soccer, Sports and Social Club is as follows:

State Government Contribution (CSRFF)	\$6,700
Local Government Contribution	NIL
Applicant Cash Contribution	\$8,400
Voluntary Labour	\$5,000
Total Project Cost	\$20,100

North Shore Country Club Tennis Club

North Shore Country Club and Residents Association is an incorporated non profit organisation offering sporting and social facilities to all members. The Association has been in operation for at least 17 years with membership open to any member of the community. In 1991, the Association purchased the current facilities from the developers of the North Shore estate, and since has maintained the lakes and surrounding 3.5 hectares of land at its own expense. Under its constitution no member can ever receive a financial benefit. If the Association was to “wind up” due to insufficient members, or any other reason, the facilities must be transferred to another incorporated body with similar objectives to the Association.

This application is for the resurfacing of tennis courts located at the North Shore Country Club, Kallaroo. The Association’s guiding principles include promoting tennis as an enjoyable, healthy sport for people of all ages and ability levels, and to seek and maintain a community based club.

This application is regarded as a well planned project and needed by the applicant. However, as Council has to expend resources maintaining and upgrading existing public tennis courts, it is recommended that the applicant establish and maintain a separate rolling “Capital Improvement Plan”, as indicated in the Association’s Strategic Development Plan, for court development and improvement. As it is recommended that Council not financially support this project, North Shore Country Club should seek funding for one-third of costs through CSRFF and two-thirds to be funded by the applicant.

Funding details are as follows:

State Government Contribution (CSRFF)	\$10,000
Local Government Contribution	NIL
Applicant Cash Contribution	\$25,000
Total Project Cost	\$35,000

Kingsley Tennis Club

Kingsley Tennis Club utilises the 12 court community tennis complex situated in Springwood Way, Woodvale. This application is for the construction of 4 Tennis Court Shelters. The shelters will be used by players as a sun protection facility when sitting and resting between sets. It will also be utilised as a place where players, whilst on court, can place equipment and valuables, instead of leaving these items unattended in the clubhouse. The shelters would be available for use by members of the Tennis Club during social and pennant play, as well as for hirers from the general public.

The applicant’s design is based on shelters erected at the Sorrento Tennis Club, which did not attract council funding for their construction. Kingsley Tennis Club’s application was assessed as being needed by the applicant, however more planning is required in terms of maintenance costs and graffiti contingency. It is recommended that Council does not financially contribute to this project, and that the applicant provides two-thirds of costs itself, with CSRFF contributing the remaining one-third.

Funding details are as follows:

State Government Contribution (CSRFF)	\$1,500
Local Government Contribution	NIL
Applicant Cash Contribution and Voluntary Labour	\$3,000
Total Project Cost	\$4,500

Warwick Churches of Christ Sport and Recreation Association

The Churches of Christ Sport and Recreation Association have proposed to replace the manual front doors, located in the common area of the Warwick Leisure Centre, with a fully automated door system. In line with the current management agreement existing between the City of Joondalup and the Churches of Christ, both parties should contribute to half of any operating costs associated within the common areas of the Warwick Leisure Centre.

This application was assessed to be needed by the applicant, however more planning is required in terms of future operating costs before it should be agreed to by the City. If the applicant is unsuccessful in obtaining a grant from the Ministry, then it is proposed that the proposal be included as part of Council's five-year forward plan for facilities, and included for consideration in the 2001/02 draft budget.

Funding details are as follows:

State Government Contribution (CSRFF)	\$5,031
Local Government Contribution	NIL
Applicant Cash Contribution and Voluntary Labour	\$10,061
Total Project Cost	\$15,092

RECOMMENDATION

That Council:

- 1 FORWARDS the following Community Sport and Recreation Facilities Fund applications to the Ministry of Sport and Recreation with the following rankings and ratings:**

Rank	Applicant	Rating
1	Mullaloo Surf Lifesaving Club	Well planned and needed by City (high)
2	Warwick Bowling Club	Well planned and needed by applicant (medium/high)
3	Beaumaris Sports Association	Well planned and needed by applicant (medium/high)

- | | | |
|----------|--|---|
| 4 | Sorrento Soccer, Sports and Social Club | Well planned and needed by applicant (medium/high) |
| 5 | North Shore Country Club | Well planned and needed by applicant (medium/high) |
| 6 | Kingsley Tennis Club | Needed by applicant, more planning required (medium/low) |
| 7 | Churches of Christ | Needed by applicant, more planning required (medium/low) |
-
- 2** **LISTS \$60,000 for consideration in the 2001/02 Draft Budget and \$60,000 in the five year forward plan for 2002/03 on the proviso that Mullaloo Surf Lifesaving Club is granted \$120,000 from the Ministry of Sport and Recreation's CSRFF, the necessary statutory approvals are obtained and the successful renegotiation of the Club's lease arrangements;**
- 3** **LISTS \$15,396 for consideration in the 2001/02 Draft Budget on the proviso that Warwick Bowling Club is granted \$26,892 from the Ministry of Sport and Recreation's CSRFF and the funding provided by the City is used specifically for the office and kitchen proposals only;**
- 4** **REVIEWS the City's current Floodlights on Sporting Grounds procedure and requests a further report in relation to floodlighting ovals for sporting clubs operating under the type of management arrangement and mix of large and small ball sports in place at the Iluka Sports Complex;**
- 5** **ADVISES the remaining applicants that the City is unable to financially assist their respective projects based on outcomes of the Formal Assessment Process.**

**CJ292 - 10/00 PINNAROO VALLEY MEMORIAL PARK - BUSH
PLAN - [07104] [34437]****WARD** - Marina

CJ001017_BRF.DOC:ITEM 11

SUMMARY

The City has received correspondence from the Metropolitan Cemeteries Board regarding the status of Bush Plan negotiations relating to the Pinnaroo Valley Memorial Park. A negotiated outcome has not been achieved and the Metropolitan Cemeteries Board is seeking support from the City of Joondalup in relation to the Metropolitan Cemeteries Board submission.

This report seeks Council endorsement for the Administration's role in facilitating a meeting between the Metropolitan Cemeteries Board and the Ministry for Planning (Bush Plan Reference Group) to assist in achieving an acceptable negotiated Bush Plan outcome.

In the event of no acceptable negotiated outcome being reached, it is recommended that the matter be referred for consideration to the Minister for Local Government, Minister for Planning and Minister for the Environment.

BACKGROUND

The Pinnaroo Valley Memorial Park reserve was set aside for cemetery purposes in 1962. The original land reservation comprised over 300 hectares. This area of land was reduced to accommodate Whitfords Avenue and other various incursions so that now the reserve comprises approximately 120 hectares. A significant portion of this land is unsuitable for cemetery purposes including a sewerage easement and the escarpment running north and south along the length of the reserve.

Concept

The early planning envisaged a traditional cemetery with ornamental work and traditional memorial gardens. In 1976/77 rose gardens were established. However this concept was questioned and a new master plan encompassing the bushland was adopted. Some 33% of the site is retained as untouched bushland or is preserved within developed areas.

Infrastructure

The cemetery has had substantial infrastructure investment including a road network, car parks, administration facility, public reception areas, covered waiting areas, toilet facilities, reticulation, works depot etc.

Further Developments

The Metropolitan Cemeteries Board (MCB) has proposed the construction of a crematorium complex that will include a chapel, condolence lounge, crematorium equipment, public waiting and reception areas car parks café and florist. The Crematorium complex is budgeted at \$4,000,000 and represents a major regional facility for the community.

Bush Plan & Environmental Values

The Pinnaroo Valley Memorial Park is part of Bush Plan site 303. The MCB has supplied the City with information reporting on the environmental values of the Pinnaroo Valley Memorial Park.

The MCB submission to the Ministry for Planning relating to Bush Plan and the Pinnaroo Valley Memorial Park, notes the following environmental values:

- Pinnaroo Valley Memorial Park comprises part of Bush Plan site 303;
- Two vegetation complexes are present, namely Karrakatta Central and South (predominantly open forest of Tuart (*Eucalyptus gomphocephala*), Jarrah (*E. marginata*), Marri (*E. calophylla*) and woodland of Jarrah (*E. marginata*, *Banksia* sp.) and Cottesloe complex (mosaic of woodland of Tuart (*E. gomphocephala*) and open forest of Tuart (*E. gomphocephala*) Jarrah (*E. marginata*), Marri (*E. calophylla*); Closed heath on limestone outcrops).
- Four floristic community types are present (No. 24, Northern Spearwood shrublands and woodlands; No. 26B, Woodlands and mallees on limestone; No. 28, Spearwood *Banksia attenuata* *Eucalyptus* sp. Woodlands; and No. 29A Coastal shrubland on shallow sands);
- Tuart trees are common and *Banksia* woodland is present in the south eastern portion of the site;
- Kangaroos are present and native birds are common.

The submission to the Ministry for Planning also notes a range of environmental management practices or strategies:

- the Board policy on cemetery development at Pinnaroo provides for retention of 33% of natural bush;
- an Environmental Management Plan will be prepared as an integral component of business and site management, for those areas beyond Bush Plan.
- MCB staff have considerable experience in bushland management.

The MCB has indicated that it is prepared to cede 22% of the Pinnaroo reserve to Bush Plan.

DETAILS

The MCB has written to the City expressing concern about the future of Pinnaroo Valley Memorial Park. The MCB advises that it has:

- negotiated in good faith with the Bush Plan Reference Group over a prolonged period;
- engaged an Environmental Scientist;
- prepared a submission which conceded 22% of the Pinnaroo reserve to Bush Plan;
- committed to continue the already environmentally sensitive development of Pinnaroo.

The MCB advises that Pinnaroo is recognised as the most environmentally sustainable and advanced cemetery development in Australia.

The MCB has pointed out the importance of the cemetery in the bereavement process and that Pinnaroo is on the list of tourist attractions in the City.

The MCB has advised that its submission to the Bush Plan Reference Group has been rejected and the future viability of the reserve as a cemetery and parkland is threatened. In addition, the MCB advises that in the event that a suitable outcome cannot be negotiated for Pinnaroo it will need to reconsider the provision of the regional crematorium.

The MCB seeks the support of the Council in the community interest.

Preliminary discussions in relation to the request by MCB have taken place with the MCB and the Ministry for Planning. These discussions have confirmed that an impasse has been reached between the MCB and the Bush Plan Reference Group, in the attempt to reach a negotiated outcome for Pinnaroo.

Issues relating to the impasse include:

- a “core conservation area” at Pinnaroo;
- other areas subject to future development;
- viability of the proposed crematorium facility at Pinnaroo;
- alternative sites available to MCB for future cemetery development;
- the long lead time (10 years plus) for alternative sites to be developed;
- the need to clarify areas of agreement and disagreement.

The MCB and the Ministry for Planning have indicated that a meeting facilitated by the City of Joondalup with MCB and Ministry for Planning may assist in progressing the Bush Plan negotiations. Alternatively, the MCB is seeking community support to achieve an outcome acceptable to the Board.

COMMENT

A meeting has been arranged between the MCB and the Ministry for Planning (Bush Plan Reference Group), facilitated by the City of Joondalup, with the aim of progressing the Bush Plan negotiations.

The primary role of the City of Joondalup in facilitating an acceptable outcome between the MCB and the Ministry for Planning is:

- Representing the community;
- Advocacy; and
- Leadership.

The City of Joondalup has no power to determine the outcome of a Bush Plan negotiation.

From the point of view of the Bush Plan Reference Group, the Pinnaroo Valley Memorial Park Bush Plan negotiations are limited primarily to environmental considerations. In contrast, there are significant social, economic and environmental considerations for the community and the Metropolitan Cemeteries Board.

The issues raised with the Pinnaroo Valley Memorial Park Bush Plan negotiations are not unique and the negotiations have been conducted in the context of the other landholdings subject to Bush Plan and managed by the Metropolitan Cemeteries Board.

The preferred outcome is for the resolution of Bush Plan negotiations to the satisfaction of both parties, carried out at an administrative level. However, if this is not achievable, then referral of the matter to relevant politicians and Ministers is the alternative course of action.

RECOMMENDATION

That Council:

- 1 NOTES that a negotiated Bush Plan outcome has not been achieved between the Metropolitan Cemeteries Board and the Ministry for Planning (Bush Plan Reference Group) for the Pinnaroo Valley Memorial Park (portion of Bush Plan Site No. 303);**
- 2 RECOGNISES:**
 - (a) the regional importance and value to the community of the existing Pinnaroo Valley Memorial Park;**
 - (b) the regional significance of the proposed Crematorium Complex at Pinnaroo Valley Memorial Park;**
 - (c) the policy of the Metropolitan Cemeteries Board to retain 33% of native bushland at Pinnaroo;**
 - (d) the environmental values of the bushland at Pinnaroo.**

- 3** **NOTES the efforts to achieve an acceptable negotiated Bush Plan outcome and should this fail, advises the Minister for Local Government, Minister for Planning and Minister for the Environment of the City’s concerns.**

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CJ293 - 10/00 PROVISION OF SECURITY AND PATROL SERVICES - TENDER NO 018-00/01 - [50061]

WARD - All

SUMMARY

At its meeting of 12 September 2000, Council resolved to implement a revised organisational structure for the Ranger and City Watch Services and to invite tenders for the provision of security and patrol services for 4 zones within the City (Items CJ47-08/00 and CJ231-09/00 refer). The new arrangement also provides for the City to operate the remaining 2 zones with existing Council staff. The City received 11 tenders. The proposed contract is for an initial period from 27 November 2000 to 30 June 2001. Subject to the outcome of the referendum and satisfactory performance of the service the tender provides for a possible extension of the contract for a further 2 x 12 months or part thereof.

This report examines the tender submissions received for the provision of Security and Patrol Services (Tender No. 018-00/01) and recommends the acceptance of the tender from Chubb Protective Services for the specified contract period at a cost of \$503,926.08. This tender includes the option to supply and maintain vehicles with necessary equipment.

BACKGROUND

In 1997, the City of Joondalup introduced a mobile security ranger service using personnel to carry out the duties of security officers as well as ranger functions. Between February 1997 and July 2000, the Council has received three separate petitions, totalling 2,201 signatures, across 29 suburbs, from residents requesting a security service. No less than 5 separate independent market research and community needs surveys have all indicated that security and safety, vandalism, graffiti and anti-social behaviour are the highest priority in areas of concern from the community. In July 1999, the City launched the Safer Community Program, which encompassed a range of initiatives, including the mobile security patrols (City Watch) operations. The program was funded by a separate charge to normal rates in the 1999/2000 Budget and has continued in 2000/01.

To address the community concerns mentioned above, improved standards detailed in the Service Level Agreement were developed and endorsed by Council as the basis for the operation of the City Watch service which included a variety of duties, relating to security and surveillance, throughout all areas in the City.

The proposed level of service to meet the needs and requirements of the community are:

- City Watch service 24-hours 7 days per week in 6 zones covering the City;
- Separation of roles and responsibilities for Rangers and City Watch operations;
- Seasonally adjusted rosters which allows for service flexibility;

- Increased frequency of patrolling all streets;
- An emphasis to be on community liaison and customer service level.

A budget allocation of \$1,207,344 has been allocated for the City Watch service for the financial year 2000/2001.

At the meeting of 12 September 2000, Council resolved to implement a revised organisational structure for the Ranger and City Watch Services and to invite tenders for the provision of security and patrol services for 4 zones within the City (Items CJ47-08/00 and CJ231-09/00 refer). This tender and revised Ranger Services arrangement will provide the Council with flexibility, an enhanced service delivery and is also in line with Council's intention to review the level of service in May 2001.

DETAILS

A public invitation to tender was advertised statewide on 16 September 2000 with the closing date being 4 October 2000. As part of the tender requirements a compulsory pre-tender briefing session was held on 21 September 2000 with 19 firms or companies represented. The City received 11 tenders. The names of the tenderers in alphabetical order and the weekly prices inclusive of GST quoted are presented. Five tenderers also submitted prices for the provision of vehicles as part of the tender:

NO.	TENDERER	RATE PER WEEK \$	FROM 27 NOVEMBER 2000 TO 30 JUNE 2001 (31 WEEKS) \$	RATE PER WEEK WITH VEHICLE OPTION \$	TOTAL \$
1	Chubb Protective Services	13,789.44	427,472.64	16,255.68	503,926.08
2	Falcon Protective Services Pty Ltd	14,769.74	457,861.94	20,313.74	629,725.94
3	Global Protective Services	16,262.40	504,134.40		
4	Liwil Security (Alternative Tender)	10,866.24	336,853.44		
5	MSA Management Services	15,294.72	474,136.32	16,383.36	507,884.16
6	Neptune Security Group Pty Ltd	16,128.00	499,968.00	19,488.00	604,128.00
7	NGS Guards & Patrols	15,456.00	479,136.00		
8	Panther Security Pty Ltd	12,593.28	390,391.68	15,872.64	492,051.84
9	Prestige Protection Services Pty Ltd	19,978.73	619,340.63		
10	Secure Force International Pty Ltd	13,493.76	418,306.56		
11	Tango Security Services Pty Ltd	14,044.80	435,388.80		

One tenderer, Global Protective Services, was assessed as non-compliant because no tender form was submitted as required under the conditions of tendering. Tango Security Services Pty Ltd clarified their tender prices, which originally did not include GST and provided a revised schedule. Falcon Protective Services made an adding error in their supporting documentation and after the tender was opened in public, submitted a revised tender form and a price schedule rectifying the error. The original price submitted with the tender by Falcon Protective Services was \$12,053.71 per week without vehicles and with vehicle option \$17,597.71 per week. Under conditions of tendering the City can only seek clarifications but can not accept any change in the bottom line price or another set of tender form and price schedule, once the tenders are opened. After contacting Falcon Protective Services on the matter they advised they did not wish to be considered for evaluation at the price tendered originally.

COMMENT/FUNDING

Under the City's Contract Management Framework, an evaluation committee using a weighted multi-criterion assessment system assessed the tenders. The Tender Evaluation Committee comprised the following members:

J Kirton, Manager Organisation and Strategic Development (Chair)
C Hall, Director Community Development
B Dutta, Manager Contract Management
M Coe, Strategic Co-ordinator Community Security & Safety
K Foster, Expert Independent Consultant

The Committee initially assessed each tender independently and then collectively against the following selection criteria provided in the tender document:

- (a) The potential of the Tenderer to deliver a quality value for money service for Joondalup residents on a sustainable basis.
- (b) The track record of the Tenderer to deliver the required service. This criterion will be derived from the Company profile and will consider the overall quality of the tender submission. Further, participation in and any presentation/meetings or provision of any and referee/site reports will form part of this assessment.
- (c) The extent to which the Tenderer has demonstrated that the service will achieve the objective of making Joondalup a safer place to live and visit. It is expected that achieving this objective would require a service that goes beyond the normal security patrol operation.
- (d) The method suggested by the Tenderer to demonstrate, monitor and prove the effectiveness of the service.
- (e) The methodology offered by the tenderers to ensure there is a strong communication network and liaison with the City of Joondalup, the Police Service and other service providers.
- (f) Level of experience in Community Based Security Patrol Services.
- (g) Demonstrated knowledge of the work involved.
- (h) Competitive pricing.
- (i) Demonstrated evidence and commitment to assign a dedicated team of personnel for the period of contract.
- (j) Level of professionalism and commitment to provide highly trained and experienced personnel.
- (k) The availability of resources for replacement of personnel that are part of the dedicated team assigned to the City of Joondalup.
- (l) Reporting systems and structures.

The Tender Evaluation Committee determined the weightings for the criteria prior to the closing of the tender period. The Committee initially considered and assessed the tenders without the vehicle option to determine a short list for further consideration and reference check. The tenders, where applicable, were then assessed as for the vehicle option.

Based on the evaluation of tenders the Tender Evaluation Committee invited two tenderers, Chubb Protective Services and NGS Guards and Patrols, to present to the Evaluation Committee and to clarify questions in relation to their specific tenders on Monday, 16 October 2000.

By applying the multi-criteria analysis, clarification received at the interview and reference check, the Tender Evaluation Committee determined that Chubb Protective Services provides the best value for the City in relation to the provision of Security and Patrols Services. The Evaluation Committee assessed both tenderers interviewed had demonstrated proven track record in relation to provision of Security and Patrol services, however it was considered that the tender from Chubb Protective Services provides greater flexibility and back up in resources, added value to the service and was competitive in pricing. Chubb Protective Services is a Quality Endorsed Company (AS 9002). The price offered by Chubb Protective Services includes the direct labour costs including superannuation, taxes, GST, fees, levies, vehicle maintenance including fuel and services, communication equipment, all decals and uniforms. The vehicle identification and uniforms will be in the City Watch livery.

Financial Details

For comparison purposes the each tender amount was calculated by multiplying the weekly rate by 31 being the number of weeks for the period 27 November to 30 June 2001. On this basis the tender from Chubb Protective Services, including the provision of vehicles, was calculated at \$503,926.08. A copy of the price schedule of the successful tenderer is attached (Attachment A refers).

It is proposed, should the Council accept this tender, for the City to sell the City's four vehicles currently allocated to the patrol services of the four zones and transfer the funds received to the plant replacement fund.

Account No:	11.20.22.222.5240.A033
Budget Item:	Security Services
Budget Amount:	\$1,207,344
Actual Cost:	
Tender	\$503,926
City Operations	\$703,418

A budget amount of \$1,207,344 has been allocated for the City Watch service for the financial year 2000/2001. This amount is to cover the proposed tender for four zones, the City's operational costs to November 2000 and for the City to maintain two zones until 30 June 2001.

RECOMMENDATION

That Council:

- 1 ACCEPTS the tender from Chubb Protective Services for Contract 018-00/01 Provision of Security and Patrol Services for the City of Joondalup for an initial period from 27 November 2000 to 30 June 2001 for a weekly sum of \$16,255.68 inclusive of GST in accordance with the price schedule submitted;**

- 2 AUTHORISES the execution of contract document under Common Seal.**

Appendix 12 refers

To access this attachment on electronic document, click here: [Attach12ag241000.pdf](#)

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CJ294 - 10/00 RECYCLING CHARGES FOR THE CITY OF JOONDALUP'S WASTE MANAGEMENT STRATEGY – [36958]

WARD - All

CJ001017_BRF.DOC:ITEM 12

SUMMARY

The purpose of this report is to approve recycling charges for the optional cart recycling service and advertise them as required pursuant to Section 6.19 of the Local Government Act 1995.

Council adopted the Waste Management Strategy on 11 July 2000. It contained two parts relevant to recycling, a long term strategy and an interim strategy. The interim strategy detailed the costs for the optional cart recycling service.

The charges are as follows:

	\$	GST	\$
Purchase assembly and delivery of a cart	77.00	10%	84.70
Service costs	32.00	10%	35.20

BACKGROUND

Pursuant to the provisions of Section 6.16 of the Local Government Act 1995, fees and charges must be approved by Council by AN ABSOLUTE MAJORITY. Local public notice is required pursuant to the provisions of Section 6.19 of the Local Government Act 1995.

Council at its meeting on 11 July 2000, adopted the Waste Management Strategy which contained details of the recycling strategy. This strategy introduced an optional user pays recycling cart service.

DETAILS

The interim recycling strategy consisted of two parts, a long term strategy which has the flexibility to allow the introduction of secondary waste treatment, and the subsequent changes to the collection system according to the technology chosen.

In the interim, a user pays optional recycling cart service has been introduced.

The implementation of the service has progressed to a point where Council is required to set charges before billing can commence. The charges are as follows:

	\$	GST	\$
Purchase assembly and delivery of a cart	77.00	10%	84.70
Service costs	32.00	10%	35.20

As these charges were not set at the time of adoption of the Fees and Charges Schedule, they must now be adopted BY AN ABSOLUTE MAJORITY pursuant to the provisions of Section 6.16 of the Local Government Act 1995 and local public notice must be given as provided by Section 6.19 of the Local Government Act 1995.

COMMENT/FUNDING

The charges are based on the current Service Level Agreement arrangements.

RECOMMENDATION

That Council:

- 1 **BY AN ABSOLUTE MAJORITY and in accordance with Section 6.16 of the Local Government Act 1995 SETS the following fees for the optional cart recycling services for the 2000/01 financial year (inclusive of GST):**
 - (a) **Service charge for existing users of the service prior to 1 July 2000, for whole or part of financial 2000/01 year** **\$35.20 (payable on or after 1.11.00)**
 - (b) **Purchase, assembly and delivery of 240 litre recycling cart for future users of the service from 1 January 2001** **\$84.70 (payable on or after 01.01.01)**
 - (c) **Service charge for future users of the service from 1 January 2001, based on a prorata basis** **\$17.60 (payable on or after 01.01.01)**
- 2 **UNDERTAKES the advertising of these charges as provided by Section 6.19 of the Local Government Act 1995.**

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**CJ295 - 10/00 PROPOSED SHOPPING CENTRE: LOT 715 (110)
FLINDERS AVENUE (CNR WATERFORD DRIVE,
HILLARYS) REQUEST FOR RECONSIDERATION
OF CONDITIONS OF APPROVAL - [04412]**

WARD - Whitfords

CJ001017_BRF.DOC:ITEM 13

SUMMARY

In December 1999, Council approved the development of the above site. The applicants subsequently appealed the decision to the Town Planning Appeals Tribunal (TPAT) against conditions that had been imposed to regulate the intensity of the use. The appeal went to (TPAT) mediation and an outcome was proposed wherein the appellant and Council would acquiesce to a compromised agreement.

The compromised agreement included (inter alia) the deletion of the stage and skate ramp, independent hours of operation for a liquor store and supermarket and some discretion for parking provision. Council resolved to accept the mediated proposal on July 25 2000.

The applicant now seeks further amendments to the Council's 25 July resolution. The request seeks flexibility as to trading hours for the restaurant/tavern and other details regarding wording of the approval resolution.

The requested changes to the wording are supported with the exception of the proposal for further extension to trading hours for the restaurant/tavern.

BACKGROUND

The site was created in the 1980's and was intended to provide a neighbourhood centre for the growing population of the surrounding residential area. Subdivision and reconfiguration in the early 1990's saw the deletion of a proposed service station site and the creation of a district police station site on a portion of the larger 'parent' land holding. The majority of the land stood vacant and was intended for development of a neighbourhood shopping centre.

Residential development of a medium density has occurred to the west and south of the land and development of traditional single residential lots has occurred to the north and east of the land.

The December 1999 approval was granted following several months of attempted negotiation with regard to the form of the development and its intensity. Particularly, the proposal had the potential to affect neighbouring amenity. Notwithstanding the above, the proposal, if implemented, could also provide improved services and convenience for the nearby population by introducing a long awaited neighbourhood shopping centre.

On balance, the application was supported, with a significant number of conditions applied concerning the types of land use that were considered appropriate, the hours of operation and the size of the centre.

The applicant appealed against Council's conditions of approval. Specifically the Council sought to:

- ◆ delete a skateboard ramp, outdoor stage, and reference to a tavern;
- ◆ prohibit amplified noise being generated within an al fresco area;
- ◆ increase on site parking provision;
- ◆ reduce retail floor space; and
- ◆ apply other conditions intended to ensure that detail aspects of the site could function without undue impact upon neighbours.

The decision was appealed to the TPAT. The response was that a mediated outcome was proposed. The mediated outcome was the subject of a detailed report to Council on 25 July 2000 (CJ 191-07/00 refers).

“MOVED Cr Hurst, SECONDED Cr Mackintosh that Council:

ACKNOWLEDGES the receipt of a revised submission, received on 13 July 2000, concerning the proposed development of a local shopping centre on Lot 715 Flinders Avenue Hillarys, which was approved by Council on 21 December 1999, and AGREES to:

- (a) ***reducing the required provision of car parking on site, from 291 bays to 285 bays in this instance;***
- (b) ***RESCINDS conditions (c) and (x) of its approval dated 21 December 1999 (CJ452-12/99) being:***
 - “(c) the tenancy marked “restaurant/tavern” being approved and used as a restaurant only”***
 - “(x) the liquor store and supermarket having the same hours of operation”;***
- (c) ***the tenancy marked “restaurant/tavern” on the plans of the proposed development is accepted and approved by the Council for use as a restaurant of the European style:***
 - (i) ***allowing for the possibility of service to patrons of liquid refreshments without the prerequisite of a substantial meal;***
 - (ii) ***with a restaurant or special facility liquor licence, not a tavern licence;***
 - (iii) ***but operating during restricted hours not exceeding 9 am to 10 pm weekdays and Saturdays and 12 noon to 8 pm Sundays;***

- (iv) *without amplified sound or entertainment in any outdoor areas, or indoor so as to be audible at any neighbouring residence; and*
- (v) *no more than 50 m² of the area designated for alfresco dining being licensed or used in connection with the restaurant.*

2 *NOTES that this resolution forms part of a proposed mediated agreement in relation to the proposed development, and is conditional upon the applicant's acceptance of the remaining conditions of development approval (issued December 21 1999) including, inter alia, the deletion of the skate board ramp, the stage, and amplification of sound in the alfresco area."*

DETAILS

The applicant seeks further clarification of various matters. As some of the issues relate to the wording of the resolution passed by Council in July 2000, it is necessary to consider rescission of parts of the July resolution.

Other matters relate to detail surrounding the negotiation of conditions (including cost sharing and location of traffic calming devices, landscaping details etc) these matters are progressing in the normal manner, ie via dialogue with the relevant City officers.

Amendments requested to the July 25 resolution are as follows;

"1 (c) (i) allowing for the possibility of service of liquid refreshments without the prerequisite of a substantial meal".

The applicant requests that "liquid" be substituted for "alcoholic"

"1 (c) (iii) but operating during restricted hours not exceeding 9am to 10pm weekdays and Saturdays and 12 noon to 8pm Sundays

The applicant requests that the condition be deleted and replaced with:

Trading hours permitted as follows:

Monday to Wednesday	9:00 am to 10:00 pm
Thursday	9:00 am to midnight
Friday	9:00 am to 2:00 am Saturday
Saturday	7:00 am to 2:00 am Sunday
Sunday	7:00 am to 12:00 midnight

"1 (c) (iv) without amplified sound or entertainment in any outdoor areas, or indoor so as to be audible from any neighbouring residence."

The applicant requests that this condition be deleted and replaced with:

Any amplified sound will comply with the requirements of the Environmental Protection (Noise) Regulations.

“1(c) (v) No more than 50m² of the area designated for alfresco dining being licensed or used in connection with the restaurant.”

The applicant requests that this be replaced with:

No more than 50m² of the al fresco area be used for the service of alcoholic refreshments.

COMMENT/FUNDING

The suggested changes are discussed hereunder.

Replacement of “liquid” with “alcohol”

The clarification sought is suggested to be in keeping with the expectation of the types of liquid served at the restaurant tavern. Therefore, no objection is held to the proposed wording.

Broadening of operating hours for the European style restaurant

The request for extending trading hours is a concern.

The Council has had extended dialogue with the proponents, both directly and indirectly, through City officers to discuss the likely management style of the restaurant. Most recently, this resulted in a session between elected members and the proponents to hear about the intended operation of the site. The Council’s key concern has been understood to relate to the impact of the non- residential use upon the surrounding community.

The proposal for extended trading hours is not consistent with the quiet nature of the neighbourhood, particularly at night.

The applicant states that the proposal would allow the facility to cater for functions, where there is often a demand for a group booking until past midnight on Friday and Saturday nights. On those occasions, a single group for a function would book the facility exclusively. Nevertheless, the proposed operation of an entertainment facility within 50metres of nearby residents until 2:00 am is not considered compatible with the intended use of the site.

Extended trading hours (from 10:00 pm closing to midnight) on Thursday nights are suggested to cater for retail industry employees. Extended Saturday and Sunday morning trading (approved from 9:00 am, but proposed from 7:00 am) is intended to capture the breakfast market. Midnight trading on Sundays is also intended to broaden the market appeal of the facility.

The proposal for extended trading hours is not consistent with the proposal put forward by the applicant that was evaluated to support Council’s July25 resolution. A meeting with Councillors supported that submission, where the original ‘trading hours’ condition was drafted and agreed with the proponent.

The nearby residents also make regular phone calls to inquire as to the progress of the proposal.

Most recently, significant concern has been expressed about the prospect of the facility being in operation late at night.

Technically, no objection is held to the early opening hours, however, the late night trading proposal is not supported. It is considered that the facility is too close to surrounding residents for either land use to co-exist in a harmonious way. The zoning of the land for a shopping centre clearly did not contemplate the use of the land for this purpose and it is not significantly separated or 'buffered' from the surrounding residential neighbourhood.

Request for allowance of amplified music that would comply with Noise Abatement Regulations

The Council has been sensitive to the potential for noise intrusion. This concern was validated by independent assessment of the noise issue. Principally, noise problems were anticipated if the stage, al fresco area and skateboard ramp in the original proposal were implemented. Given that the stage and ramp have now been deleted, the al fresco area has a lesser potential to be used for noisy live music activities. The al fresco area would now be oriented towards the various food outlets proposed in the centre. The applicants request that amplification be allowed within the normal limits of regulations. Under the circumstances, it is recommended that this be allowed.

Request for rewording of the condition related to alcoholic refreshment sales in the al fresco area

Although it was not intended, the original condition of approval could be interpreted as limiting the sale of any product from the European style restaurant, to a maximum of 50m² of the al fresco area. The condition of approval was not intended to achieve this end, rather it was intended to ensure that alcohol consumption from the restaurant did not extend to more than 50m² of the al fresco area. Given the above, the request is supported.

Council should also be aware that the applicant has reserved the right to carry the appeal forward to a full sitting of the TPAT. This is unusual, given that the mediated process has led to a stage where the appeal parties (the City and the applicant) have left the mediation proceedings with the apparent shared understanding that if Council could adopt the mediated proposal, then the appeal would be at an end. Against this background, City officers recommended that the mediation proposal be approved.

The issue of extended trading hours had not been discussed prior to the submission of further correspondence on September 21 2000, seeking a variation to the July resolution.

Despite this concern, the summary view is that the appeal mediation has provided a useful forum to resolve a number of issues including car parking, the stage and skate board ramp, and the sharing of concerns and ideas regarding management and use of the proposed centre.

RECOMMENDATION**That Council:**

- 1** **ACKNOWLEDGES** the receipt of a revised submission from Mr G Paterson Architect on behalf of the owners of Lot 715 (110) Flinders Avenue, Hillarys to **AMEND** the use of the tenancy marked “restaurant/tavern” on the plans dated 21 December 1999, as a restaurant in the European style:
 - (a) allowing for the possibility of service to patrons of alcoholic refreshments without the prerequisite of a substantial meal;
 - (b) with a restaurant or special facility liquor licence, not a tavern licence;
 - (c) but operating during restricted hours not exceeding 9:00 am to 10:00 pm weekdays and 7:00 am to 10:00 pm Saturdays and 7:00am to 8:00 pm Sundays;
 - (d) accompanied by amplified sound, subject to it being within the requirements of the Environmental Protection (Noise) Regulations;
 - (e) no more than 50m² of the alfresco area maybe used for the service of alcoholic refreshments;

- 2** **NOTES** that this resolution forms part of a proposed mediated agreement in relation to the proposed development and is conditional upon the applicant’s acceptance of the remaining conditions of approval (issued 21 December 1999) and the resolution adopted on 25 July 2000.

**CJ296 - 10/00 LOTS 511 AND 512 (17) SHENTON AVENUE,
JOONDALUP - [02728]****WARD** - Lakeside

CJ001017_BRF.DOC:ITEM 14

SUMMARY

The purpose of this report is to seek Council's approval for construction of 12 angled parking bays including a disabled bay in the controlled access place within the Shenton Avenue reserve adjacent to the Residential unit development constructed on Lots 511 and 512 (17) Shenton Avenue Joondalup. It is proposed to convert one of the street level residential units to commercial. However, to comply with the parking requirements of the Building Code of Australia, conversion from a residential development to an office/commercial development requires an additional two parking bays including an on site disabled bay.

This proposal would increase public parking in the area and may facilitate the change of use.

BACKGROUND

Approval for the development of Lots 511 and 512 (17) Shenton Avenue, Joondalup to proceed as a residential development included a condition that the ground floor units should be easily converted in the future to office/commercial. It was accepted that any increase in on site parking requirements due to the conversion could be met through payment of cash in lieu for future parking provision. With the building now nearly complete and all ground floor units sold, application has been made for conversion of one unit to office/commercial. This involves a change of building classification from class 2 residential to class 5 office/commercial and requires provision of two additional parking bays including an on site disabled parking bay.

DETAILS

Each of the 20 units in the development has been strata titled and sold separately. There are 8 units at ground level. Each of these will be treated separately for parking provision when the time comes to convert from residential to office/commercial. The conversion to commercial/office use is in keeping with the Joondalup City Centre Development Plan and Manual of objectives and provisions for this area. On that basis and in order to comply with the Building Code of Australia, (BCA) each office/commercial unit should provide a disabled bay on site. If the units were built on one lot and not strata titled, there would only be a requirement to provide one disabled bay per fifty(50) on site parking bays and therefore only one disabled parking bay for the whole development.

The on site parking provision was initially calculated to meet requirements for a residential development and therefore without provision for any on site disabled bay. The application of the commercial parking rate of one bay per 30m² to the unit requires the provision of a further two bays and the applicant proposes to pay cash in lieu of the provision of on site parking. Cash in lieu is currently assessed at a rate of \$8,100 per parking bay. Therefore, the developer is responsible to pay an amount of \$16,200 cash in lieu to the City.

Disabled parking bays are required to be wider to facilitate wheel chair access and generally make vehicle access easier for disabled persons. With the building nearing completion and all units sold separately, there has been no provision made for any larger sized disabled bays on site. Technically, without on site parking for the disabled, the ground floor units cannot meet the BCA parking requirements and therefore cannot be converted to office/commercial in keeping with the objectives for the City Centre as set out in the Joondalup City Centre Development Plan and Manual.

The developer has been advised that technically, approval cannot be given for the conversion from a residential unit to an office/commercial unit as the constructed building cannot meet the requirement for an on site disabled bay. The developer has lodged an appeal with the Minister for Local Government against the need to meet the requirement for an on site disabled parking bay, on the basis of a disabled parking bay being located in the Shenton Avenue reserve, adjacent the development.

COMMENT

While the Building Code of Australia requires provision of an on site disabled bay, it is questionable that such an on site bay is the best option in this instance. This is particularly the case if that bay is intended for use by customers of the office/commercial development on the ground floor and the location of an on site disabled bay is at the rear of the premises at a greater distance and with more difficult access. Rather, the location of a disabled bay within the Shenton Avenue reserve in parking space protected by a median strip from passing traffic and within seven metres of the door to the office/commercial premises, is considered a better option. A disabled bay in this location would more effectively meet the needs of the customers to the site.

A cash in lieu payment for a shortfall of two on site parking bays is payable by the developer. Cash in lieu of providing on site parking in the City Centre is paid into a separate reserve account to be used for the provision of land and construction of parking bays. It is suggested that funds from this reserve be used to cover the cost of works to alter the existing parallel parking layout. Details of the works are as shown on Attachment 1. The plan shows the works would increase the number of parking bays in the immediate vicinity, from 7 parallel bays to 12 angle bays, adjacent to the development.

The estimated cost of works detailed on Attachment 1 have been calculated at \$ 10,300.

It should be noted that construction of any parking facilities by using funds from cash in lieu of providing on site parking does not give any rights or exclusive use to the developer, property owner or property occupier where the required amount of parking could not be provided. This applies regardless of where any additional parking is provided, whether it be in a road reserve or in a multi level parking station.

The provision of disabled parking facilities along with other parking for special service requirements, such as post collection vehicles will be included for consideration in the development of the City's Parking Strategy.

In recommending Council approval for this proposal, consideration has been given to the overall requirements for provision of disabled parking in the vicinity of the development on lots 511 & 512 Shenton Avenue. Two parking bays for disabled are located in the public car park at the rear of the development and another existing parking bay for disabled is located in the car park of the development on corner of Lakeside Drive and Shenton Ave. The future development on the corner of Shenton Ave and Davidson Terrace will also require another disabled parking bay. It is therefore considered the developments in the immediate vicinity adequately cater for disabled parking bays.

The proposed placement of a disabled parking bay in the protected car parking area adjacent the development and the increase in the number of parking bays will be of benefit to both businesses in the area and customers.

RECOMMENDATION

That Council:

- 1 APPROVES the construction of 12 x 45 degree angle car parking bays including 1 parking bay for disabled, to replace the existing 7 parallel parking bays as outlined on Attachment 1 to Report CJ296-10/00, adjacent to Lots 511 and 512 (17) Shenton Avenue, Joondalup on the basis that the cost be met from the cash in lieu payment of \$16,200 being paid by the developer and credited to the Joondalup City Centre Public Parking Reserve Account;**
- 2 in this instance, APPROVES the construction of a disabled bay, maximising available parking within the Shenton Avenue reserve adjacent to Lots 511 and 512 (17) Shenton Avenue, Joondalup as being the preferred alternative to providing on site parking for the disabled for all of the ground floor units;**
- 3 SUPPORTS any appeal by the developer to the Minister for Local Government for construction of a disabled bay in the Shenton Avenue reserve adjacent the development on Lots 511 and 512 (17) Shenton Avenue, Joondalup as satisfying the Building Code of Australia requirements to provide on site disabled parking.**
- 4 ADVISES the developer that payment of cash in lieu of providing on site parking and construction of angled parking including parking for disabled, in the Shenton Avenue, Joondalup reserve adjacent the development, does not give the developer, unit owners or unit occupiers any exclusive right whatever to those or any other parking bays within the road reserve.**

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7brf171000.pdf](#)

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CJ297 - 10/00 DELEGATED AUTHORITY REPORT - [07032]**WARD - All**

CJ001017_BRF.DOC:ITEM 15

SUMMARY

This report provides a resume of the Development Applications processed by Delegated Authority from 1 September to 30 September 2000.

RECOMMENDATION

That Council NOTES the determinations made under Delegated Authority in relation to the applications described in Report CJ297-10/00.

Appendix 8 refers

To access this attachment on electronic document, click here: [Attach8brf171000.pdf](#)

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CJ298 - 10/00 SUBDIVISION REFERRALS PROCESSED 1
SEPTEMBER – 30 SEPTEMBER 2000 - [05961]

WARD - All

CJ001017_BRF.DOC:ITEM 16

SUMMARY

Overleaf is a schedule of the Subdivision Referrals processed by the Subdivision Control Unit (SCU), from 1 September – 30 September 2000. Applications processed via the SCU were dealt with in terms of the delegation of subdivision control powers by the Chief Executive Officer (DP247-10/97 and DP10-01/98).

DETAILS

The total number of subdivisions processed will enable the potential creation of 6 additional residential lots and 4 additional strata residential lots. The average processing time taken was 15 days.

RECOMMENDATION

That Council NOTES the action taken by the Subdivision Control Unit in relation to the applications described in Report CJ298-10/00.

Appendix 9 refers

To access this attachment on electronic document, click here: [Attach9brf171000.pdf](#)

REPORT OF THE CHIEF EXECUTIVE OFFICER

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR ANDREW PATTERSON

In accordance with clause 3.12 of the Standing Orders Local Law, Cr Andrew Patterson has given notice of his intention to move the following motion at the Council meeting to be held on Tuesday 24 October 2000.

“That if a Council meeting or Briefing Session runs past 10.00 pm, then a decision is made by Council to adjourn and if there is any remaining business, it is held over to the next immediate Council meeting or Briefing Session.”

DATE OF NEXT MEETING

The next meeting of the Council has been scheduled for **7.00 pm** on **TUESDAY, 14 NOVEMBER 2000** to be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup

CLOSURE

DECLARATION OF INTEREST FORM, CLICK HERE: [declaration of interest.pdf](#)



City of
Joondalup

QUESTION TO MEETING OF COUNCIL

NAME

ADDRESS

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QUESTION

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Please place this form in the tray provided at the meeting or post to:

The Chief Executive Officer
City of Joondalup
P O Box 21
Joondalup WA 6919

NOTE Council is not obliged to respond to a question that does not relate to a matter affecting the municipality.

Questions at a Special Meeting of Council must relate to the stated purpose of the meeting.

FOR SEATING PLAN OF THE COUNCIL CHAMBER, CLICK HERE: [Seatplan.pdf](#)